

Getting Ready with Forest Governance:

A Review of the World Bank Forest Carbon Partnership Facility Readiness Preparation Proposals

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Key Insights:

- Most R-PPs include general statements about promoting good governance of REDD+ programs through enhanced participation, transparency, accountability and coordination in REDD+ planning and implementation. However, the proposals offer few concrete details on how these principles will be applied. Clearer articulation of how principles of good governance will be adhered to in practice is needed to build stakeholder confidence in the readiness process and its outcomes.
- Countries identify a wide array of forest governance challenges in their R-PPs that both allow and drive deforestation and degradation – in particular, unclear land tenure and weak capacity for forest management and law enforcement. They have not yet analyzed at sufficient depth how REDD+ strategies could respond to these challenges. A deeper and more systematic analysis of key governance challenges, undertaken with the participation of key stakeholders, is still needed in most countries.
- Given the significance of these frequently complex and longstanding forest governance challenges, the FCPF and REDD+ countries should prioritize developing effective, independent systems for monitoring REDD+ planning and implementation.

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Suggested Citation: Davis et al. "Getting Ready with Forest Governance. A Review of the World Bank Forest Carbon Partnership Facility Readiness Preparation Proposals, v 1.4. WRI Working Paper." World Resources Institute, Washington DC. Online <http://www.wri.org/gfi>

June 2010, Version 1.4

INTRODUCTION

This working paper is part of a series of regular updates reviewing the Readiness Preparation Proposals (R-PPs) submitted by REDD+ Country Participants to the World Bank's Forest Carbon Partnership Facility (FCPF). We analyze the R-PPs in order to assess how countries are dealing with fundamental issues of forest governance that undermine efforts to reduce deforestation and forest degradation in REDD+ countries. Without addressing these issues it will be difficult, if not impossible, to reduce deforestation and degradation, mitigate risks of leakage and non-permanence, and ensure that social and environmental safeguards are met. This working paper is intended to provide REDD+ country governments, their citizens, and other FCPF stakeholders with objective information on critical governance issues in order to help them evaluate and strengthen their countries' readiness activities being planned or underway.

These analyses of the R-PPs are not intended to replace the need for in-depth, targeted and on-going empirical assessments of forest governance by civil society and governments in their respective countries. The World Resources Institute's Governance of Forests Initiative (GFI) has developed an indicator methodology for assessing and tracking changes in forest governance over time. Currently civil society partners in Brazil and Indonesia are carrying out pilot assessments that will be completed by September 2010. A new round of country assessments building on the lessons learnt will begin later this year. For more information visit: <http://www.wri.org/gfi>.

OVERVIEW OF FCPF READINESS MECHANISM

The World Bank's FCPF is a leading multilateral effort underway to prepare developing countries to reduce emissions from deforestation and forest degradation and to undertake broader efforts to conserve, sustainably manage and enhance forest stocks (REDD+). More than US\$150 million has been committed to the Facility. Experiences from the FCPF are helping to shape international understanding about what it means to be "ready" for REDD+. In particular, the R-PP template developed by the World Bank with input from stakeholders engaged in the FCPF process identifies four major components of readiness: (i) an assessment of deforestation, forest degradation, and relevant governance issues; (ii) REDD+ strategy options and the institutional and legal implementation framework necessary to realize these options; (iii) a reference scenario for greenhouse gas emissions from deforestation and/or forest degradation; and (iv) a monitoring system to measure, report and verify the effect of the REDD strategy on GHG emissions and other benefits, and to monitor the drivers of deforestation and forest degradation, as well as other variables relevant to the implementation of REDD.¹

The Readiness Mechanism contains two phases, through which countries are moving at their own pace:

- (i) During the *Proposal Formulation* phase, REDD+ Country Participants develop an R-PP in consultation with relevant domestic stakeholders that outlines a roadmap of preparation activities necessary to become ready for REDD+. The R-PP is reviewed by an independent Technical Advisory Panel (TAP) and by the FCPF Participants Committee (PC), which is composed evenly of members selected by REDD+ Country Participants and by Donor Participants. Based on its review of the R-PP, the PC has the authority to allocate a readiness grant of up to US \$3.6 million. The World Bank must carry out its own due diligence in the country before a grant agreement is signed.
- (ii) During the *Preparation* phase, countries use the readiness grant to carry out the studies and activities described in their R-PPs. Countries must submit a mid-term progress report – subject to assessment and review by the TAP and PC – before any final disbursement beyond \$2 million is made. The final outcome of this phase is a 'Readiness Package,' which describes the current state of REDD+ readiness and is subject to review and assessment by the TAP and PC.

THE IMPORTANCE OF FOREST GOVERNANCE

Strengthening forest governance will be an essential component of the activities taken by countries seeking to achieve significant and lasting emission reductions from REDD+. Typical

symptoms of weak forest governance include corruption, illegal and unplanned forest conversion, and conflicts over access to land and resources. These problems can both allow and drive deforestation and forest degradation. In order to develop effective national REDD+ strategies, countries will need to better understand these challenges and develop measures to strengthen forest governance in ways that build the trust of domestic and international stakeholders. Strengthening the capacity of institutions to design and implement effective, efficient and equitable measures through transparent and inclusive decision-making processes will be an important part of the readiness phase. Promoting robust foundations of good governance for REDD+ will also help safeguard against adverse social and environmental impacts, while advancing broader sustainable development goals.

METHOD FOR REVIEWING R-PPs

This working paper reviews the R-PPs developed by REDD+ Country Participants in order to document the ways in which countries are considering governance issues in their proposals with respect to both current challenges and future needs. We assess the contents of the proposals with reference to a core set of governance considerations that we consider are vital components of any successful national effort to reduce emissions from deforestation and forest degradation. In particular, we have identified two distinct but related types of governance considerations relevant for REDD+:

Promoting good governance of REDD+ systems and processes, including:

- Inclusive and effective stakeholder participation in REDD+ planning and implementation
- Government coordination across different sectors and levels of government in REDD+ planning and implementation
- Transparent and accountable systems for managing and distributing REDD+ revenues and benefits
- Effective and transparent monitoring and oversight of REDD+ activities by a body independent of the implementing agency

Addressing governance-related drivers of deforestation and forest degradation, including by:

- Clarifying and securing land and forest tenure
- Building capacity for effective forest management
- Strengthening forest law enforcement
- Addressing other country-specific governance challenges relevant for REDD+

Although the list above is not exhaustive and may not be pertinent in the same ways in all countries, it provides a working framework to identify and highlight key governance issues for REDD+. In the tables following this introduction, each R-PP is analyzed relative to the above list of governance considerations, which in turn include several sub-components. An R-PP's treatment of the overarching governance consideration is summarized in a brief narrative, and each sub-component is marked green, yellow or red. A green mark (+) indicates that the R-PP has, in our view, convincingly discussed the issue and provided reason to believe that further progress will be made moving forward. A yellow mark () indicates that the issue has been only partially or superficially considered and that the R-PP may or may not elaborate future plans to address the issue. Finally, a red mark (-) indicates that the issue has not been addressed in the R-PP.

OBJECTIVE FOR REVIEWING R-PPs

The R-PP is only a first step towards becoming ready for REDD+, and it is not reasonable to expect countries to complete an exhaustive analysis of all governance challenges and potential solutions during the proposal formulation phase. The R-PPs are more likely to help countries to become ready for REDD+, however, if they provide a robust foundation for a comprehensive and systematic approach to tackling critical governance challenges as readiness preparations proceed. Our analysis therefore documents the current depth of consideration of governance issues within the R-PPs, the commitments made in the R-PPs to further explore these issues moving forward, and existing gaps. We expect this information will be useful for

those seeking to review and assess the adequacy of R-PPs, including members of the PC, civil society organizations in REDD+ countries, and other interested stakeholders. Since our analysis provides recommendations on potential gaps and areas where additional efforts are needed in the future, we also anticipate that this analysis will be useful for those seeking to monitor the readiness process as it progresses in specific countries.

These analyses of the R-PPs are not intended to replace the need for in-depth, targeted and on-going empirical assessments of forest governance by civil society and governments in their respective countries. The World Resources Institute's Governance of Forests Initiative (GFI) has developed an indicator methodology for assessing and tracking changes in forest governance over time, which is in a pilot phase with civil society partners in Brazil and Indonesia that will be complete by September 2010. A new round of country assessments building on the lessons learnt will begin later this year. For more information visit: <http://www.wri.org/gfi>.

ABOUT WRI

The World Resources Institute (WRI) is an environmental think tank that goes beyond research to find practical ways to protect the earth and improve people's lives.

ⁱ Forest Carbon Partnership Facility. "Readiness Preparation Proposal (R-PP) Template." R-PP v.4 (January 28, 2010).

