

**Final Narrative Report:** The Global Canopy Programme and the United Nations Environment Programme - “The Little Book of Legal Frameworks for REDD+”

**Phase 2 of 2: December 2013-December 2014**

### **Project Summary**

[The Little Book Series](#) is a highly successful set of publications targeting the international policy arena that aims to disseminate clear and concise information on key issues and potential solutions in ongoing policy discussions. The key to the broad uptake of these publications has been their ability to present in simple terms a complex and rapidly changing area of the international climate change negotiations.

Previous books include: The Little REDD+ Book (2008), The Little Climate Finance Book (2009), The Little Biodiversity Finance Book (2010 & 2011), The Little Forest Finance Book (2012), and The Little Book of Big Deforestation Drivers (2013).

The Little Book of Legal Frameworks for REDD+ aims to build on the success of earlier publications in this series, and act as a key capacity building tool for negotiators at UNEP, UN-REDD, CBD, UNFF, UNFCCC and other international fora, as well as for decision makers in developing countries seeking to understand issues relating to legal preparedness for REDD+.

## Contract Deliverable Summary (December 2013 – December 2014)

<b>Information on delivery of the project</b>		
<b>Planned activity</b>	<b>Planned date</b>	<b>Delivery summary</b>
Activity i		
Completion of the Book's detailed outline	28 <sup>th</sup> April	A detailed draft outline was shared with UNEP on 28 <sup>th</sup> April.
Activity ii		
First written draft of the Book	31 <sup>st</sup> July	First written drafts of 3 chapters of the book were submitted to UNEP on 18 <sup>th</sup> August for review.  A full second draft of the Book was shared with UNEP and FAO for review on 29 <sup>th</sup> September.
Activity iii		
Expert peer review	28 <sup>th</sup> August	Sections of the book were sent to peer reviewers, and final feedback was received by the end of October.
Activity iv		
Completion of Book	10 <sup>th</sup> September	The final text of the book was completed by 07 <sup>th</sup> November.
Activity v		
Translation of the Law Book into 2 additional languages	10 <sup>th</sup> October	The translation of the Law Book into 2 additional languages was completed by 11 <sup>th</sup> December.
Activity vi		
Design of the Law Book	07 <sup>th</sup> November	The design of the English version of the book was completed on 02 <sup>nd</sup> December.
Activity vii		
Printing of the publication in all languages	28 <sup>th</sup> November	The English version of the Book was printed by 3 <sup>rd</sup> December. As the translation and design of the book in French and Spanish were completed by end of December 2014, the

		printing of the book in French and Spanish was therefore not carried out under this contract, as agreed with the funder. The funds for printing the French and Spanish versions of the book contributed to covering all of the design costs of the publications. GCP is continuing to fundraise for the printing of the publications in Spanish and French for their distribution at other international conferences, e.g. UNFCCC SBSTA 42, Bonn, in June 2015.
Activity viii		
Workshop and launch of the Little Book of Legal Frameworks for REDD+	December 2014	The launch of the book took place on 09 <sup>th</sup> December at a breakfast meeting during UNFCCC COP 20.

## Detailed narrative description of deliverables

### *The Little Book of Legal Frameworks for REDD+*

Work on the Little Book of Legal Frameworks for REDD+ commenced in December 2013, with brainstorming discussions on the framing of the book between the Global Canopy Programme and experts within other organisations. In January 2014, GCP released an offer for a short consultancy to work on the book and hired a consultant from Climate Law & Policy for 31 days between 3<sup>rd</sup> March and 30<sup>th</sup> April 2014, and later in the project for 5 days between 10<sup>th</sup> September and 30<sup>th</sup> September 2014.

A two day meeting in early April 2014, bringing together experts from GCP, Climate Law & Policy and Climate Focus, led to the consolidation of the outline of the Book and to consensus on the scope and framing of the publication based on identified needs of REDD+ stakeholders. See **Annex A** for the agenda of the meeting and **Annex B** for the detailed draft outline of the book which resulted from discussions during the two day meeting. This draft outline was submitted to UNEP on 28<sup>th</sup> April.

