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# Minutes of the REDD+ and Safeguards Workshop: 22<sup>nd</sup> -23<sup>rd</sup> of May 2013

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## Summary of Minutes

The REDD+ and Safeguards Workshop was held on Wednesday 22<sup>nd</sup> to Thursday 23<sup>rd</sup> May 2013 at the Kairos Conference room at the Hyundai Mall in Honiara. The meeting had the following objectives:-

- To update Background document and fill gaps in information
- Progress the process of developing guidelines for stakeholder engagement and safeguards
- Gain feedback on identified drivers and potential strategies

The meeting was opened by the Under Secretary for Ministry of Environment Climate Change and Disaster Management (MECDM) Mr. Chanel Iroi and was attended by 20 participants from government, NGOs and civil society (for full list please see Annex 1). Mr. Chanel Iroi thanked the participants and reminded them about the importance of Safeguards in the REDD+ readiness process.

Day 1 of the workshop focused on an overview of current background research conducted on the forest sector including drivers of deforestation and degradation and potential REDD+ strategies. Presentations were led by the UNREDD programme team with extensive time allowed for discussion particularly drawing on the experiences of the multi-stakeholder group that had recently returned from a field trip to look at Fiji's REDD+ programme.

Day 2 of the workshop focused on the development of Safeguards for REDD+, the development of a national Safeguard Information System and existing experiences of working with safeguards within the Solomon Islands (SI). Presentations were provided by Celina Yong (UNREDD Regional Center Bangkok), the UNREDD team in country and government and non-government organisations working around natural resource management and safeguards in the SI.

Discussion over the two days was active and constructive with a number of key issues being raised and recommendations raised. A summary of key discussion points is provided below with further information on specific presentations and discussions linked to these provided through the report and within the annexes.

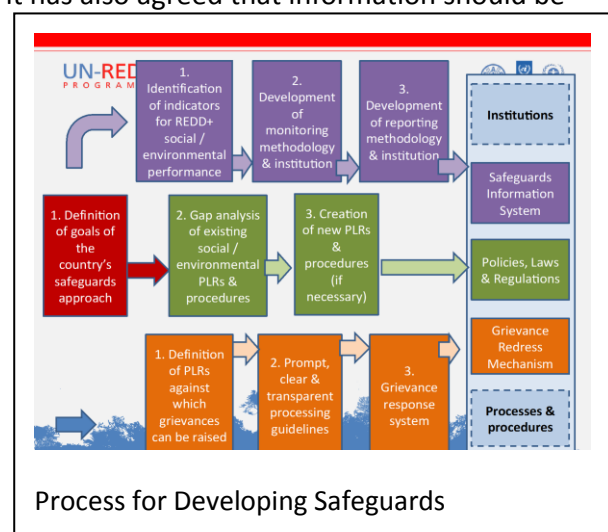
### Day 1:

- REDD+ was introduced as a potential mechanism to help the SI address deforestation and forest degradation – it was recommended that this should occur in combination with other strategies that were important for the country's development and environmental protection and should not just rely on money from carbon finance.
- It was agreed that a broad range of stakeholders should be engaged in the process including Government, Private Sector, Civil Society and Development Partners. It was also recommended that academic groups and independent branches of government (such as the Public Solicitors Office) should be given particular attention.
- It was also noted that while distinctions between groups may be theoretically clear they may be a lot less clear particularly at the local level where individuals may represent a range of interests.
- Discussion was held on drivers of deforestation and forest degradation with the most prominent driver of forest degradation being identified as logging which continues to occur at a very high rate and in many locations is causing significant environmental damage.

- Clearance of land for agriculture is the most significant direct driver of deforestation although clearance for commercial agriculture has been slowed due to challenges in clarifying land ownership and data on subsistence agriculture remains very limited.
- These direct drivers are underpinned by indirect drivers with key indirect drivers discussed including:
  - Outdated legislation – for example the Timber Utilisation Act
  - Limited enforcement capacity within key ministries and agencies
  - Weaknesses in local level governance structures
  - Limited awareness and capacity within local communities to hold logging companies / contractors to account
  - Unclear land ownership which combined with other issues has either allowed a small group to capture resources or had delayed development due to ongoing challenges in clarifying ownership
- Discussions were had on the difficulties of implementing existing legislation as well as the challenges of assessing the levels of impact when there is no accurate national data on levels of deforestation or degradation.
- Discussion was held on potential strategies that could be adopted to address these drivers. Key strategies discussed were:
  - Increase public awareness
  - Legislative reform
  - Improved data availability
  - Support reforestation and enrichment planting
  - Increased Protected Areas Coverage
  - Increased linkages between forest management and disaster risk reduction
  - Improved Forest Management
- There was general agreement that the strategies addressed many of the existing drivers. It was also noted that several of the proposed strategies were already being undertaken by forestry or had been tried before. It was thus seen as important to identify where previous strategies had not been successful and what had been and address these within the new proposals.
- Awareness raising was seen as a critically important component of any strategies due to the important role landowners play in managing forests

## Day 2:

- An overview of safeguards for REDD+ was provided, noting that they originate from the seven safeguards identified within the Cancun Agreement under the United Nations Framework Convention on Climate Change (UNFCCC), and that it has also agreed that information should be provided on how these are being implemented in each country through a safeguard information system (SIS)
- It was discussed that each country should develop both their own safeguards and a system for monitoring them – an outline set of steps to achieve this was also presented.
- A number of presentations were then provided on how existing safeguards related to the forest sector were being addressed.
- Live and Learn Environmental Education presented on how there were addressing safeguards in their existing REDD+ pilot project, noting that they had worked to engage the stakeholders at the local level and had developed



