Overview of the Mexico country approach to safeguards

Jun 2015

MEXICO

Context

Context
Legal and Policy Framework

- **General Law for Sustainable Forest Development (LGDFS)**

- **General Law on Climate Change, promulgated in June 2012**

- **National Climate Change Strategy (2013)**

- **Special Program on Climate Change (2014)**

- **National Forest Program (2014)**
  - ✓ Objective 4. Promote and strengthen forest governance and develop local capacities
  - ✓ Objective 5. Promote and enable an institutional framework that facilitates sustainable forest development.

- **National REDD+ Strategy (final draft for consultation)**
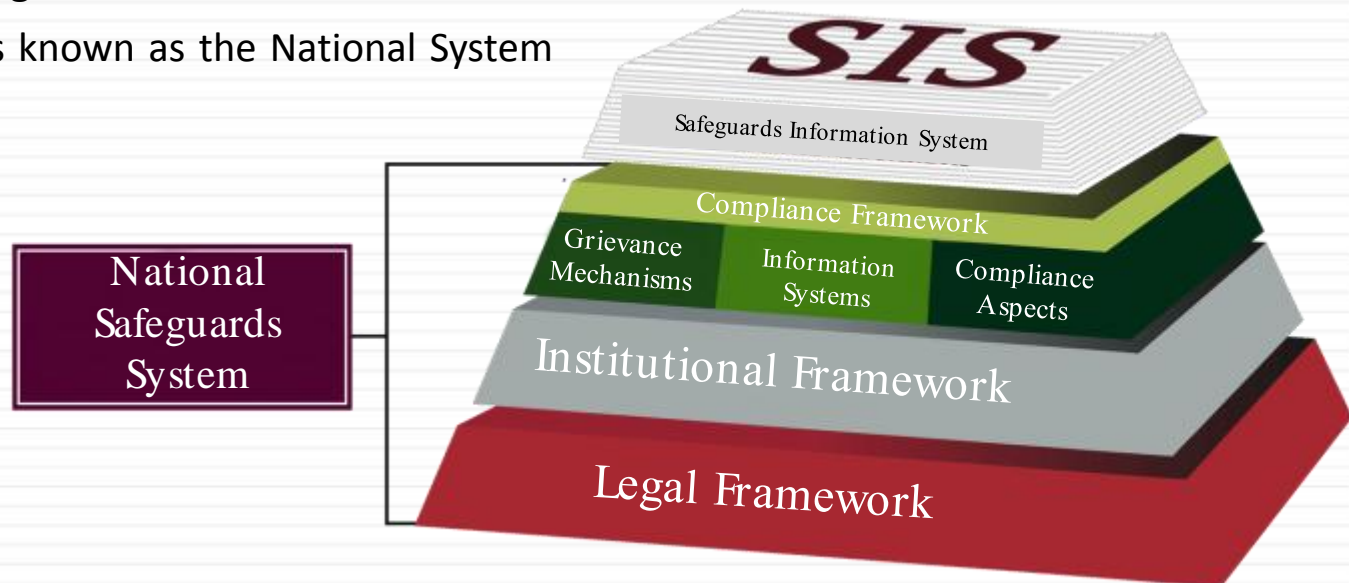
National REDD+ Strategy (ENARED+)

The objective of the ENAREDD is to reduce the emissions from deforestation and forest degradation, while conserving and increasing forest carbon stocks, within the framework of sustainable rural development in Mexico, guaranteeing **the effective application and compliance with the safeguards and principles stipulated in the strategy and the legal framework.**

1. Public policies and legal framework

2. Financing schemes

3. Institutional arrangements

4. Reference levels

5. Monitoring, reporting and verification

6. Safeguards

7. Participation, communication and transparency

- The ENAREDD + includes among its objectives the **development of a national safeguards system (NSS) and Safeguards Information System (SIS)**, to implement, report and guarantee the application of the REDD+ safeguards adopted in the UNFCCC, as well as Articles 1 and 2 of the Mexican Constitution and Article 134 bis of the General Law of Sustainable Forestry Development.

