

WOMEN & GENDER CONSTITUENCY

WGC Submission on views of activities involving removals in Article 6.4 mechanism

Contributors: *Coraina de la Plaza (Global Forest Coalition), Hwei Mian Lim (Independent Advisor), and Pat Bohland (LIFE - Education Sustainability Equality e.V.)*

Session name:

SBSTA

Mandate:

Decision -/CMA.4, para.19)

Deadline:

15/03/2023

Title:

Views on activities involving removals, including appropriate monitoring, reporting, accounting for removals and crediting periods, addressing reversals, avoidance of leakage, and avoidance of other negative environmental and social impacts, in addition to the activities referred to in chapter V of the rules, modalities and procedures.

Introduction

The Women and Gender Constituency (WGC), on behalf of 34 observer organizations, welcomes the call by the CMA for observer organizations to submit views on the rules, modalities and procedures pertaining to Article 6.4 mechanism. We hope that this submission will provide the Supervisory Body our perspectives and recommendations, which are rooted in human rights, and promote gender equality and women's empowerment.

This submission comprises our general view on removal activities, and our reflections on the specific sections and paragraphs of the recommendations on activities involving removals (Annex of the document FCCC/PA/CMA/2022/6/Add.1¹).

General View

The WGC demands that guidelines developed for the implementation of Article 6 of the Paris Agreement, in particular for Article 6.4 mechanism, ensure genuine emissions reductions and do not further promote false solutions (i.e. unreliable and unproven solutions) that not only do not contribute to the overall climate change mitigation but could even increase emissions. We demand that the processes and outcomes of Article 6.4 are gender-just and human-rights based, minimize risks, put people over markets, protect environmental integrity, and support effective and inclusive ecosystem-based approaches in highly vulnerable and degraded habitats in countries on the frontline of the climate crisis.

¹ https://unfccc.int/sites/default/files/resource/cma_2022_06a01.pdf

The findings of the IPCC 6th Assessment Report with regard to physical science, mitigation, and adaptation in 2021/2022 have sounded the alarm on the overshooting of the 1.5°C and warning that we are heading towards dangerous uncharted territory. We are already suffering the devastating impacts of a 1.1°C increase such as experiencing more frequent and intense extreme weather events globally. Overshooting 1.5°C may result in irreversible negative impacts to people and the environment. At COP26 in Glasgow, the 1.5°C goal of the Paris Agreement was barely alive due to the lack of political will from Parties. The disinclination to phase out fossil fuels and the lack of ambition to drastically reduce emissions are intentionally undermining the Paris Agreement, and will fail to deliver an overall mitigation of global emissions.

Instead of addressing the root causes of climate change, efforts and resources are increasingly concentrated on carbon markets, offsets, and removals; touted as the 'solutions.' Carbon markets, offsets, and removals do not reduce overall global emissions. Furthermore, reduction credits issued under the Paris Agreement must not be generated from activities that have negative environmental and social impacts.

From a feminist perspective, deep-cuts of GHG emissions and the radical transformation away from polluting forms of energy and an extremely exploitative economic-system, will be most effectively achieved by: a) setting clear goals and deadlines to end fossil fuel exploration, exploitation, and use, as well as to end other forms of unsustainable energy, and b) advancing renewable, decentralized, community-based and sustainable energies, owned by and accessible to all, and taking into account the gendered needs and impacts. These aspects must be the core instruments to fight the climate crisis of each Party's Nationally Determined Contribution (NDC).

Market-based approaches inherently favour those with economic power and tend to further entrench inequalities faced by women in all their diversity, Indigenous Peoples, Afro Descendants, and other groups that are economically, socially and politically underrepresented. Research shows that when, for instance, forests become more commercially attractive through carbon offset markets, there is a tendency for forest tenure and access rights to shift from women to men. In addition, the use of carbon offsets and markets-based schemes usually shift the burden and responsibility to the Global South and are forms of green and carbon colonialism, and commercialization of nature.^{2,3}

In addition, we want to reiterate the decision -/CMA.3, paragraph 5(i) in which the Supervisory Body is to consider the gender action plan and the incorporation of relevant actions into their work. For example, Activities A.1, C.1, and D.5 of the Enhanced Gender Action Plan.