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- a series of awareness raising materials. They also noted that many stakeholders identified existing weaknesses in the safeguards system for logging and that these caused many negative impacts.
- Discussion following the presentation noted the value of moving forward at a specific site but also the importance of these types of pilot activities working closely with the national government to help share skills and develop a common approach.
  - The Landowners Advocacy and Legal Support Unit (LALSU) provided a presentation outlining existing safeguards and the role LALSU play in supporting landowners to address grievances through the courts system. They however noted the current costs to landowners of raising a court case and the limited capacity in the court system to address all the cases raised. In response to this they are working with the public prosecutor's office in the establishment of an environmental crime unit to raise public prosecutions of infringements.
  - A presentation was also provided on the development of Forest Stewards Council certified timber extraction. It was noted that it was challenging to obtain all the steps on this process in the Solomon Islands at present and that it required capacity for operators to engage in the process and maintain the paper work. It was also noted that there was a significant cost in this process to have it externally verified – as such small producers needed to come together. It was noted that this would also be an important consideration for REDD+ particularly if landowners are considering working on voluntary projects.
  - A final presentation was then given on the Environmental Protection Act and the role of Environmental Impact Statements, and Public Environmental Report. It was noted that currently the regulation is currently only implemented on a small number of projects and there has been limited detailed use on logging concessions. It was also noted that to fully implement the legislation was a significant cost to companies due to the costs of transport, the diversity of the environment and the dispersed nature of the population.
  - The day concluded with a discussion on the potential ways to develop a Safeguards Information System (SIS). Participants noted that it would help stakeholders a lot of have easy access to all information on even existing safeguards linked with information on concessions and other developments. It was felt this would be good to have in a spatial form. Caution was however again also raised about trying to create too complicated a system.

## Workshop Agenda

### Day 1: 22<sup>nd</sup> May 2013 - Review of Background Document

Time	Session	Speaker
08:30	Registration	Secretariat
08:45	Welcome Remarks	Chanel Iroi (Undersecretary) for Permanent Secretary (Supervising) Environment.
09:00	Overview of Background Document and where it fits within the REDD+ Process – provides examples of what is happening in Fiji	Phil Cowling – UNREDD Policy Advisor
09:30	Summary of Key Stakeholder Groups for REDD+	Stephen Suti – UNREDD Stakeholder Engagement and Safeguards Specialist
10:00	Discussion Period – including short presentation from Fiji group	
10:30	Coffee	
10:45	Summary of key drivers of Deforestation and Forest Degradation.	Phil Cowling
11:30	Discussion (including short presentation from Fiji group)	
12:30	Lunch	
13:30	Potential Strategies to address Drivers of Deforestation and Forest Degradation	Phil Cowling
14:00	Discussion - including short presentation on how they are approaching it in Fiji	Fred Pattison – UNREDD Programme Manager
15:30	Coffee	
16:30	The way forward – Review of discussion from the day – Potential institutional structures – including overview of how Fiji addressed their challenges	Phil Cowling / Fred Pattison
17:00	End Meeting	

### Day 2: 23<sup>rd</sup> May 2013 - Safeguards

Time	Session	Speaker
08:30	Registration	Secretariat
08:45	Recap from Day 1	Fred
09:00	Overview of Safeguards for REDD+ Recap	Celina
09:30	Experiences of Safeguards in Solomon Islands: The community Approach to REDD+ National Safeguards Frameworks in the Natural Resources sector	Live and Learn
10:00	Director- ECD Presentation EIA in Mining Process	LALSU
10:20	Experience of Safeguards in the Mining Sector - SMMSol	Tia Masolo /Fred
10:45	Safeguards in FSC process	Gideon /Suti
11:00	Coffee	
11:45	What could a framework of Safeguards look like in the SI's and how could we provide guidance?	Celina/Phil
12:30	Lunch	
13:30	Group discussion on potential ideas	Celina/Phil/ Fred P
15:15	Coffee	
15:30	Continued discussion	Fred/Phil
16:30	Summary of Discussion – next steps	Chaired by Fred/Phil
17:00	End Meeting	

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## Summary of Discussions and Outcomes

The section below provides an overview of the presentations given and the main discussions held during the workshop. Copies of the presentations are also provided in Annex's 1 and 2 of the document.

### Day 1:

#### Introduction to Day 1 and Background Document.

Presenter: Phil Cowling – UNREDD Policy Advisor

The presentation provided a brief introduction to the workshop and identified where in the REDD+ development process the Solomon Islands are and how the background document and research done to date fitted in with the process of REDD+ Readiness. Key points from the presentation included:

- Reduced Emissions from Deforestation and Degradation (REDD+) is a mechanism being discussed at the international climate change negotiations.
- The mechanism is intended to provide positive incentives to developing countries to reduce rates of deforestation and forest degradation
- The UNREDD programme is a global programme which has worked with countries all over the world to help them prepare for an international mechanism on REDD+
- The UNREDD programme is working with the Government of the Solomon Islands in the development of a national approach to REDD+ that is complementary to existing national strategies and approaches.
- This process will take several years and will start with an assessment of the current context, will progress through the development of a Roadmap that provides a clear path for how the country can prepare for REDD+ and will then move to a phase of developing activities that increase country capacity to reduce deforestation and forest degradation and measure and report on this progress.
- The Solomon Islands are still at the beginning of this process and the Background document provides a base line of the current country context.
- It will be the starting point for the development of the Roadmap and provides analysis of key challenges facing the country.