GCP led the drafting of the book, and also gathered voluntary contributions from experts in different organisations. An incomplete draft of the book was submitted to UNEP on 18<sup>th</sup> August. Some chapters and sections were still being drafted or being reviewed by various experts throughout the summer, which led to the submission of a full draft of the text to UNEP by the end of September. The delay in delivering the text to UNEP was due to the fact that the text took longer than anticipated to put together, that contributions came in later than expected and that the time needed to review them caused extra delays.

External contributors to the book included:

Daniela Rey, Director and Founder Climate Law & Policy;

Allison Silverman, Attorney, Climate and Energy Program, Center for International Environmental Law (CIEL);

Anggalia Putri, Forestry and Climate Change Program, Society for Community-based and ecological legal reform (HuMa);

Marlene Grundstrom, Director Forest Legislators Initiative, The Global Legislators Organisation;

Pamela Ferro, Forest Policy Officer, The Global Legislators Organisation;

Joe Kuper, Independent consultant;

Martjin Wilder, Head of Global Environmental Markets and Climate Change, Baker McKenzie;

Ilona Millar, Special counsel in Environmental Markets, Baker McKenzie;

Kylie Wilson, Special counsel in Environmental Markets, Baker McKenzie;

Satya Tripathi, Director United Nations Office for REDD+ Coordination in Indonesia;

Julia Hoeffman, Special Assistant to the Director, United Nations Office for REDD+ Coordination in Indonesia;

Felicity Le Quesne, Research Officer United Nations Office for REDD+ Coordination in Indonesia;

Toby Janson-Smith, VCS;  
Naomi Swickard, VCS;

The text of the book was completed early November after receiving comprehensive input from a wide-range of peer reviewers:

Lorena Aguilar, Global Senior Gender Adviser, International Union for the Conservation of Nature (IUCN)

Darragh Conway, Lawyer, Climate Focus;

John Costenbader, Senior Consultant on Forestry and Carbon Markets, Climate Focus

Cate Owren, Senior Gender Officer, IUCN Gender Office;

Amanda Bradley, REDD+ Tenure Specialist, the Food and Agriculture Organisation of the United Nations (FAO);

Caroline DeVit, REDD+ Legal Expert, UN-REDD Programme, Climate, Energy and Tenure Division, FAO;

Francesca Feliciani-Robles, Legal Officer at the Development Law Service of FAO;

Renee Gift, consultant;

Alexandre Corriveau-Bourque, Tenure Analyst – Global Programs, Rights and Resources Initiative;

Claire Hamlett, Volunteer GCP;

Tim Laing, CEED Knowledge;

Colin Moore, Director and Partner, Forest Carbon;

Thais Narciso, Associate Programme Officer, Forests and Climate Change, United Nations Environment Programme (UNEP);

Leo Peskett;

Joel Scriven, Forestry Officer, FAO;

Cecilia Simon;

Bernadinus Steni;

Laode Syarif, Indonesian Centre for Environmental Law (ICEL); and

Iván Zúñiga, Mexican Civil Council for Sustainable Forestry (CCMSS).

The English version of the book was designed and printed in time for the UNFCCC COP 20 in Lima, Peru, where it was launched during a well-attended breakfast meeting on 9<sup>th</sup> December (see **Annex C** for the event invitation). The event, which was organised in collaboration with the United Nations Office for REDD+ Coordination in Indonesia, included panel presentations followed by a question and answer session (see **Annex D** for the agenda of the event). Following the event, offers were made to support the translation of the publication into Portuguese and Arabic.

The Little Book and its messages were heavily promoted during the period of COP 20. In addition to the launch event, printed copies of the English book were distributed to key stakeholders at the COP 20 venue and during CIFOR's Global Landscapes Forum (GLF). In addition, approx. 1,000 promotional flyers developed thanks to support from a NORAD grant were distributed during the COP and GLF (see **Annex E** to see the template of the promotional flyers).