Annex 1: R-PP Review Methodology

GOVERNANCE OF REDD+	
<i>To what extent does the R-PP promote good governance within REDD+ systems and processes?</i>	
Stakeholder Participation in REDD+ planning and Implementation	
	<i>Identifies relevant stakeholders for REDD+</i>
	<i>Specifically considers how to engage vulnerable groups</i>
	<i>Establishes procedures to ensure a transparent process and accountability for stakeholder input</i>
	<i>Establishes a grievance / dispute resolution mechanism</i>
	<i>Considers how to learn and build from other relevant participatory processes</i>
Government coordination in REDD+ planning and implementation	
	<i>Considers REDD+ in the context of other sector policies, land use plans, and national development plans</i>
	<i>Proposes a process to reconcile potential conflicts between REDD+ strategies and other policies/plans</i>
	<i>Proposes effective mechanisms to coordinate REDD+ across sectors</i>
	<i>Proposes effective mechanisms to coordinate REDD+ across levels of government</i>
Transparent and accountable REDD+ revenue management & benefit sharing	
	<i>Proposes a transparent system to track and coordinate international financing of activities related to REDD+</i>
	<i>Considers measures to promote fiscal transparency and accountability for REDD+ revenue management</i>
	<i>Proposes a transparent process for deciding who should benefit from REDD+ and how benefits will be targeted</i>
	<i>Reviews lessons from past and/or existing systems for managing and distributing forest revenues</i>
Transparent monitoring and oversight of REDD+	
	<i>Proposes to establish information management systems for REDD+ that guarantee public access to information</i>
	<i>Proposes mechanisms for independent oversight of the implementation of REDD+ activities</i>
	<i>Proposes mechanisms to monitor progress of efforts to address governance-related drivers of deforestation</i>
GOVERNANCE-RELATED DRIVERS OF DEFORESTATION	
<i>To what extent does the R-PP consider key forest governance challenges for achieving REDD+?</i>	
Land and forest tenure	
	<i>Discusses the situation regarding land and forest tenure, including for indigenous peoples</i>
	<i>Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens</i>
	<i>Links identified governance challenges to proposed REDD+ strategy options and implementation framework</i>
Forest Management	
	<i>Discusses the ability of forest agencies to plan and implement forest management activities</i>
	<i>Considers the role of non-government stakeholders, including communities, in forest management</i>
	<i>Links identified governance challenges to proposed REDD+ strategy options and implementation framework</i>
Forest Law Enforcement	
	<i>Discusses the ability of law enforcement bodies to effectively enforce forest laws</i>
	<i>Discusses efforts to combat corruption</i>
	<i>Links identified governance challenges to proposed REDD+ strategy options and implementation framework</i>
Other Forest Governance Issues Relevant for REDD+	
	<i>Discusses other forest governance that are relevant for REDD+</i>
	<i>Links identified governance challenges to proposed REDD+ strategy and implementation framework</i>

Annex 2: R-PP Review Tables

ARGENTINA

(R-PP dated 14 June 2010)

GOVERNANCE OF REDD+

*To what extent does the R-PP promote good governance within REDD+ systems and processes?***Stakeholder Participation in REDD+ planning and Implementation**

- + Identifies relevant stakeholders for REDD+
- + Specifically considers how to engage vulnerable groups
- + Shows clear commitment to a transparent process and accountability for stakeholder input
- Establishes a complaint / grievance mechanism
- Considers how to learn and build from other relevant participatory processes

The R-PP's proposed Consultation and Participation Plan (C&P Plan) is relatively strong, and the goals and outcomes of consultations conducted to date on REDD are well documented. The R-PP clearly identifies the key stakeholder groups for REDD and articulates a unique strategy for engaging each group (p22-23). Existing structures and platforms for convening and disseminating information to these groups are listed and will be used to support REDD consultations. The R-PP proposes to implement a customized consultation plan for indigenous peoples organizations and communities developed in coordination with the Directorate of Indigenous Peoples and the Institute of Indigenous Affairs. Among other details, the plan states that free, prior and informed consent of indigenous peoples will be required for REDD activities (p22).

The R-PP lists several core objectives and guidelines for the C&P Plan (p21), including integrating views from a wide range of stakeholders into decision-making processes and promoting transparency not only on decisions taken, but on how decisions will be made. To achieve these objectives, the R-PP proposes a 3-phased approach for piloting, validating and eventually fully implementing the C&P Plan through an iterative process with a wide variety of stakeholders at all levels. The REDD Advisory Committee (RAC), which will consist of representatives from each of the key stakeholder groups, is expected to play an important role by feeding stakeholder input directly into the REDD Steering Committee, which is a key decision-making body. As such, it is critical that RAC representatives are selected in a way that builds stakeholder trust. However, the R-PP does not describe a selection process.

Recommendations:

- Consider establishing a specific grievance or conflict resolution mechanism for REDD, or explain how existing mechanisms can be used for this purpose
- Explain how stakeholder representatives will be elected to the REDD Advisory Committee
- Consider lessons learned from past consultation and participation processes in the forest sector

Government coordination in REDD+ planning and implementation

- + Considers REDD+ in the context of other sector policies, land use plans, and national development plans
- + Proposes a process to reconcile potential conflicts between REDD+ strategies and other policies/plans
- + Proposes mechanisms to promote coordination of REDD+ across sectors
- + Proposes mechanisms to promote coordination of REDD+ across levels of government

The R-PP consistently discusses REDD in the context of other sector policies, land use plans and national development plans. In particular, it describes "insufficient coordination and alignment of public policies that affect forests, both nationally and between the Nation and Provinces," as a key underlying driver of deforestation (p30). More specifically Component 2a of the R-PP notes a lack of coordination between the Ministry responsible for plantation forests and the Ministry responsible for natural forests, weak implementation of the land use planning process at the provincial level, and lack of cross-sectoral policy processes to address the drivers of deforestation relating to agriculture and infrastructure. Additional research is also proposed to review existing laws and policies in order to identify perverse incentives that undermine sustainable forest and land management (p51). The proposed REDD strategy options therefore seek to, among other things, strengthen the implementation of provincial land use plans and to establish an intersectoral program for sustainable land use (p44). In addition, the proposed national readiness management arrangements seek to promote coordination of REDD across sectors and levels of government. The National Steering

ARGENTINA*(R-PP dated 14 June 2010)*

Committee for REDD includes representatives from relevant Ministries and State Secretariats, and has the responsibility to promote national ownership of the REDD strategy and to ensure the integration of REDD policies into National Development Policies (p8). Similarly, the Readiness Implementation Unit is expected to include staff from different sectors and Ministries. As readiness preparation proceeds, it will be important to monitor the effectiveness of these coordination mechanisms. Competing land uses for agriculture, in particular, will present major trade-offs that will need to be reconciled for REDD to succeed. According to the R-PP, initial consultations with the Ministry of Agriculture have already revealed concerns that REDD could restrict the agriculture development plan and broader sustainable development goals (p19).

Transparent and accountable REDD+ revenue management & benefit sharing

– Proposes a transparent system to track and coordinate international financing of activities related to REDD+

+ Considers measures to promote fiscal transparency and accountability for REDD+ revenue management

Proposes a transparent process for deciding who should benefit from REDD+ and how benefits will be targeted

+ Reviews lessons from past and/or existing systems for managing and distributing forest revenues

The R-PP provides preliminary ideas on how REDD funds could be managed and distributed and suggests that further investigation into this issue will be conducted. The R-PP notes that all international and national flows of public finance are overseen by the Auditor General's Office (p46), and proposes to consider options for an independent monitoring and audit function and for criteria to ensure accountability of actors and processes (p51). It is suggested that REDD funds will likely be managed through a trust, potentially operated by a public bank. The R-PP states that the recently established National Fund for the Enrichment and Preservation of Native Forests, as well as Argentina's experience with the CDM, could set a precedent for how REDD revenues will be handled (p47). The R-PP states that benefit sharing arrangements should consider the situation of vulnerable social groups and should align with national plans to reduce poverty (p49). The R-PP states that stakeholders' ability to receive compensation or other benefits (the scope of benefits is not clarified) under REDD will be based on demonstrated land ownership or forest use rights. As such, the success of proposed measures to regularize land tenure, will be crucial to the design of an equitable benefit-sharing mechanism for REDD.

Recommendations:

- Propose procedures to ensure transparent and accountable financial management for REDD
- Clarify how the National Fund for the Enrichment and Preservation of Native Forests will relate to a potential REDD Fund
- Provide greater detail on how key stakeholders will be consulted on the design of a benefit sharing mechanism

Transparent monitoring and oversight of REDD+

+ Proposes to establish information management systems for REDD+ that guarantee public access to information

Proposes mechanisms for independent oversight of the implementation of REDD+ activities

Proposes mechanisms to monitor progress of efforts to address governance-related drivers of deforestation

The R-PP seeks to build comprehensive information systems for REDD and land use, which will facilitate public reporting and independent verification of information. The R-PP stresses the need for a coordinated information management system that is linked to the greenhouse gas inventory system (p64); however, it could do more to clarify which institutions will be responsible for oversight of the multiple proposed information systems. The R-PP also proposes to establish a working group at the Argentine Institute of Standardization and Certification in order to bring together experts from universities, research centers, and NGOs to develop guidelines and procedures for public reporting of information (p69). The R-PP proposes to create an independent monitoring and audit function for REDD (p51), although no details are yet provided on what this might entail in terms of who would perform the monitoring or what would be monitored. The R-PP states that a team of "external reviewers and key stakeholders" will conduct a midterm and final evaluation of R-PP implementation (p84). Also, the R-PP proposes to use indicators to monitor governance with respect to: 1) the degree of implementation and enforcement of laws and particularly the new Forest Act and 2) capacity of provincial authorities for monitoring and control (p72).

Recommendations:

- Provide more details on what the independent monitoring and oversight mechanism for REDD will look like

ARGENTINA

(R-PP dated 14 June 2010)

- Further elaborate on how governance issues will be monitored, and by whom. Consider monitoring progress towards tenure regularization in addition to the other governance issues identified.

GOVERNANCE-RELATED DRIVERS OF DEFORESTATION*To what extent does the R-PP consider key forest governance challenges for achieving REDD+?***Land and forest tenure**

Discusses the situation regarding land and forest tenure, including for indigenous peoples

– Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens

Links identified governance challenges to proposed REDD+ strategy options and implementation framework

The R-PP briefly summarizes the tenure situation in Argentina, which is dominated by private land ownership. The R-PP mentions that there are “some cases of communal forest land” and states that the new Forest Law provides for the explicit recognition of the rights of indigenous communities and small, rural producers bound to forests. However, these statements are vague and the R-PP provides no additional information on the topic of communal or indigenous land and resource rights.

The R-PP identifies the lack of regularization of land tenure and related conflict resolution as a major underlying driver of deforestation (p31) and obstacle to REDD. More specifically, it states that many public lands are illegally occupied, since occupants cannot afford the administrative cost of land registration. A future study is proposed to assess gaps in information about tenure and to identify possibilities for improvement, and the issue of land tenure and related conflicts has also been flagged as a priority area for stakeholder consultation through the SESA process. In addition, one of the proposed REDD strategy options is to “strengthen systems of land tenure and create incentives and mechanisms for conflict resolution” (39). No further details are provided on what this might entail, and since the R-PPs overall discussion of the existing situation of land tenure and conflict resolution is fairly vague, it remains difficult to envision at this stage.

