



Definition of the national approach and scope of REDD+ safeguards: lessons learned by Ecuador

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Victoria Suárez, Saraswati Rodríguez, María del Carmen García, Montserrat Albán, Soledad Quintana, and Patricia Serrano

KEY MESSAGES

- Safeguards are a key part of REDD+ readiness phase and of a country's approach to the REDD+.
- Spaces for participation and dialogue that include national and local stakeholders allow them to gain ownership of the REDD+ implementation process.
- Safeguards should be systematically linked with other aspects of the REDD+.
- Cobenefits are essential to starting discussions around safeguards.
- Countries need a communications strategy that creates clear messaging around the concept of safeguards and their function as part of the policies and positive incentives approach known as REDD+.
- Political leadership is essential to promoting the application of safeguards, as is the institutionalization of the processes that have been designed to address and respect these.

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I. Introduction

Ecuador is a country with enormous cultural and biological diversity. The recognition of this wealth has been the driving force behind countless conservation initiatives and the promotion of sustainable development through a harmonious relationship between people and nature.

In this context, Ecuador conceives REDD+ as an initiative that contributes to the country's efforts to reduce deforestation and forest degradation, and to other initiatives that relate to the restoration, conservation, and sustainable use of natural resources and rural development. This approach has been implemented by integrating REDD+ into the country's main public policies and different strategic sectors. The approach to implementing REDD+ recognizes that environmental sustainability is an essential part of Ecuador's sustainability model. Consequently, the country's productive activities must be framed in the context of respect for the rights of nature and other rights that are enshrined in the Constitution, with the aim of achieving sustainable, deforestation-free production.

Ecuador's REDD+ Action Plan, known in Spanish as "Plan de Acción REDD+ Bosques para el Buen Vivir (2016–2025)" (MAE 2016), was developed in line with this approach, and based on a range of studies on the current status of the country's forests and deforestation within its borders. This plan is the policy instrument that contains the directives and guidelines for implementing REDD+ measures and actions within Ecuador and directly addresses the causes of deforestation, taking local needs and development priorities into consideration.

The REDD+ Action Plan seeks to promote the implementation of measures and actions linked to national priority agendas and sector-specific policies in order to address the causes of deforestation and degradation within and outside of forests. It also fosters sustainable and integrated landscape management.

In this context, it is important to consider safeguards that enable authorities to ensure that the measures set out in the REDD+ Action Plan are appropriately implemented and that the relevant local and national stakeholders are involved in this process, and that it complies with individual and collective rights and the rights of nature. These safeguards constitute a set of measures to avoid or minimize social and environmental risks while also promoting the cobenefits of implementing REDD+ and seeking to give effect to the associated rights (MAE 2016).

Under the leadership of the Ministry of the Environment of Ecuador (known by its initials in Spanish - MAE), processes and actions were implemented that were key to addressing and respecting the safeguards during REDD+ readiness phase. By systematizing and sharing the lessons learned from this process, Ecuador's experience can support the REDD+ safeguard processes taking place in other countries.

II. International context for REDD+ safeguards

As part of the United Nations Framework Convention on Climate Change (UNFCCC), to which Ecuador has been a signatory since 1992, certain guidelines have been agreed in relation to approaches to addressing and respecting REDD+ safeguards. According to the first decision of the 16th Conference of the Parties (COP16) to the UNFCCC, known as the Cancun Agreements, seven safeguards were established (Decision 1/CP.16, appendix 1), which must be promoted and supported in the implementation of all REDD+ activities.¹

¹ REDD+ activities are (Decision 1/CP.16, paragraph 70):

- (a) reducing emissions from deforestation;
- (b) reducing emissions from forest degradation;
- (c) conservation of forest carbon stocks;
- (d) sustainable management of forests;
- (e) enhancement of forest carbon stocks.

These seven safeguards are as follows:

- **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 Decision 1/CP.16.
- **E:** That actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions referred to in paragraph 70 of Decision 1/CP.16 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.
- **F:** Actions to address the risks of reversals.
- **G:** Actions to reduce displacement of emissions.

