Side Event
Protecting human rights
in international carbon markets

Robust governance processes in international carbon markets

#FairClimateAction

Eva Filzmoser, Executive Director

Carbon Market Watch

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Overview

- Political context

- Sustainable Development Mechanism (SDM)

- Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA)

- Introducing the best practice guide for local stakeholder consultation

- Glimpse at public participation elements of CORSIA and SDM

- Lessons for the Paris Agreement Rulebook and CORSIA implementation

1. Define the desired objective of the consultation
2. Identify relevant stakeholders that should be invited
3. Identify appropriate time and place to hold a meeting
4. Identify appropriate means for inviting stakeholders
5. Define content and format of the information to be made available to stakeholders
6. Define issues to consult on
7. Define all means by which stakeholders can provide input
8. Analyze and disseminate consultation results
9. Monitor the need for follow-up consultations

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CORSIA Emissions Unit Eligibility Criteria „Transparency and Public Participation Provisions"

Programs should publicly disclose (design element)

(a) what information is captured and made available to different stakeholders; and

(b) its local stakeholder consultation requirements (if applicable) and

(c) its public comments provisions and requirements, and how they are considered (if applicable).

(d) Conduct public comment periods and transparently disclose all approved quantification methodologies.

CORSIA Emissions Unit Eligibility Criteria „Safeguards System"

Programs (design element) should have in place safeguards to address environmental and social risks.

These safeguards should be publicly disclosed.

CORSIA Emissions Unit Eligibility Criteria „Sustainable Development Criteria"

Programs (design element) should publicly disclose the sustainable development criteria used, for example, how this contributes to achieving a country's stated sustainable development priorities, and any provisions for monitoring, reporting and verification.

CORSIA Emissions Unit Eligibility Criteria
„Do no net harm"

- Carbon offset credits must represent emissions reductions, avoidance, or carbon sequestration from projects that do no net harm.

- Offset projects should not violate local, State/provincial, national or international regulations or obligations.

- Offset programs should show **how they comply with social and environmental safeguards** and should publicly disclose which institutions, processes, and procedures are used to implement, monitor, and enforce safeguards to identify, assess and manage environmental and social risks.

Public Participation at CAEP

- *The Rules of Procedure for Standing Committees of the Council (Doc 8146-C/930/6) set out a transparent default position with regard to access to documents and public participation in meetings (Rule 17):*

- **Meetings of each Committee**, except the Committee on Unlawful Interference, **should normally be open to the public**. In general, meetings should only be held in closed session if discussion involves the following:

a) the level of aviation security in specified States or in general;

b) current or future provisions concerning aviation security;

c) salaries or allowances of an individual member of staff or of a category of staff;

d) selection of candidates for posts in the Secretariat;

e) disputes between Contracting States; and

f) issues where representatives' personal security could be endangered if their statements were made public.

→ *CORSIA rule development does not involve any of the exclusion points above, meetings should therefore be held in public, allowing for stakeholder interaction*

Informal document on SDM (SBSTA48.Informal.3)

Principles

(g) Pursuant to the preamble to the Paris Agreement, the mechanism to respect, promote and consider Parties' respective obligations on human rights;

Responsibilities of host Parties

(e) Provide an explanation to the Supervisory Body as to how the proposed Article 6, paragraph 4, activity and the use of A6.4ERs from the activity conforms to the Party's obligations on human rights;

Protection of human rights

60. Stakeholders, participants and participating Parties may inform the Supervisory Body of alleged violations of human rights resulting from an Article 6, paragraph 4, activity {further development may be required for implementation}.

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Governance and functions

- (ii) Promoting public awareness of the mechanism, including on its role in implementing the Paris Agreement and NDCs;

- (iii) Making publicly available all requirements and related documentation for the mechanism.

Responsibilities of host Parties

- (i) Provide confirmation to the Supervisory Body that local stakeholder consultation has been conducted for the proposed Article 6, paragraph 4, activity;

B. General requirements for mitigation activities

- (f) Include local stakeholder consultation;

- (g) "Global stakeholders" means the public, including individuals, groups or communities, affected or likely to be affected by an Article 6, paragraph 4, activity, irrespective of their location;

- (h) "Local stakeholders" means the public, including individuals, groups or communities, affected or likely to be affected by an Article 6, paragraph 4, activity as a result of their vicinity to the activity;

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Recommendations – CORSIA

→ **Uphold the integrity of CORSIA:** Ensure the enforcement of the robust set of eligibility criteria following the adoption of the June Council

→ **Establish stakeholder communication channels:** Allow for public comments to program assessment and general CAEP decision making processes (rule 17!), and open a direct communication channel related to accredited programs and registered projects

→ **Broaden observer diversity to the Council:** The ICAO Council should allow for observer organisations to apply for ICAO observer status instead of limiting participation by invitation only

→ **Hold meetings open to the public:** CAEP and TAB meetings should follow rule 17 of the general rules of procedure for standing committees and be held open by default

→ **Provide access to important documents:** CAEP should follow rule 41 which allows committee documents, including Standards and Recommended Practices (SARPs), to be provided to the public

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Recommendations - SDM

→ Learn from the CDM and adopt clear guidance on how to conduct and validate local stakeholder consultation, building on the best practice guide

→ Establish a grievance mechanism

→ Allow for stakeholders to inform and scrutinize development of rules and project implementation through adequate public participation channels

→ Foster sustainable development by developing an environmental and social policy for the SDM including means for monitoring and validation