

Myanmar REDD+ Readiness Roadmap

Working Group 3: Stakeholder Consultation and Safeguards

Terms of reference

Co-Chairs:	[to be identified by WG members; one Government co-chair, one non-Government]
Secretary:	Forest Department, assisted by UN-REDD/RECOFTC Coordinator
Advisors:	Jim Stephenson (RECOFTC), Joan Carling (AIPP), Jeannette Gurung (WOCAN), Thomas Enters (UNEP)

Objective:

- *to establish a process for stakeholder engagement during the development of the Roadmap, and to set out a broad strategy for further stakeholder engagement during the preparation of a comprehensive national REDD+ strategy*
- *to identify current measures in respect to the Cancun safeguards applying to forest management in Myanmar, and propose measures to strengthen those safeguards.*

1 Background

As a result of a visit to Myanmar by Mr. Erik Solheim, former Norwegian Minister for the Environment and International Development, in late October/early November 2011, there is interest in Norway in providing support for the REDD+ Readiness process in Myanmar. Subsequently, support from Norway's International Climate and Forests Initiative for the preparation of a REDD+ Readiness Roadmap and funding proposal was sanctioned at environmental ministry level to be delivered through UN-REDD Programme in collaboration with RECOFTC.

An initial scoping mission (July 9th-13th, 2012) yielded recommendations on the process to be followed in preparing a Roadmap and funding proposal. One recommendation was that a Working Group be formed, consisting of selected individuals representing different stakeholder groups, to review existing processes for stakeholder engagement and social and environmental safeguards in relation to forest management in Myanmar.

2 Issues to be Addressed by the Working Group

2.1 Stakeholder mapping

An initial stakeholder mapping exercise was undertaken during the UN-REDD/RECOFTC scoping mission in July 2012 – see Annex 1 for the output of this exercise. The Working Group will:

- Review and validate this mapping exercise.
- Identify their potential roles for all stakeholders
- Further categorize stakeholders according to the influence-interest grid – see below.

Interest	Low	High
Influence		
High		
Low		

2.2 Information on Ethnic Minorities (Indigenous Peoples)

- Compile information on current legislation and policies relating to ethnic minorities and land use, including land and forests rights.
- Identify the ethnic minorities that may be affected by REDD+, i.e. those that live in or near forested areas. Results should be presented in a table as follows:

Region/State	Ethnic minority	Approx. Population size	Predominant livelihoods of ethnic minority

2.3 Gender equity: women

- Describe the role of women in relation to natural resource management (with a focus on forest management), e.g. their decision-making power in family or institutional structures, such as in community groups; whether women are responsible for collecting fuel wood.
- Compile information on current legislation and policies relating to gender equality, including land and property rights, and their implementation and enforcement.
- Identify whether REDD+ may potentially have any specific impacts on women, e.g. if there is restricted access to fuel wood this may result in more work for women, etc.

2.4 Process for stakeholder engagement while preparing Roadmap

- Summarize current and past processes for stakeholder consultation in the forest sector, including past consultations directly related to REDD+.
- Using the results from the stakeholder mapping exercise above, propose a process or mechanisms for involving stakeholders in the preparation of the REDD+ Roadmap. This shall include awareness-raising, information sharing and identifying the concerns of stakeholders on REDD+, capacity needs and key recommendations for their effective engagements in REDD+ processes.
- Identify possible activities for consulting with stakeholders (e.g. forums for discussions, workshops, etc).
- Identify any difficulties that will need to be considered: e.g. literacy rates, how to communicate with remote communities, different languages, seasonal limitations, etc.
- For stakeholders representing the private/business sector, identify industry/commodity associations or other groupings that serve to represent the views of their members.
- Describe how the higher levels of political authority will be informed on the progress of the Taskforce.
- Similarly, propose a process or mechanisms for involving stakeholders in the further development of REDD+ readiness.

2.5 Safeguards

Taking account of the seven Cancun safeguards (see Annex 2), the Working Group should undertake the following activities:

- Compile information on existing information (e.g. forests, biodiversity and ecosystem services and monitoring system for environmental safeguards) and national safeguard policy commitments (and related legislation) in the natural resources sector and other relevant sectors related to each Cancun safeguard.
- Identify the main challenges in the implementation of policies and law enforcement related to each Cancun safeguard.
- Review emerging international safeguard processes (e.g. CCBA's SES; UN-REDD's SEPC), and consider their relevance to existing national safeguard processes.
- Identify the main capacity¹ challenges in the development of a comprehensive system of national safeguards responding to the Cancun agreement.
- Develop a programme of work to establish new, or adapt existing safeguards and proposals for measures to field-test them as part of the process to prepare a National REDD+ Strategy, if feasible.

¹ This overview of capacity challenges should take into account and appropriately distinguish between capacity at the individual, organizational/institutional, and enabling environment (policies, legal framework) level

2.6 Compliance with FPIC and Establishment of a Grievance Mechanism

Recognizing Myanmar's commitment to respect the provisions of the UNDRIP, the Working Group should undertake the following activities:

- Review UN-REDD guidance and the RECOFTC manual on FPIC with a view to identifying possible procedures applicable in Myanmar.
- Identify the functional capacities required by all potential participants in the FPIC process.
- Provide advice on an appropriate approach to piloting FPIC, including a proposed location for piloting.
- Develop recommendations for an effective grievance mechanism that respects principles of effectiveness, efficiency, anonymity and accessibility, and can serve as a means of addressing complaints about FPIC, benefit distribution, and other elements of REDD+ implementation.