In addition, developing countries wishing to implement REDD+ activities are required to develop a system for providing information on how the safeguards are being addressed and respected throughout the implementation of REDD+ activities, according to their respective circumstances and capacities.²

Third, in relation to safeguards, developing countries wishing to implement REDD+ activities must provide a summary of information on how the safeguards are being addressed and respected throughout the implementation of

REDD+ activities. This summary of information should be provided periodically and is to be included in national communications or through other communications channels that may be established (Decision 12/CP.17).

Developing countries that are interested in receiving results-based payments should also present an up-to-date summary of information before receiving such payments (Decision 9/CP.19). Finally, to ensure transparency, consistency, effectiveness, and a complete report on how safeguards are being addressed and respected, it was decided at COP 21 that summaries of information should indicate which REDD+ activity or activities are included in them. Coverage of the following elements is also strongly encouraged, where appropriate (Decision 17/CP.21): (a) information on national circumstances relevant to addressing and respecting the safeguards; (b) a description of each safeguard in accordance with national circumstances; (c) a description of existing systems and processes relevant to addressing and respecting safeguards; and (d) information on how each of the safeguards has been addressed and respected, in accordance with national circumstances.



² Decision 1/CP.16, paragraph 71, item d.

III. The national context for REDD+ safeguards

Ecuador's approach to safeguards

The effort devoted to address³ safeguards was a cornerstone of the development of the REDD+ Action Plan. Many of the principles that derive from safeguards have guided the development of processes and actions to prepare for and implement REDD+.

Ecuador's approach to safeguards is based on the country's existing legal, political, and institutional framework (MAE 2014); it is determined by the Constitution of the Republic of Ecuador, which establishes a favorable, encouraging context for the application of the rights-based approach linked to REDD+ safeguards.

Within the country, the safeguards seek to strengthen the application of existing regulations and policies and compliance with them. Safeguard-related actions emphasize focus on local communities, nationalities and peoples existing in the country (indigenous, Afro-Ecuadorian and Montubio), women, and other priority groups⁴ (MAE, PNC ONU-REDD and CI-Ecuador 2014).

The country's efforts have also prioritized the generation of social and environmental cobenefits, additional to climate change mitigation, in line with national priorities. These cobenefits are linked to the REDD+ measures and actions defined within the country. In this way, the country hopes that REDD+ actions will provide sustainable economic alternatives for the communities and stakeholders that implement

them locally, thus contributing to their development.

Ultimately, the implementation of REDD+ measures and actions combined with the process of addressing safeguards contributes to national goals and priorities, in line with factors and instruments set out in Ecuador's legislation.



National scope/interpretation of safeguards

Taking the seven UNFCCC safeguards as a benchmark, the scope of these in Ecuador was defined⁵ within the country's legal, political, and institutional framework. The scope determines how the country interprets each of the Cancun Safeguards and identifies the priority topics for each safeguard (MAE 2016, annex 2).

This safeguards scope was established following an analysis of three key factors: i) the relevant legal, political, and institutional framework for the safeguards; ii) the identification and prioritization of risks and potential social and environmental cobenefits associated with the implementation of REDD+; and iii) tools used by relevant international initiatives for reporting on REDD+ safeguards.

³ The term "address" comes from the UNFCCC decisions on safeguards. Ecuador defines addressing safeguards as the "guidelines and procedures that are developed by a country to take into consideration the principles established by the safeguards based on the legal, political, and institutional framework in place, seeking to reduce potential risks associated with the design and implementation of REDD+ and promoting cobenefits in social and environmental spheres" (translation from the glossary of the REDD+ Action Plan).

⁴ Article 35 of the Constitution of Ecuador establishes priority groups as being: elderly persons, girls, children, adolescents, pregnant women, persons with disabilities, persons in prison and those who suffer from disastrous or highly complex diseases, persons in situations of risk, victims of domestic and sexual violence, child mistreatment, and natural or manmade disasters.

⁵ The national scope of safeguards is the framework for action for each of the seven safeguards that were defined at the 16th Conference of the Parties (COP) to the UNFCCC in Cancun (2011). This establishes the parameters based on which the safeguards will be addressed and respected at the national level as part of the implementation of REDD+.