Recommendations:

- Provide more detail on the situation of land tenure and tenure conflict, and how this contributes to deforestation
- Describe existing mechanisms for conflict resolution, including judicial systems, and why they are currently inadequate

Forest Management

+ Discusses the ability of forest agencies to plan and implement forest management activities

– Considers the role of different stakeholders, including communities, in forest management

Links identified governance challenges to proposed REDD+ strategy options and implementation framework

The R-PP’s discussion of forest management issues in Argentina focuses primarily on the institutional arrangements that divide authority and jurisdiction over forests between federal and provincial governments. There is significantly less discussion of the role of non-governmental stakeholder in forest management. According to the R-PP, the Federal government has the authority to regulate and define the minimum requirements for environmental protection, while Provincial governments are responsible for complimentary laws. The R-PP notes that this division of responsibilities has historically been a challenge for effective implementation of environmental law. While Provincial governments often lack the capacity to promote sustainable management of forests, the Federal government lacks the capacity to control the nationwide implementation of forest laws. The recently developed Minimum Standard Forest Law (2007) is expected to rectify many of these problems (p33). As a result, one of the cornerstones of the proposed REDD strategy is to facilitate the implementation of this law by strengthening the capacity of local and national forest agencies and developing tools and incentives for sustainable management of forests. In particular, the R-PP proposes to facilitate cooperation between provinces so that they can share best practices and experiences with respect to forest management (p40-41).

Recommendation:

- Discuss the current roles of communities and private sector actors in forest management activities, and how these roles may shift or be emphasized in the context of REDD

Forest Law Enforcement

+ Discusses the ability of law enforcement bodies to effectively enforce forest laws

ARGENTINA*(R-PP dated 14 June 2010)*

– Discusses efforts to combat corruption

Links identified governance challenges to proposed REDD strategy options and implementation framework

The R-PP cites weak law enforcement as a major historical challenge in the forest sector, but does not provide many details on the impacts or magnitude of the problem. Specifically, the R-PP describes a lack of capacity to enforce laws at the Provincial level. Further, Federal systems lack the capacity to monitor the implementation and enforcement of laws across the different provinces. The R-PP does not yet explore potential solutions to law enforcement challenges in depth, but notes that addressing capacity issues related to law enforcement, particularly in the provinces, and identifying needed institutional reforms are likely to be part of a REDD strategy (p39-40).

Recommendations:

- Provide a deeper analysis of the strengths and weaknesses of the existing law enforcement system in order to identify specific challenges with respect to the enforcement of regulations and other on the ground practices
- Provide more detail on potential solutions for improving law enforcement, or how these solutions will be identified as part of the stakeholder consultation and participation plan for developing REDD strategies

Other Forest Governance Issues Relevant for REDD

– Discusses other forest governance issues that are relevant for REDD

– Links identified governance challenges to proposed REDD strategy and implementation framework

While the R-PP mentions in a general sense that weak governance contributes to poor forest management and law enforcement, there is no broader assessment or discussion of forest governance issues as they relate to the drivers of deforestation and degradation in Argentina.

COSTA RICA

*(R-PP dated June 2010)***GOVERNANCE OF REDD+***To what extent does the R-PP promote good governance within REDD+ systems and processes?***Stakeholder Participation in REDD+ planning and Implementation**+ *Identifies relevant stakeholders for REDD+*+ *Specifically considers how to engage vulnerable groups*+ *Establishes procedures to ensure a transparent process and accountability for stakeholder input*+ *Establishes a grievance / dispute resolution mechanism*+ *Considers how to learn and build from other relevant participatory processes*

The R-PP states that a total of 96 relevant interested parties (RIPs) have been identified through the initial consultation process according to a set of three criteria, and that at least 50 should be engaged for REDD+ (p16,22). The R-PP articulates several principles that will be promoted during the consultation process, including involvement of stakeholders in decision-making processes, inclusive and transparent working groups, and timely and appropriate communication of information (p27). Overall, the R-PP does not provide many details on how these principles will be exercised in practice. With regard to information sharing, however, the R-PP suggests that the main communication tools will be a website and quarterly newsletter managed by the National Forestry Financing Fund (FONAFIFO) (p18). The consultation process for REDD+ is expected to build heavily on existing communication channels and established relationships, which are not described in much detail (p27). The Board of Directors of REDD+, which will sit in FONAFIFO, is expected to be an important platform for stakeholder engagement. The R-PP states that RIPs but not indigenous peoples are represented on the Board according to law, and an amendment will enable a seat to be created for a representative from a coalition of indigenous organizations (yet to be formed). A second seat will be appointed from rural land owners, environmental NGOs, or organizations that represent the civil society – although it is not clear why CSOs and rural land owners are grouped together. The Board of Directors is expected to resolve possible disagreements between the members of the REDD+ working group through a majority vote (p17); however, the R-PP does not specify if this system would also address broader conflicts and grievances that may arise during the development and implementation of REDD+ activities.

Recommendations:

- Clarify how feedback from the consultation process will be taken into account by the working group, and expand further on how objectives on page 24 will be achieved
- Clarify how stakeholder grievances and conflicts relating to REDD+ will be handled
- Consider lessons learnt from the functioning of FONAFIFO with respect to consultation processes to date

Government coordination in REDD+ planning and implementation+ *Considers REDD+ in the context of other sector policies, land use plans, and national development plans*+ *Proposes a process to reconcile potential conflicts between REDD+ strategies and other policies/plans*+ *Proposes effective mechanisms to coordinate REDD+ across sectors*- *Proposes effective mechanisms to coordinate REDD+ across levels of government*

The R-PP systematically considers REDD+ in the context of other sector policies and plans (p54). Specifically, it identifies that future policies relating to energy and agriculture may have impacts on forest cover. The R-PP also identifies agriculture and particularly grazing as key drivers of deforestation (p40-41). In light of these dynamics, the R-PP explains that FONAFIFO, and the Board of Directors and Executive Secretariat on REDD+ within it, will be responsible for inter-institutional coordination of the REDD+ Strategy (p17). Relevant ministries and other key non-government stakeholders are represented in this structure, which is called the REDD+ working group. The R-PP does not make clear how the working group will function, and what the various roles and responsibilities of different actors will be. The R-PP also states that there is high level political will to address climate change in Costa Rica, which targets forests in particular as a key mitigation and adaptation strategy, which will help support the coordination efforts of FONAFIFO (p53). The R-PP does not propose any concrete process to address the economic development policies that have historically driven deforestation. Instead the R-PP states that the government aims to increase the level of incentives for converting marginal agricultural and grazing land back to forest through REDD+ (p77), although it identifies a potential conflicting incentive from new government policies promoting agricultural exports. With respect to vertical coordination, the R-PP is not clear about what different levels of government will be included in the readiness management arrangements. The

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focus seems to be on national agencies; specifically, the R-PP seeks to promote the “realization of workshops with high government officials to maintain the REDD+ agenda at the highest level” (p21).

Recommendations:

- Provide additional information about the work process and procedures for the REDD+ working group
- Provide analysis describing the effectiveness of existing coordination systems
- Clarify the roles of local and subnational governments in the readiness management arrangements
- Clarify how potential conflicts between REDD+ policies and other sectoral policies will be resolved

Transparent and accountable REDD+ revenue management & benefit sharing

Proposes a transparent system to track and coordinate international financing of activities related to REDD+

+ Considers measures to promote fiscal transparency and accountability for REDD+ revenue management

Proposes a transparent process for deciding who should benefit from REDD+ and how benefits will be targeted

Reviews lessons from past and/or existing systems for managing and distributing forest revenues

As mentioned in the R-PP, Costa Rica has over 15 years of experience with payment for ecosystem service programs to reduce deforestation. As such, the R-PP states that REDD+ can be easily supported by existing institutional and legal frameworks, which are deemed adequate for guaranteeing transparency, accountability and equity in the context of REDD+ revenue management and benefit sharing (p64). In addition, the R-PP proposes to create a Fraud Control Unit and Registry of Environmental Service Rights facilitate the management and distribution of revenues for REDD+ (p64&97). FONAFIFO is in charge of the existing payment for ecosystem service program and will also be in charge of REDD+, which implies that there are likely lessons to be learned and applied to the REDD+ system. However, the R-PP does not provide many details about the existing system in terms of revenue management, or how past decisions were made to determine how benefits should be shared. Further, it is not entirely clear how the existing payments for environmental services system and REDD+ will be coordinated and prioritized on the ground for land owners in terms of geographical and land class eligibility. The R-PP clearly states that carbon rights will belong to the state, indigenous or private forest owners. Given that land occupants will need to demonstrate land ownership to secure carbon rights, the ability for many forest owners to benefit from REDD+ will depend on the regularization of land titles, particularly in indigenous territories.

Recommendations:

- Provide additional information about how the existing payment for ecosystem service program works, including key lessons learned for REDD+
- Discuss the track record of FONAFIFO in providing a transparent and effective system for revenue distribution

Transparent monitoring and oversight of REDD+

- Proposes to establish information management systems for REDD+ that guarantee public access to information

+ Proposes mechanisms for independent oversight of the implementation of REDD+ activities

+ Proposes mechanisms to monitor progress of efforts to address governance-related drivers of deforestation

There is no explicit discussion in the R-PP about how information relating to REDD+ will be managed, or whether information will be publically available. The R-PP proposes to monitor the implementation and outcomes of the R-PP activities implemented, in addition to measuring carbon. It creates provisions for the independence of a monitoring entity openly selected according to World Bank procurement principles and preferably hired by and responding to the FCPF (p87-88). Specifically, the R-PP notes that the entity responsible for MRV and additional monitoring should be an external third party that is neutral and independent of the implementing agency for the strategy. It should provide reports to both MINAET and FCPF (p87). The R-PP states that in the past monitoring activities have been given to higher education institutions, and local or international environmental NGOs.

