

Call for public input – Template for input	A6.4-SB009-A01 (methodologies) or A6.4-SB009-A02 (removals)
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Name of submitter: Republic of Kazakhstan

Affiliated organization of the submitter (if any):

Contact email of submitter:

Date:

Legend for Columns

- 0 = A6.4-SB009-A01 (methodologies) or A6.4-SB009-A02 (removals)
- 1 = Section Number in the document
- 2= Paragraph number
- 3 = Comment – the actual feedback or observation, including justification for what needs changing
- 4 = Proposed change – suggest the text if possible

0	1	2	3	4
Meths or Removals	Section no.	Para. no.	Comment	Proposed change (Include proposed text)
A6.4-SB009-A01 (methodologies)	4.1	18	<i>Text: “Mechanism methodologies shall contain provisions to ensure that total creditable amount of emission reductions are progressively reduced to encourage ambition of activities over time”</i> This text is based on a wrong assumption that an activity can continue achieving better results overtime and can continue increasing emission reductions as time progresses. This may be true for some activities but it is incorrect to assume all types of activities follow the same logic. It should be up to host countries to decide how to encourage ambition of activities as they have the best insight into their own circumstances.	Mechanism methodologies may contain provisions to ensure that total creditable amount of emission reductions are progressively reduced to encourage ambition of activities over time. Host Parties, may, if applicable, make assessment of circumstances and creditable amount of emission reductions required to remove barriers to the deployment of technologies as described in paragraph 19 below.
	4.2	26	<i>Text: Mechanism methodologies shall contain provisions to ensure that emission reductions or removals are real, transparent, conservative and credible by:</i> <i>(d) Adopting life cycle approaches and considering embodied emissions of materials and products, where relevant;</i> Life cycle approaches and embodies emissions of materials and products can be hard to assess and to implement in mechanism methodologies. This requirement should not be a barrier to implementation and financing of projects.	Mechanism methodologies shall contain provisions to ensure that emission reductions or removals are real, transparent, conservative and credible by: (d) Adopting life cycle approaches and considering embodied emissions of materials and products, where feasible and relevant;
A6.4-SB009-A01 (methodologies)	4.2	26 (e)	<i>Text: (e) Choosing the most conservative emissions baseline when multiple sources of data and parameters are available to set the baseline.</i> Conservativeness does not automatically imply This requirement goes beyond what was agreed by Parties. It should be up to the Party to approve a baseline and determine its appropriateness for the national circumstances.	Choosing the most a conservative emissions baseline when multiple sources of data and parameters are available to set the baseline;

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A6.4-SB009-A01 (methodologies)	4.3	29	<i>Text: Mechanism methodologies shall contain provisions to require activity participants to calculate the difference between the baseline emissions estimated as per the requirements in section 4.6 below and BAU emissions estimated as per paragraph 28 above as a total amount with respect to the crediting period. This shall be demonstrated in the project design document and at each renewal of the crediting period.</i> At a global level, this requirement is already satisfied by the cancellation of 2% of credited emission reductions towards the overall mitigation in global emissions (OMGE). At host-country level, the requirements to ensure below business-as-usual emissions may be expressed through means other than the different with project baseline, which must be taken into account in methodologies.	Delete paragraph 29.
		33	<i>Text: The Supervisory Body may prepare recommendations for host Parties, to assist them in the consideration of equitable sharing of mitigation benefits between participating Parties including co-benefits in mechanism methodologies.</i> The Republic of Kazakhstan believes that determination of mitigation benefit sharing is a matter of national arrangements and national priorities. The Supervisory Body would be overstepping its authority by preparing recommendations for host Parties.	The Supervisory Body may prepare information for host Parties, to assist them in the consideration of equitable sharing of mitigation benefits between participating Parties including co-benefits in mechanism methodologies.
		34	<i>Mechanism methodologies shall require the estimation of the mitigation benefits to the host Party, taking into account the relevant provisions in paragraph 31 above.</i> Estimation of mitigation benefits at the level of mechanism methodologies would preclude Parties from exercising the right to determine mitigation benefits through nationally-driven decisions at Party level and presents overstepping of authority of the Supervisory Body. Any estimation of mitigation benefits should be reflected in the project documentation.	Delete paragraph 34.
A6.4-SB009-A01 (methodologies)	4.6	38	A quote in parentheses does not presuppose changes to the original text.	Quote paragraph 36 of Document FCCC/PA/CMA/2021/L.19 without changes