Risks and cobenefits⁶ were identified and prioritized through a participatory process involving different stakeholders in national, regional, and local workshops. The following criteria were taken into consideration when prioritizing cobenefits: i) relevance to UNFCCC safeguards; ii) relevance to the country's social and environmental policy objectives; iii) availability of data and information; and iv) spatial variability of the cobenefit.

The combination of the factors that were analysed guided the establishment of the national scope of safeguards. The aim was to agree on an approach to and scope of safeguards that would be compatible with different processes and which would enable the development of an information system for reporting on how safeguards are being addressed and respected.

IV. The methodology for drafting this document

In order to gather information and draft this document a focus group was held in June 2015, which sought to information on perceptions, experiences, and learning in relation to safeguards and Ecuador's progress in this regard. This study was carried out as part of a consultancy work that sought to identify the lessons learned from the implementation of Ecuador's UN-REDD+ National Joint Programme.

The focus group included members of the country's Safeguard Facilitating Team⁷ and UN-REDD+ technical staff who helped during the REDD+ readiness stage in Ecuador. The group discussed three main areas or topics:

- i) technical and participatory processes;
- ii) strategies to link safeguards with other outcomes; and
- iii) regulatory/normative elements.

The aim was to answer the following questions for each area: What worked? What could be improved? What should be repeated? With which institution or stakeholders are stronger ties needed? What are the most significant achievements of the safeguard process?

Once this information was compiled, it was systematized according to the pre-established areas. Relevant information was also added on the lessons learned identified after the focus group was convened, which were documented by the REDD+ technical team at the Ministry of the Environment.

The following section presents the key lessons learned that were identified from the process of defining the approach to safeguards and the scope of these in Ecuador. The lessons learned in relation to the design and development of the Safeguards Information System are not included in this document, but will be presented subsequently.



⁶ This publication received support from the United Nations Environment Program World Conservation Monitoring Centre (UNDP/WCMC) (MAE 2013).

⁷ The group was made up of technical staff from the Ministry of the Environment (which led the team), Conservation International – Ecuador, and the UN-REDD Joint National Programme. The team was established to provide technical support for the processes of promoting and respecting safeguards in Ecuador during the REDD+ readiness preparation stage. The team contributed to and monitored progress on safeguards from 2013 to mid-2015.

V. Lessons learned

The following lessons have been identified on the basis of Ecuador's experience:

- 1. At the start of the REDD+ readiness process, there should be an analysis of how compatible and aligned the safeguards are with the country's constitutional, legal, and regulatory framework.**

The first step towards interpreting safeguards in the context of a given country is to analyse the existing constitutional, legal, and regulatory framework in order to identify synergies, gaps, and opportunities for promoting ways to address and respect the safeguards. This allows countries to establish standards that guarantee the rights associated with the safeguards established as part of REDD+. Subsequently, there needs to be an analysis of institutional competencies to define which agencies or bodies will be responsible for ensuring the compliance with these rights. This analysis will also provide information on certain stakeholders or organizations that should be involved in the process of addressing and respecting the safeguards.

Also, this analysis may lead to identifying legislation that may be needed to establish how REDD+ will be implemented, which might include guidelines for addressing and reporting on safeguards. Should this be the case, this legislation should be flexible and allow improvements to the REDD+ implementation process, along with incentives for the relevant stakeholders to be involved and put forward proposals that contribute to the country's undertakings.

In Ecuador, an approach to safeguards was established to contribute to the application of different legal instruments that are relevant to promoting and supporting social and environmental safeguards.

- 2. Safeguards are a key part of REDD+ readiness phase, which guides the country's approach to the REDD+.**

To establish how safeguards will be addressed and respected, it is essential to have a clear vision of how the country envisages and understands REDD+ according to its priorities, needs, and local circumstances. To achieve this, the country needs to involve different institutions and stakeholders who will contribute to building the national approach to REDD+ and to REDD+ safeguards. This can begin with a general vision that then evolve and become clearer as the REDD+ readiness phase progresses.