Recommendation:

- Elaborate on the management of the information system that will house the various types of data gathered

GOVERNANCE-RELATED DRIVERS OF DEFORESTATION

To what extent does the R-PP consider key forest governance challenges for achieving REDD+?

Land and forest tenure

Discusses the situation regarding land and forest tenure, including for indigenous peoples

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(R-PP dated June 2010)

– *Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens*

+ *Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The R-PP provides limited details concerning the situation of land tenure in Costa Rica. It does not, describe the underlying legal framework for recognizing tenure rights, but it does mention that the process of land titling has been costly and slow, resulting in many untitled lands and in some cases overlapping title deeds (p37&56). With respect to communally owned lands, which account for 10% of forest cover, the R-PP notes that invaders have been illegally titling lands on indigenous reserves. It is not clear from the R-PP why this is occurring. The R-PP mentions several potential measures to address these issues. First, one proposed REDD+ strategy options is to, "... support the Initiative for the Official Registration and Regularization of Special Lands including indigenous territories" (p56). However, the R-PP does not describe what this Initiative is. Second, the R-PP suggests that the existing payment for ecosystem services scheme should be "adjusted...to the reality of communal ownership," but does not describe what this means (p40). Finally, the R-PP proposes to establish a National Registry of Environmental Service Rights to avoid potential double counting of emission reductions due to overlapping titles (p56). It states that the National Property Registry is currently responsible for the titling process, but that significant effort is still required to rectify the situation. The R-PP does not explain if these two Registries would be linked. Finally, no additional studies are proposed to further investigate the tenure challenges mentioned in the R-PP.

Recommendations:

- Provide a deeper analysis of the situation of land tenure, and of the proposed measures to address tenure issues
- Clarify the relationship between the existing National Property Registry and the proposed National Registry of Environmental Service Rights
- Describe how the problem of overlapping title deeds is currently dealt with, including the conflict resolution mechanisms available to the overlapping title holders

Forest Management

+ *Discusses the ability of forest agencies to plan and implement forest management activities*

+ *Considers the role of non-government stakeholders, including communities, in forest management*

+ *Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The R-PP notes that forest agencies lack capacity to enforce environmental legislation, manage and control forest reserves, and prevent forest fires. It identifies and describes the key agencies involved in forest management at the national level and their major roles and responsibilities (p15), but it is not clear how subnational governments are involved. The R-PP proposes several REDD+ strategy options to build the capacity of FONAFIFO and SINAC to expand incentive programs to encourage sustainable management of secondary forests as well as regeneration and reforestation. In addition, it suggests that the National Forestry Office, which is comprised of representatives from forest producers, industrial wood producers, trade sector and environmental organizations, should start a program to promote commercial reforestation and sustainable management of natural forests targeting small owners and community managed forests in indigenous territories (p49).

According to the R-PP, 50% of forests are privately owned (p37), whereas only 10% are communally owned (p40). The discussion of the rights and responsibilities of private owners in forest management is therefore much more thorough than the discussion of the role communities in forest management. In fact, it is difficult to ascertain from the R-PP how forests are currently managed within indigenous territories and whether forest management plans are required. As such, it is unclear what indigenous peoples' role might look like under a REDD+ program, although they appear to be interested in engaging (p24).

Recommendation:

- Provide more information about how indigenous peoples and other local communities currently engage in forest management activities

Forest Law Enforcement

+ *Discusses the ability of law enforcement bodies to effectively enforce forest laws*

– *Discusses efforts to combat corruption*

+ *Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

COSTA RICA

(R-PP dated June 2010)

The R-PP frequently references illegal logging as a problem, and in particular notes that national parks are insufficiently controlled and are threatened by squatters, hunters, illegal loggers and miners (p36). The R-PP mentions past efforts to control illegal logging (p38), which appear to have had mixed success due to weak capacity to enforce laws designed to control illegal logging. Overall, it is difficult to understand from the R-PP what the magnitude of the illegal logging problem is and the specific reasons why past efforts to control it have failed. The proposed REDD+ strategy options include several measures to improve control over illegal activities and enhance enforcement capacity, which are described in a fair amount of detail (p50). In particular, the R-PP proposes to strengthen two agencies in this regard: SINAC and CIAgro.

Recommendation:

- Define more concretely SINAC's governance issues, if any capacity and the need for a better information system.

Other Forest Governance Issues Relevant for REDD+

– Discusses other forest governance that are relevant for REDD+

– Links identified governance challenges to proposed REDD+ strategy and implementation framework

The R-PP does not explicitly address forest governance issues as a potential driver of deforestation and forest degradation in Costa Rica, but rather discusses governance issues indirectly as they relate to issues of land tenure and illegal logging. The R-PP states that Costa Rica's decades of experience with payment for ecosystem services programs has resulted in "an improved governance scheme" (p8), and that no major institutional and governance reforms are needed for REDD+ (p64).

Recommendation:

- Consider undertaking a more holistic and systematic assessment of the strengths and weaknesses of forest governance in Costa Rica, in order to better understand the drivers of deforestation and forest degradation identified in Component 2a.

KENYA

(R-PP dated 12 June 2010)

GOVERNANCE OF REDD+

*To what extent does the R-PP promote good governance within REDD+ systems and processes?***Stakeholder Participation in REDD+ planning and Implementation***Identifies relevant stakeholders for REDD+**Specifically considers how to engage vulnerable groups**Establishes procedures to ensure a transparent process and accountability for stakeholder input**+ Establishes a grievance / dispute resolution mechanism**Considers how to learn and build from other relevant participatory processes*

The R-PP does not explicitly list key stakeholders for REDD+, although it states that consultations to date on REDD+ have been held at the national and regional level and have targeted local authorities, civil society organizations, the private sector, local communities, and indigenous peoples. A more refined list of stakeholders will be forthcoming (p20). The R-PP emphasizes the importance of engaging local and indigenous communities that will be directly involved in / impacted by REDD+ demonstration activities, although it does not propose a specific process (e.g. FPIC) for how these groups will be engaged. The REDD+ Coordination Body is tasked with conflict resolution and grievance management (p11), and specific procedures for handling conflicts and grievances will be developed during the preparation phase (p45).

The R-PP outlines a Consultation and Participation Plan “designed to increase the inclusiveness, transparency and accountability of decision-making processes” during R-PP implementation. Among the strengths of the proposed Plan are that it includes preliminary strategies to promote participatory decision-making, and seeks to build from existing channels to facilitate two-way communication between the government and stakeholders. However, additional details are still needed in order to understand how transparency and accountability for stakeholder input will be achieved in practice. For example, the R-PP expects the involvement of the National Alliance of Community Forest Association (NACOFA) in the National REDD+ Steering Committee to ensure the uptake of stakeholder input and transparency on key decisions taken (p20). However, the Steering Committee is only scheduled to meet twice per year and therefore provides limited opportunities for participation.

Recommendations:

- Describe the specific procedures and process through which forest adjacent communities and indigenous peoples will be consulted and engaged
- Describe how the existing communication channels listed (p19-20) will be coordinated in the context of REDD+, and how effective they have been in the past at facilitating the uptake of stakeholder feedback
- Explain how the non-government representatives on the REDD+ Technical Working Group will be selected

Government coordination in REDD+ planning and implementation*+ Considers REDD+ in the context of other sector policies, land use plans, and national development plans**- Proposes a process to reconcile potential conflicts between REDD+ strategies and other policies/plans**Proposes mechanisms to coordinate REDD+ across sectors**Proposes mechanisms to coordinate REDD+ across levels of government*

The R-PP regularly frames REDD+ in the context of other sector policies and national plans. For example, it identifies several drivers of deforestation originating outside of the forest sector and begins to suggest potential REDD+ strategy options to address them. The drivers mentioned include poor policy harmonization between the forestry and agricultural sectors, inadequate integration of the forest sector into the economy and national accounting, and political interference in forest administration resulting in the degazetting of forest reserves for other land uses (p28, Annex 2a-1, p15). The R-PP also identifies several national level plans and strategies that are relevant to forest governance and REDD+, including pending legislation on land reform (p26). In light of these challenges, the R-PP states that REDD+ management arrangements should reflect a cross-sectoral approach in order to improve policy alignment and generate broader national support for the forestry sector (p44). The National REDD+ Steering Committee will be responsible for coordinating REDD+ activities across sectors, and includes representatives from the Ministries of Finance and Planning among others (p10-11). Although the R-PP does a good job of articulating clear roles and responsibilities for readiness management, it does not clearly articulate how the coordination challenges identified in Component 2a, particularly with respect to policy alignment, will be overcome. Finally, the R-PP also considers vertical coordination in its

KENYA

(R-PP dated 12 June 2010)

readiness management arrangements. Local Conservancy REDD+ Officers will be designated in each of the 10 conservancies and will report to the National REDD+ Coordination Office. Building capacity of actors at the conservancy level is also a major focus of the proposed REDD+ strategy options (p36-38).

Recommendation:

- Specify a clear process and political forum by which the conflicting sector policies identified in Component 2a will be reconciled in the context of REDD+

Transparent and accountable REDD+ revenue management & benefit sharing

- + *Proposes a transparent system to track and coordinate international financing of activities related to REDD+*
- + *Considers measures to promote fiscal transparency and accountability for REDD+ revenue management*
- + *Proposes a transparent process for deciding who should benefit from REDD+ and how benefits will be targeted*
- + *Reviews lessons from past and/or existing systems for managing and distributing forest revenues*

The R-PP clearly describes how REDD+ financing will be coordinated, managed and tracked. Specifically, the Finance Management Unit within the National REDD+ Coordination Office will be responsible for coordinating donor support for REDD+ activities, managing incoming finance, and tracking expenditures (p11&46). To promote transparency and accountability, a financial reporting system will be developed that includes annual budgets, monthly and quarterly financial reports, annual financial reconciliation, and end of program financial audit (p71).

