# Draft concept note on proposed structuring of UN-REDD work on REDD+ Safeguards

## Introduction

The aim of this note is to outline the approach of the UN-REDD Programme to REDD+ safeguards. It is initially for internal use in order to present a proposal that can guide decisions on how work should be structured, but it is envisioned that the note may form the basis of external communications with stakeholders interested in the issues covered.

The UN-REDD Programme has developed a significant body of work over the last few years relating to social and environmental safeguards for REDD+ Programmes. This has primarily been in the form of technical support through the development of tools and guidance on safeguards, including the Social and Environmental Principles and Criteria (SEPC). The Programme’s body of work on safeguards led to the identification of two specific needs:

1. Addressing social and environmental issues in UN-REDD National Programmes and other UN-REDD funded activities;
2. Supporting countries in developing national approaches to safeguards in line with the UNFCCC

The SEPC have been developed over a period of 18 months, involving considerable external consultation and takes into consideration not only the need to minimise risk but also to enhance the social and environmental benefits. This consideration of both the risks and benefits underpins the work on safeguards and the type of support that the UN-REDD Programme can provide to countries.

At its eighth meeting, the Policy Board welcomed the SEPC as a guiding framework for the UN-REDD Programme. It noted that there was a need to ‘better demonstrate alignment of the SEPC with the agreements made under the UNFCCC and ensure that coverage of all safeguards is adequate’. In addition, the Policy Board also recommended that when applying the SEPC countries could receive clear guidance on how to coordinate the multiple initiatives on safeguards – SES, SESA, SEPC - at country level and that the SEPC framework could acknowledge national circumstances and provide for future incorporation of feedback from countries and lessons learned during implementation of safeguards systems.

The foundation of the UN-REDD Programme’s work on safeguards was captured initially in the UN-REDD Programme Framework Document 2011-2015 with reference to safeguards in Work Areas 4 (Stakeholder Engagement) and 5 (Multiple Benefits) and reference to safeguard information systems in Work Area 2 (Governance). To date, the UN-REDD Programme’s work on safeguards at the global level has been undertaken mostly by the SEPC Group but additional work is also ongoing in other working groups such as the Monitoring and Information Group and the SIS ‘sub-group’ within it. In addition, the Programme has developed a number of tools and guidelines directly relevant to safeguards, for instance the FPIC guidelines. See Annex I for more information about these tools and guidelines, as provided by the group members. At the country level, safeguards work has been part of the activities planned in National Programmes and more recently a topic for targeted support requests (including from Bhutan, Costa Rica, Philippines and Zambia).

Discussions within the Programme have shown that there is a need to review these arrangements to ensure that work goes forward efficiently and effectively. Further, there is still a lack of clarity in how all the tools developed by the Programme relate to each other and gaps have been identified in their coverage.

## Objectives

In line with the two specific needs that have already been identified above, the objectives of the UN-REDD Programme’s work on safeguards should be:

1. To address social and environmental issues in UN-REDD National Programmes and other UN-REDD funded activities;
2. To support countries in developing national approaches to safeguards in line with the UNFCCC

This note focuses more on the second objective, whilst acknowledging that it is critical that the first one is not sidelined but potentially dealt with in a different, but related, stream of work.

In the light of discussions in the Policy Board, and the needs of REDD+ countries, these objectives will be pursued in accordance with the following considerations:

* There is a need to better demonstrate alignment of the SEPC and any complementary work with the agreements made under the UNFCCC and to ensure that coverage of all safeguards is adequate; the Cancun safeguards provide the basis for all of our safeguards-related work
* In supporting countries on safeguards, the UN-REDD Programme will be responsive to national circumstances, needs and requests
* The UN-REDD Programme needs to be able to support countries to develop their safeguards information systems
* It is important to ensure that the tools and guidance that have been developed by the UN-REDD Programme and that are relevant to safeguards are presented and used in a coordinated way that responds to country needs.
* There is a need to ensure coordination and coherence with the standards and safeguards of other initiatives, particularly the FCPF, as well as the REDD+ SES.

In organising the work to meet the two objectives, the UN-REDD Programme will seek to ensure:

* the work of the agencies is fully coordinated, with a balanced representation of all agencies at the appropriate level;
* the work on safeguards is properly consistent with other related areas of work within the Programme, including the national programme cycle;
* Programme staff from the national and regional levels are appropriately integrated in this work; and
* the working arrangements are designed to be as efficient and effective as possible in the light of the above considerations.

### Objective 1

The first of the objectives focuses on UN-REDD policies and procedures for its work in countries, so is more internally facing and relates to the duty of the Programme to uphold UN Conventions, treaties and declarations, and apply UN agency policies and procedures in the implementation of its work or when it works with other organizations (for example the World Bank-FCPF). It is worth noting that to address the first objective, the SEPC and any further complementary work can be applied at different stages of the UN-REDD programme cycle to ensure that social and environmental issues have been properly considered and addressed:

* in the formulation of national UN-REDD programmes
* in the review, both internal and independent, of national programme documents
* in the application of the planning, monitoring and reporting framework that guides national programme implementation

It will be important to ensure that the work under Objective 1 is consistent with and supportive of the work carried out under Objective 2.

