



**global witness**



## **Proposal on Modalities for Stakeholder Participation in the REDD+ Partnership**

July 23, 2010

In the REDD+ Partnership Agreement concluded in May 2010, countries agreed to the principle that it should be inclusive of all committed countries as well as representatives of relevant stakeholders including indigenous peoples, local communities, civil society and the private sector. They further agreed to promote inclusiveness and transparency through the participation of a representative group of stakeholders – including indigenous peoples and local communities, civil society and the private sector – as observers to the Partnership, and to develop modalities for stakeholder participation.

These principles were partially reaffirmed during the technical meeting of the Partnership in Brasilia in July 2010, despite the meeting itself having effectively prevented any kind of stakeholder participation by sending out invitations late and based on seemingly arbitrary selection. This caused widespread condemnation and boycott by civil society organisations, and it is imperative to the Partnership's legitimacy that such a situation is not repeated.

The co-chairs of the Partnership on Tuesday July 20 sent out a brief set of principles for stakeholder participation, and asked for comments by Sunday July 25. While the deadline of 3 to 4 working days given to stakeholders to provide feedback is regrettably insufficient, Global Witness and Rainforest Foundation Norway would like to present a revised and updated version of our submission of July 1<sup>st</sup> on the same subject.

To date the Partnership has been limited to states only, and according to reports from the Brasilia meeting, it was decided that stakeholders should have the status of observers, but not be considered partners. This is deeply regrettable, as the REDD+ Partnership is more likely to succeed if its membership and decision-making process are truly inclusive and properly reflect the multi-stakeholder nature of REDD+ by providing stakeholders with full and effective representation, including voting rights, not just observer status.

The lack of transparency and engagement of stakeholders in decision-making that has characterized the Partnership so far has failed to build trust. This lack of trust is in danger not only of undermining the potential effectiveness of the Partnership, but also

of turning the attitudes of civil society and indigenous peoples against REDD+ in general.

In contrast, the Extractive Industries Transparency Initiative (EITI), an international multi-stakeholder initiative with full representation and voting rights for all stakeholders, has built trust in an area that, like the forest sector, has a history of adversarial relationships.

EITI provides a model for stakeholder participation in international decision-making whereby stakeholders are represented through Constituencies. This submission proposes modalities for stakeholder participation in the REDD+ Partnership based on the rules of engagement developed by the EITI.

The EITI Association includes representatives from governments and their agencies; oil, gas and mining companies; asset management companies and pension funds (“institutional investors”) and local civil society groups and international non-governmental organizations. Under the Articles of Association<sup>1</sup>, the Members are organized into three Constituencies: i) the Constituency of Countries, comprising Implementing Countries and Supporting Countries; ii) the Constituency of Companies that have committed to support the objective of the EITI Association, comprising companies in the extractive sector and associations representing these companies, and institutional investors; and iii) The Constituency of Civil Society Organizations (CSOs), comprising NGOs, global action networks or coalitions that support the objective of the EITI Association.

Each Constituency decides on its rules governing appointments of Members of the EITI Association. The quorum of a Members’ Meeting is a minimum of half of the Members and “must include at least one third of the Members from each Constituency”. Moreover, the Members of each Constituency have an equal number of votes. If resolutions cannot be adopted by consensus, they are agreed on the basis of a qualified majority requiring support from at least two thirds of the total votes cast, which “must include the support of at least one third of the votes cast by the Members representing each Constituency”.

IUCN provides another example of an international multi-stakeholder body with voting rights for non-governmental members. Members fall into three categories: Category A comprises states and government agencies, and political and/or economic integration organizations; Category B comprises national and international NGOs; and Category C comprises affiliate members. Members in Categories A and B have the right to submit motions and vote at the World Conservation Congress, with decisions being taken on the basis of a simple majority of votes cast in the two Categories.<sup>2</sup> Members have different numbers of votes, e.g. state members have 3 votes, international NGOs have two votes and national NGOs one vote.

