

September 28, 2026

**Subject: Rights-based safeguards in Article 6.4 carbon markets**

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

We write as a broad coalition of civil society organizations, grassroots movements, human rights advocates, labor unions, and technical experts. Several of our organizations have submitted detailed, technical proposals during the recent public consultations on the Article 6.4 Sustainable Development Tool (SD Tool).

Decisions made at SBM023 this October will affect whether or not the Paris Agreement Crediting Mechanism (PACM) operates with human rights at its core. If commitments to respect human rights are not fully embedded into the operational standards set by the SD Tool, the PACM will fail to protect frontline communities whose stewardship of key ecosystems is critical to climate action.

Under the 11th Preamble Paragraph of the Paris Agreement, all Parties must respect, promote, and consider human rights, gender equality, the rights of Indigenous Peoples, and local communities when taking climate action. In a [recent report](#) on carbon credit markets, the UN Special Rapporteur on human rights in the context of climate change, Elisa Morgera, states that “full compliance with international human rights obligations and specific human rights expertise must be embedded in the rules and practices of all involved in carbon markets, subject to (...) free, prior and informed consent and meaningful consultations; and fair and equitable benefit-sharing that is shaped by [Indigenous People, peasants and women’s] autonomous leadership, knowledge systems and life projects.”

The SD Tool must therefore establish a robust, rights-based safeguards framework. To do so, we recommend three core pillars to guide the Tool’s review:

**PILLAR I: Grounding Article 6 safeguards in a universal legal framework**

- The SD Tool should include a cross-cutting provision on applicable law. Where domestic and international law establishes different levels of protection, activity participants shall comply with the standard that affords the greatest protection to affected rights holders and the environment. This is consistent with existing jurisprudence, including Principle 11 of the UN Guiding Principles on Business and Human Rights (UNGPs). This is crucial given the rapid expansion of carbon markets

in jurisdictions where legal and regulatory frameworks remain underdeveloped. In many countries, domestic legislation does not adequately regulate carbon rights, customary land tenure, community participation, benefit-sharing, or grievance mechanisms in accordance with international law.

- The SBM must remove the Paragraph 106 "deviation" process that allows projects with unmitigated negative impacts to move forward. The SD Tool is intended to establish the minimum environmental and social safeguards that Article 6.4 activities must meet before they can be registered. Allowing projects that fail to comply with those minimum safeguards to proceed through a deviation process weakens enforceability, creates uncertainty for affected communities, and ultimately risks undermining confidence in the environmental and social integrity of the Article 6.4 mechanism.

## **PILLAR II: Centering rights-holders**

- The SD Tool must prioritize protections for the tenure rights of all affected communities, including customary and informal rights that may not be formally registered. Identifying and respecting existing land and resource tenure rights within the project area is a critical precondition for high-integrity carbon projects. This is in line with the FAO Voluntary Guidelines on Responsible Governance of Tenure and the Verra VCS Version 5, sections 3.17 and 3.18.7.
- The SD Tool must ensure Free, Prior, and Informed Consent (FPIC) for Indigenous Peoples, and equally robust safeguards for Afro-descendent peoples and communities with customary rights to land and resources affected by proposed projects. In many jurisdictions, Indigenous Peoples are not formally identified or recognized under national law, leaving their rights at risk. In other contexts, communities with longstanding customary rights may be impacted. At a minimum, providing similar safeguards to all customary rights holders would ensure that protections are applied consistently and in line with international human rights obligations. This is in line with international practice under the UNFCCC Cancun Safeguards and Verra's VCS, Version 5, section 3.17.11.
- The SD Tool should ensure that economic displacement of local communities – including the loss of access to vital resources such as forests, water, and grazing lands – is prevented wherever possible and adequately compensated when it does occur. Physical relocation must be strictly prohibited. This is consistent with Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).
- The SD Tool should include more detailed requirements and safeguards related to equitable benefit-sharing with affected communities in recognition of their

contributions and potential impacts on their livelihoods. This is increasingly recognized as crucial for high integrity. The Verra VCS Version 5, section 3.17.12-16, offers a strong template that defines when benefit-sharing is required, basic principles for participation by affected communities in designing benefit-sharing arrangements, and provisions for transparency.

- The SD Tool should include strengthened provisions on gender equality to ensure the full and effective participation of women in project decision-making and in accessing any benefits.
- Lastly, the SD Tool must ensure the safe participation of all rights-holders in decision-making by including safeguards against retaliation for any community member who raises concerns, in line with the UN Guiding Principles on Business and Human Rights principle 18.

### **PILLAR III: Independence and true accountability**

- Effective oversight and accountability mechanisms are necessary to ensure safeguards are fully implemented in practice. The current framework should be strengthened by requiring the meaningful participation of affected communities in environmental and social risk assessments, rather than relying solely on the project developer's assessment.
- The Supervisory Body should also ensure that the project auditors — the Designated Operational Entities (DOEs) — can operate free from undue influence from project developers. Establishing requirements for independent selection of DOEs and rotation between successive audits can reinforce operational independence and clear accountability.

The 18-month review cycle is an important opportunity for continuous improvement based on lessons learned to date. It offers a valuable opportunity to strengthen the SD Tool to align the PACM with existing human rights obligations and best practices on social and environmental safeguards.