Targeted emails with the electronic version of the book in relevant languages will be sent in January 2015. Downloads of previous publications have reached over 10,000 within 12 months – the anticipated demand for this publication is expected to be on par with these figures.

The book is also an available resource on the REDD desk ([www.theredddesk.org](http://www.theredddesk.org)), a web platform which receives approx. 10,000 unique visitors each month.

Due to delays in the finalisation of the content of the publication, the translation and design of the Spanish and French versions of the Book were carried out after the COP and by 31<sup>st</sup> December 2014. GCP is continuing to fundraise for the printing of the Spanish and French versions of the book.

All versions of the publication can now be found online on the GCP website (<http://www.globalcanopy.org/materials/little-book-legal-frameworks-redd>). Thanks to GCP's partnership with UNORCID and the Government of Indonesia's REDD+ Task Force, the book will be translated into Bahasa in early 2015 (see **Annex F** for the front cover of the book in Bahasa).

GCP will continue to raise funds to print copies of the book in all languages in order to distribute hard copies during other events international meetings in 2015, e.g. SBSTA 42 in Bonn.

## ANNEXES

### ANNEX A. Agenda of April meeting on the scope, framing and outline of the Book

#### Agenda Little REDD+ Law Book meeting

1<sup>st</sup> – 2<sup>nd</sup> April 2014

GCP offices, 23 Park End Street, OX1 1HU, Oxford

#### Objective:

- Come up with a detailed outline and an agreement on the content of the pages
- Establish a work plan for the work

#### Participants:

- Louisa Denier, Project Manager GCP
- Daniela Rey, Director Climate Law and Policy
- Sebastien Korwin, Consultant Climate Law and Policy
- Darragh Conway, Consultant Climate Focus

<b>Day 1</b>	
11.00-13.00 (Late start due to travel from London to Oxford, and Amsterdam to Oxford)	<ul style="list-style-type: none"><li>• Presentation of timeline, audience and scope of the Book (GCP)</li><li>• Discussion on the structure of the Book (All)</li></ul>
13.00-14.00	Lunch break

14.00-17.00	<ul style="list-style-type: none"> <li>• Discussion on structure continued</li> </ul>
<b>Day 2</b>	
10.30-12.30	<ul style="list-style-type: none"> <li>• Putting together a detailed outline: going over the content of the pages</li> </ul>
12.30-13.30	Lunch break
13.30-17.30	<ul style="list-style-type: none"> <li>• Discussion on content of pages continued</li> <li>• Work plan for next steps (division of tasks, list of potential authors and contributors)</li> </ul>



## **ANNEX B. Draft of the outline of the book – APRIL 2014**

### **Acknowledgments**

### **Forewords**

### **How can this book help? Who is it for?**

## **Part 1. Why are legal frameworks important for REDD+?**

### **1.1 Forests**

- Global forest cover (7% total land area and home to over 50% terrestrial biodiversity)
- Value of forests (ecosystem services)
- Current emissions from deforestation (approx. 10% of all GhG emissions)
- Drivers (including perverse incentives and weak governance)
- Policies are needed to alter the trend of forest loss and to ensure a positive future for human well-being and biodiversity

### **1.2 REDD+ as part of an integrated land-use strategy**

- Very brief description of REDD+ and how it evolved within the UNFCCC (BOX)
- REDD+'s reach is broader than emissions reductions. Under appropriate conditions, REDD+ can yield benefits to the climate, people and the environment (link to multiple benefits of REDD+).
- REDD+ does not exist in isolation from other sectors and it does not exist in a policy vacuum. Developing REDD+ offers the potential to transform national policies and governance systems to meet goals beyond emission reductions such as biodiversity conservation and improving the livelihoods of people.
- The degree to which the goals of REDD+ will be met, depends in part on the laws and policies that regulate it. Healthy and productive forests are foundations for sustainable development and central to a green economy. When designed and implemented correctly, REDD+ can therefore contribute to national priorities beyond reducing emissions and become an essential component of a country's efforts to reach its sustainable development goals or be integrated within broad cross-sectoral strategies such as green growth or climate change.

