



INTRODUCTION: THE “CANCUN SAFEGUARDS”

The Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC), at its 16th meeting in 2010, adopted the Cancun Agreements¹, under which it was agreed that Parties which, on a voluntary basis, decide to implement REDD+ should promote and support seven safeguards throughout the implementation of the five REDD+ activities. Referred to as the “Cancun safeguards”, under the Appendix of the Cancun Agreement, these seven safeguards are:

- a) That actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements;
- b) Transparent and effective national forest governance structures, taking into account national legislation and sovereignty;
- c) Respect for the knowledge and rights of Indigenous Peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples;
- d) The full and effective participation of relevant stakeholders, in particular Indigenous Peoples and local communities, in the actions referred to in paragraphs 70 and 72 of this decision;
- e) That actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions referred to in paragraph 70 of this decision are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits;

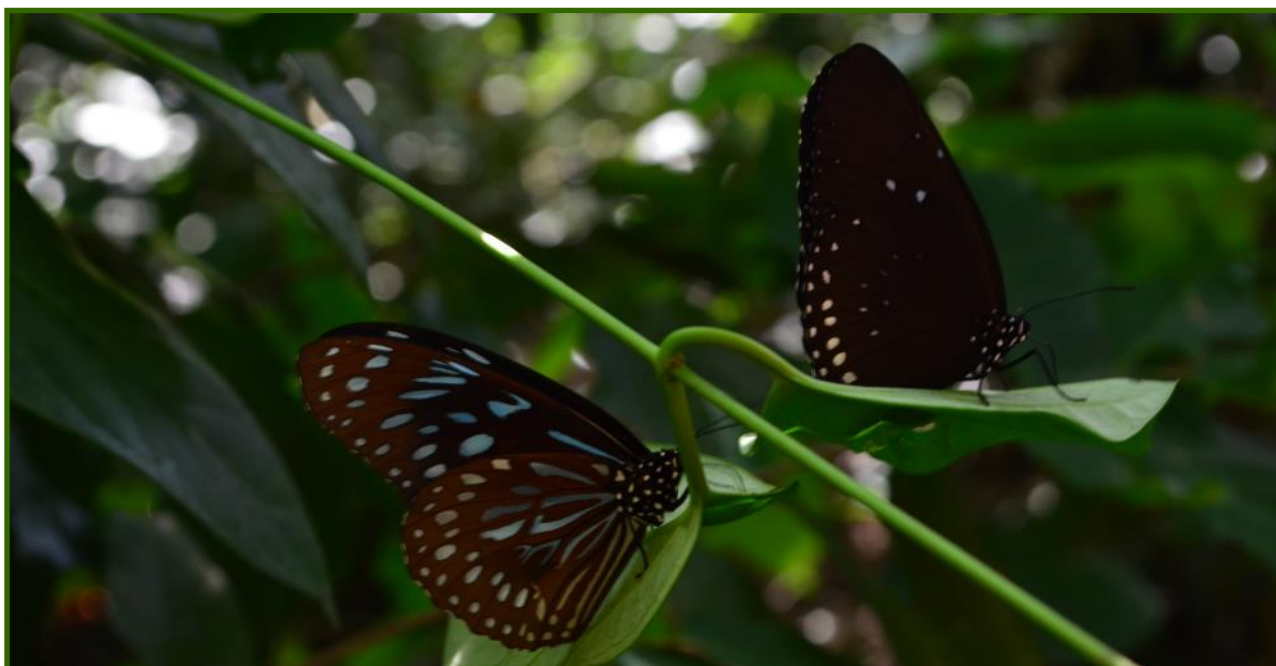
¹ Decision 1/CP.16: Section C: Policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries.

- f) Actions to address the risks of reversals; and
- g) Actions to reduce displacement of emissions.

Furthermore, Parties were requested to establish a safeguards information system (SIS) to demonstrate how the seven safeguards are being addressed and respected throughout the implementation of the REDD+ activities and provide a summary of information on this to the UNFCCC.