We welcome the establishment of the Supervisory Body in 2022. We acknowledge that due to the late establishment, three meetings had to be scheduled within a short period of time between July and early November (before COP27). However, for future meetings and

² <https://globalforestcoalition.org/wp-content/uploads/2021/11/forestcover-65-EN.pdf>

³ https://womengenderclimate.org/wp-content/uploads/2021/11/wgc_issuebrief_falsesolutions_en.pdf

processes when the Body drafts recommendations, approves projects or takes other decisions, processes should be designed in a way allowing sufficient consultation time among members of the Supervisory Body as well as observers to ensure transparency. Additionally, meetings should continue to be organised in an hybrid-format, provide the opportunity for interventions by all participants, and allow observers to be in meeting rooms.

Lastly, we call upon the Supervisory Body to strengthen and finalize its work to concurrently develop the recommendations on activities involving removals, and the recommendations on the application of the requirements referred to in chapter V.B (Methodologies) of rules, modalities and procedures⁴ for adoption by CMA at COP28. These two documents are interlinked—should be considered as a package--as one provides guidance and the other the requirements on crucial components of removal activities, namely the accounting for removals, addressing reversals, avoidance of leakage, and avoidance of other negative environmental and social impacts.

Reflections on Specific Sections and Paragraphs

Definitions

The definition on “removals” in paragraph 4 reads:

“...are processes or outcomes of processes to remove greenhouse gases from the atmosphere through anthropogenic activities and durably store them in geological, terrestrial or ocean reservoirs, or in products.”

We believe that the current definition on “removals” is excessively broad to the extent that it could include all types of anthropogenic activities/removal activities—including processes and in products—as long as that activity could remove greenhouse gases (GHG) from the atmosphere, even when the removal is temporary. This is a red flag for us and we want to underscore the need for due diligence to ensure environmental integrity and promote positive outcomes in terms of human rights, the right to health, gender equality, and the rights of local communities, Indigenous Peoples and Afro Descendants as well as other rights mentioned in the preambular of the Paris Agreement.

Activities involving removals

First of all, removal activities do not reduce emissions caused by anthropogenic activities. Therefore, reliance on removal activities to offset emissions risks no net reductions in emissions. The risks of non-permanence and reversal is apparent in all activities involving removals, particularly those land-based. The fact that activities involving removals could contribute to increased emissions is undeniable, and this becomes a stumbling block to achieving the overall mitigation of global emissions (see our comment in the **Accounting for removals** section).

⁴ Based on the request of the CMA in decision 3/CMA.3, paragraph 6(d).

In addition, the amount of carbon that is actually removed through removal activities, in particular those following a emissions avoidance logic methodology, is very difficult to calculate, particularly from removal activities and projects that are land-based.

All removal activities are not homogenous or equal as some removal activities do pose harm and risk to human health—especially women’s health and wellbeing—and the environment, as well as violate international or domestic laws, including international human rights commitments. We propose that a positive list and/or a negative list on removal activities should be developed specifically for Article 6.4 mechanism. Removal activities to be included in the positive list must prove their environmental integrity; compatibility with human rights obligations; and robust environmental, social and gender safeguards as well as appropriate public consultations. They must address the issues of non-permanence and leakage, and should not be part of trading mechanisms such as carbon markets to avoid the same mistakes made by the Clean Development Mechanism (CDM).

Moreover, the negative list must comprise removal activities with unproven and high-risk technologies, and could result in negative environmental and social impacts and violations of human rights, including Indigenous Peoples’ rights. For example, carbon capture and storage (CCS); bioenergy and CO₂ capture and storage (BECCS), which currently is largely based on the expansion of monoculture tree plantations; and other geo-engineering-based activities (e.g., direct air removal (DAC), ocean alkalization (OA), and ocean fertilization (OF)), which should not be supported under the Sustainable Development Mechanism (SDM). Overall, the focus should be on additionality, and removal activities that will enhance socio-economic development, gender equality and women’s empowerment, and respect for human, Indigenous Peoples, and Afro Descendants’ rights.

Monitoring

The monitoring process must be transparent and conducted at periodic intervals. The WGC would like to underscore the importance of due diligence in ensuring accurate monitoring of the calculation of removals while taking into account uncertainties.

According to paragraph 6, which reads:

“Activity participants shall monitor removals through quantification and estimation based on an appropriate combination of field measurements, remote sensing, measurement through instrumentation, and/or modelling.”