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A6.4-SB009-A01 (methodologies)	4.6	42	<i>Text: For the approaches identified in paragraph 36 of the RMP, mechanism methodologies shall contain provisions to apply the method detailed in section 4.7 below to adjust the baseline emissions downwards and to ensure consistency with paragraph 33 of the RMP.</i> Paragraph 36 of the RMPs does not introduce requirements for downward adjustment of baselines for anything other than an approach based on actual or historical emissions. Downward adjustment is a type of mitigation benefit sharing and should be governed by national priorities and decided at Party level without overstepping decisions of the Conference of Parties.	For the approaches based on existing actual or historical emissions identified in paragraph 36 of the RMP, mechanism methodologies shall contain provisions to apply the method detailed in section 4.7 below to adjust the baseline emissions downwards and to ensure consistency with paragraph 33 of the RMP.
A6.4-SB009-A01 (methodologies)	4.7	45	<i>Text: Mechanism methodologies shall address consistency of implementation of paragraph 36 of the RMP with the requirements of paragraph 33 of the RMP through the appropriate application of:</i> <i>(a) Downward adjustment to baseline included in paragraph 36 (iii) of the RMP; and/or</i> <i>(b) Downward adjustment to baseline resulting from or applied to the approaches in paragraph 36 (i) and (ii) of the RMP.</i> This text is not in line with CMA decisions.	Mechanism methodologies shall address consistency of implementation of paragraph 36 of the RMP with the requirements of paragraph 33 of the RMP through the appropriate application of: (a) Downward adjustment to baseline included in paragraph 36 (iii) of the RMP; and/or (b) Downward adjustment to baseline resulting from or applied to the approaches in paragraph 36 (i) and (ii) of the RMP.
A6.4-SB009-A01 (methodologies)	4.7	46	<i>Text: If the calculated difference in paragraph 29 above, demonstrates a downward adjustment, which is greater than the adjustment calculated as per paragraphs 47 and 48 below, no further adjustment is required. Where the calculated difference in paragraph 29 above is less than the adjustment calculated as per paragraphs 47 and 48 below, further adjustment is required to align with the result of paragraphs 47 and 48 below to ensure consistency with the requirements of paragraph 33 of the RMP.</i> Downward adjustment is a type of mitigation benefit sharing and should be governed by national priorities and decided at Party level without overstepping decisions of the Conference of Parties.	Delete

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A6.4-SB009-A01 (methodologies)	4.7	47 (b)	<i>Text: Factors or quantitative methods for downward adjustment shall be:</i> <i>(b) Based on an estimation of emission reductions and removals necessary to achieve NDCs if applicable, and LT-LEDS where they have been submitted;</i> The placement of an activity inside or outside of the NDC or LT-LEDS scope is a national prerogative. The Supervisory Body has no mandate to regulate it. The wording of the CMA decisions is quite precise in the an activity should be in line with NDC not above and beyond the NDC and a Party should have fully liberty to use 6.4 mechanism to finance its NDC through the certification of 6.4 Mitigation Contribution Units (MCUs).	Delete subparagraph 47(b).
A6.4-SB009-A01 (methodologies)	4.7	47 (c)	<i>Text: 47. Factors or quantitative methods for downward adjustment shall be:</i> <i>(c) Based on an estimation of emission reductions and removals necessary to achieve the long-term temperature goal of the Paris Agreement differentiated by technology/sector or country/region, considering socio-economic conditions and accommodating different circumstances of the host Parties.</i> Paragraph 33 of the RMPs refers to the requirement that mechanism methodologies need to align with “the long-term goals of the Paris agreement’. It does not single out the temperature goal or makes any indication as to which of the goals need to be prioritized. Furthermore, Article 2 of the Paris Agreement, which makes reference to temperature goals, contains two temperature indicators, not one. Article 2 also makes clear reference that implementation of these goals should reflect the equity and the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances and relies on finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development. In view of the above, estimation of emission reductions and removals necessary to achieve the long-term temperature goal of the Paris Agreement should be conducted on global level, taking into account contributions of all Parties, considering their common but differentiated responsibilities and respective capabilities and finance flows provided to them.	Delete subparagraph 47(c). Alternative text: “Based on estimation of emission reductions and removals necessary to achieve the long-term temperature goal of the Paris Agreement should be conducted on global level, taking into account contributions of all Parties, considering their common but differentiated responsibilities and respective capabilities and finance flows provided to them.”