- We support the idea that it is necessary to adopt an integrated landscape approach when designing national REDD+ strategies, policies, laws and action plans.

### 1.3 What is a legal framework (role, importance, elements)

- What is the role of the legal framework in relation to REDD+ implementation? Why is it important (Sets the ‘rules of the game’ for implementation, provides direction/mandates/powers for relevant actors etc.)
- Definition of governance framework/system (comprised of legal, institutional and monitoring and enforcement (compliance) frameworks)
- Definition of legal framework (general)
- Definition of elements of the legal framework (policies/strategies, laws, regulations, plans and programmes)
- We will include a graph illustrating interactions/links between different elements of the legal framework
- We will also include a country example of different elements of the legal framework (country example: Ethiopia and its strategies within the forest sector)

### 1.4 Risks and benefits of a proper/improper legal framework for REDD+

- Risks (E.g. Lack of financial transparency, excessive discretionary powers and inadequate access to justice provisions could lead to inequitable distribution, elite capture and misappropriation of REDD+ funds as well as the development of new criminal activities such as carbon and tax fraud)
- Benefits (E.g. The implementation of REDD+, enabled by a holistically developed legal framework that allows for sustainable forest management and integration of different land uses can support the transition to a green economy, including through increased resource efficiency or increased acknowledgment and reward for ecosystem services and e.g. Improved biodiversity conservation: The possible negative impacts of REDD+ on biodiversity and ecosystem services can potentially be mitigated through a nationally appropriate balance of regulation and economic incentives).

### 1.5 Overarching framework

- Objective of the Book
  - The book aims is to assist national decision makers in:
    - Clearly understanding what international requirements are to be addressed domestically through their legal framework
    - Having a clear methodological framework for assessing their domestic legal framework in relation to the above requirements
    - Identifying crosscutting legal and policy enabling conditions for the effective implementation of REDD+ as part of a cross-sectoral/integrated approach to land-use planning

- Scope of the Book
  - Focuses only on the requirements and considerations for REDD+ implementation that can be addressed by a country's legal framework
  - Is limited to an examination of the legal framework 'on paper' rather than how it can be implemented.
  - The book will include country examples to illustrate the points made
  
- General outline of the book
  - What are the international and contractual requirements countries should fulfil to implement REDD+? (Part 2)
  - How to address those requirements through the legal framework: Thematic issues that need to be addressed by the legal frameworks to make REDD+ work (Part 3)
  - More generally, how to use domestic legal frameworks to make REDD+ work: what are the overarching enabling conditions? (Part 4)
  
- Key to icons used in this book (TBD)
 

In addition to the general outline, the following identified 'challenges' will be used for illustrative purposes to assist countries in assessing the suitability of each suggested option to their domestic context

  - Time frame (short, medium, long term)
  - Level of political risk
  - Scale
  - Technical and administrative complexity

## Part 2. What are the international and contractual requirements countries should fulfil to implement REDD+?

The international requirements for REDD+ are varied in nature and include many technical elements. However, for the purpose of this book, the international requirements identified below are those that could/should be met by a country's domestic legal framework rather than all of the requirements for REDD+ to be implemented in accordance with the international framework *per se*. Furthermore, in this section, the requirements will only be identified; subsequent examination of how countries' legal frameworks could meet these obligations is included in Part 3 of this book.

This section is broken down according to the Warsaw Framework: Institutional arrangements; Finance; Safeguards; REL; MRV; NFMS. In addition, given the high number of REDD+ countries participating in the FCPF, coupled with the contractual nature of its obligations, the FCPF requirements/guidance have also been examined to the extent where they provide additional information to the UNFCCC requirements/guidance.