#### *Discussion:*

A short discussion period was held after the presentation to cover participant's initial understanding of REDD+ and start to identify some of the key areas of discussion during the remainder of the day. Key areas discussed included:

#### Differences between REDD+ and Carbon Trading:

- Nelson from Soland Rural Timbers - What is the difference between carbon trading and REDD+?
- Phil Cowling – Policy Advisor UNREDD Programme – Carbon trading is the actual market for the product, which is carbon, while REDD+ is a mechanism to produce the product. For example there is a timber market – on mechanism to produce the timber is from natural forest in another it is from growing a plantation and then cutting it down. In terms of carbon you could say you have created a reduction in carbon emissions by closing a Coal power station and changing to a hydro-power to provide electricity to customers. The hydro produces less carbon so the difference between what you were producing in terms of carbon emissions from the coal power station and what you are producing now from the hydro are the 'carbon credits' you can sell.

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The challenges of shifting the economy from one dependent on logging to one in which forests were sustained.

- Gordon Kwanairamo (Undersecretary of the Ministry of Forestry and Research) noted that the Solomon Islands currently rely on logging for 60 – 70% of their foreign exchange earnings. As the resource reduces this will also be reduced. He challenged the participants as to how the country can best address the situation. He made reference to the new forestry bill if tabled soon in Parliament it may help.
- A number of participants agreed with this point with a short discussion occurring about the potential of mining to boost the economy but the potential risks present within this for deforestation and environmental damage.

Challenges of land ownership:

Participants noted the challenges of land ownership within the SI and the highly decentralised and often fractious nature of debates about land.

- Tearo Walenenea of the Land Advocacy Legal Support Unit (LALSU) in the Public Solicitor’s Office– Noted one of the lessons learned from the recent field trip to Fiji was the data base they have which records every child that is born into their respective tribe. Thus everyone knows what tribe they belong to and benefit sharing is easy to address.
- Genesis Kofana the Director of Land Reform in the Ministry of Lands Housing and Survey – Also drew on the recent Fiji field trip commenting that the institutions there were functioning effectively well in advance of the REDD+ readiness initiatives. Especially their land recording system. He also referred to efforts to develop the land recording and registration process in Auluta basin in the SI. He also suggested that it may be relevant to increase the role of the Houses of Chiefs in the land recording process as they are best placed to identify who owns the land.
- Derick Vagi from the Office of the Prime Minister and Cabinet - commented that it would be important for SI to develop an approach to REDD+ that was highly nationally appropriate and considered the high diversity of the country.

### **Key Stakeholder Groups for REDD+**

Stephen Suti – UNREDD Stakeholder Engagement and Safeguards Specialist

Stephen provided a short presentation of the main stakeholder groups that had currently been identified. He noted that stakeholder groups can be further categorised under four categories:

- Government
- Private Sector
- Civil Society
- Development Partners

He then provided an overview of the key stakeholders within these groups, noting that while the distinction may be clear between groups at the theoretical level at the local level individuals may represent many different groups – for example a landowner who also owns a timber business.

Stephen then continued to provide an outline of how the UNREDD programme intended to develop the stakeholder engagement process presenting a number of proposed principles for the engagement process stating that it should be:

- **Timely** - allowing stakeholders sufficient time to consult with their constituencies, prepare for events and respond to proposals.

- **Representative** – that all stakeholder groups are represented in planning and decision-making bodies, and that representatives effectively fulfil their roles through consulting and representing the views of their constituencies.
- **Transparent** – stakeholders should be able to gain access to information on the planning process and governance of the REDD+ programme and all stakeholder engagement activities.
- **Able to provide a conflict resolution mechanism** – to ensure all stakeholders are able to raise and have grievances addressed.

**Discussion:**

A short discussion was held after the presentation with the further need to identify key academic institutions and regional bodies being identified.

**Key drivers of deforestation and forest degradation.**

Phil Cowling – UNREDD Policy Advisor

Phil provided a short presentation outlining some of the findings from the background study with regard to drivers of deforestation. The presentation reminded participants of what a driver was in that is was what could be identified as causing deforestation and forest degradation. He also reminded participants that there could be direct drivers, which were the immediate or proximate causes (such as a logging company cutting a tree down) and indirect drivers, which were related to underlying causes (such as out dated legislation limiting the regulation of logging companies cutting the trees).

It then provided a brief overview of the key drivers of deforestation and forest degradation in the SI as shown in Table 1 below.

	Within Sector	Outside Sector
<b>Direct</b>	- Logging	- Clearance of agriculture <ul style="list-style-type: none"> <li>○ Commercial Agriculture</li> <li>○ Subsistence agriculture</li> </ul> - Mining
<b>Indirect</b>	- Limited institutional capacity - Out-dated legislation - Weak enforcement and control - High international demand for timber - Lack of information among communities and local producers on rights and markets - High level of importance of logging revenues to economic stability - Limited coordination across ministries - Limited political will	- Low agricultural yields - Increased incomes and expectations for resource use - Corruption and political patronage - High cost of legal proceedings - Uneven application of the rule of law - Limited coordination and cooperation between traditional authorities - Population increase

He discussed three key drivers, logging, commercial agriculture and subsistence agriculture noting that the scale at which logging was occurring vastly outweighed other drivers. Key points within this overview were:

Logging

- Logging is currently occurring at nearly eight times the estimated sustainable yield of 205,000m3 with extraction reported in 2012 at 1.94million m3.
- This logging is occurring on a significant scale with approximately 450,000ha logged up to 2011 of a total 800,000ha of commercially viable forest

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- Commercial Agriculture has potential to expand and there are plans to increase areas under cultivation of crops such as oil palm (6,000ha expansion). These plans have however been limited by the slow pace at which land can be acquired and long term investment secured, as such the areas under plantation currently are within a few hundred hectares of the areas under plantation 10 years ago.
  - Subsistence agriculture conversely is growing at a rapid rate with anecdotal evidence of significant levels of forest clearing and degradation. As this is occurring in an unplanned way on customary land however there is very little official information to support these anecdotal descriptions.
  - He also noted that while mining would have a significant environmental impact its impact on forest cover may be less than anticipated with the proposed nickel mine in Choiseul being estimated to only cause 1,300ha of deforestation (according to its Environmental Impact Statement).
  - He then began to initiate discussions on the indirect drivers opening the discussion up to participants and linking much of what was discussed to the logging process.

