

Minutes

Teleconference with the Cambridge University REDD+ Law Project and the UN-REDD Programme

21 June 2012, 14.00-15.00 CET

Attendance:

Cambridge University, Department of Land Economy,
Programme for Forest Carbon Law and Policy: Sophie Chapman,
Baker and McKenzie, Affiliate of the Cambridge Centre for Climate
Change Mitigation Research: Martijn Wilder
UNEP-WCMC: Blaise Bodin
FAO: Patrice Talla, Francesca Felicani Robles, Emelyne Cheney
UNDP: Leo Peskett, Silje Haugland
UN-REDD Programme Secretariat: Thais Linhares-Juvenal, Helena Eriksson

Agenda:

1. Presentation of the REDD+ Law project by the Cambridge University.
2. Presentation by the UN REDD Programme participating agencies.
3. Discussion of possible areas of cooperation.
4. AOB.

1. Presentation of the REDD+ Law project by the Cambridge University.

- The conference call had the objective to allow the Cambridge REDD+ Law Project to introduce their work and explore potential of collaboration with the UN-REDD Programme.
- Cambridge University gave a presentation on the REDD+ Law Project concept, implementation partners (GLOBE, ODI, FFI and others), management, key issues for the private sector, methodology, deliverables, progress, possible points of collaboration with the UN-REDD Programme. (See presentation in Annex 1). There is a commitment and desire to contribute to the REDD+ implementation and a key point is how the REDD+ legal frameworks can be designed to protect local communities and encourage investment.
- The presentation was complemented by the University mentioning examples of legal issues causing REDD+ projects to fail and where it is a need for support; issues related to national governments systems, constitutions, legal ownership of land, hinders for national and foreign companies to invest, ecosystem services constraints, provincial and national interests do not meet, IP's legal rights not addressed, corruption etc. E.g. Australia invested in Indonesia but no-one had looked into governance which caused major problems. If these problems are not resolved the REDD+ initiatives will not work. The University also mentioned that donors also need to have assurance that the counterpart country meets certain criteria.

Further, the Cambridge REDD+ Law Project highlighted that there is a need to develop carbon rights but the needs and interpretations vary across countries. For example the interpretation by

California and Australia of carbon market mechanisms compared to PNG and Indonesia are quite different.

- The Cambridge REDD+ Law Project stressed the need for domestic/country level laws feeding into the global REDD+ process to make the long term REDD+ work. The aim of the project is to identify legal framework gaps and to learn from experience at country level and bringing the knowledge to a global level to avoid as far as possible any failures when starting new projects/initiatives.

2. Presentation by the UN REDD Programme participating UN Agencies and WCMC/UNEP.

- FAO mentioned that there are several similarities between FAO's work and Cambridge REDD+ Law Project. There is the FAO Legal REDD+ project within which FAO's legal office provides technical support upon requests from governments and work in a participatory process with all stakeholders. FAO reviews the legal framework (existing laws and policies) related to REDD+ and legal preparedness, encompassing land tenure, safeguards, and socio economic assessments undertaken jointly with UNDP, among others. Community and beneficiaries needs are addressed. There are lessons learnt from the country studies conducted in Zambia, Vietnam and Mexico in 2011 where existing laws and institutions relevant to REDD+ and legal preparedness were reviewed. Cross-sectorial issues and recommendations of ways forward can be drawn from these studies. There are also the FAO voluntary guidelines on forestry, fisheries and land tenure, which is a key document applied by all departments. FAO does not look into investment or the private sector.

FAO will organise a Legal Expert Consultation Meeting in Rome during the COFO and the World Forest Week (24-28 September 2012). FAO looks forward to sharing further experience and to know more about expectations on cooperation from the University at the meeting.

- With response to the Cambridge Project's query on geographic distribution, FAO informed that its work is always initiated upon country requests. The legal preparedness work focuses on all UN-REDD partner countries and not only those with National Programmes, i.e. 44 partner countries spanning Africa, Asia-Pacific and Latin America, of which 16 are receiving support to National Programme activities.
- UNDP explained its focus on legal support to strengthening parliaments as institutions of governance and engaging them within the REDD+ context. The work is undertaken through interagency coordination working with mainly FAO, but also with other partners such as GLOBE. The works also relates to governance assessments as per request from the countries, as well as benefit sharing, anti-corruption and demands from countries for investment frameworks and private sector involvement as part of RPP preparation. UNDP looks forward to further ideas of collaboration and to continue the dialogue. Of special interest is the land tenure issue and private sector investment.
- WCMC described the collaboration with the REDD+ Law Project as providing advice and working on project level analyses. There are areas of complementary work and they will continue the collaboration with the Project. Further information will be provided on the private sector work and the collaboration with UNEP.
- UNDP asked for clarification on the areas of private investment that the REDD+ Law Project addresses. The types of investments the Project are looking into refer to government public money, voluntarily contributions and market drivers of carbon credits. (Only the California scheme accepts REDD+ credit as of today).
- The way of working with the countries was discussed by the concall participants. To make it sustainable, the Cambridge REDD+ Law Project stressed their bottom up approach, focused more

on projects and communities demands looking into problems at ground level for applying the lessons at universal ground. FAO described their work with all stakeholders in the countries, having the governments as entry points and working upon requests and policy queries.

3. Discussion of possible areas of cooperation.

There was no time to discuss possible cooperation but it was agreed that the agencies would continue the discussion on potential areas of cooperation with the Cambridge Legal REDD+ Project, as they find needed.

4. AOB.

No other business was reported.