Ecuador conceives REDD+ as an initiative that contributes to the country's efforts to reduce deforestation and forest degradation, and to initiatives that relate to restoration, conservation, sustainable use of natural resources and rural development. Safeguards are a set of measures that seek to strengthen the application of existing regulations and policies relevant for the respect of rights.

The definition of the approach to REDD+ safeguards is strongly associated with the country's REDD+ approach in general, so both should be developed together. For example, safeguards provide guidance for priority groups and REDD+ beneficiaries and point to which cobenefits should be prioritized. This enables countries to develop a REDD+ approach that avoids or minimizes risks while promoting social and environmental benefits. Safeguards also promote the consideration and inclusion of criteria related to gender, intercultural, and intergenerational approaches as part of the country's effort to implement REDD+.

3. A review of the tools and initiatives already in place within the country and the safeguard policies of international institutions contribute to defining the sphere of action for safeguards.

An analysis of the policies, programmes, and projects already in place within the country provides information on the processes and actions that are being implemented and may contribute to the application of safeguards.

Furthermore, a review of the social and environmental safeguard policies established by international institutions, financial organizations, and possible donors (such as the World Bank, and the safeguard policies of UN agencies, among others) can guide the development of the country's approach to safeguards, which defines a comprehensive process that is in line with the country's objectives and allows to comply with different international commitments and requirements from financial sources or REDD+ donors.

4. Ensuring spaces for participation and dialogue that include national and local stakeholders allows them to make the REDD+ implementation process their own.

National and local spaces for participation and dialogue are fundamental for approaching issues that are relevant to the implementation of REDD+ and promoting respect for safeguards.

This undertaking requires the consideration of different participation strategies (such as those needed for government institutions, academia, the private sector, and local organizations), including specific strategies that target local stakeholders such as indigenous communities and peoples. Creativity and hard work are needed to develop communication materials that support participatory processes and initiatives to develop and build capacities. To achieve this, it makes sense to involve outreach and advocacy organizations that work in the field of social participation.

As a result of Ecuador's efforts, the country has a participatory institutional space, the "REDD+ Work Group," which is a platform for stakeholder engagement and dialogue between the Ministry of the Environment and civil society organizations; it provides support for REDD+ readiness and implementation.



5. It is vital for the country to establish a strategy and mechanisms for linking safeguards with other core pillars of REDD+ readiness and with other factors that are necessary for implementing REDD+, and to do so in a crosscutting fashion.

The adoption of a comprehensive approach that connects the elements of REDD+ allows different issues to be brought together and the links between these to be strengthened. It is worth considering the link between safeguards and the definition of REDD+ measures and actions, along with other topics such as dispute settlement, consultation, the distribution of benefits, and a gender-based approach. In this way, safeguards fulfill a crosscutting role by providing guidance to ensure that REDD+ is implemented appropriately, efficiently, and transparently, with an emphasis on respect for rights. In Ecuador, many principles that were derived from the safeguards informed the development of processes and actions for the REDD+ readiness phase. Examples of this include the processes for stakeholder engagement, the identification of REDD+ measures and actions, and capacity-building, among others.

Furthermore, there are close ties between the National Forest Monitoring System and safeguards, as the former contributes to the safeguards report, especially in relation to the final three safeguards (E, F, and G).

6. The identification of social and environmental risks that could be associated with the implementation of REDD+ must be carried out in a participatory fashion that includes debate at the local and national levels.

The identification of social and environmental risks should result from a discussion at the national, subnational, and local levels and of a collective analysis made by different stakeholders whose knowledge, experience, and priorities enrich this process. To achieve this, it is essential to garner close support from the institution responsible for REDD+ readiness, through authorities and government officials who understand the importance of participation in making initiatives viable and prioritizing issues that are relevant for the country.

Depending on the country's needs, pedagogical mediation and educational innovation may be required to facilitate the understanding of these issues and the subsequent identification of risk factors. It may also be of interest to use methodologies that are tailored to the target audience, such as games or visual aids.

Ecuador identified risk factors through national and local workshops, which was made possible by its participation as a pilot country in the REDD+ Social and Environmental Standards (REDD+ SES) initiative⁸.