### *Discussion:*

Following the presentation a short discussion was held focusing mainly on the impacts of logging within the forest sector. A number of participants provided examples of areas in which logging had caused serious damage to the forest areas and had not been conducted in line with the Code of Logging Practice. It was also noted that the industry in the SI was complex with a large number of operators, middlemen as well as landowners making clear identification of issues difficult. Key points within the discussion included:

#### Timber (land) rights allocation process:

Initial discussion was held and the challenges of the timber rights allocation process with many participants identifying this as a critical area of weakness in the management of forests. Mr Gordon Kwanairamo noted that there were limitations in the process and reminded participants of the history of the process. He explained that:

Prior to 1980 logging in the Solomon Islands only done on Government alienated land and when logging was introduced into the customary land it was implemented according to the North New Georgia Timber Utilization Act of 1979. The Provincial Government only became involved in the process after the area council was abolished in the 1980s. Following from this he stressed the need for a new forestry bill to be passed in Parliament, enacted and implemented as this will positively address many of the ongoing legislative flaws.

#### Licencing and enforcement:

The discussion on the timber rights allocation process then linked to broader discussion on the issuing of licences and how these were issued with respect to other regulatory measures such as the development consent process. It was noted by several participants that at present licences were issued without development consent with this being seen as something that came after the issuing of a license – the process however made enforcement difficult and linked with other limitations in enforcement.

Tearo Walenenea from Land Advocacy Legal Support Unit (LALSU) noted that EIA cases reported to the relevant department of MoFR by landowners for further action were often not pursued. As an organisation they worked closely with the MoFR to support the process of holding logging firms to account but felt that more should be done to cancel or suspend licenses for non-compliance. They also confirmed that they are working with the Director of Public Prosecution (DPP) office to establish an environmental court and push for further criminal prosecutions as a way of increasing the pressure for firms to comply to correct procedures.

Jennifer Radford from Land Advocacy Support Unit (LALSU) also noted that at present the cost of taking firms to court was prohibitive for many landowners. The cost of hiring a lawyer to represent them and then following the case over several years was not possible. This situation leads to many cases being settled out of court which often fails to address the issues with undisclosed sums being paid to a small number of the landowner group resulting in a lack of clarity of what issues should be resolved and indeed what should be done with the funds from the settlement.

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### Commercial Agriculture

A short discussion was held on the role of commercial agriculture in deforestation and forest degradation. Mr Jimmy Saelea from the Ministry of Agriculture Livestock Research and Development (MALRD) provided noted that tree crops were being seen as an area for expansion and as a potential revenue source for the country to replace logging. Oil palm was seen as one main target with efforts to increase areas under cultivation by 6,000ha. These plans have however been slowed by difficulties in acquiring land for development of plantations. The area that has seen most progress in this is Auluta Basin where the process of recording and registering of land is almost complete (an area of 4-6,000 hectares ) This process has used the **Land reform and recording act and Land acquisition and titles act** as was revealed by Genesis the Director of Lands department. Under this process the land is recorded under the tribe – then acquired by the state who then grant the perpetual estate (PE) back to the landowners – although in some cases this has resulted in only a small number of Trustees being allocated PE titles rather than it being allocated to the whole tribe.

Mr Saelea also noted that it was difficult to manage the process of land acquisition and development as most landowners wanted to manage the investment themselves but most foreign firms wanted to deal with the government as they were concerned about the security of their investments.

He also commented that at present GPPOL (Guadalcanal Plain Palm Oil Ltd) is a member of the Round Table on Sustainable Palm Oil (RSPL) which does not allow companies to convert natural forest for Palm Oil plantations.

### Subsistence agriculture:

A short discussion was held on subsistence agriculture. Mr Saelae noted that there was very limited information available on the real scale of this at the moment although it was broadly agreed that it was expanding rapidly. Participants discussed the most populated island of Malaita where due to increased pressure people are farming on areas with lower nutrient levels and are thus clearing more land for subsistence agriculture to sustain their livelihood.

Mr Moses Rouhana from the Kastom Garden noted his organisation had been working with communities to try to improve farming practices and had a membership of over 4,000 plus throughout the Solomon Islands.

## **Potential strategies to address drivers of deforestation**

Phil Cowling – UNREDD Policy Advisor

Phil provided a short presentation linking the discussed drivers to potential strategies to address them. He explained that strategies were ways in which the drivers could be addressed and thus rates of deforestation and forest degradation reduced. They included things like legislative reform, capacity building and activities ‘on the ground’ and that in many cases it may need to be a mix of these things. He noted that there were already many strategies in place within the sector and related to it and that part of a REDD+ strategy would be working out how to support these existing strategies as well as noting where new approaches may be required.

He covered several of the main strategies of the MoFR including reforestation, downstream processing and monitoring of existing industries noting common challenges related to limited capacity to implement the strategy, limited budgets and political challenges such as movement of funds towards Community development funds. He then provided a brief overview of key strategies from outside the sector including:

### Environmental Impact Assessment

Required for developments – not always used in forestry, often positive, costly, weakly enforced

### Protected Areas Act

New act still at its early stages only limited number of terrestrial areas identified

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Marine areas provides some basis for hope

Increased agricultural production

Efforts made to increase agricultural production of key products and custom gardening – awaiting information on details

Provincial Approaches

Eg Choiseul – integrated landuse planning – Climate change adaptation.