### 2.1 An international legal/policy framework for REDD+

### **2.1.1 UNFCCC COP Decisions**

### **2.1.2 FCPF Readiness and Carbon Funds**

### **2.1.3 Other international REDD+ initiatives**

## **2.2 The Warsaw framework for REDD+**

- Introductory text to the Warsaw framework and an explanation of why we broke down the sections within this chapter in the following way.

## **2.3 Finance**

- What do we mean by finance for REDD+ and how does this link to the legal framework?
- What are the UNFCCC requirements for developing country parties to receive results based finance for REDD+?
- Additional requirements/guidance from the FCPF (info collected looking at R-PPs and the FCPF Carbon Fund Methodological Framework)

## **2.4 Institutional arrangements**

- What do we mean by institutional arrangements and how does this link to the legal framework?
- What institutional arrangements are required by the UNFCCC to be implemented at the country level?
- Additional requirements/guidance from the FCPF (info collected looking at R-PPs and the FCPF Carbon Fund Methodological Framework)

## **2.5 Safeguards**

- What do we mean by safeguards and how does this link to the legal framework?
- What are the UNFCCC requirements for developing country parties in relation to safeguards? (Includes: background and origin of the safeguards; safeguards and results-based payments; reporting on the safeguards)
- Additional requirements/guidance from the FCPF (info collected looking at R-PPs and the FCPF Carbon Fund Methodological Framework)

## **2.6 NFMS**

- What do we mean by NFMS and how does this link to the legal framework?
- What are the UNFCCC requirements for developing country parties in relation to NFMS? (Includes the requirements for developing countries; key characteristics of the NFMS with particular implications for the legal framework)
- Additional requirements/guidance from the FCPF (info collected looking at R-PPs and the FCPF Carbon Fund Methodological Framework)

## 2.7 MRV

- What do we mean by MRV and how does this link to the legal framework?
- What are the UNFCCC country requirements in relation to MRV? (Includes the requirements for developing country parties; the submission of MRV data; verification)
- Additional requirements/guidance from the FCPF (info collected looking at R-PPs and the FCPF Carbon Fund Methodological Framework)

## 2.8 Forest REL/RL

- What do we mean by REL/RL and how does this link to the legal framework?
- What are the UNFCCC requirements for developing country parties in relation to REL/RL?
- Additional requirements/guidance from FCPF (info collected looking at R-PPs and the FCPF Carbon Fund Methodological Framework)

## Part 3 How to address the technical issues required by the international framework through the legal framework

This section covers the requirements set out in Part 2 above and explains how countries' legal frameworks could meet these obligations.

### 3.1 Finance

#### 3.1.1 Institutional framework for finance

- *What are the issues/considerations for the effectiveness of REDD+?*
- *Options for addressing this through the legal framework/how to build on existing legal framework to address this issue?*

#### 3.1.2 Incentives, (rights and responsibilities) for REDD+ at the national level

- *What are the issues/considerations for the effectiveness of REDD+?*
  - Countries will need to define the types of incentives they will use to implement REDD+ nationally (tax breaks, loans, grants, results based payments, non-monetary)
  - What will be the responsibilities of actors receiving payments (how will they be monitored? Are there reporting obligations?)
  - How will the incentives (rights + responsibilities) be managed (contractual arrangement)?
  - How will the issue of risks be shared?
  - Who is eligible for incentives? (Individuals? Communities? NGOs? Private companies? Government?)

- *Options for addressing this through the legal framework/how to build on existing legal framework to address this issue?*
  - Countries can examine their existing laws and programmes to inform the design of their national REDD+ incentives regimes (look at domestic PES, A/R programmes)
  - Etc.

### **3.1.3 Links to MRV, REL/RL and safeguards**

- *What are the issues/considerations for the effectiveness of REDD+?*
  - The management and distribution mechanism for REDD+ at the national level needs to ensure that they incentivise behaviour that complies with international requirements/assists in national reporting.
  - This means: Should international rules for MRV be applied for sub-national disbursement of finance or should the national mechanism apply simplified proxy requirements?
  - How should compliance with safeguards be linked to the delivery of payments?
- *Options for addressing this through the legal framework/how to build on existing legal framework to address this issue?*
  - Is there an existing national safeguard system (or a plan to build one)?
  - Is there an existing fund for forestry? What are its safeguard and MRV requirements? Can they be adapted?
  - Etc.