- **Safeguards are a crosscutting theme of the draft ENAREDD+** in order to ensure their application and compliance, there are therefore principles and measures relevant to safeguards in other sections of the strategy
  - ✓ Institutional Arrangements and Capacity Building
  - ✓ Public Policy and Legal Framework
  - ✓ Communication, Social Participation and Transparency

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PROGRAMA
ONU-REDD

- **Develop a SIS, building on existing national systems**

- Present information in an integrated manner and ensure compliance with safeguards.

- Necessary to have a system or support structure, which takes into account the existing system of governance in the country, particularly the **legal, institutional and compliance frameworks, which combined and linked will be used to implement safeguards**.

- This system or structure is known as the National System of Safeguards (NSS).

National Safeguards System

SIS

Safeguards Information System

Compliance Framework

Grievance Mechanisms | Information Systems | Compliance Aspects

Institutional Framework

Legal Framework

- **Panel on the construction of the National System Safeguards (SNS) and the System Safeguards information (SIS) in Mexico**
  - ✓ create a space for information and dialogue on the construction of the SNS and SIS
  - ✓ 42 participants from various organizations: civil society , academia, government.
  - ✓ Feed back to the conceptual proposal for the SNS and SIS
  - ✓ Recommendations and more detail about the panel are available at: http://www.conafor.gob.mx/web/temas-forestales/bycc/redd-en-mexico/salvaguardas/

- Strengthened conceptual proposal for the National Safeguards System and Safeguards Information System including recommendations from the organizations that participated in the panel.

- Document: **"Designing a National Safeguards System"** published on the website of CONAFOR: includes the next steps to develop the National Safeguards System: http://www.conafor.gob.mx/web/wp-content/uploads/2014/08/Designing-a-National-Safeguards-System.pdf

No fixed or linear approach to developing a NSS - a **series of actions and steps** have been identified **to advance the design and implementation of the NSS in Mexico**:

- *Promote a process of participation and communication during the design and implementation of the NSS.*
  - ✓ Feedback from stakeholders and participatory platforms as a key element of the process.

- *Identification and analysis of the legal, institutional and compliance frameworks*
  - ✓ Specific aspects in the legislation, procedures and institutions to ensure compliance with the safeguards and facilitate their monitoring and reporting.
  - ✓ Identification of gaps or weaknesses that could hinder the implementation of REDD+ safeguards, which will consequently need to be addressed.
  - ✓ Existing information and reporting systems and how these could be used to provide information on safeguards.
  - ✓ existing grievance / conflict resolution mechanisms and how they could be used for the implementation of safeguards

- *Definition of REDD+ Safeguards in Mexico*

- ***Define the architecture and operation of the NSS – inputs from analysis to d**etermine:*
  - ✓ The way in which the relevant aspects of the legal, institutional and compliance frameworks will be used to implement safeguards;
  - ✓ How existing information and reporting systems will be used to provide information on the implementation of safeguards;
  - ✓ How the mechanisms for resolving disputes and conflicts will be used

- ***Determine how the NSS and the SIS will operate between the national and state levels***
  - ✓ How existing legal, institutional and compliance State level frameworks may ensure the implementation of REDD + safeguards, and how they will be linked to the NSS and support the national reporting under the SIS.

- ***Designing the structure and operation of the Safeguards Information System (SIS)***
  - ✓ Define an institutional structure to integrate all relevant information - linked to government institutions.
  - ✓ Define an information platform to share information on how the safeguards are addressed and respected.
  - ✓ Define the types of information to be provided regarding how to address and respect the safeguards (*range of general aspects to individual processes, geographical distribution*)

- Key feature of the SIS includes providing feedback to the NSS with the aim of improving the system and identifying lessons learned.

- Information related to reporting how safeguards are being addressed and respected should be disseminated periodically, proactively and in a format accessible to different audiences.

Lessons learned so far:

- Definitions of the country´s approach on safeguards system and how existing initiatives can support this approach.

- Identification what already exists in the country in terms of regulation, policy, capacities and attributions.

- Engagement of different actors and institutions is key.

- Importance of systematizing, documenting and disseminating the process.

- Sharing experiences among institutions in the reporting of progress and results of national policies.

- Considering previous experiences in reporting information from different sectors - reporting system of the Special Climate Change Program

- Inter-institutional dialogue and development of the necessary institutional arrangements for the reporting of REDD + safeguards.