The COP at its 17th meeting in Durban (Decision 12/CP.17)² decided that the SIS should “*provide transparent and consistent information that is accessible by all relevant stakeholders and updated on a regular basis; be transparent and flexible to allow for improvements over time; ... be country-driven and implemented at the national level; and build upon existing systems, as appropriate.*” At its 19th meeting, the COP (Decision 12/CP.19)³ decided that countries should start providing the summary of information “*after the start of the implementation of [REDD+] activities*” and that the frequency of subsequent presentations of the summary of information “*should be consistent with the provisions for submissions of national communications*” from non-Annex I Parties. Also at COP19 Parties decided (decision 9/CP.19)⁴ that the most recent summary of information on how all the safeguards have been addressed and respected should be provided before countries become eligible for results-based finance.

As part of its support to countries, the UN-REDD Programme organized an Asia/Pacific Expert Consultation on Safeguards and SIS in March, 2015. Six countries in the region that have made progress on REDD+ exchanged experiences on several issues and derived lessons that may assist other countries in understanding how to address and respect the Cancun Safeguards, develop the SIS and produce a summary of information.



² Decision 12/CP.17: Guidance for systems for providing information on how safeguards are addressed and respected and modalities relating to forest reference emission levels and forest reference levels referred to in decision 1/CP.16.

³ Decision 12/CP.19: The timing and the frequency of presentations of the summary of information on how all the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected.

⁴ Decision 9/CP.19: Work programme on results-based finance to progress the full implementation of the activities referred to in decision 1/CP.16, paragraph 70.

ISSUE 1: THE COUNTRY-LED SAFEGUARDS APPROACH

Many of the COP decisions emphasize consistency with national sovereignty and national legislation, and the importance of taking account of national circumstances and respective capabilities. Thus, it is important for countries to design and implement an approach to addressing and respecting the Cancun safeguards and developing an SIS that is specific to national circumstances.

Country Experiences Box 1: Indonesia

- The Country-Led Safeguards Approach has proven to be a valuable means for capacity building (through “the learning by doing” process). It has provided a valuable opportunity to understand the progress of REDD+ in the country, to identify obstacles early on, and to explore possibilities for improvement in the future. Together with a multi-stakeholder process and collaboration with international partners, it has proven to be an effective and acceptable approach for broader groups of REDD+ actors in Indonesia; and
- But it is also a resource-demanding process to deal with the national and sub-national circumstances, with a diversity of interests and expectations of stakeholders (demands significant time, commitment, passion and financial resources).

Country Experiences Box 2: Papua New Guinea

- Recognizing the time taken to effect legal reforms, PNG has adopted a “**twin-track approach**”, under which reforms on current legal documents to ensure consistency with the Cancun safeguards will be pursued, while at the same time new REDD+ social and environmental standards are developed; and
- In a country as diverse as PNG, it is extremely challenging to ensure that stakeholders have the capacity to engage in a meaningful way in a country-led approach, yet this is essential to build ownership, so there has been special emphasis on capacity building.

KEY LESSONS:

- Cancun safeguards should be interpreted in the specific national context, including the country’s selection of REDD+ activities, the identified drivers and the relevant Policies and Measures (PAMs) rather than dealt with in isolation;
- Differing expectations and understanding of the safeguards among stakeholders can constitute a major challenge for a national approach - a national dialogue is important, but is also time consuming, so should be planned for accordingly;
- Work on Safeguards/the SIS should ensure regular feedback with other Cancun readiness elements, especially the definition of the policies and measures as part of the development of the National Strategy/Action Plan (NS/AP), and the National Forest Monitoring System (NFMS). This will assist in ensuring coherence between these different connected readiness elements, facilitate the development of the SIS, and improve the overall efficiency of the readiness process;
- Countries can learn from experiences of other countries, but due to differing national circumstances, should not seek to copy the approach of other countries;
- Countries should develop a simplified interpretation of the safeguards so everyone will understand them easily; and
- Learning from sub-national safeguard systems can save time, money and effort.