### Objective 2

In supporting countries to develop national approaches to safeguards, the UN-REDD Programme provides support on safeguards at two different levels, corresponding with its Global Programme and Support to National Programmes. Global level work focuses on ensuring a strategic and coordinated approach by the Programme, and particularly on ensuring that any country level support is responsive to the evolving UNFCCC decisions on REDD+. Country level support focuses on work to build country capacity to develop and implement national approaches to safeguards, in countries with UN-REDD National Programmes and other partner countries receiving targeted support.

The types of support provided could include:

* Practical guidance to support countries to respond to UNFCCC decisions, such as key questions to consider, appropriate tools and methodologies, and illustrative case studies
* Outline of possible steps to be considered in the process of developing a country approach to safeguards, aligned with UNFCCC decisions, and best practice approaches for managing these steps
* Assistance to countries for the development of policies, laws and regulations to address and respect safeguards consistent with the UNFCCC decision on safeguards
* Assistance to countries to collect data on safeguards and develop safeguard information systems, consistent with UNFCCC decisions

The current targeted support proposal from Costa Rica to develop an information system to verify observance and application of the Cancun safeguards, using the SEPC as a guiding framework, is a prime example of the type of support which would be provided.

It is important to ensure that The approaches listed above are developed in a way that will allow countries to go beyond the UNFCCC requirements if they wish to.

Since Objective 2 represents a new area of work for the UN-REDD Programme, more detail on this is provided in the following section.

## Supporting countries to develop national approaches to safeguards (Objective 2)

### Conceptual framework

The UN-REDD approach is based around a conceptual framework of the generic elements of a country approach to safeguards. This is effectively *what the UN-REDD Programme understands as the key components of a country approach to safeguards*, based on the ‘functions’ that it needs to fulfil in order to ensure that social and environmental risks from REDD+ are reduced and benefits are enhanced. Two core elements are proposed that are drawn from theoretical understanding, early examples of country systems, UNFCCC discussions, the SEPC and other UN-REDD tools & guidelines related to safeguards, as well as the approaches of other organisations:

1. Safeguard policies, laws and regulations
2. Safeguard Information System (SIS)

1. Identification/development of relevant safeguards (policies, laws and regulations), addressing and respecting them

2. Safeguard Information System (SIS)

Country Approach to Safeguards

Though listed as discrete elements, we see these as closely inter-linked. A possible first step to elaborate on this conceptual framework would be to outline in more detail what the key components of each of these elements is, and the process that countries may need to put in place to develop these components. This is a task that the SEPC Group, and more recently the Monitoring and Information Group, have already been working on.

This approach needs to be flexible in order to respond to different country circumstances, in terms of needs and other ongoing activities that relate to safeguards. National level grievance mechanisms are, for example, a potentially integral component of national approaches to safeguards. While not included explicitly in UNFCCC decisions related to safeguards grievance mechanisms are included in the latest version of the harmonised R-PP. As work in this area develops, it may be reasonable to include national grievance mechanisms in this overarching framework as a third core element, as this is useful in illustrating the elements of an ideal safeguards system. Reference to a grievance mechanism may be useful where countries are implementing the R-PPs, but it could be removed where a country does not wish to expand the scope beyond that of the UNFCCC context specifically.

Clarifying exactly how the tools and guidance already developed and to be developed by the UN-REDD Programme can assist in meeting Objective 2 will be an important part of this work.

### Structuring of work

In order to deliver the support outlined above in a coordinated and efficient way, there are three main functions that need to be performed by the Programme, regardless of the management structure in place to achieve that work. A number of the discrete tasks listed below have a strong foundation in work that has already been undertaken.

1. Conceptualising overarching country approaches to safeguards:
   1. Defining the objectives and scope of UN-REDD work on supporting countries on the development of safeguards systems, including the development of harmonized work plans
   2. Ensuring consistency with the developments in the UNFCCC
   3. Clarifying the role of all existing UN-REDD tools linked to safeguards
   4. Proposing and defining the overall elements of a country safeguards approach, drawing on inputs from all agencies and other key contributors
   5. Ensuring coordination between different working groups dealing with individual components of a safeguard approach in more detail
   6. Ensuring inter-agency consistency of support to country programmes, including targeted support activities
2. Identification/development of relevant safeguards (policies, laws and regulations), addressing and respecting them:
   1. Defining the objectives and scope of UN-REDD work on supporting countries on the development of safeguard policies, laws and regulations, including relationship to UNFCCC
   2. Utilizing the SEPC and other tools to help countries to understand what the Cancun safeguards are, how these relate to existing country policies and potential needs for new policies
   3. Developing approaches to help countries to assess their existing policies and compare these to Cancun requirements
   4. Developing approaches to help countries build safeguard policy frameworks
   5. Feeding into broader discussions about how work on this area links to aspects such as SIS
   6. Support these issues through country programmes and targeted support activities
3. Development and structuring of safeguard information systems:
   1. Defining the objectives and scope of UN-REDD work on supporting countries on the development of SIS including relationship to UNFCCC
   2. Helping countries to implement the UNFCCC decisions on systems of information for safeguards
   3. Developing approaches to help countries to assess their existing systems that may already fulfill some of the functions of a REDD+ SIS
   4. Developing approaches to help countries build SIS
   5. Feeding into broader discussions about how work on this area links to aspects such as safeguards policies
   6. Ensuring coordination and alignment with other relevant internal work within the agencies on forest monitoring systems,
   7. Engage with external partners/initiatives advancing work on SIS
   8. Support to country programmes on SIS, including targeted support activities