## **3.2 Institutional arrangements**

- *What are the issues/considerations for the effectiveness of REDD+?*
  - Need to clarify the different roles and responsibilities for the implementation of REDD+
    - ➔ Who defines REDD+ policy (E.g. steering committee)
    - ➔ Who coordinates implementation? (Management oversight of each individual cell/working group: finance, MRV, REL/RL etc.)
    - ➔ Who manages correspondence with UNFCCC? (Gathering and/or submitting information)
    - ➔ Dispute resolution/grievance mechanism
- *Options for addressing this through the legal framework/how to build on existing legal framework to address this issue?*

- Identify existing institutions relevant to REDD+ implementation, monitoring and enforcement (institutions for forest monitoring; traditional institutions, national statistics offices, human rights monitoring bodies)
- Identify the key characteristics of bodies involved in REDD+ (e.g. whether need oversight on other mandates; decision making power)
- Think about distribution of powers/responsibilities between national/sub-national institutions
- Etc.

### 3.3 Safeguards and SIS

- *What are the issues/considerations for the effectiveness of REDD+?*
  - Breakdown of Cancun safeguards interpretation
  - Brief overview of each safeguard
  - Explanation as to why they are not new requirements/obligations, but actually issues covered by countries legal frameworks
- *Options for addressing this through the legal framework/how to build on existing legal framework to address this issue?*
  - Options as to how the safeguards could be implemented (reference to CSS framework and CSS guidelines)
  - How can the SIS be implemented through the existing legal framework?
  - Etc.

### 3.4 NFMS

### 3.5 MRV

### 3.6 REL/RL

## Part 4. How to use domestic legal frameworks to make REDD+ work: what are the overarching enabling conditions?

For most countries, a ‘transparent and effective governance structure’ is the enabling ‘legal’ condition for REDD+ to work. Therefore, we will be looking at the following enabling conditions:

### 4.1 Access to information

- *What is access to information?*

- *What are the issues/considerations for the effectiveness of REDD+?*
  - Relates to the public's right to access information held by authorities that is relevant to REDD+ or more broad decision-making process
  - Institution to ensure access and distribution
  - Passive and active access to information
  - Public awareness of the right and procedures to access information
- *Why is this important? Examples of negative impacts*
  - To ensure participation (the public's approval/buy-in of a policy or strategy)
  - Lack of access during policy development could lead to social conflict during implementation
- *Options for addressing this through the legal framework*
  - Legal recognition of the right (access to information act that creates institution or mandate within existing institution, regulates procedures for access, outlines plan for promotion)
  - Strategy or policy to operationalise this with institutional needs and need to ensure awareness
  - Etc.

## 4.2 Accountability

- *What is accountability?*
- *What are the issues/considerations for the effectiveness of REDD+?*
  - Transparency in forest governance structures has been interpreted as the need to ensure the accountability of those in public office
  - 2 main aspects (horizontal and vertical)
  - Need to look at democratic accountability and financial accountability
- *Why is this important? Examples of negative impacts*
  - Corruption, fraudulent acquisition of funds
  - Elite capture
- *Options for addressing this through the legal framework*