In order to design an appropriate benefit-sharing mechanism for REDD+, the R-PP proposes to review past experiences with benefit-sharing and to collect best practices from REDD+ demonstration projects. It notes that equitable sharing of benefits and forest revenues with local communities has been inadequate in the past (Annex 2a-1, p15), and states that the situation is expected to improve with the establishment of Community Forest Associations (CFAs) under the new Forest Act (p26). The proposed REDD+ strategy options therefore seek to expedite the implementation of the CFA system. However, the R-PP also notes that some communities may have misaligned expectations of the types of forest revenues and benefits that will be shared under the new Forest Act, which may lead to future conflict (p27). As such, it is important that communities are able to effectively participate in REDD+ demonstration projects that will be testing different benefit-sharing approaches, and that their expectations and needs are transparently managed.

Recommendation:

- Clarify the terms on which key stakeholders, especially local communities, will be able to participate in and influence the design of benefit-sharing rules for REDD+

Transparent monitoring and oversight of REDD+

- + *Proposes to establish information management systems for REDD+ that guarantee public access to information*
- + *Proposes mechanisms for independent oversight of the implementation of REDD+ activities*
- + *Proposes mechanisms to monitor progress of efforts to address governance-related drivers of deforestation*

The R-PP does not make an explicit statement guaranteeing public access to information. However, the proposed Consultation and Participation Plan strongly emphasizes information sharing, and the R-PP also proposes to develop an “information clearinghouse” for all REDD+ knowledge and data (p42).

The R-PP also proposes several mechanisms for oversight of the implementation of REDD+. The REDD+ Steering Committee and Technical Working Group will be responsible for monitoring and evaluating the activities undertaken by the REDD+ Coordination Office. In addition, external consultants will be hired to evaluate outcomes and lessons learned from demonstration activities. Although not specified in the R-PP, it is important that these consultants have the independence and authority to draw conclusions without being influenced by the government. Finally, the R-PP also proposes to designate institutions with well defined powers to oversee and enforce REDD+ strategy implementation once the R-PP has been implemented. However, it does not specify if these bodies will be independent.

In Component 4b, the R-PP states that the outcomes of governance interventions aimed at addressing the identified drivers of deforestation and degradation will be monitored (p71). It further states that a governance baseline and indicators will be used to assess the general outcomes and carbon impacts of these interventions, but provides no additional details at this stage.

Recommendations:

- Explain how the proposed information clearing house will enable broad public access to information

KENYA

(R-PP dated 12 June 2010)

- Provide more details on how governance interventions will be monitored

GOVERNANCE-RELATED DRIVERS OF DEFORESTATION

To what extent does the R-PP consider key forest governance challenges for achieving REDD+?

Land and forest tenure

- Discusses the situation regarding land and forest tenure, including for indigenous peoples
- + Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens
- + Links identified governance challenges to proposed REDD+ strategy options and implementation framework

The R-PP's consideration of tenure issues is not very thorough especially given the recent and ongoing significance of land-related conflicts in Kenya. It states that "unclear tenure and access to forest resources" is a driver of deforestation (Annex 2a-1, p15). However, it does not explain why tenure is unclear or how it drives deforestation. It also does not describe the status of tenure rights for Indigenous Peoples. Rather, the R-PP states that the new Forest Act is expected to strengthen communities' rights of access to forest resources through the creation of Community Forest Associations (CFAs). The proposed REDD+ strategy options seek to facilitate the implementation of CFAs, but do not otherwise propose any interventions to clarify land tenure. As a part of establishing the REDD+ implementation framework, the R-PP proposes to generate "responses to the gaps in tenure, ownership and related legislation and policies that are needed to underpin REDD+ activities of public and private actors going forward" (p44). However, given the lack of discussion of tenure issues within the R-PP, it is difficult to infer what this activity might entail. Finally, while the R-PP does not discuss the current capacity of judicial and non-judicial systems to resolve conflicts, it does propose to strengthen the capacity of the judicial system in relation to forest and environmental laws, and to strengthen the National Environment Tribunal (p38).

Recommendation:

- Propose a study to further investigate the impacts of unclear tenure on deforestation, potential implications for REDD+, and options for enhancing the recognition and protection of tenure rights in practice, particularly for indigenous peoples

Forest Management

- + Discusses the ability of forest agencies to plan and implement forest management activities
- + Considers the role of different stakeholders, including communities, in forest management
- + Links identified governance challenges to proposed REDD+ strategy options and implementation framework

Strengthening capacity and community participation in forest management is a major focus of the R-PP, and of the proposed REDD+ strategy options. The R-PP explains that communities have not been adequately engaged in forest management in the past, and that government capacity for forest management, particularly at the local level, is low. The new Forests Act is expected to provide a legal framework for addressing these problems, and has also created a new semi-autonomous institution – the Kenya Forest Service (KFS) – to replace the struggling Forest Department (p27). The proposed REDD+ strategy options include many measures to strengthen the capacity of the KFS, local government authorities, communities and the private sector to implement ongoing reforms under the Forests Act, including the creation of forest management plans.

Forest Law Enforcement

- Discusses the ability of law enforcement bodies to effectively enforce forest laws
- Discusses efforts to combat corruption in the forest sector
- Links identified governance challenges to proposed REDD+ strategy options and implementation framework

The R-PP provides a very limited discussion of forest law enforcement. Illegal logging, weak enforcement of forest laws, and corruption are listed as drivers of deforestation (Annex 2a-1, p15). However, the R-PP does not further elaborate on these problems, although it does briefly acknowledge that appropriate resources and capacities will be necessary to carry out and enforce new land and forest laws (p44).

Recommendations:

- Provide a more thorough assessment of the law enforcement system and existing problems of illegality corruption and political economy.
- Consider measures to strengthen forest law enforcement in the REDD+ strategy

Other Forest Governance Issues Relevant for REDD+

KENYA

(R-PP dated 12 June 2010)

+ Discusses other forest governance issues that are relevant for REDD+

Links identified governance challenges to proposed REDD+ strategy and implementation framework

The R-PP identifies poor forest governance and institutional failures in the forest sector as one of the major underlying causes of deforestation and degradation (p28-9). It provides a brief overview of key governance challenges including weak public administration in the land and forest sector, declining funding for and political power of the Forest Department, weak law enforcement, weak community participation in forest management, weak capacity of government forest institutions to manage forests, and inadequate benefit-sharing from forest resources (p28, Annex 2a-1, p16-17). Further, the R-PP lists several broader reform processes, including revisions to the Constitution, which are intended to address the weaknesses in forest governance (p26,29). The proposed REDD+ strategy options focus primarily on facilitating and expediting the implementation of the new Forests Act, which is expected to resolve many of these issues. Regular assessment of the situation of forest governance would be useful to track progress on these issues as implementation of the Forests Acts proceeds. The R-PP begins to suggest a system for doing this in Component 4b, but few details are provided at this stage.

Recommendation:

- Consider conducting regular assessment of forest governance to monitor the effectiveness of the Forests Act in addressing identified governance challenges.

NEPAL

*(R-PP dated 19 April 2010)***GOVERNANCE OF REDD+***To what extent does the R-PP promote good governance within REDD+ systems and processes?***Stakeholder Participation in REDD+ planning and Implementation**

- + *Identifies relevant stakeholders for REDD+*
- + *Specifically considers how to engage vulnerable groups*
- + *Establishes procedures to ensure a transparent process and accountability for stakeholder input*
- *Establishes a grievance / dispute resolution mechanism*
- + *Considers how to learn and build from other relevant participatory processes*

The R-PP demonstrates a strong commitment to inclusive and transparent stakeholder participation in the REDD process. It identifies an array of relevant stakeholders and frequently emphasizes the importance of engaging indigenous peoples, *Dalit* communities, and women in particular. The R-PP documents extensive consultations conducted thus far to raise awareness and solicit feedback on the draft R-PP, and summarizes key outcomes and issues identified (p18-20). Future consultations are expected to build on existing participatory structures such as forest user groups (p26). However, it is not yet clear how these structures will link to the REDD Stakeholders' Forum, which will serve as the main outreach and communication platform (p13).

The proposed Consultation and Participation Plan describes a consultation process that will be applied to each of the major R-PP components (p22). Overall, the Plan seems to strike a reasonable balance between awareness-raising activities and concrete opportunities for stakeholders to engage in decision-making processes. To promote transparency, the R-PP states that the REDD Working Group (RWG) will regularly disclose its activities and achievements to stakeholders in appropriate languages (p12). The public will be given a clear timeframe to submit comments and concerns through a variety of different channels, including public hearings (p25). Stakeholder input will be considered by policymakers, and validation workshops will be held to reflect on the uptake of input into final decisions (p26). Finally, the R-PP states that there will be regular monitoring of the consultation process, including mid-term and final evaluation (p26).

Recommendations:

- Propose a mechanism to resolve grievances and disputes relating to REDD
- Be more concrete about how existing participatory mechanisms will be used during the consultation process

Government coordination in REDD+ planning and implementation

- + *Considers REDD+ in the context of other sector policies, land use plans, and national development plans*
- + *Proposes a process to reconcile potential conflicts between REDD+ strategies and other policies/plans*
- + *Proposes mechanisms to coordinate REDD+ across sectors*
- + *Proposes mechanisms to coordinate REDD+ across levels of government*

The R-PP states that weak coordination in policy development, planning and implementation results in pervasive unplanned and unregulated use of land and resources (p33). Forest lands in particular suffer from conflicting legal jurisdiction between ministries and across government levels (p32). However, the R-PP does cite some examples where land use planning has been rationalized at the local level using multi-stakeholder bodies (p36). In developing the REDD strategy, the R-PP proposes to assess potential policy instruments and institutional arrangements that would facilitate the implementation of effective land use planning (p41). It also proposes to integrate REDD considerations into broader policy arenas, including the upcoming constitution-making process. It is hoped that these processes can be used to reconcile remaining inconsistencies in the legal and policy framework (p43).

Given the significant challenges around land use in Nepal, effective coordination for REDD will be vital. The R-PP recognizes this, and relevant sector and sub-national interests are represented in the REDD Apex Body and REDD Working Group, although specific roles and responsibilities have yet to be clarified (p43). Initial consultations revealed that “non-forestry ministries and government bodies have limited interest in REDD” (p19), and the R-PP proposes to convene national roundtable meetings to address this issue (p26). The R-PP also states that the high level Climate Change Council led by the Prime Minister will help address inter-ministerial coordination problems and challenges of conflicting policies (p48).