## Organising UN-REDD work on safeguards

There are two main options for the management of the work outlined above:

* + - *Option 1:* Establish a single, over-arching “Safeguards group.” This group would be interagency and would take on both the agenda of the SEPC group, and the work on SIS initiated under the Information and Monitoring group. Ad-hoc breakout groups working on specific issues could be created where necessary.
    - *Option 2:* A set of working groups focusing on different tools (SEPC, BeRT, SIS, etc.), with a discrete interagency body concentrating on overall coordination and strategic issues. Some combination of existing working groups (SEPC, SIS and interim safeguards coordination group) could carry out the work going forward in discrete but linked groups.

The main difference in these options relates to coordination. Having a single group could enhance information flow & coordination compared to a set of smaller groups, but may become difficult to organize depending on its size and the nature of the work. On the other hand, a discrete coordination group may provide more flexibility and responsiveness to UNFCCC, PB and MG decisions. A coordination group may also unintentionally add another layer of hierarchy that is not necessary.

A key issue relates to the composition of the inter-agency groups. To ensure effectiveness, the group should consist of representatives from the agencies and the Secretariat (2 persons per agency + coordination support from the Secretariat), ensuring that there are members on a given group involved with direct country support.

In addition, there is the need to address how the work described above links with other relevant ongoing or planned areas of work, particularly PGAs and national grievance mechanisms. At a minimum, there should be systematized information sharing among the teams working on these issues.

# Annex 1

The following are UN-REDD tools that exist or are being developed that are relevant to safeguards work:

* The SEPC (welcomed as a guiding framework at PB 8)
* The draft Benefits and Risk Tool (BeRT), a decision support tool that is designed for identifying Benefits and Risks within National REDD+ Programmes or strategies
* The draft UN-REDD Guidelines on Free, Prior, and Informed Consent
* The Guidelines on Stakeholder Engagement in REDD+ Readiness (UN-REDD & FCPF)
* Participatory Governance Assessments (PGAs)
* Guidelines for monitoring the impacts of REDD+ on biodiversity and ecosystem services (draft)
* The annotated guide to useful resources for monitoring the impacts of REDD+ on biodiversity and ecosystem services (draft)

Framework for Assessing and Monitoring Forest Governance

Guidance on Forest Governance Data Collection (in development) (related to SIS)

* Guidance on Establishing National-Level Grievance Mechanisms (in development)
* The National Programme Handbook (in press)

The table below summarises the main aspects of the Cancun safeguards that these tools can help countries to address (note that the symbol […] indicates that the full text has been cut, as it was not deemed necessary to include in full in this internal note..

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| **UNFCCC safeguards and provisions on SIS.** | **Cancun (a)** | **Cancun (b)** | **Cancun (c)** | **Cancun (d)** | **Cancun (e)** | **Cancun (f)** | **Cancun (g)** | **Cancun (para 71d)** |
|  | Actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements | Transparent and effective national forest governance structures, taking into account national legislation and sovereignty | Respect for the knowledge and rights of indigenous peoples and members of local communities […] | The full and effective participation of relevant stakeholders, in particular, indigenous peoples and local communities […] | Actions are consistent with the conservation of natural forests and biological diversity […] | Actions to address the risks of reversals | Actions to reduce displacement of emissions | A system for providing information on how the safeguards referred to in appendix I to this decision are being addressed and respected |
| **SEPC** | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |  |
| **Benefits and Risk Tool (BeRT) (Draft)** | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| **UN-REDD FPIC Guidelines** |  |  | ✓ | ✓ |  |  |  |  |
| **Guidelines on Stakeholder Engagement** |  |  |  | ✓ |  |  |  |  |
| **Participatory Governance Assessments (PGAs)** |  | ✓ |  | ✓ |  |  |  |  |
| **Guidelines for monitoring the impacts of REDD+ on biodiversity and ecosystem services (draft)** |  |  |  |  | ✓ |  |  | ✓ |
| **The annotated guide to useful resources for monitoring the impacts of REDD+ on biodiversity and ecosystem services (draft)** |  |  |  |  | ✓ |  |  | ✓ |
| **Framework for Assessing and Monitoring Forest Governance** |  | ✓ |  |  |  |  |  | ✓ |
| **Guidance on Forest Governance Data Collection (in development)** |  |  |  |  |  |  |  | ✓ |
| **Guidance on Establishing National-Level Grievance Mechanisms (in development)** |  | ✓ |  | ✓ |  |  |  | ✓ |
| **The National Programme Handbook (in press)** | ✓ |  |  | ✓ |  |  |  |  |