7. Cobenefits are essential factors for beginning discussions around safeguards.

⁸ The REDD+ SES initiative was created to develop voluntary standards for best practices through a multi-stakeholder process for implementing and reporting on the social and environmental performance of government-led REDD+ programs and related low-emissions land use. It then evolved into a source of support for developing and implementing safeguards for national REDD+ strategies or action plans (<http://www.redd-standards.org/redd-ses/about-the-initiative>).

Although safeguards are important because of their role in risk prevention and mitigation, and the support they provide for the respect of the rights, they also have a fundamental function in the promotion of social and environmental benefits beyond emissions reduction, which are known in the country as cobenefits. Presenting REDD+ as an opportunity to generate cobenefits will garner political support for REDD+. Furthermore, actions that seek to promote social and environmental cobenefits create interest and facilitate dialogue with people.

Ecuador's approach to REDD+ was strengthened by the fact that cobenefits were prioritized from the beginning of the readiness phase and were taken as a criterion for defining and prioritizing measures and actions. This positioned the country's proposal as a "high-quality REDD+ approach." Activities were also carried out to map priority cobenefits, with the aim of obtaining data that would inform the implementation of actions in different parts of the country.

8. Countries need communications strategies that create clear messaging around the concept of safeguards and their function as part of REDD+, which encompasses policy approaches and positive incentives.

To ensure that people understand safeguards and other issues related to REDD+, the country stakeholders need to provide pedagogical mediation of contents, build and strengthen capacities, and broadcast information appropriately (according to local circumstances and target audiences). The aim of this is for people to understand terms such as *safeguard*, *governance*, *participation*, and *risk*; which also enables these terms to be associated with local concepts that help position them in people's understanding, thus promoting public appropriation of safeguard processes.

Another aspect worth considering is the importance of having a detailed planning which

identifies the needs of different actors and establishes a suitable way of generating interest and starting discussions with relevant stakeholders. It makes sense to present safeguards pragmatically, associating them with actions that stakeholders carry out and rights that are priorities for them.

9. To sustain efforts and promote the application of safeguards, political leadership is essential, as is the institutionalization of the processes that have been established to address and respect safeguards.

It is fundamental to make the most of key political moments to position strategic topics and drive decision-making, which may be guided by advice from different institutions and stakeholders. To achieve this, there needs to be a balance between the political and technical perspectives, so they complement each other to achieve the aim in view.

If REDD+ measures and actions are to be implemented efficiently and appropriately, and the corresponding safeguards applied, there needs to be coordination and links with institutions and stakeholders in sectors related to the causes of deforestation and forest degradation. However, organizations and agencies that have jurisdiction or carry out actions that support respect for safeguards must also be involved.

The process also stands to benefit from having a support team that fosters and reinforces processes to promote and encourage respect for safeguards. This team should be interdisciplinary (including members from environmental, social, economic, and legal backgrounds, among others), taking into consideration the different issues and principles covered by safeguards. It is also useful for teams to include members with experience and knowledge of safeguards, participatory processes, rights, and related topics.

10. The implementation of safeguards is connected to the country's approach to these and their national scope/interpretation.

A country's approach to safeguards and the scope or interpretation of these should inform the development of procedures and actions that allow safeguards to be applied, along with the development of information-reporting tools and formats.

Furthermore, given that the existing legal framework and the instruments defined for executing public policies are considered to be the basis for safeguards, their implementation allows established processes and institutional capacities to be strengthened. This is key to uniting efforts and making REDD+ actions and results sustainable. This process is in keeping with a comprehensive national approach to safeguards, which is important for reducing the risk of reversals and displacement of emissions.

Countries should not overlook the opportunity that safeguards represent for issuing recommendations that strengthen the social and environmental performance of the measures and actions established to implement REDD+.

References

UNFCCC decisions:

- Decision 1/CP.16, paragraphs 70–72 and appendix 1.
- Decision 12/CP.17, paragraphs 1-4.
- Decision 9/CP.19, paragraphs 4 and 11.
- Decision 17/CP.21, paragraphs 3 and 5.

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