Recommendations:

NEPAL

(R-PP dated 19 April 2010)

- Consider the implications if the proposed national roundtable meetings fail to generate adequate multi-sector interest in REDD, and potential alternative options to generate greater political will
- Elaborate on how inconsistencies in the legal and policy framework, particularly across sectors, will be reconciled

Transparent and accountable REDD+ revenue management & benefit sharing

- *Proposes a transparent system to track and coordinate international financing of activities related to REDD+*
- Considers measures to promote fiscal transparency and accountability for REDD+ revenue management*
- Proposes a transparent process for deciding who should benefit from REDD+ and how benefits will be targeted*
- Reviews lessons from past and/or existing systems for managing and distributing forest revenues*

The R-PP makes a broad statement about promoting efficiency, transparency and accountability in the implementation of the REDD strategy (p45), but the financing mechanism is only notional at this stage and no concrete procedures or processes are yet proposed. The R-PP states that government administered financing mechanisms often suffer from inefficiency and lack of accountability, and therefore suggests that a “forest carbon trust fund” governed by a multi-stakeholder board might be more appropriate for REDD (p47). However, the R-PP also states that “political influence and issues of downward accountability and transparency may persist” within the existing National Trust for Nature Conservation. Deeper insights into the causes of these problems and lessons for a potential REDD fund need to be further explored moving forward.

The R-PP also suggests that a sub-national approach to benefit sharing will likely be used and will take advantage of existing multi-stakeholder bodies at the local level with experience channeling funds to local stakeholders (p46-7). The R-PP makes broad statements about equitable benefit sharing with a focus on local communities and women, and proposes an opportunity cost study to determine specific levels of compensation.

Recommendation:

- Commission a study to investigate the accountability and transparency problems faced by the existing National Trust for Nature Conservation, and the lessons to be learnt for REDD

Transparent monitoring and oversight of REDD+

- + *Proposes to establish information management systems for REDD+ that guarantee public access to information*
- Proposes mechanisms for independent oversight of the implementation of REDD+ activities*
- + *Proposes mechanisms to monitor progress of efforts to address governance-related drivers of deforestation*

The R-PP states that information relating to REDD must be accessible at all levels and to all actors (p62). The collection and coordination of sub-national information will be performed by a National Forest Information Management System (p64-65). The R-PP also proposes to create a “central clearinghouse for all REDD-related information,” which would be managed with broad participation of stakeholders in order to ensure transparency and accountability (p48).

The REDD-Forestry and Climate Change Cell will be responsible for monitoring and oversight of the implementation of REDD activities (p12). This Cell is led by the Ministry of Forests and Soil Conservation and therefore cannot be considered independent; however, the R-PP states that it has been proposed to add civil society representatives to the Cell (p48). The R-PP proposes to monitor broader governance issues through the REDD+ Social and Environmental Standards Initiative, which is being facilitated by the Climate, Community & Biodiversity Alliance and Care International (p67). Specifically, measurable and verifiable indicators will be developed to monitor impacts on good governance objectives relating to tenure, benefit-sharing and decision-making. The R-PP states that the capacity of local communities and government bodies will be built in order to monitor these parameters.

Recommendation:

- Include civil society organizations in the REDD-Forestry and Climate Change Cell to enhance the independence of the oversight mechanism

GOVERNANCE-RELATED DRIVERS OF DEFORESTATION*To what extent does the R-PP consider key forest governance challenges for achieving REDD+?***Land and forest tenure**

- Discusses the situation regarding land and forest tenure, including for indigenous peoples*
- *Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens*

NEPAL

(R-PP dated 19 April 2010)+ *Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The R-PP states that unclear land tenure and use rights are key drivers of deforestation and degradation (p31). Most government-managed forests are “*de-facto* open access resources with limited control over their use,” and where control is enforced (e.g. protected areas) conflicts with local people are often reported (p32). The R-PP does not provide detailed information on the underlying causes of tenure problems, or the potential implications for REDD. It does, however, provide the terms of reference for studies to review tenure laws and policies and implications for establishing carbon rights, to identify existing and potential conflicts relating to tenure, and to develop policy recommendations to address conflict (p119, 126). Further, the R-PP states that clarifying land tenure issues and establishing a link between carbon ownership rights and land tenure are major priorities of its REDD Implementation Framework (p45). The R-PP does not explicitly address the tenure situation of Indigenous Peoples, although it does state that the principle of FPIC will be applied to REDD activities (p22).

Recommendations:

- Discuss the effectiveness of judicial and non-judicial systems for resolving conflicts and upholding rights, including potential implications for REDD
- Describe the tenure situation of indigenous peoples

Forest Management

Discusses the ability of forest agencies to plan and implement forest management activities

+ *Considers the role of non-government stakeholders, including communities, in forest management*

+ *Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The R-PP summarizes the evolution of forest management systems in Nepal over time (p33-35). It also describes Nepal’s strong historical commitment to participatory forest management involving forest dependent communities, and especially women, *Dalits*, and indigenous peoples. However, the R-PP also admits that participatory approaches have not been effectively implemented in certain regions where there are high transboundary pressures on forests and where forest governance and law enforcement are weak. The R-PP identifies some key challenges for forest management agencies such as declining budgetary appropriations as a percent of the national budget and weak institutional arrangements in government controlled forests (p36-37). However, there is relatively little information in the R-PP about the specific capacity constraints of the Ministry of Forests and Soil Conservation or related sub-national agencies with respect to forest management. The R-PP proposes to conduct a study in consultation with relevant stakeholder to compare and contrast different forest management modalities and identify related governance challenges (p96). Correspondingly, the proposed REDD strategy options include numerous measures to enhance the sustainable management of forests in collaboration with local communities (p113-117).

Recommendation:

- Elaborate on the capacity constraints of forest management agencies, and how these constraints will be overcome in order to implement REDD strategies

Forest Law Enforcement

Discusses the ability of law enforcement bodies to effectively enforce forest laws

– *Discusses efforts to combat corruption in the forest sector*

+ *Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The R-PP recognizes weak law enforcement as a major driver of deforestation and forest degradation (p31, 37), but it does not yet elaborate on the underlying causes of the problem. It does, however, propose to conduct studies to better understand and address enforcement challenges (p39). Further, the R-PP identifies numerous potential REDD strategy options to strengthen law enforcement, including measures to improve public awareness of forest crime, to increase law enforcement capacity of government bodies and communities, and to strengthen judicial processes (p110). Although the R-PP does not explicitly discuss corruption or efforts to combat corruption, it does propose to identify institutional reforms in order to increase accountability and transparency of forest-related agencies.

Other Forest Governance Issues Relevant for REDD+

+ *Discusses other forest governance issues that are relevant for REDD+*

+ *Links identified governance challenges to proposed REDD+ strategy and implementation framework*

NEPAL*(R-PP dated 19 April 2010)*

Although the R-PP's analysis of governance issues relevant for REDD remains preliminary at this stage, there appears to be strong commitment to addressing governance challenges within the REDD strategy and implementation framework. Further, the R-PP offers terms of reference for several studies that should deepen the understanding of key governance issues. Notably, the R-PP states that these studies will be conducted in consultation with relevant stakeholders. Further, unlike most R-PPs submitted to date, the Nepal R-PP touches upon issues relating to gender and to the role of the judiciary in forest governance. As readiness preparation proceeds, it would be useful to evaluate the outputs of the planned studies to see if these particular issues are further elaborated, and whether the proposed REDD strategy options are adjusted to address newly identified governance challenges. Finally, the R-PP also seeks to frame REDD within the broader governance context of the country, and specifically notes that the upcoming process to develop a new constitution will likely have far-reaching governance implications for forests (p13).

REPUBLIC OF CONGO (RoC)

(R-PP dated 19 April 2010)

GOVERNANCE OF REDD+

*To what extent does the R-PP promote good governance within REDD+ systems and processes?***Stakeholder Participation in REDD+ planning and Implementation**+ *Identifies relevant stakeholders for REDD+**Specifically considers how to engage vulnerable groups*- *Establishes procedures to ensure a transparent process and accountability for stakeholder input**Establishes a grievance / dispute resolution mechanism**Considers how to learn and build from other relevant participatory processes*

The R-PP describes REDD+ stakeholders in three categories: public institutions, the private sector, and civil society (p18). Within civil society, the R-PP identifies indigenous peoples (including pygmies) and local communities as critical stakeholders that should be engaged pursuant to the principle of free, prior and informed consent (p16). Additional details on how these groups will be specifically targeted during the consultation process are not provided. Each of these stakeholder categories have equal representation (including voting rights) on the REDD+ National Committee, which is responsible for agreeing on REDD+ strategy options and playing a “mediator role in case of conflicts between stakeholders” (p11). The R-PP does not specify how conflicts will be resolved if mediation fails. The three stakeholder categories also form the basis for three consultation platforms focusing on the development of a national REDD+ strategy. These consultation platforms will be modeled after those established under the Voluntary Partnership Agreement (VPA) process with the European Union (p18). While the R-PP makes broad statements about promoting a transparent process (p16) – particularly for controversial issues relating to tenure and land planning – it provides few details at this stage on how transparency or accountability for stakeholder input into decision-making will be ensured. As a result, it is not entirely clear how the proposed Stakeholder Consultation and Participation Plan will balance the need for socialization on REDD+ with legitimate opportunities for participation.