The WGC deems that monitoring should adhere to the principle of stakeholder engagement/consultation, in which women in all their diversity, local communities and Indigenous Peoples, and Afro Descendants living in the programme or project areas should be included in participatory monitoring of the removal activities. From the gender perspective, monitoring should be conducted in a gender responsive manner, including gender budgeting and building the capacity and empowering local women to carry out community/grassroots level monitoring.

Activity participants should employ independent third parties to conduct the monitoring to provide independent verification. It is of utmost importance that these third parties are accredited entities as per the requirement of the Article 6.4 mechanism. The latter requirement may need to be developed by the Supervisory Body or incorporated as part of the roster of experts.

Paragraph 10, which reads:

“In order to address the risk of reversals and to ensure the full compensation of reversals if they occur, monitoring shall also be conducted after the end of the last crediting period of activities involving removals in accordance with methodological provisions to be developed by the Supervisory Body.”

We welcome that “...monitoring shall also be conducted after the end of the last crediting period of activities involving removals...” in the above paragraph. This is because reversals could occur anytime, including after the crediting period of activities.

Reporting

We welcome paragraph 12(f) that takes into account information on how environmental and social impacts were assessed and addressed by applying robust environmental and social safeguards, and paragraph 12 (g) that takes into account information on how removal activities are fostering sustainable development.

Also, we support paragraph 14 which states that “Monitoring and reporting may also be required within a specific period of time following an observed event that could potentially lead to reversal...”

However, we would also like to see the following incorporated into this section:

- Information to demonstrate the additionality of the removal activity.
- Information on how to minimize the risk of non-permanence over multiple NDC implementation periods.
- Information to minimize the risk of leakage and adjust for any remaining leakage in the calculation of emission reductions or removals
- For transparency, all reports by the activity participants should be made publicly available and easily accessible on the Article 6.4 mechanism public website.
- Shall undergo local and subnational stakeholder consultation consistent with applicable domestic arrangements, in relation to public participation, local communities and Indigenous Peoples, and Afro Descendants.⁵
- Information on any grievances that have been filed.

Accounting for removals

Paragraph 17 reads,

⁵ Decision -/CMA.3, Annex, V.A. paragraph 31(e) – Glasgow decision for Article 6.4

“If an activity involving removals also results in emission reductions, relevant guidance shall be applied through a relevant methodology or a combination of methodologies applicable to the activity in accordance with the provisions to be developed by the Supervisory Body.”

We support paragraph 17 and think that it is crucial to take into account any removal activity that results in the increase of GHG emissions and the need for relevant guidance to be applied in such cases. Any increase on the GHG emissions caused by the implementation of the removal activity must be deducted from the achieved removals. Therefore, transparency and due diligence in monitoring are pivotal.

Addressing reversals

We welcome paragraph 19, which acknowledges “the risk of non-permanence of removals over multiple nationally determined contribution implementation periods.” We look forward to the draft recommendations on the application of the requirements referred to in chapter V.B (Methodologies) of rules, modalities and procedures.

Avoidance of leakage

Paragraph 20 reads:

“Activity participants shall minimize the risk of leakage and adjusting for any remaining leakage in calculations of net removals following relevant provisions to be developed by the Supervisory Body.”

We are very concerned with the language in paragraph 20 as it acknowledges that leakage is unavoidable and therefore the need to minimize the risk of leakage. As proposed in the above “activities involving removals” section, removal activities that are assessed to pose medium to high risk of leakage should be catalogued in the negative list.

Avoidance of other negative environmental and social impacts

We welcome paragraph 21 which takes into consideration the negative impacts on biodiversity, land and soils, ecosystem health, human health, food security, local livelihoods, and the rights of indigenous people. However, we would like to reiterate that the inclusion of strong rights-based, environmental and social safeguards, and gender considerations must be applied for all approved activities involving removals under Article 6.4 mechanism. This is because land-based and engineering-based removals are known to pose significant negative environmental and social risks to the communities, including the infringement on human rights, particularly those of Afro Descendants and Indigenous Peoples.⁶

In addition, appropriate meaningful consultation processes prior and throughout action with rights holders and relevant stakeholders—particularly the local communities and Indigenous

⁶ <https://globalforestcoalition.org/wp-content/uploads/2021/11/forestcover-65-EN.pdf>

Peoples, and Afro Descendants, and marginalized groups—must be ensured. Compliance with international laws and commitments, including respecting and protecting the Indigenous Peoples’ right to free, prior, and informed consent.

Also, a robust and independent grievance mechanism must be established for the overall SDM, which is applicable for activities involving removals.