He then outlined seven potential strategies on which initial discussion could be based:

- Increase public awareness
- Legislative reform
- Improved data availability
- Support reforestation and enrichment planting
- Increased Protected Areas Coverage
- Increased linkages between forest management and disaster risk reduction
- Improved Forest Management

A short overview of each strategy was then provided (see presentation in Annex 1 for more details).

Following the presentation a short discussion was held to discuss potential strategies and their applications. Key areas covered included:

Awareness Raising:

- Nelson – There is a great need for proper and thorough awareness about REDD+ in the country to all resources owners so that everyone can be well versed with the mechanism so that what was experienced with the corruption activities at all levels in the society cannot be repeated.
- Phil - Certainly there is a need for awareness throughout the country to resource owners to inform them about the advantage and disadvantages of the REDD+ mechanism.
- Fred – In Fiji one of the safeguards the government established was a decree set by the government, which protects the indigenous people’s right in commercial activities.
- Josiah – It should be noted when planning for REDD+ awareness in the communities that most of the time implementers assume that everyone in the rural communities are well informed about new initiatives such as the REDD+ mechanism. Thus REDD+ in light of its complexity there is a need for proper awareness and consultation with the key stakeholders and the general public who will be affected by the activities

Protected Areas:

Participants discussed the potential for the establishment of a protected areas network it was noted that the Protected Areas Act was still new and limited progress had been made on establishing areas. Representatives from LALSU commented that they were aware of a few locations that had made efforts to be recognised under the act, all of which were currently run as community conservation areas.

Land:

This challenge of clarifying land ownership and the ability to allocate rights continued through the discussion. Mr Genesis Kofanana suggested the need for further work to be done on recording and supporting customary land. He suggested working with the Land Recording Act which was enacted since 1994 but never being implemented, although it was tested in Auluta Basin. This act would need to be supported by a Registrar of Customary Land a position that has never been created. Having such a position would provide a central location for all customary land registrations. He suggested this would need to be separate from the current Ministry of Lands, Housing and Survey as there was significant distrust of this ministry amongst many landowners.

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Mrs Tearo B Walenenea also noted the potential for the Council of Chiefs to be further empowered to help address land disputes and improve the quality of decisions on who could allocate land for different purposes. It was felt these bodies did have a better understanding of customary ownership than bodies such as the Provincial Government but that as their position within the institutional structure of the country was unclear they were very varied in their effectiveness and capacity.

Participants that had been on the recent Fiji Field trip noted the experience there of the Fiji Native Land Trust Board which was responsible for administering customary lands, providing a mechanism to resolve disputes and a single point of contact for investors and other groups wanting to work on customary land.

#### Information Management:

The potential of improving the quality of data management was then discussed. Mr Terence Titiulu provided information that representatives from key ministries were currently undergoing training with SOPAC in Fiji for data management:- MECDM, MoFR and Ministry of Agriculture Livestock and Development. This training was also helping staff update the data layers and improve the accuracy and compatibility of information between ministries.

Participants however noted that many projects had come before to work to support data management and their skills and information had left with them. They were also aware that implementing a single effective data management system would be both time consuming and costly and may not be sustainable without ongoing support from outside.

#### Reforestation and Rehabilitation:

- Mr Gordon Kwanairamo commented that the MoFR had been working on reforestation for several years and had made some progress. He however realised there were limitations particularly at the moment due to a large proportion of the ministry's budget for this activity being managed through Constituency Development Funds and divided evenly across the country.
- Mr Chanel Iroi the Under Secretary of Ministry of Environment Climate Change Disaster Management Meteorology suggests the budget for reforestation could be supported further if each company had to set aside funds to support reforestation. It was noted that currently firms have to reforest at least 30% of the concession area under their license agreement although this is not well enforced. Further work on developing legality standards for timber in line with upcoming Australian legislation may however help to move producers to more sustainable practices.

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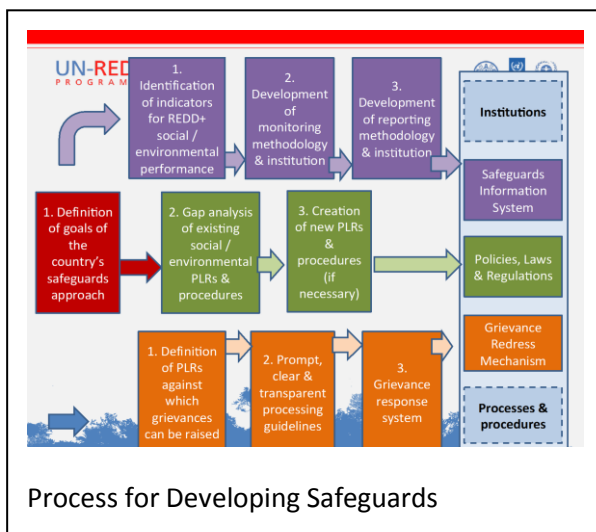
## Day 2:

### Safeguards in REDD+: National approach

Presenter: Ms Celina Yong UNDP Stakeholder Engagement Specialist.

Celina provided a short presentation on Safeguards for REDD+ and the development of a National Safeguards Information System (SIS). She noted that the key objectives of the National Safeguards are to avoid REDD+ having any negative impacts and to help it achieve more positive ones. She explained that under the international negotiations within the UN seven safeguards had been identified and that countries had been requested to provide information on how these safeguards were being respected. The seven safeguards are that all national REDD+ programmes:

- Are consistent with the objectives of national forest programmes and relevant international conventions and agreements;
- Have transparent and effective national forest governance structures;
- Respect for the knowledge and rights of indigenous peoples and members of local communities;
- Include the full & effective participation of relevant stakeholders, in particular indigenous peoples and local communities;
- Ensure conservation of natural forests and biological diversity and enhancement of other social and environmental benefits;
- Take actions to address the risks of reversals;
- Take actions to reduce the displacement of emissions.