### 4.3 Clear land tenure rights

- *What are clear land tenure rights?*
- *Is there a need to define carbon rights?*
  - Box on carbon rights
- *What are the issues/considerations for the effectiveness of REDD+?*
  - Lack of clarity of status of customary rights in relation to statutory rights (is there legal recognition?)
  - If customary rights are recognised in the domestic legal framework, how to evidence ownership?
  - Overlapping rights/interests linked to land (use, usufruct, ownership, etc.)
  - Bundle or unbundle the resources on a particular piece of land (timber, mineral, 'environmental services', carbon)
- *Why is this important? Examples of negative impacts*
  - Possible exclusion from involvement in REDD+ process due to lack of clarity
  - Exclusion from design and/or receipt of benefits
  - Physical displacement
  - Competing claims to land means lack of secure environment for investors
- *Options for addressing this through the legal framework*
  - Legal recognition of customary land rights as equivalent to statutory rights (constitutional amendment)
  - Mapping tenure rights at the community level (purpose identifying areas where further clarification is needed) (medium term)(plan? Strategy? Policy → no legislation needed)
  - Recognition of traditional courts' authority to adjudicate on customary tenure rights (legislation/reform) (short-term)
  - Assessing the variety of different rights that apply to areas of land (analysis of land laws) and how those rights are acquired, transferred (policy/programme) → based on findings: strategy to adjudicate competing land claims, undertake land allocation
  - Ensure clear process for registration of rights (examine/reform land law)
  - Clarify who is eligible to manage land (associations, companies, communities, individuals (through reform of land act)
  - Clarify what rights are linked to ownership (right to timber, mineral, carbon) → are these rights bundled or separate? (assessment and/or reform of relevant sectoral laws)
  - Etc.

#### 4.4 Consistency between sectoral laws and policies

- *What do we mean by consistency between sectoral laws and policies?*
- *What are the issues/considerations for the effectiveness of REDD+?*
  - Lack of coordination between different sectoral land-uses
  - Inconsistencies/lack of clarity/poorly designed land concession frameworks (between sectors)
  - Sector specific legal incentives which have perverse effects on REDD+, sustainable landscapes
  - Need for consistency with other programmes (climate change, green economy strategies, FLEGT, PES, certification initiatives)
- *Why is this important? Examples of negative impacts*
  - Overlapping concessions, unregulated and unsustainable concessions granted, reversals
  - Agricultural laws have productive use clauses, if not productive have to forfeit the land
  - Mining laws often have compulsory acquisition clauses which could lead to dispossession
  - Energy laws (biofuels) can incentivise behaviours that go against the goals of REDD+ (forest clearing to develop monocultures)
  - Unsustainable logging practices
  - Possible duplication of efforts of working groups implementing various programmes leading to high costs, inefficiencies and sometimes even prevent each other from achieving their respective goals
- *Needs*
  - Ensure consistency between different sectoral laws
- *Options for addressing this through the legal framework*
  - Integrate spatial planning and zoning (zoning for more than one land use) (institutional coordinating mechanisms or comprehensive assessment and reform of procedures)
  - Set integrated priorities through cross sectoral high-level strategies (either policy/strategy or law)
  - Sectoral plans can be subordinated to integrated high level plans (new law/mandate)
  - Remove perverse incentives through comprehensive assessment and reform
  - Etc.

#### 4.5 Coordination between institutions with responsibilities outside of the REDD+ policy sphere (working title!)

- *What do we mean by this?*
  - Mining, agriculture, spatial planning etc.
- *What are the issues/considerations for the effectiveness of REDD+?*
  - Overlapping jurisdictions between different bodies (e.g. forest/NR and energy ministries)
  - Horizontal and vertical coordination
  - Rivalry between ministries due to lack of clarity on mandates
- *Why is this important? Examples of negative impacts*
  - Encroachment on REDD+ projects
  - Lack of coordination between ministries can lead to reversals (concessions granted)
  - Inefficient implementation due to lack of cooperation between actors
- *Needs*
  - High level institutional coordination, clear mandates
- *Options for addressing this through the legal framework*
  - Creation of inter-ministerial committee with sufficient powers to develop and enforce policy which can apply more broadly to land use (short term) → REDD+ national strategy
  - Comprehensive review of the mandates (found in applicable sectoral legislation) of relevant government institutions (ministries, executing agencies) resulting in reform of each sectoral law based on the findings (medium to long term)
  - Consider new legislation that merges ministries/agencies with clear similarities in activities (long-term)
  - Etc.

