Country Approach

The land administration structure in Malaysia demarcates the power to manage land to the State Authority as land is a State matter pursuant to the Federal Constitution of Malaysia. States will formulate Regulations in support of the national laws and policies. The National Land Council, a council mandated by the Federal Constitution monitors the implementation of the forest related laws and policies.

Malaysia understood 'addressed' as law, regulations or policy that will ensure REDD+ safeguards are considered while respected refers to how these safeguards are applied when REDD+ activities are implemented. For Malaysia, the REDD+ activities and safeguards are complimentary.

With this understanding, Malaysia divided the Cancun safeguards into three broad categories as follows:

  a.   Governance – National and Sub national responsibilities

  b.   Social – Sub national obligation with monitoring at National level

  c.   Environmental – National and Sub national responsibilities

The approach REDD+ SIS in a practical way, where we first understanding the complexity of forest issues, the jurisdiction, assessing the forestry, biodiversity environmental, climate change and other related laws and policies. There are 20 Federal laws and about 30 States laws covering from environmental, trade of endangered species, social and well being of workers. At least seven policies are directly related to the Cancun safeguards. Then we matched these with the requirements for REDD+ SIS and tried to fill the gaps.

Safeguards criteria and indicators

Malaysian Criteria and Indicators for Sustainable Forest Management for Forest certification considers consists of 9 principles, 47 criterion and 97 indicators and 307 verifiers. Independent auditors conduct the audit three years once with an annual surveillance audit. Of these, 5 principles are directed related to the Cancun safeguards. They are:

Principle 1 - Compliance with Laws and Principles: Forest management shall comply with all applicable laws of Malaysia and respect international treaties and agreements to which Malaysia is a signatory, and comply with all the Principles and Criteria contained in this standard.

Principle 2 - Tenure and Use Rights and Responsibilities: Long-term tenure and use rights to the land and forest resources shall be clearly defined, documented and legally established.

Principle 3 - Indigenous Peoples' Rights: The legal and customary rights of indigenous peoples to own, use and manage their lands, territories, and resources shall be recognized and respected.

Principle 4 - Community Relations and Worker's Rights: Forest management operations shall maintain or enhance the long-term social and economic well-being of local communities and forest workers.

Principle 5 - Benefits from the forest: Forest management operations shall encourage the efficient use of the forest's multiple products and services to ensure economic viability and a wide range of environmental and social benefits.

In addition, the achievement of Aichi Target no 3,4,5,7,11,12,14 and 15 will also address the risk of reversals and displacement.

Design of SIS

The SIS will be hosted by Ministry on Natural Resources & Environment (NRE) with the following features:

    a. Description of national circumstance associated with each safeguard, the principle, criteria, indicators and level of achievement as reported by auditors.

    b. Links with FORMA – public monitoring system

    c. FPIC if applicable

    d. Grievance report if any

    e. Maps of REDD+ activity

    f. Links to Aichi Targets achievement

These features will ensure transparency and effectiveness of the SIS.

Two level of access is available:

    a. Designated reporters with id

    b. Public reporting portal

    c. Report summary

Preparing a Summary of Information

A summary report will be generated by the system providing information in an organized manner. The system is currently under construction.

* **Key lessons from Malaysia to share with other countries**

    a. Managing expectations of various stakeholders while not encroaching into their jurisdiction.

      ⇒ Understand the expectations of stakeholders in the context of REDD+ implementation, where it is a step-wise approaches

      ⇒ Ensure key features and elements are addressed and not carried away by perception.

      ⇒ Building confidence amongst stakeholders

    b. Translating the Cancun safeguards to national circumstances

      ⇒ What does each safeguard mean at national level?

      ⇒ Are there relevant information, process or policy or law available to address and respect each safeguard

      ⇒ What are the enablers?

    c. Information assemblage for transparent, consistent and comprehensive manner

      ⇒ This is the most important part of the SIS.

      ⇒ Collate, analysis and presentation of information is important

      ⇒ Good IT consultant can help develop SIS in an organised manner

For more information, please contact the contributor and the Malaysia Team:

Dr. Elizabeth Philip

Email: philip@frim.gov.my