Recommendations for the establishment of an Article 6.4 Grievance Mechanism
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Summary of recommendations set out for the future set up of an A6.4 grievance mechanism.

The decision on international carbon markets taken by COP26 in 2021 specifies that an independent grievance process shall be set up under the Article 6.4 mechanism. Perspectives Climate Research commissioned by Carbon Market Watch published a report providing detailed recommendations for the design of the Article 6.4 grievance mechanism.

While no timeline was mandated for setting up the grievance mechanism, Perspectives Climate Research recommends setting up the grievance mechanism as soon as possible and be a top priority for the A6.4SB agenda. This is essential as grievances can arise in the early stages of the A6.4 mechanism, and the design and implementation of the grievance mechanism might be lengthy. It is essential that from the early stages vulnerable groups such as indigenous peoples and local communities have a mechanism in place to secure their right to redress. In this regard, Perspectives Climate Research urges to consider the below recommendations.

Procedural aspects recommendations

- The setting up of the A6.4 grievance mechanism needs to begin soon and must be a top priority for the A6.4SB agenda. Grievances can arise in the early stages of the A6.4 mechanism, and the design and implementation of the grievance mechanism might be lengthy.
- The A6.4 Supervisory Body (A6.4SB) needs to accept any grievance that complies with A6.4 rules, modalities and procedures, or any grievance regarding any potential social and environmental negative impact, including aspects related to environmental integrity and human rights.
- Any stakeholder - directly or indirectly related to the activity - should be entitled to lodge a grievance at any desired time. Regarding the latter point, this shall allow submitting grievances in the early conceptualizations of an A6.4 methodology or activity planning and implementation.
- Interlinkages with other grievance mechanisms, for example those with project developers, financing institutions and other state-based non-judicial grievance mechanisms need to be clarified. Guidelines need to be drawn up with regards to how grievances should be addressed going forwards.

Effectiveness practices recommendations

Accessibility

- Users worldwide and with different levels of education must be able to rapidly and easily access the mechanism and related information and be able to lodge a grievance without support from experts. Submission of grievances must be allowed at any time and in any language, including the local language of communities and through a variety of communication methods. A website should also be developed and made available in UN languageto explain the grievance mechanism and provide access to the repository of grievances.
- There should be no restrictions on types of evidence that are allowed to be submitted and users should not have to pay fees for lodging a grievance or addressing complaints.
- The A6.4SB or other UNFCCC relevant authorities should actively promote the grievance mechanism to promote awareness among users in a gender-responsive and culturally appropriate way. This can be done through, for example, online webinars and playing an active role in sharing information and publications about the grievance mechanism.

Transparency

- Full transparency regarding the mechanism and its rules should be facilitated. Clear and easily accessible guidance in digital and paper format should be developed and published, explaining how grievances will be addressed, specific time frames for each step of the process and the responsible internal/external staff who are assigned to address the grievances.
- An essential component of transparency is to have a grievance repository available. In this regard a grievance repository should be developed and be publicly accessible. It should contain important information about submitted grievances, decisions taken and relevant documentation regarding the grievance redress process.
Predictability

- **The A6.4 grievance mechanism needs to be predictable.** This implies providing a detailed stepwise description of the process of dealing with a grievance with the specific timeframe for each step.
- In addition, the following practices to enhance predictability are strongly recommended: provide regular updates to the complainants regarding the status of their grievances, notify and explain the reasons for positive or negative outcomes through written means, inform the complainant beforehand about the potential remedies the mechanism can provide (e.g., overturn of a decision, deregistration of a project).

Independence

- **The A6.4 grievance mechanism must be fully independent.** An independent and impartial team should be appointed, and although it should notify the A6.4SB about the grievances, the A6.4SB should not interfere with the remedies that are provided.
- Related to this, it is essential to have policies in place to avoid conflicts of interest. For example, staff members assigned to the case should not have been involved in previously discussed issues. To be fully independent, the mechanism must be adequately staffed and financed for day-to-day activities and operations to keep it functional in the long term.

Adequacy

- **The A6.4 grievance mechanism remedies need to have “teeth” and be able to challenge decisions made by the A6.4SB.** Potential remedies shall also include the option to overturn a prior decision of the A6.4SB, including the possibility of deregistering an activity.
- Ideally, issuances (or cancellations) of A6.4 emission reduction credits should be consistent with the remedy applied as an outcome of the grievance process. Projects that are under investigation should be clearly flagged on the A6.4 registry so potential buyers or stakeholders are aware the project has an open investigation underway.

Safeguards

- **Complainants should have the option of confidentiality,** including the possibility of signing non-disclosure agreements and retaliation safeguards that need to be developed and implemented.
- **The grievance mechanism needs to be a “living mechanism”.** The experiences in managing the grievances should be used to constantly improve it.