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1. Practice area: BPPS, Sustainable Development and Resilience Cluster	
2. Mission period (incl. of travel days) From: 29 Feb – 4 March	
3. Type of mission: Technical backstopping	4. Clients UNDP/UN-REDD Vietnam CO and National PMU staff
5. Purpose of mission Technical backstopping for institutional capacity to implement policies laws and regulations (PLR) consultancy; preparation for piloting of grievance redress mechanism (GRM) in conjunction with benefit distribution system (BDS)	6. Documents, materials, resources
7. Mission member Celina Yong	8. Costs UNDP/UN-REDD Vietnam CO budget

9. Brief summary of the mission

Following the national safeguards roadmap that was developed in 2013, Outcome 5 will ensure that safeguards are operationalized and information system (SiS) identified and established. For the latter, a consultancy to assess the institutional capacity to implement PLR commenced in September 2015. It will be integral to identify gaps in how well safeguards are “respected”, in reference to the provincial policies and measures (PaMs) identified in the 6 pilot provinces.

On 25 December 2015, the Ministry of Agriculture and Rural Development (MARD) issued Decision No. 5399/QD-BNN-TLCN on Piloting REDD+ benefit distribution under the framework of UN-REDD Viet Nam Phase II. Provisions for GRM were included in this decision. This Decision was taken in spite of substantive and procedural concerns raised by the Programme for both BDS and GRM.

Additionally, NCIFI, in response to a recommendation from the Mid-Term Review conducted in 2014 to streamline decision-making between the PEB and EG, has strongly pushed for increased efficiency. The modality proposed by the PMU, in consultation with VRO and UN agencies is a Programme Steering Committee (PSC). Sticking points in negotiation are who and what roles members vis-à-vis observers would play. Norway favours a 3-member composition for the former that will see decisions made by the Government of Viet Nam, UN and Norway, with other ministries, CSO and EM relegated as observers. This was a direct contravention of the new global governance arrangements agreed for the 2016 – 2020 Strategic Phase of the Programme where national steering committees, or equivalent include a representative of the CSO and a representative of the IP.

9.a Findings

Safeguards and SiS

- A preparatory meeting with the international and national consultants clarified expectations over deliverables given the adapted ToR: findings and recommendations will provide a snapshot of provincial implementation vis-à-vis national implementation. These are meant to be indicative because current PRAPs from the Programme’s pilot provinces may undergo further revisions, thereby affecting the corresponding PLRs.
- Since preliminary priority PLRs have yet to be confirmed, concern was raised that institutions that will be in charge of specific provincial PaMs may not be the same institutions implementing the PLRs.
- As such, it was agreed that one of the key priority for the safeguards and SiS workshop on 2 March would be to identify and agree upon priority PLRs, in relation to key provincial PaMs. Participants, who are mostly core members of the STWG on Safeguards, are expected to assess the benefits and risks of these PaMs, identify corresponding safeguards, from which priority PLRs will be identified. This information is crucial for the design of field date collection. This objective was largely achieved.
- Given the PLR national consultants’ limitation with PLR, the national legal expert from the SiS consultancy was identified as a

potential source of support.

- In her opening speech, Mrs Thuy, the DNPd revealed that the Government of Viet Nam intends to submit a Summary of Information in October 2016 before UNFCCC COP-22 as part of its Biennial Update Report.
- Subsequent concerns regarding this deadline were discussed among UNDP and UNEP colleagues, primarily the availability of substantive progress nationally and provincially to produce a Sol, and subsequent “first impressions” to the international community. UNEP colleagues are expected to discuss further with the CTA, and possibly the National Programme Coordinator and/or DNPd in the week of 7 March.
- VRO and PMU, however, were concerned over whose responsibility it was to produce the Sol, expecting this to be an output by the consultants. This was clarified in a post-workshop debrief, where the consultants will prepare an annotated table of contents that forms the framework for the Sol.

Proposed Programme Steering Committee

- In a response to the initial proposal for a PSC, Norway was adamant that decisions will be made by consensus among 3 members: Government of Viet Nam, UN and Norway, with the positions of Chair and Co-Chair rotating among these members. Other ministries, agencies, CSO and EM would be observers. This was in spite of earlier efforts by UNDP, through the CTA, to ensure consistency with the new global governance arrangements and agreements for the new strategic phase of the Programme.
- In preparation for a new PSC, it was discussed with CO that the earlier roles and responsibilities of the Independent Monitoring Board could be revised to provide an avenue for CSO and EM organisations to play a different role in the Programme. It was agreed that this review is pending EG’s decision about the PSC.

EM PEB Member’s 2016 Work Plan

- CSDM’s submission of the 2016 focused on strengthening the case for continual EM participation in the Programme through operationalising the EM Network established in 2015, partly to support CSDM’s representation in the PEB.
- There was initial agreement with CO that these activities are sound, and would advance the EM’s contribution to the Programme specifically, while building evidence for their capacity to engage in national policies.
- PMU will review the proposed budget.

SiRAP, RiA, Benefit Distribution and Grievance Redress Mechanisms Pilot

- There are currently 2 additional internal guidelines: a Site-Based REDD+ Action Plan Guidelines for the Commune; and a REDD+ Intervention Agreement/Action Guidelines for the Forest Management Board. The former was introduced to the PMU and PPMU at the end of February 2016. Their recommendations were considered during an internal revision that also incorporated Decision No. 5399.
- By June 2016, it is expected that 18 RiAs will be signed, covering 36,000 ha for piloting of the BDS and GRM across 6 provinces. Field trips will be organized to identify sites and obtain relevant site data. Following this, BDS and GRM, to be embedded in the SiRAPs in 18 sites from all 6 pilot provinces, will commence its piloting activities.
- In April and early May, trainings for these piloting activities are expected to start.
- In response to a request to strengthen FPIC principles in the SiRAP and RiA processes, the Specialist will review these 2 guidelines, and where possible join the one of the trainings in the coming months.
- It was evident from these guidelines that forest protection is key because local communities can be directly involved in increasing forest areas. Interestingly, indirect drivers are perceived to be relatively cheaper to overcome, e.g., better inter-ministerial coordination for land use planning.

Upcoming Revision of the Forest Law

- MARD intends to revise the current law to reflect the latest thinking around PFES, REDD+, climate change, among others.
- Another intention was to reduce forests to 2 functional categories: protection and production forests, streamlining with FAO’s categorisation.
- This process is anticipated to take between 2 to 2.5 years. If changes are more than 70%, then it will take the form of a new law, not an amendment to existing law.
- For a start, MARD needs to send a proposal so that it appears on the National Assembly agenda. From there, it will develop an inter-ministerial platform to discuss the proposed changes.
- MARD will request the Programme to provide technical expertise for this process.

9.b Results achieved (key outputs)

- Revised ToR for IMB (TBC)
- Revised SiRAP and RiA guidelines

9.c Expected outcomes and impacts

- FPIC principles strengthened in SiRAP and RiA guidelines, with clear preparation to pilot BDS and GRM
- Sustained roles for CSO and EM in the Programme, either through the PSC or other modalities such as the IMB

10. Key counterparts

- UNDP CO – Ngo Thi Loan
- National PMU – Fabien Monteils (CTA), Thuy Nguyen and Mdm. Thoa

11. Follow up action matrix

Action to be taken	By whom	Expected completion date
Review and revise IMB for comments	Celina	Dependent on decision regarding PSC
Review SiRAP and RiA guidelines	Celina	11 March
Review methodology and questionnaires for institutional capacity to implement PLR field data collection	Celina, SCG, PMU, UNEP	21 March

12. Distribution list

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