She then explained that most countries initiate their work by identifying what they want their safeguards to achieve. They then review what policies, regulations and measures are in place before developing their own system (an overview of this process is provided in the text box adjacent with further information provided in Annex 2). She provided examples of how Indonesia and Vietnam had approached this work.

She then noted that there are already systems in place in the country. These systems need to be reviewed and if they need to be improved to accommodate the requirements then improve the systems accordingly.

Discussion:

Following the Presentation a short discussion was held

and the following key areas covered included:

#### National Safeguards

- Gideon Bauro – Does each country need to formulate its own Safeguards?
- Celina Yong – Yes. Each country should develop their own approach to safeguards based on their own national circumstances. They should use the Cancun Safeguards as a base and should examine how their existing policies, regulations and measures address these, how effective they are and what needs to be done to improve them.

#### Procedure for addressing grievances

- Mr Gideon – what is the procedure for addressing grievances?

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- Celina and Phil – A grievance mechanism needs to be developed that can provide a functional way for stakeholders to raise issues and settle disputes. For example LALSU provide one mechanism within the Solomon Islands for forests and natural resources.

### **Experiences of Safeguards in Solomon Islands: The community approach to REDD+**

Presenter: Bill Apusae-Live and Learn Environment Education (LLEE) REDD+ project officer

The presentation provided a brief report on the experiences of safeguards in the development of a pilot programme by LLEE with communities in Choiseul province. Some of the key points from the presentation include:

- LLEE are developing methods and tools to engage and enable indigenous people to participate in the development of a REDD+ project. Producing guidance and tools for Free, Prior Informed Consent (FPIC) for resource owners.
- They worked to establish the community members' perceptions and aspirations through the Research of Aspiration and Perception (RAP) study. From this they noted that there is the desire to undertake conservation and development of protected areas
- Negative perception of REDD+ mostly fell within the following three categories;
- First concerns about access to resources for current and future generations.
- Secondly social issues arising from inequitable benefit sharing, jealousy and disputes and
- Thirdly problems created because of cash income.
- Project Developers should have some responsibility in ensuring the project owners or local community beneficiaries are assisted with financial management so that benefits (money) does not produce unintended negative outcomes. Hence from safeguard perspective it might be important for project developers to demonstrate what will happen beyond payments to ensure positive outcomes and reduce risks of issues such as substance abuse, corruption, rapid changes in power relationships and disputes.
- Experience shows that project development is expensive and the small land areas may make projects marginal (depending on the carbon price). Hence whatever safeguards are put in place there should be an effort to keep compliance costs manageable. One approach is to use existing standard or quality assurance over some safeguards.
- Risks identified are as follows (measures to address these were also presented and can be found in the copy of the presentation in Annex 2):
  - Conflict between local and indigenous people (including landowners) over decision making power or distribution of project benefits.
  - Dispute over land or property rights, and changes to land use priorities
  - Income from carbon finance causes negative social consequences for communities (e.g. gambling, alcoholism, conflict etc), or runs out quickly
  - Uncertainties of REDD+ implementation scale (e.g. national or project level) of national Governments of target countries and international frameworks
  - Key government ministries/decision makers do not recognise or learn from the pilot action.
  - Uncertainties regarding market accessibility, carbon prices and standards
  - Mismanagement of funds by village cooperative
  - Drought /forest fire
  - Natural disaster (volcanic eruption, cyclone, flooding, earth quake etc)

### **Discussion:**

Following the presentation a short discussion was held. The discussion was initiated by Celina, requesting Bill, to identify the three main challenges they had encountered in the project. The three challenges include; land tenure, drivers such as logging influence and the third one is funding problems in continuing with the next steps as it was anticipated in the beginning of the project.

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### Including the community members in planning and decision making

Discussion was had on how community members were engaged in the planning process. Bill (Live and Learn Environment and Education) explained that the Research of Aspiration and Perceptions (RAP) was used to determine the desire of the communities to engage in REDD+ pilot projects. This process ensures that the community members are aware of the positive and negative impacts of a project and to express their concerns about it.

It was however noted that no formal 'agreement' or signal of 'consent' had been gained from the communities something that could present challenges if people challenged the project.

It was also noted that engagement with communities in Choiseul was greatly facilitated by the Luru Land Conference Tribal Communities (LLCTC) which as a recognised community organization was able to provide information on land ownership and representatives.

### Need to coordinate and regulate REDD+ activities in the country.

There was further discussion on the issues that LLEE had moved along with the pilot process faster than the national process was developing. It was suggested by Genesis (Ministry of Lands and Housing) that it would be good to have every project moving at a more uniform manner so that lessons learned through other pilot projects can be fully utilised to have better outcomes for the resource owners and the country as a whole. This was also seen as a way to address some political risk as if there is a clear partnership with government there is less likelihood of government later changing the rules. Bill said that LLEE is working in collaboration with the relevant key Ministries especially the MECDM and they are working towards signing a formal MOU.

## **National Safeguards Framework in the Natural Resources Sector.**

Presenter: Jenny Radford – Environmental Lawyer for LALSU (PSO)

Jenny gave a brief a presentation outlining the role of Land Advocacy Legal Support Unit (LALSU) in the Country. The presentation touched on environmental laws and the line ministries that deal with environmental laws. A framework of environmental protections for a logging or mining project is provided in the presentation in annex 2. Some of the key points in the presentation include:

### What does LALSU do?

LALSU supports landowners on their legal rights regarding land, environment and natural resources especially with logging and mining laws in the country.

LALSU also seek changes to laws and policies about the land, environment and resources.