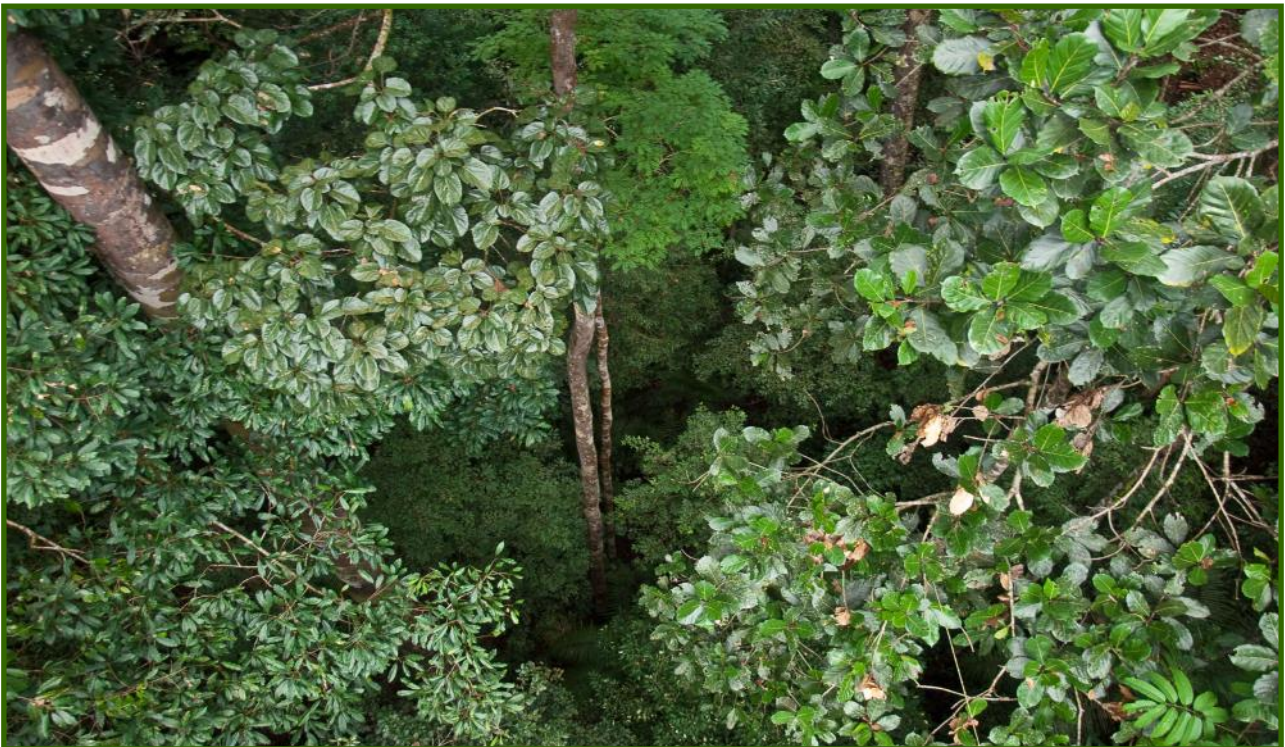


ISSUE 2: ASSESSING EXISTING POLICIES, LAWS AND REGULATIONS (PLRs) AGAINST THE CANCUN SAFEGUARDS

According to the guidance on systems for providing information on how safeguards are addressed and respected, the SIS should take into account national circumstances and recognize national sovereignty and legislation. Building on existing PLRs is an efficient approach as this most likely will mean that fewer new PLRs need to be created for REDD+.