The governance structure of Brazil’s Amazon Fund is another possible model. Its Guidance Committee (COFA) consists of three membership constituencies; federal

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<sup>1</sup> <http://eiti.org/document/rules>

<sup>2</sup> [http://cmsdata.iucn.org/downloads/statutes\\_en.pdf](http://cmsdata.iucn.org/downloads/statutes_en.pdf)

government, state governments and civil society<sup>3</sup>. The civil society group includes representatives of indigenous peoples, NGOs, labour unions, the research community and the private sector. Each constituency has one vote with respect to committee decisions, and each member has one vote within their constituency.

The unwillingness of certain states to involve civil society in fiduciary decisions is often used as an argument against granting civil society status as equal partners, but this would not be a relevant argument in the case of the REDD+ Partnership, which does not have a mandate to make fiduciary decisions. The Amazon Fund's Guidance Committee is an example of a mechanism where civil society are equal partners, including in the making of fiduciary decisions, with positive results.

Trust-building and representation of all interests are essential for REDD+ to succeed. The full and effective engagement of all relevant stakeholders in decision-making concerning design, planning and implementation, i.e. through inclusive representation and voting rights, will help to ensure this. This should apply equally to international as well as national REDD+ institutions. Currently, the only international REDD+ institution with voting rights for non-state stakeholders is the UN-REDD Policy Board.

**We propose that, to enable full and effective participation of all relevant stakeholders, the REDD+ Partnership develops a structure and modalities modelled on the EITI, with one important modification to allow proper participation of indigenous peoples. This would involve extending membership and voting rights to non-state stakeholders on the basis of Constituencies. Four Constituencies are proposed: 1) a Constituency of Countries comprising developing and developed country Partners (or REDD+ implementing countries and REDD+ supporting countries); 2) a Constituency of representatives of indigenous peoples; 3) a Constituency of civil society organizations, comprising NGOs, community based organizations and global networks and coalitions; and 4) a Constituency of representatives from the private sector. Each Constituency would decide on its rules governing appointments of members of the Partnership, and voting would be on the basis of a qualified majority that ensures fair representation of all Constituencies in Partnership decisions.**

The Co-chairs' summary of stakeholder participation, dated 15 July, includes several vague yet needlessly restrictive points we must object to, most notably those concerning venue capacity and, on the insistence of certain Partners, the ability to close sessions. In order to prevent the participation of stakeholders from being subject to conditions such as these, a set of clear rules must be developed.

- Firstly, a minimum number of non-state stakeholders should be determined, divided up between 3 different constituencies: 1) indigenous peoples 2) civil society organizations, comprising NGOs, community based organizations and global networks and coalitions and 3) the private sector.
- Secondly, eligibility should not be restricted to organisations accredited to the UNFCCC. Such a criterion would effectively exclude a large number of

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<sup>3</sup> <http://www.amazonfund.gov.br/>

organisations that do not have UNFCCC accreditation, an arbitrary and unacceptable restriction. REDD+ is of great relevance to many stakeholders that may not participate in UNFCCC meetings.

- Thirdly, all Partnership meetings should be open to stakeholders, and Partners should not be allowed to close sessions.

In addition, we wish to insist that modalities for stakeholder participation must only be decided in the presence of a representative group of stakeholders from the three constituencies, and that until this occurs, all Partnership meetings should have at least the level of representation of the Oslo Conference on Climate and Forests. As a minimum, the same networks of organisations present in Oslo should be invited to the next Partnership meetings, with ample time for self-selection processes within those networks. Agendas and materials for meetings must be shared with civil society stakeholders with sufficient notice for representatives to share them with their constituencies and receive inputs.

The Partnership must now implement its commitment to inclusiveness with respect to stakeholders. To build a better foundation for REDD+ from this point forward, we call on the REDD+ Partnership to ensure that full and effective participation of all stakeholders is implemented sooner rather than later.

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