### Timber operations

Jenny provided a brief overview of some of the key environmental regulations and jurisdictional responsibilities (see annex 2 for more details) before providing some further comments on the timber rights allocation process.

She noted that the timber rights agreement was one of the most common causes of complaint from landowners with further information often difficult to gain access to. A number of key points were mentioned; incomplete documents (Timber Licences with no maps or other attachments), information on a timber rights hearing not being advertised in the location that the logging will occur or the date of the meeting being changed without warning making it difficult for local people to attend, cases where the process is focuses on achieving an agreement to go ahead with discussion limited to how benefits will be distributed as opposed to whether logging would occur.

It was also noted that most logging companies complained of, operate outside of what is expected in the Logging Code of Practice. Compliance with the code is a condition of a Timber Licence thus non-compliance with the code is breach to the Timber Licence Agreement and should result in a cancellation.

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It was also noted that the cost to landowners of taking logging companies was prohibitively high for many landowners making it unlikely that many will achieve this. Even in cases where legal proceedings were started these were often settled out of court in advance by the logging companies agreeing to pay landowners compensation – this however is not transparent and is often a relatively low cost to the logging companies and is then not distributed evenly amongst landowners.

Now LALSU is trying to endeavour into new legal remedies to assist the landowners. One example is the criminal prosecution of environmental offenders.

#### Recommendations

LALSU provided a number of potential recommendations that would facilitate easy monitoring of logging operations:

A user-friendly filing system for licences to facilitate public access to information.

Better use of maps to ensure communities are clear on where logging will take place.

An adjustment to the legislation to address subcontracting so that landowner firms are not made responsible for damage done by firms they subcontract to work on their areas.

#### Development Consents and Environmental Impact Assessments

The presentation then provided a brief overview of requirements for Development Consent including Environmental Impact Statements (EIS).

It is a requirement by law that all prescribed developments such as mining and logging in the Solomon Islands need to obtain development consent. For this to be granted an EIA needs to be carried out in the area demarcated for development. The EIA is approved by the Director of Environment after assessing the EIA report.

Jenny reiterated LALSU's experience of noting the shallowness of the EIA reports and that many logging concessions did not have them.

The presentation finished with a brief explanation of the Protected Areas Act, with recognition that as yet no areas had been created, and initial comments on the customary land recording process noting that it continued to be very time consuming and challenging.

#### ***Discussion:***

Following the presentation a short discussion was held to discuss the role of LALSU in the country. Key areas discussed included:

#### Suggestion for LALSU to be included in the felling license process.

Derick Vagi – suggested that LALSU should be recognised and included in the process of issuing the forestry felling license to the applicants so that whatever legal issues are encountered during the process LALSU can assist in providing appropriate legal advice at the early stage of the process.

#### **Safeguards in FSC process**

Presenter: Gideon Bauro-Land Resource Division of the Secretariat of Pacific Communities (SPC)

Gideon made a brief presentation outlining the processes and generic standards the timber producers and exporters use to acquire Forest Stewardship Certification (FSC) in Solomon Islands. Some of the key points covered in the presentation include:-

#### Existing levels of extraction in the sector an unsustainable

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In 1990 the forest cover was estimated to be about 80% or 2,213,000 hectares this has reduced to 76% in 2010. The rate of deforestation runs from 14,000 hectares in 1997 to nearly 20,000 hectares per annum in recent times. No one has measured how much of these area have been further degraded.

This extraction is occurring through high number of licences (in 2008 there were 141 felling licences and 150 milling licences) that are extracting wood at over 1.94 million cubic metres per annum (2012). This is unsustainable and about 8 times the estimated level of sustainable harvest. This situation is a result of;

- Poor governance
- Flawed policy and legal framework
- Lack of transparency
- Corruption
- Law enforcement capacity
- Insufficient data and monitoring
- High demand for cheap timber

### Global Forest Certification Schemes

Forest certification framework also includes a Chain of Custody (COC). COC ensures all the relevant information relating to the harvesting of the tree to milling transporting and selling of the product is documented and done accordingly. COC is a tool to link forest product purchasing decisions with sustainably managed forests.

Forest Stewardship Council (FSC) – FSC certification involves a Third Party Verification of sustainable forestry management practices using internationally recognised standards. Labelling of the products provides a mechanism to make verifiable claims of a product’s environmental and social impacts. Thus FSC certification is a balanced approach to defining sustainability.

### FSC Principles

With FSC certification there are 9 principles to be adhered to when dealing with the natural forest and the tenth one deals mainly with Plantations. The principles are as follows:

- Compliance with laws and FSC principles
- Tenure and use rights and responsibilities
- Indigenous people’s rights
- Community relations and workers right
- Benefits from the forest
- Environmental Impact
- Management plan
- Monitoring and assessment
- High conservation value
- Plantation.

According to his presentation Gideon identified five different phase approaches to FSC Certification. The first is illegal or unknown origin where there is no record of where the timbers are milled and which land. Second is the verified legal origin, there is information and records of where the timbers are milled. Third is the legal compliance where producers are obliged to certain legal requirements governing its operations. Forth is the controlled wood where the producer is almost near FSC certification. And the fifth one is FSC wood where the producer had fulfilled all the required standards.

### FSC Standard Structure

In his presentation Gideon showed the FSC standards structure which consists of Principle, Criterion, Indicator and means of verification.

### Current and new areas opening up for FSC certification for Sustainable Forest Management

Current FSC areas being certified in the Solomon Islands are as follows; Kolombangara Forest Products Ltd (KFPL) with 16,000 hectares and Eagon Pacific Plantation Ltd (EPPL) with 13,000 hectares of plantation

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wood. Green Gold Forest Products (GGFP) with 2,000 hectares and Konggukolo with 6,000 hectares of natural forest. All the companies are in Western Province.