**We therefore call on the Supervisory Body to champion these fundamental pillars and instruct the Secretariat at SBM023 to present a revised Sustainable Development Tool at the start of 2027 that integrates these key principles.** Detailed suggestions for implementing these principles were provided and can be found in the submissions made by several signatories in response to the SD Tool calls for input. Only by building a rights-based safeguard framework can the PACM ensure high integrity.

**Signed:**

**Organizations**

1. Action for Climate and Environmental Justice (ACEJ)
2. ActionAid USA
3. ADRA Germany
4. African Initiative On Food Security and Environment (AIFE)
5. Environmental Workers Union of Argentina (AGOEC)
6. Aid Life Learn Environment (ALLEN)
7. Association des Jeunes pour le Développement des Arts et Cultures (AJDAC ONG)
8. Ajemalebu Self-Help (AJESH)
9. Alternatives Ménages Nature et Marchés (AMEN)
10. Alerte Congolaise pour l'Environnement et les Droits de l'Homme (ACEDH)
11. Asia Indigenous Peoples Network on Extractive Industries and Energy (AIPNEE)
12. Asociacion de Comunidades Forestales de Petén (ACOFOP)
13. Banka Earth Foundation
14. Botswana Domestic and Allied Workers Union
15. Buliisa Initiative for Rural Development Organisation (BIRUDO)
16. Bureau d'Études Interdisciplinaires en Sciences Agronomiques, Environnementales, Logistiques et Techniques (BEISAEIT DRC Sarl)
17. Carbon Market Watch
18. Center for International Environmental Law (CIEL)
19. Centre for Citizens Conserving Environment & Management (CECIC)
20. Centre for Trade Policy and Development (CTPD)
21. Centro de Documentación e Información Bolivia (CEDIB)
22. Climate Action for Lifelong Learners (CALL)
23. Coalition des Volontaires pour la Paix et le Développement (CVPD)
24. Community Action for Health and Development
25. Community Empowerment and Social Justice Network (CEMSOJ)
26. Community Legal Education Center (CLEC)
27. CounterCurrent-GegenStrömung
28. Eco-Women Alliance
29. Ecology Africa Foundation
30. ELOHIM Foundation
31. Entokozweni Advice Office and Victim Empowerment Centre
32. Fastenaktion (Swiss Lenten Fund)
33. Federación por la Autodeterminación de los Pueblos Indígenas (FAPI)

34. Global Climate and Health Alliance
35. Grand Riverkeeper Labrador, Inc.
36. Grassroots Justice Network
37. Grupo de trabajo autonomías, pueblos indígenas y derechos colectivos de CLACSo
38. Healthy Life NGO
39. Institute for Indigenous Affairs and Development
40. Human Rights and Youth Justice Initiative
41. ICCA Consortium
42. Indigenous Environmental Network
43. Institute of Socioeconomic Studies (INESC)
44. International Rivers
45. Jamaa Resource Initiatives
46. Kabut Riau
47. Kaisahan tungo sa Kaunlaran ng Kanayunan at Repormang Pansakahan Inc.  
(KAISAHAN)
48. Kenya Platform for Climate Governance (PACJA)
49. Landesa
50. Land Matrix Initiative
51. Marginalized Birmal Relief & Development Organization (MBRDO)
52. Mbuenet Mbulu Education Network
53. MenaFem Movement
54. Mission des Femmes intégrantes pour la contribution humanitaire et l'émancipation  
(MICHE ASBL)
55. Mzimba Youth Organization (MYO Malawi)
56. Namati
57. National Union of Community Forestry Development Committees (NUCFDCs)
58. North American Rivers & Dams Alliance
59. ONG FIMA
60. Ontario Rivers Alliance
61. Organisation camerounaise pour La Défense des Droits de l'Homme des Libertés et  
du Bien-être (ACADEHLIB)
62. Organizacion Regional Aidesep Ucayali - Orau (AIDSEP-ORAU)
63. Owan General Assembly
64. Oxfam
65. Perkumpulan Pemantauan Akuntabilitas Berkelanjutan (PPAB) / Sustainability-Watch  
Association
66. Protection International

67. Pueblos indígenas, autonomías y derechos colectivos
68. Rainforest Foundation Norway
69. RASIPE (Recherche-Action en Système d'Information et Protection de l'Environnement)
70. RECOFTC
71. Red Bosques, Políticas y Territorios (Argentina)
72. Resilient40
73. Rights and Resources Initiative
74. Scode Development Community-Based Organization
75. Skool Grind Sierra Leone
76. Stand for Her Land Campaign (S4HL)
77. Society for Gender Justice
78. Sukaar Welfare Organization
79. Swedish Society for Nature Conservation
80. Tanzania Land Alliance
81. Union pour l'Emancipation de la Femme Autochtone (UEFA-RDC ASBL)
82. United Disability Network/ Physically Challenged Empowerment Initiatives Nigeria
83. Vision Des Filles Leaders Pour Le Développement (VIFILED ASBL)
84. Voces Rurales Vida y Prevención
85. Women Empowered
86. Women Working Group (WWG)
87. WWF International
88. Yayasan Hutanriau
89. YOUNGO Finance and Markets Working Group

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