Recommendations:

- Provide more details on how indigenous peoples and local communities will be targeted in the consultation process
- Explain how conflicts will be resolved when mediation fails
- Explain why new stakeholder platforms will be established rather than utilizing existing platforms
- Consider lessons learnt from the past experiences with stakeholder consultation processes identified on page 17
- Clarify whether any other R-PP components will be consulted on in addition to the REDD+ strategy options
- Provide more concrete details on how stakeholder inputs will be incorporated into decision-making, and how the outcomes of the consultation process will be validated

Government coordination in REDD+ planning and implementation*Considers REDD+ in the context of other sector policies, land use plans, and national development plans*- *Proposes a process to reconcile potential conflicts between REDD+ strategies and other policies/plans**Proposes effective mechanisms to coordinate REDD+ across sectors**Proposes effective mechanisms to coordinate REDD+ across levels of government*

The R-PP does not provide a nuanced discussion of the challenges of effective coordination in RoC, either generally or with respect to REDD+. The R-PP states that sector plans and policies are designed to fit under a common strategic vision for sustainable development; however, conflicts over land use are apparently common due to incomplete implementation of sector policies and a lack of multi-sector approaches to planning and environmental management (p28). Further, factors such as agricultural expansion, urban growth, and infrastructure development are described as key drivers of deforestation (p28-32). As a result, the proposed REDD+ strategy options include developing a national land use plan and improving agricultural production systems (p38). In order to pursue these strategies effectively, a deeper analysis of the causes of weak coordination and potential obstacles to improvement is still needed.

With respect to coordination of REDD+, the REDD+ National Committee includes representatives from nine relevant ministries related to natural resources management (p11-12). This structure will be linked to REDD+ Departmental Committees at the sub-national level. The implementation of readiness activities will be carried out by the REDD+ National Coordination, which is under the administrative authority of the Ministry of Environment and is not a multi-sector body. It is difficult to assess the

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adequacy of these readiness management arrangements without additional context regarding the current state of sectoral coordination and decentralization in RoC. At this stage, the R-PP provides relatively little critical analysis of these dynamics.

Recommendations:

- Describe existing mechanisms in place to promote inter-ministerial coordination, and major lessons learned
- Provide a deeper assessment of sectoral policy trade-offs and coordination challenges relevant to REDD+
- Propose a study to investigate the potential challenges of developing and implementing a national land-use plan as proposed in the REDD+ strategy options

Transparent and accountable REDD+ revenue management & benefit sharing

Proposes a transparent system to track and coordinate international financing of activities related to REDD+

+ Considers measures to promote fiscal transparency and accountability for REDD+ revenue management

- Proposes a transparent process for deciding who should benefit from REDD+ and how benefits will be targeted

Reviews lessons from past and/or existing systems for managing and distributing forest revenues

The R-PP provides basic details on how transparency and accountability of REDD+ revenue management will be achieved. For example, it proposes to establish a registry of REDD+ activities to avoid overlapping finance (p13). It also proposes to establish a national REDD+ fund, which will follow accounting and fiscal transparency rules governed by existing regulations on transparency and anti-corruption (p53). Existing bodies such as the Inter-Ministerial Commission against Corruption and the Observatory against Corruption are expected to “play their respective roles in order for the Fund to achieve REDD+ objectives.” Finally, the REDD+ fund is expected to be “coherently structured with activities developed by the Forest Fund and the Environmental Protection Fund.”

There is less clarity at this stage on how REDD+ benefits will be shared and targeted to relevant stakeholders. The R-PP suggests that the Fund could utilize the Community Development Funds managed by Department Committees to promote equitable sharing of benefits with communities (p53). Terms of Reference are provided for studies on the “Governance of the REDD+ Fund” and “Tax and Economic Incentive Tools for REDD+”, which are expected to explore these issues further.

Recommendations:

- Clarify whether the benefit-sharing system will be developed in consultation with relevant stakeholders
- Consider lessons learnt from past experiences managing and distributing forest revenues in RoC, including from the existing natural resource funds listed on page 53

Transparent monitoring and oversight of REDD+

Proposes to establish information management systems for REDD+ that guarantee public access to information

Proposes mechanisms for independent oversight of the implementation of REDD+ activities

- Proposes mechanisms to monitor progress of efforts to address governance-related drivers of deforestation

The R-PP focuses primarily on technical aspects of forest monitoring and provides little detail on governance aspects. While it does not explain where or how information and data relating to REDD+ will be consolidated and managed, it does state that data and methods will be made available to “facilitate third party evaluation of results” (p61, 69). In Component 4b on monitoring other benefits and impacts, the R-PP states that principles, criteria, indicators and verifiers will be developed to monitor the operations of the national management arrangements and implementation frameworks developed for REDD+ (p79). However, it does not specify who will carry out the monitoring or if this would constitute *independent* oversight. It is possible that the Independent Forest Observatory, which has experience in monitoring of FLEGT and is expected to be involved in monitoring the SESA process, could carry out this role.

Recommendations:

- Specify how information and data relating to REDD+ will be managed and made easily accessible to the public
- Clarify who will monitor REDD+ implementation and whether the monitor will be independent of the implementing bodies
- Consider how to monitor progress in addressing the governance-related drivers of deforestation identified in component 2a

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GOVERNANCE-RELATED DRIVERS OF DEFORESTATION

*To what extent does the R-PP consider key forest governance challenges for achieving REDD+?***Land and forest tenure***Discusses the situation regarding land and forest tenure, including for indigenous peoples**– Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens**Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The R-PP provides a brief description of the situation regarding land and forest tenure in RoC. It states that the underlying legal framework is both inadequate and conflicting in how it recognizes tenure rights, particularly concerning indigenous peoples and customary rights (p23, 27). As a result, conflicts between forest users are common and presumption of ownership remains in the benefit of the State. Despite this, the R-PP does not list insecure tenure as one of the “current causes and drivers of deforestation and degradation” (p28-30). Nonetheless, one of the REDD+ strategy options considered in component 2b is to enhance tenure security by establishing a national land use plan and expanding the network of protected areas. However, it is not clear how these activities, if implemented, would resolve the tenure problems described above. The R-PP also proposes to address tenure issues as a part of its broader efforts to improve the existing legal and institutional framework to facilitate REDD+ implementation (p48-49). Specifically, the R-PP mentions a bill currently under parliamentary review to promote recognition of customary tenure rights, but it does not explain how this bill would improve the situation or describe any additional actions that need to be taken in the context of REDD+.

Recommendations:

- Propose a study to further investigate the impacts of tenure insecurity and conflict on deforestation, potential implications for REDD+, and options for enhancing the recognition and protection of tenure rights in practice
- Consider the role and capacity of the judicial system in the forest sector, both with respect to tenure and for REDD+
- Clarify how the development of a national land use plan will enhance tenure security for local communities

Forest Management*Discusses the ability of forest agencies to plan and implement forest management activities**Considers the role of non-government stakeholders, including communities, in forest management**Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The R-PP generally recognizes weak capacity for forest management as a problem. In particular, the R-PP notes minimal participation of local communities in forest management decisions, inability of forest agencies to control the national territory, and frequent operation of logging concessions without a management plan. However, there is no deeper discussion identifying key actors and their roles and responsibilities in forest management, or the specific capacity constraints faced by those actors. One of the REDD+ strategy options considered in the R-PP is to enhance sustainable management of forests by addressing some of the challenges listed above (p39-40). However, there is not yet any indication of the specific activities that will be carried out to achieve this objective, or how it fits in the context of past efforts to improve forest management in RoC.

Recommendations:

- Identify the main agencies responsible for forest management, their roles and responsibilities and major capacity constraints
- Discuss the current and potential roles for local communities in forest management

Forest Law Enforcement*– Discusses the ability of law enforcement bodies to effectively enforce forest laws**Discusses efforts to combat corruption in the forest sector**Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The R-PP contains very little discussion of forest law enforcement. It simply states that illegal logging and illegal mining are issues and mentions that lack of capacity for law enforcement is key problem. Combating illegal logging is also one of the proposed REDD+ strategy options (p40). Specifically, the R-PP states that the monitoring of illegal logging will be enhanced with the assistance of the Independent Forest Observatory and local NGOs in charge of detecting offenses on the ground. However, it does not propose any measures to strengthen government capacity for law enforcement. The R-PP briefly mentions anti-

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corruption measures in the context of REDD+ revenue management, but it does not explicitly state if or how corruption is a problem in the forest sector.

Recommendation:

- Provide a more thorough assessment of the law enforcement system and existing problems of illegality

Other Forest Governance Issues Relevant for REDD+

- *Discusses other forest governance issues that are relevant for REDD+*
- *Links identified governance challenges to proposed REDD+ strategy and implementation framework*

The Assessment of Land Use, Forest Policy and Governance in Component 2a does not explicitly discuss issues of forest governance, or consider how weak forest governance may contribute to deforestation and degradation. The R-PP only refers to forest governance challenges indirectly as they relate to issues of land tenure and the legal framework for the forest sector.

Recommendation:

- Include an explicit discussion of forest governance in Component 2a, and link identified governance challenges to the discussion of drivers of deforestation and degradation.

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*(R-PP dated 15 June 2010)***GOVERNANCE OF REDD+***To what extent does the R-PP promote good governance within REDD+ systems and processes?***Stakeholder Participation in REDD+ planning and Implementation***Identifies relevant stakeholders for REDD+**– Specifically considers how to engage vulnerable groups**Establishes procedures to ensure a transparent process and accountability for stakeholder input**– Establishes a grievance / dispute resolution mechanism**– Considers how to learn and build from other relevant participatory processes*

The R-PP does not provide a definitive mapping of stakeholders for REDD+, although it does delineate a range of stakeholder roles in forest management more generally. It states that a first round of consultation meetings was carried out nationwide to raise awareness about REDD+ and to develop a consultation and participation plan (p12). This first round of consultations resulted in a strengths and weaknesses analysis (p14) and the inputs of stakeholders were incorporated in the REDD+ strategic options for addressing deforestation and forest degradation. Overall, the R-PP provides few details on the consultation and participation plan that will be used as readiness preparation proceeds. It simply states that a wide range of stakeholders will be involved and “various communication channels and participatory approaches will be adopted” (p14). Therefore there is substantial ambiguity as to how transparent and accountable the consultation process will be. However, the UN-REDD project launched in November 2009 also aims to facilitate broad stakeholder participation and coordination (Annex 2c, p47).