Country Experience Box 3: Viet Nam

- The process drew on additional frameworks, such as the Strategic Environmental and Social Assessment (SESA) of the World Bank and REDD+ SES;
- The review included 30 forest-sector PLRs and 30 non-forest-sector PLRs;
- An analytical matrix was developed with a set of principles and criteria against the Cancun safeguards, and includes set of indicators and diagnostic questions; and
- A multi-stakeholder approach was adopted with meetings of a broad-based “sub-technical working group” on Safeguards; and consultation with various partners.



KEY LESSONS:

- A thorough analysis of existing PLRs, including assessments of their implementation, can help identify how existing measures may ensure that the safeguards are being addressed and respected as well as identifying possible gaps;
- To the extent possible, existing policies and regulations should be used to address and respect safeguards, as new laws not only take a long time to be formulated and approved, and but it is also unlikely that REDD+ considerations alone can generate sufficient momentum for creating new laws;
- Countries can benefit by improving existing regulations where necessary and possibly using ongoing legal reforms where possible; and



- Effective consultation is essential. It is useful to think about “Who”, “What”, “When”, and “How”:
 - ◆ “WHO” to engage for what purpose, bearing in mind, resources available: stakeholder mapping – inter and intra stakeholder groups; interests and influence; roles; responsibilities;
 - ◆ “WHAT” to communicate: communications should be simple and adapted to suit audiences;
 - ◆ “WHEN” Start small and expand whenever required; stakeholder engagement should be done strategically engaging the right people at the right time, to avoid unreasonable expectations; and
 - ◆ “HOW” to design an engagement process for different stakeholder groups: be well prepared in terms of communication strategies; managing different interests, interpretation, and expectations; human resource availability; geographical locations; objectives; frequency; and collaboration between government and other initiatives.

ISSUE 3: GENERATING INFORMATION ON SAFEGUARDS

While the UNFCCC decisions do not define how countries should collect information on how the Cancun safeguards have been addressed and respected, countries in the Asia-Pacific region have generally worked towards developing systems based on a Principles (P), Criteria (C), and Indicators (I) framework. This is partly due to the fact that countries already have experiences with PC&I including from forest certification schemes, which to some extent can provide the necessary information.

Country Experience Box 4: Malaysia

- Malaysia found that existing indicators already collected for the International Tropical Timber Organization (ITTO) and the Aichi Targets under the Convention on Biological Diversity (CBD) are useful also in relation to the Cancun safeguards; and
- Based on this, it was concluded that no new Principles, Criteria or Indicators are required.

Country Experience Box 5: Cambodia

A five-step process for developing a PC&I framework has been followed:

- Step 1: Identify principles in Cancun safeguards, UN-REDD’s SEPC and World Bank’s SESA;
- Step 2: Propose criteria and indicators for Cambodia safeguards that respond to Cancun safeguards;
- Step 3: Discuss proposed criteria and indicators with the safeguards technical team;
- Step 4: Conduct consultations at sub/national level; and
- Step 5: Revise proposed criteria and indicators.

Overall, 15 criteria and 31 indicators have been proposed for collecting information on REDD+ safeguards in Cambodia.

KEY LESSONS:

- It is useful to consider information collected by existing programmes, projects and initiatives, such as community forestry programmes, Forest Law Enforcement, Governance and Trade, Payment for Ecosystem Services programmes, sustainable forest management, and other data from government and other sources;
- Managing expectations is important when developing PC&I, as an extensive list of indicators can be difficult and expensive to maintain in the long run;



- Operational cost is an important point to consider when designing a sustainable system;
- One challenge identified in this regard is the multitude of different REDD+ arrangements countries can be engaged in. Some multinational or bilateral initiatives have additional or slightly different safeguards and requirements which add to the complexity of the task for the country; and
- Involving non-state stakeholders in collecting information could be useful, taking into account that national governments will have ownership and responsibility for the information presented.



ISSUE 4: THE SAFEGUARDS INFORMATION SYSTEM (SIS)

The main objective of the SIS is to provide information on how all of the seven Cancun safeguards are being addressed and respected. Countries working on the SIS are faced with a number of questions including how to meet their safeguards requirements under UNFCCC while still keeping the system manageable. For this, the COP guidance that the SIS should be *“transparent and flexible to allow for improvements over time”* is very relevant.

