



global witness

Global Witness comments on the 30 June 2011 version of the UN-REDD Programme Social and Environmental Principles and Criteria

8 August 2011

Based on discussions with interested civil society organizations and our own analysis, we continue to have concerns about the process for development of the Principles and Criteria and associated tools, their comprehensiveness, and how they will be implemented. While our comments reflect some of the concerns raised by other organizations, they should be viewed as the opinions of Global Witness. Other interested civil society organizations have expressed their intent to provide comments on the Principles and Criteria. Global Witness will provide these to the Secretariat separately and requests that they be also considered. Our comments should not be viewed as comprehensive but rather indicative of some of the problems we see with the current draft. They should also be read together with the submissions received from other civil society representatives. Our specific comments are as follows:

Process and implementation:

The 30 June 2011 draft of the Social and Environmental Principles and Criteria gives an overview of proposed uses of the Principles and Criteria but still does not provide enough detail about how the objectives will be achieved using the Principles and Criteria. We would like more information about how, in practice, the Principles and Criteria will be used to review new National Programmes, to assess the delivery of existing National Programmes, and to support countries in operationalising the REDD+ safeguard provisions of the Cancun Agreement. In addition to our continuing concerns about the content of the Principles and Criteria, as elaborated below, we think the modalities for implementing the Principles and Criteria require additional clarity and discussion by the Policy Board.

The application of the Principles and Criteria to activities funded by the UN-REDD Programme will require the development of specific indicators, minimum compliance standards, and policies and procedures that ensure effective and accountable implementation. This should be done in a transparent and inclusive manner, with meaningful input from members of the Policy Board and a full range of REDD+ stakeholders, and ensure coherence with other processes aimed at establishing common, high standards for the implementation of REDD+. We note that the UN-REDD Programme has led participatory processes in developing guidance on stakeholder participation, FPIC and the provision of information on REDD+ governance, that have received widespread support from civil society. The elaboration of the Principles and Criteria and associated tools should build on these efforts and involve a clear, transparent and inclusive consultation process prior to consideration of a final version of the Principles and Criteria by the Policy Board. We support the objective of developing a common set of social, environmental, and governance standards for REDD+ taking guidance from the UNFCCC, but the process should not be rushed, should demonstrate value-added with regards to other processes, and should not attempt to “reinvent the wheel” where guidance from other processes is already available.

We are particularly concerned about the process by which the Risk Identification and Management Tool (RIMT) is being developed and seek further clarity on the relationship between the RIMT and the implementation of the Principles and Criteria. The latest draft of the Principles and Criteria document states that the Risk Identification and Management Tool “may” be used to develop indicators for the “social and environmental effects of REDD+”. Given the lack of detail in the Principles and Criteria, however, it appears that the more substantive decisions about what social, environmental and governance standards will be applied to National Programme activities, and how the Cancun safeguards should be interpreted, are likely to rely heavily upon the RIMT. However, to our knowledge, the Policy Board has not been given an opportunity to formally comment on the RIMT, and we are unclear which stakeholders have been involved in its development. We think the Principles and Criteria, RIMT and related indicators should be elaborated together in a process that is more coordinated, transparent and inclusive than it has been to date. This process should take into account other relevant processes and guidance, as well as inputs from a full range of stakeholders, and clearly indicate how this has been done.

Content:

We are especially concerned that the Principles and Criteria in their present form do not represent a very high bar for interpreting the REDD+ safeguard provisions of the Cancun Agreement. As you are aware, parties and observers to the UNFCCC are in the process of preparing submissions to SBSTA as it develops guidance on systems for providing information on how the safeguards are addressed and respected. It is critical that any guidance developed by the UN-REDD Programme should advance and not undermine efforts to establish high standards for elaborating Cancun safeguards in this context. Unfortunately, we find that overall the Principles and Criteria in their present form still represent an incomplete and inconsistent elaboration of the safeguard provisions of the Cancun Agreements. For example:

Principle 1 – Comply with standards of democratic governance

Principle 1 and related criteria still do not represent a comprehensive interpretation of “effective and transparent national forest governance structures”. It is stated in the Comments and Response matrix provided with the latest draft of the Principles and Criteria that the FAO/Chatham House work will be encompassed in a revised version, but this is not reflected in the version from 30 June 2011. The outputs of other forest governance-related work directly and indirectly referred to in our original submission are not discussed in the response matrix or reflected in the latest version of the Principles and Criteria. As a result, the criteria still represent a narrow interpretation of governance. The Principles and Criteria should build on recent expert processes on governance for REDD+ such as those led by Chatham House/UN-REDD, World Bank/FAO, and the WRI Forest Governance Initiative.

In general, it would be helpful if each of the Principles and Criteria were accompanied by a description of what other processes and inputs informed their development.

Principle 2 – Respect and protect stakeholder rights

As with most of the Principles, the individual criteria in Principle 2 are important but do not cover all relevant considerations.

The criteria omit important considerations for respecting and protecting the rights of indigenous peoples and forest communities, in particular how issues of land tenure, including customary rights, and associated carbon rights will be addressed. They fail to provide for a redress mechanism, such as a complaints body or conflict resolution mechanism, that can respect and protect stakeholder rights through recognition of traditional laws and customs. Similarly, the criteria should include express reference to the need to provide local people with timely and culturally appropriate access to relevant information.

Principle 3 – Promote and enhance sustainable livelihoods

The criteria under Principle 3 appear to be aimed more at promoting livelihoods co-benefits than at avoiding negative impacts on forest-dependent livelihoods. However, the criteria under Principle 2 on respecting and protecting stakeholder rights are not sufficiently robust and comprehensive to address the potential threats posed by REDD+ to the livelihoods of forest-dependent communities.

Principle 4 – Contribute to coherent low-carbon, climate-resilient and environmentally sound development policy, consistent with commitments under international conventions and agreements

Although Principle 7 addresses the need to minimise the effects of displacement of changes in land use on carbon stocks, biodiversity and ecosystems services, Principle 4 nor any other does not include a criterion to ensure overarching actions to reduce leakage.

Principle 5 – Protect natural forest from degradation or conversion to other land uses, including plantation forest

Although it is welcome that Principle 5 recognises the importance of natural forest, the Principles and Criteria should also specifically emphasise the need for protection of intact forest landscapes in recognition of their significant value for mitigating and adapting to climate change, biodiversity and livelihoods.

It is unclear why Criterion 15 calls for countries to “Minimise degradation of natural forest by REDD+ activities”. REDD+ activities should not cause any degradation of natural forest and should instead reduce degradation.

Principle 6 – Maintain and enhance multiple functions of forest to deliver benefits including biodiversity conservation and ecosystem services

Under Criterion 17, forest management should not only maintain and enhance those ecosystem services and biodiversity that are important in local and national contexts but also prioritise those that are important at the global level.