Recommendations:

- Perform a stakeholder analysis / mapping for REDD and identify vulnerable groups
- Further elaborate a Consultation and Participation Plan, how it incorporates best practices, and in particular consider issues of transparency, accountability, and grievance / dispute resolution

Government coordination in REDD+ planning and implementation*+ Considers REDD+ in the context of other sector policies, land use plans, and national development plans**Proposes a process to reconcile potential conflicts between REDD+ strategies and other policies/plans**Proposes effective mechanisms to coordinate REDD+ across sectors**Proposes effective mechanisms to coordinate REDD+ across levels of government*

The R-PP recognizes the importance of a cross-sectoral approach for REDD (p36) and states that the national REDD strategy will be closely linked to current national growth and development strategies (p31). In this regard, coordination and capacity building will be carried out (p33,34,37). The R-PP states that a legal and institutional review for REDD is being carried out to understand how to improve cross-sectoral coordination and policy synergies (p31&36). The R-PP recognizes competing interests in regards to land use, land use change and forests (p18), and identifies several non forest sector policies currently contributing to deforestation and forest degradation (Annex 2b-1, p35). The R-PP identifies the need to create conflict resolution modalities (p35-36), but does not explicitly outline a process through which potential conflicts between REDD strategies and other policies might be resolved.

The R-PP states that Tanzania has set up a cross-sectoral National Climate Change Steering Committee (NCCSC) under which an interim National REDD Task Force and Secretariat will operate (p7). Various relevant ministries, government institutions, civil society and the private sector are represented on the NCCSC (p12). The REDD Task Force is comprised of representatives from the Forestry and Beekeeping Division, the Division of Environment and sub-national government officials and it is recognized that its composition will need to be widened to include civil society organizations and representation from other sectors – such as agriculture. The R-PP does not state the level of oversight that the NCCSC actually provides to the National REDD Taskforce or how the Task Force is held accountable by the NCCSC.

Recommendations:

- Elaborate options to facilitate a multi-stakeholder process to harmonize policies across sectors
- Describe the level of participation and effectiveness of the coordination process for REDD and climate change thus far

Transparent and accountable REDD+ revenue management & benefit sharing*Proposes a transparent system to track and coordinate international financing of activities related to REDD+*

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Considers measures to promote fiscal transparency and accountability for REDD+ revenue management

Proposes a transparent process for deciding who should benefit from REDD+ and how benefits will be targeted

– Reviews lessons from past and/or existing systems for managing and distributing forest revenues

A “national framework for REDD” is expected to provide for the coordination of financial support from development partners for REDD activities (p12). The R-PP makes a broad commitment to developing a transparent and equitable revenue/benefit sharing mechanism - probably through a national REDD Fund (p8,32,34). The R-PP proposes an in depth study on equitable cost and benefit sharing (p23,31,34). The R-PP also states that local communities will be important beneficiaries, and several pilot projects are being carried out (p32) to explore how benefits from REDD could be targeted to local actors. It is not yet clear from the R-PP what types of benefits are envisioned for communities.

The R-PP does not significantly discuss past performance of forest revenue management and distribution in Tanzania, although it does recognize that joint forest management benefit sharing agreements between government and communities are not (yet) operational (p23). It also states that the central government has been unable to set appropriate levels for forest rents. Finally, it notes that national best practices for fiscal transparency need to be developed (p34).

Recommendations:

- Describe how stakeholders will be consulted in designing the national REDD Fund
- Elaborate on how transparent and accountable fiscal management will be promoted
- Assess past performance of forest revenue management, benefit sharing and incentive schemes, drawing lessons for REDD

Transparent monitoring and oversight of REDD+

Proposes to establish information management systems for REDD+ that guarantee public access to information

– Proposes mechanisms for independent oversight of the implementation of REDD+ activities

Proposes mechanisms to monitor progress of efforts to address governance-related drivers of deforestation

The R-PP recognizes the current poor quality of and the need for an efficient communication and information sharing mechanism (p32) The R-PP states that a study will be carried out to understand how to improve information sharing (p32), and that a REDD networking mechanism, internet-based REDD Database and a web portal will be developed (p37). The R-PP proposes to develop a monitoring system that will cover carbon, social and environmental impacts, and key governance factors (p52). However, it does not indicate what types of non-carbon impacts and governance factors would be monitored, and it does not provide a clear statement on public access to information. Rather, it states that the monitoring system will “provide opportunities for participatory and transparent operation of the strategy and information sharing” without elaborating on what this might entail (p59). While the R-PP does recognize the need for independent verification of forest carbon measurements (p55) and socio-economic variables (p52), it does not propose any mechanism for independent oversight of the implementation REDD+ activities.

Recommendations:

- Affirm that public access to information will be guaranteed, and describe how this will be ensured
- Propose a mechanism for independent oversight of the implementation of REDD+
- Elaborate on what types of governance factors will be monitored, how, and by whom

GOVERNANCE-RELATED DRIVERS OF DEFORESTATION

To what extent does the R-PP consider key forest governance challenges for achieving REDD+?

Land and forest tenure

Discusses the situation regarding land and forest tenure, including for indigenous peoples

– Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens

Links identified governance challenges to proposed REDD+ strategy options and implementation framework

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The R-PP identifies insecure and unclear land tenure, related to a lack of land-use planning, as a major problem contributing to deforestation and degradation. Tenure is also listed as a key issue under component 2c on the REDD implementation framework, and the R-PP states that a special study on land tenure and forest resource use will be undertaken (Annex 2b-2 p28). At this stage, the R-PP does not elaborate on the root causes of tenure problems or discuss any potential solutions. While the R-PP provides a summary of the land laws of Tanzania, it does not explain the extent to which they set out clear rights to land, particularly for communities practicing communal forest management regimes (p16-23). Similarly, there is no definitive statement on Tanzania's policy towards indigenous peoples' rights and representation. In fact, Tanzania does not recognize *de facto* or *de jure* the existence of indigenous peoples or any argument to treat them differently from others. Finally, conflict and conflict resolution mechanisms (other than at the sectoral level) are not raised in the R-PP, even though this information would help to illustrate the type of challenges currently faced by the forest sector and REDD.

Recommendations:

- Discuss the prevalence of land and forest resource related conflicts, and the effectiveness of judicial and non-judicial systems for resolving conflicts and upholding rights
- Articulate a preliminary vision for how land, forest and carbon tenure issues will be addressed in the development of the REDD strategy and/or implementation framework.

Forest Management

Discusses the ability of forest agencies to plan and implement forest management activities

+ Considers the role of different stakeholders, including communities, in forest management

Links identified governance challenges to proposed REDD+ strategy options and implementation framework

The R-PP provides some information on the historical and recent performance of forest agencies with respect to forest management activities (p18,26,43-45), which can be generally described as weak and poorly coordinated across different levels of government. In particular, the R-PP notes weak governance at the local government level, including low capacity for planning, financial management and enforcement (p20). The R-PP does not definitively set out the roles of different stakeholders in forest management, but it does recognize the important role of communities in forest management, forest monitoring and reducing deforestation and forest degradation (p47-48), facilitated by NGOs and research institutions. The R-PP also recognizes the increasing dependency of communities on forests, the links with poverty, and the importance of livelihood-focused forest management approaches as part of incentivizing sustainable forest management and conservation under REDD (p21-22). The R-PP proposes a diverse range of strategy options to address the 11 identified drivers of deforestation and forest degradation (p28-30), but it is unclear as to how these strategy options will be taken forward.

Recommendation:

- Elaborate on the specific capacity constraints of forest management agencies, local government and other involved stakeholders, and how these constraints will be overcome in order to implement the REDD

Forest Law Enforcement

- Discusses the ability of law enforcement bodies to effectively enforce forest laws

Discusses efforts to combat corruption in the forest sector

- Links identified governance challenges to proposed REDD+ strategy options and implementation framework

The R-PP refers directly to illegal timber (p20,29), charcoal extraction (p17,20,21) and agricultural encroachment (p4,18,20,28) as drivers of forest change. It mentions that low capacity for law enforcement and a weak institutional framework are contributing factors. However, the R-PP does not elaborate on specific challenges or causes of weak law enforcement. Similarly, the R-PP does not mention if ongoing institutional reforms supported by the National Forest Program (Annex 2b-1) have helped to address any of these issues. Further, law enforcement issues are not mentioned in components 2b or 2c on the REDD strategy options and implementation framework. The R-PP identifies corruption as a critical issue for forest governance (p20,59) and articulates the need for measures to address corruption in the REDD implementation and monitoring frameworks (p34,59). However, the R-PP does not discuss any efforts taken to date to combat corruption in the forest sector.

Recommendations:

- Elaborate on the challenges of forest law enforcement, and the effectiveness of recent reforms including those supported by the National Forest Program in addressing these problems
- Articulate a preliminary vision for how law enforcement challenges will be addressed in the development of the REDD

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strategy and/or its implementation.

Other Forest Governance Issues Relevant for REDD+

Discusses other forest governance issues that are relevant for REDD+

– Links identified governance challenges to proposed REDD+ strategy and implementation framework

The R-PP states that the Forest Policy is currently at the final stage of a review (p2,19), but it does not provide any detail as to what the drafted changes are or how they are relevant to REDD+. The R-PP also states that a ten year National Forestry Program has supported reform and improvements in the governance and management of the forestry sector in Tanzania (Annex 2b-1), and that this programme will be revised to accommodate REDD issues (p19). However the R-PP does not provide an assessment of the overall outcome of the Program particularly in relation to the continuing challenges for forest institutions at all levels in developing REDD+. Finally, the R-PP identifies two long-term programs – the Local Government and the Public Sector Reform Programs – as being relevant in terms of an improved governance framework (p19), but little explanation is provided in terms of how these programs are directly relevant or important for REDD.

Recommendation:

- Elaborate on the key areas of inquiry for the proposed legal analysis and institutional review study, particularly in terms of improved governance, an assessment of how land use, land use change and forestry are to be better managed, and what legal reforms are necessary to bring about an environment in which REDD is equitable, efficient and effective.