Country Experience Box 6: Nepal

- A multi-stakeholder led process has enhanced national capacity and shared ownership in designing a safeguard system considering national circumstance and capability;
- Work has commenced following a road map for the development of PC&I and an integrated system to pool information/ data from various sources to produce monitoring reports and a national summary report on safeguard implementation;
- The system incorporates a “Grievance Redress Mechanism” to receive feedback from affected stakeholders and to respond to them appropriately;
- Institutional arrangements support multi-stakeholder-led processes to review and improve REDD+ safeguard implementation and reporting; and
- A particular challenge, still unresolved, is to accommodate both national and sub-national information such that it can be reported in both aggregated and disaggregated forms.



KEY LESSONS:

- Countries' safeguards information systems will be different due to:
 - ◆ The nature of the Cancun safeguards and their relationship with national circumstances, relevant REDD+ activities, PAMs, etc.; and
 - ◆ Level of pre-existing sources of SIS.
- Buy-in of policymakers, who need to be prepared to make a commitment to share information, is essential, and this buy-in should be sought at an early stage in the process;
- Cost and practicality are prime considerations in designing a new system, and using examples and experience from other countries is valuable, taking into account that the same solution will not fit all;
- Countries also need to consider the most appropriate means for providing the information in a format accessible to all relevant stakeholders. This requires skills which go beyond the understanding of the Cancun safeguards and how to apply these within the country context;
- Countries should align their safeguards information systems to national agendas related to the environment, forest management as well as Sustainable Development Goals;
- Skills for analysis and interpretation of information collected, as well as skills on how to collate, assemble, and present information are needed, and need to be planned for;
- Sub-national vs national level: REDD+ activities will happen at the local level and data will be aggregated from the sub-national to the national level. But many multiple data entry points can compromise data quality;
- Templates, guidelines and technological solutions to ease the information provision and management burden which will facilitate a workable system; and
- There must be a quality assurance role for the national government.

ISSUE 5: PROVIDING A SUMMARY OF INFORMATION

A summary of information on how the seven safeguards have been addressed and respected should be submitted to the UNFCCC as part of the country's National Communication or on a voluntary basis via the web platform on the UNFCCC website, and is a prerequisite for receiving results-based payments.

Country Experience Box 7: Malaysia

- Malaysia approached addressing the safeguards through its existing forest certification processes;
- There are two parts of the process: stakeholders can provide input through an accreditation process; and the public can also provide inputs;
- Summary of information will be generated through a report, organized in the following structure;

Safeguards	Description	Associated Laws and Principles	Achievement	Remarks

- Responsibilities for updates on policies, laws, and regulations, censuring alignment with principles, criteria and indicators, Aichi Targets, FPIC, and benefit sharing have been agreed with various agencies; and
- Consultations will be conducted at sub-national level.



KEY LESSONS:

- ASEAN already has a common position on the six possible types of information that could be part of such a summary. The core elements are:
 - i. Description of national REDD+ related policies and/or programmes and/or activities;
 - ii. Design of the safeguard information system;
 - iii. Description of the process for developing the system, including stakeholder participation;
 - iv. Description of implementation approaches on how safeguards are addressed and respected;
E.g., Indonesia – development of PC&I and how these are used to assess the extent the Cancun safeguards are addressed and respected.
 - v. Plan for improvement; and
 - vi. Other information as necessary (e.g., Indonesia – PC&I from Participatory Governance Assessment, REDD+ SES, PRISAI, and others; Malaysia – Aichi Target (reversals and displacement); biodiversity hotspots; Viet Nam – FCPF safeguards .



For more information, please contact the UN-REDD Programme Team, the Asia–Pacific Region:

E-mail: ap.unredd@un-redd.org



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