#### 4.6 Effective benefit distribution system

- *Why is this important?*
- *What is a benefit distribution system?*
- *How could it be addressed through the existing legal framework?*

#### 4.7 Gender equality

- *Why is this important?*
- *What is gender equality?*
- *How could it be addressed through the existing legal framework?*

#### 4.8 Appropriate compliance framework

- *Why is this important?*
- *What is an appropriate compliance framework?*
- *How could it be addressed through the existing legal framework?*

#### 4.9 Effective public participation

- *Why is this important?*
- *What is public participation?*
- *How could it be addressed through the existing legal framework?*

### Part 5. What steps have countries taken?

Although there will be case studies throughout the book, this section will give an overview of progress that has been made in a set of countries → how they have responded to the requirements/identified issues

### Part 6. Conclusions

## ANNEX C. Book launch event invitation



# Legal frameworks for the successful implementation of REDD+

Breakfast discussion – Book Launch

9<sup>th</sup> December; JW Marriott Hotel- Miraflores, Lima; 0800 - 1000

## Introduction

As countries move from REDD+ Readiness (phase I) towards the implementation of policies and measures (phase II) and results-based payments for emissions reductions (phase III), the design of a clear framework of enabling policies, laws and institutions is essential. The development and reform of domestic legal frameworks for REDD+ is critical for the implementation of REDD+ strategies, for the successful development of REDD+ activities on the ground and for secure REDD+ investments. Legal frameworks are key in ensuring that national systems do not only deliver emission reductions but also protect from the social and environmental risks created by REDD+ whilst promoting the co-benefits that it can deliver. However, creating legal frameworks for REDD+ requires consideration of legislation across multiple sectors. This, and the often protracted reform process, makes legal preparedness for REDD+ a complex task.

The Global Canopy Programme's most recent addition to its Little Book series – *The Little Book of REDD+ Legal Frameworks* – funded by UNEP, developed in collaboration with Climate Law and Policy and with extensive support from the United Nations Office for REDD+ Coordination in Indonesia (UNORCID), highlights some of the steps that countries have taken through their legal framework to implement or prepare for the implementation of REDD+. It aims to support greater understanding of the design of domestic regulatory systems which can create an enabling environment for REDD+.

Organised by UNORCID and GCP, this event will set the scene for the launch of *The Little Book of REDD+ Legal Frameworks* in its English version, in anticipation of the launch of the Bahasa Indonesia, French and Spanish versions expected in late 2014 and early 2015. This event will feature presentations based on selected country case studies to illustrate emerging ideas and best practices for developing national legal frameworks for REDD+.

## ANNEX D. Book launch event agenda



# Legal frameworks for the successful implementation of REDD+

## Breakfast discussion – Book Launch

9<sup>th</sup> December; JW Marriott Hotel- Miraflores, Lima; 0800 - 1000

**08.30 – 08.35: Opening:** Louisa Denier, Senior Manager – Policy, The Global Canopy Programme – background to the event

**08.35 – 08.40: Moderator:** Andrew Mitchell, Executive Director, The Global Canopy Programme – introducing the speakers

### Panellists:

- **08.40 – 08.50:** H.E. Mr Heru Prasetyo, Head of the National REDD+ Agency, Republic of Indonesia – the role of the legal framework in the development of institutional arrangements for the management of REDD+
- **08.50 – 09.00:** Alicia Lopez, Regional Technical Advisor for REDD+ (Central America), Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH – the role of the legal framework in the implementation of REDD+ safeguards: developing a country safeguard approach
- **09.00 – 09.10:** Ludovinio Lopes, Partner Ludovinio Lopes Lawyers – sub-national legal frameworks for REDD+ in the State of Acre, Brazil
- **09.10 – 09.20:** Allison Silverman, Lawyer, Centre for International Environmental Law – the need to adopt a rights-based approach to REDD+

**09.20 – 09.50: Q&A**

**09.50 – 10.00: Closing:** Satya Tripathi, Director, UNORCID

**ANNEX E. Promotional flyer (business card) template**





**ANNEX F. Bahasa book cover**