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A6.4-SB009-A01 (methodologies)	4.7	49 (a, b, c)	<i>Text: 49. The downward adjustment to the baseline referred to above may be operationalized through:</i> <i>(a) Factors or quantitative methods for activities included in methodologies approved by the Supervisory Body. Activity participants, stakeholders or host Parties may propose factors or quantitative methods for the consideration of the Supervisory Body;</i> <i>(b) Development of factors or quantitative methods, jointly by the Supervisory Body and the host Party, with the provision for the host Party to make a request to the Supervisory Body to initiate the development of the factors or quantitative methods. The procedures for the standardized baselines may be used for this purpose; or</i> <i>(c) Development of factors or quantitative methods by the host Party that are specified to the Supervisory Body for approval. The procedures for the standardized baselines may be used for this purpose.</i> Quantitative adjustments should be Party-driven.	Delete subparagraphs 49(a, b. c) and replace with an appropriate Party-driven process.
A6.4-SB009-A01 (methodologies)	5	80	Each of the elements of additionality should be sufficient on its own.	80. Mechanism methodologies shall contain provisions to require allow demonstration of additionality through the following elements:

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A6.4-SB009-A01 (methodologies)	5	80 (c)	<i>Text: (c) The proposed activity represents mitigation that exceeds any mitigation that is required by law or regulation, through a regulatory analysis conducted to assess whether the activity is mandated or triggered by applicable law or regulation. For this purpose, law or regulation applicable to the proposed activity that may require a certain technological, performance or management action shall be considered;</i> Non-compliance with a law or regulation can have multiple reasons, not caused by wilful neglect of activity participants. Collisions or lack of secondary legislation required for operationalisation of legal requirements, lack of implementation frameworks, particular circumstances tolerated by the state - any case should be examined without prejudice. Our reading of the RMPs is that it is meant to prevent activities where activity participants benefit from their negligence in implementation of local laws or regulations. However, a truly additional activity that would not occur without carbon finance should still be supported by Article 6.4 because the alternative would be lack of mitigation action and it is unacceptable. An example could be an activity that reduces emissions significantly below the levels required by legislation. We request that the Supervisory Body 1) correctly reflects the RMPs, which only require that the activity represents “mitigation that exceeds any mitigation that is required by law or regulation” 2) adopts a more nuanced approach in assessment of regulatory additionality, i.e. estimating actual barriers to compliance and their causes and assessing likelihood of compliance within the crediting period. We also support development of safeguards to ensure that activity participants, if they are directly responsible for eventual compliance, should not financially benefit from the situation of non-compliance with the existing regulations.	(c) The proposed activity represents mitigation that exceeds any mitigation that is required by law or regulation, through a regulatory analysis conducted to assess the levels of mitigation required whether the activity is mandated or triggered by applicable law or regulation and the likelihood of compliance with such law or regulation within the project’s crediting period in the absence of the project activity. For this purpose, law or regulation applicable to the proposed activity that may require a certain technological, performance or management action shall be considered; as well as barriers preventing its implementation, if applicable, and safeguards to ensure that activity participants, if they are directly responsible for eventual compliance, should not financially benefit from the situation of non-compliance with the existing regulations.

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	5	80 (d)	<i>Text: The proposed activity takes a conservative approach that avoids locking in levels of emissions, technologies or carbon-intensive practices incompatible with paragraph 33 of the RMP, including through an assessment of the scale, lifetime, and emissions intensity of the activity.</i> A Party's low-carbon transition pathway is nationally driven and can only be determined by the Party itself. The Supervisory Body has no authority to make assessments of the national circumstances, technologies required for national low-carbon transition, or national strategies to operationalise such technologies.	Delete subparagraph 80 (d) and replace with a) a party-driven process for determination of 'lock-in' concept. b) Definition and concepts of lock-in adopted at CMA level.