Enterprises that had being FSC certified on Chain of Custody are as follows; Value Added Timber Association (VATA), Lagoon Eco Timbers and Timol Timbers. These enterprises are operating in Honiara but sourcing their timbers in the provinces. Marovo Lagoon Sustainable Timber (MLST) is based in the Marovo Lagoon Western Province.

Speaking on new areas on the process for FSC certification under Small Low Impact Managed Forest (SLIMF) Mr. Gideon highlighted the following areas with natural forest in Choisuel Province; Rarakisi with 7,000 hectares, Chivoko with 8,000 hectares, Gorabara with 6,000 hectares and Sirebe with 1000 hectares.

### ***Discussion:***

Following the presentation a short discussion was held and key areas covered include:

#### **The Value of FSC**

It was noted that FSC certification and ensuring a clear chain of custody was part of a safeguards system that could be used for REDD+.

Gideon Bauro also emphasised the importance of the FSC label, saying that it conveys quality and the 'character' behind the producer.

The potential price premium for FSC timber was also discussed. Suti gave an example of a current FSC timber order where Green Gold Forest Products (GGFP) on Vela la Vella is supplying to an Ausaid project where the beach price for one cubic meter of vitex is \$4,500.00 this price is without freights.

#### **Grouping of FSC Certification**

It was noted that FSC certification was expensive to maintain as it needs external verification. In SI NRDF are working on a group certification where they are responsible for timber coming from a number of small producers. This could be a model for how to group smaller land areas for REDD+.

#### **FSC Certification opportunities**

Under the joint country strategy the SPC Solomon Islands programme there is an opportunity for preparing and certifying three more forestry land owning groups to be certified under the FSC accreditation standard.

### **EIA in Mining Process**

Presenter: Fred Patison – UNREDD program Manager in Solomon Islands.

Fred provided a short presentation on the EIA process for mining operations based on his experience working within the MECDM and also as a consultant to a mining company in the SI.

He initiated by providing an outline of the EIA process for large developments:

- Environmental Impact Assessment- the developer needs to engage an approved independent assessor to do the EIA study.
- When the baseline study is completed it must be submitted to the Director of Environment for approval.
- When it is approved by the director the report have to go through public display consultation. The communities are notified well in advance as to where and when the public hearings are going to take place.
- The report will be presented to the communities and the members will give their consent with regards to what the reports revealed.
- The report and any objection to the report is submitted to the Director to consider before he/she makes the final decision on the report.

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- If the Director is happy and satisfied with the report then he will grant the Development Consent to the developer to proceed with the development.

Fred commented that Summitomo mining Co in Solomon Islands was the only company to have conducted a very detailed and comprehensive EIA report, which has cost the company millions of SBD dollars to carry out the exercise. While commenting on the value of it he also noted that it required a lot of time and resources to visit every community and to conduct all the field studies, this could be a critical constraint for other forms of development.

#### Role of independent Environmental Impact Assessment Consultants.

Discussion was held on the role of the EIA consultant group with it being noted that as they were paid by the companies they were not fully impartial. It was agreed that this was a weakness but also that this was the process in most countries, with reputation being a key factor in maintaining the quality of assessments in other countries.

#### Integration of EIA process in Forest Sector

It was noted that in the forest sector licenses are issued prior to EIA and development consents being gained with these only being required when the harvest plan is submitted. At this stage it is more difficult to challenge the process and for many landowners they are unaware of this step. It is recommended that for improvement in the Forestry Sector the EIA and Development Consent have to be granted first before the felling licence is issued and it must be a condition of the felling licence agreement.

#### Capacity and number of licenses

It was noted that currently the number of licenses for logging is beyond the monitoring capacity of the ministries responsible. Tearo Walenenea (LALSU) questioned why if this was the case licenses continued to be issued. She noted that it was also the case with the courts being unable to address all the legal cases related to logging suggesting the backlog is currently as long as 10 years.

### **Group Discussion on Development of a Safeguards Information System**

It was agreed that current systems are not sufficient to collect information on implementation of safeguards. It was proposed that a Central Data Base for safeguards could be used and linked to spatial information on land use and planning. A number of issues with this proposal were however raised:

#### Capacity building and proper handing over of project outcomes by aid donors.

It was noted by representatives of both the MoLH and MFR that aid programmes had come in and tried to develop similar systems before within these two ministries but that they had only lasted for the duration of the projects. When the projects had left they had taken the information and the ministries now had to request information from foreign companies. It was proposed that in future agreements with the development partners the Central Government need to ensure all the necessary information regarding management of information is given to the Solomon Islands Government at the end of the Project to prevent the setbacks in information management.

It was also discussed that:

- REDD+ mechanism is a catalyst for improving the current situation. We should not put the eggs in one basket but we need to have different activities running concurrently.
- We need to progress on with what we have on ground and then identify what we can improve on.
- Linking a mechanism for storage of information with storage of other land use information.
- Development of an online portal for developments with access to additional Safeguards Information System (e.g. the state of Environment Report).

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In light of these points it was also recommended that specific points be raised with senior politicians to ensure that they are committed to the process and will support developments going forward.

Terence Titiulu – In his closing remark to officially close the meeting:-

- REDD+ is very new
- We are in the learning process
- We learn from each other
- We must take on the good things to drive REDD+ forward.

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Annex 1: List of Attendees

	Organisation	Representative	Email	Mobile
1	NRDF	Stephen Suti Agalo		
2	MAL	Jimi Saelea	j.saelea@yahoo.com	7477333
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8	SICNATB	Leonard Koi		7455503
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14	Live and Learn	Bill Apusae	Billapusae@livelearn.org	7737832
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