3 Outputs

The Outputs of the Working Group will consist of compilations of background materials (studies, reports, legislation, etc.) and minutes and conclusions of each Working Group meeting. The conclusions should consist (wherever possible) of text that can be directly inserted into the emerging REDD+ Readiness Roadmap.

4 Methods of Working

The Working Group will meet regularly – nominally once a month – to develop the information required for the Roadmap, as described above. It is expected that most or all meetings will be in Naypyitaw. The costs of Working Group members located outside Naypyitaw to attend the meetings will be covered.

The duration of the Working Group's work will nominally be 4 months, but the actual duration will be determined by completion of its outputs.

Background information, consisting of existing reports on drivers and underlying causes, legislation and policies, and analyses of options for improved forest management will be compiled by the Forest Department, assisted by the UN-REDD/RECOFTC Coordinator, although any member of the working group or advisors may contribute materials. All background materials will be shared with all working group members, electronically where possible.

For each meeting, the Co-chairs, assisted by the Forest Department and UN-REDD/RECOFTC Coordinator will prepare a brief ToR, defining the purpose of the meeting, the expected result of the meeting, and appending any materials required in preparation for the meeting. This information will be shared with all Working Group members at least

a week before the meeting. Each meeting of the Working Group should seek to cover at least 2 of the 'Issues' described in Section 2.

At each meeting, a secretary will be nominated who will be responsible for recording minutes and conclusions of the meeting. This document, which should include some draft text or bullet points that can be used to draft the relevant sub-sections of the Roadmap, will be shared with all members of the Working Group within one week of the meeting. Comments and corrections may be proposed by any Working Group member within one additional week, after which the minutes and conclusion will be considered final. This document will be sent to the UN-REDD/RECOFTC Coordinator.

While every effort will be made to select a meeting date that will allow all Working Group members to participate, it is inevitable that this will not always be possible. In such cases, Working Group members who are not able to attend a meeting will be provided with all the pre-meeting information, as well as the minutes and conclusions and will be invited to make additional contributions to the conclusions within one additional week.

Annex 1: Preliminary Stakeholder Mapping

Level	Government institutions and agencies	NGOs	Civil Society	Private Sector Associations	Knowledge Institutions	Development Partners
National	<ul style="list-style-type: none"> • Parliament • MOECAF (Ministry of Environmental Conservation and Forestry) <ul style="list-style-type: none"> ○ Forestry Department ○ DZGD (Dry Zone) ○ Department of Environment (new) ○ Myanmar Timber Enterprise ○ Department of Planning & Statistics • MOAI (Ministry of Agriculture and Irrigation) <ul style="list-style-type: none"> ○ Agricultural Services ○ Land settlement and record department • MNPED (Ministry of National Planning and Economic Development) <ul style="list-style-type: none"> ○ Planning Department • MOLF (Ministry of Livestock and Fisheries) • MOI (Ministry of Industry) • MOM (Ministry of Mining) • MOE (Monitoring of Energy) 	<ul style="list-style-type: none"> • WCS • FREDA • ECCDI/FORM • MERN • BANCA • REAM • SPECTRUM • CARE International • Social Vision Services • Pyo Pin Project • AEGD • Other NGOs (TBC) <p><u>NGO Networks</u></p> <ul style="list-style-type: none"> • MERN • Environmental Technical Working Group • Poverty Alleviation Technical Working Group 	<ul style="list-style-type: none"> • Myanmar Women Association • Myanmar Maternal and Child Welfare Association • Veteran Association • Ethnic Group Associations • Media Society • Writers' Association • Social Welfare Association • Religious associations • Professional Associations • Women Empowerment Association <p><u>In progress</u></p> <ul style="list-style-type: none"> • Farmers Association • Student Association • Workers' Association • Red Cross 	<ul style="list-style-type: none"> • Forest Joint Venture(FJV) • UNFCCI (Chambers of Industry) • Timber Merchant Association • Tourism Association • Agro-products Associations • Rice merchants Associations • Forest-products Associations • Bamboo and Rattan Association • Information Technology Association 	<ul style="list-style-type: none"> • University of Forestry (MOECAF) • Forest Research Institute (MOECAF) • University of Agriculture (MOAI) • CFDDC (Forestry Development Training Centre) • Myanmar Forestry School • Myanmar Timber Enterprise Training School • Mandalay University • Yangon University • DAR (Department of Agricultural Research) • State/Region Universities 	<p><u>Multilateral</u></p> <ul style="list-style-type: none"> • UNDP • FAO • UNEP • UN-REDD • UNHABITAT • ITTO • INBAR (International Bamboo and Rattan Association) <p><u>Bilateral</u></p> <ul style="list-style-type: none"> • NORAD • JICA • KOICA • KFS • GIZ • DFID • SIDA (?) <p><u>Private Foundations</u></p> <ul style="list-style-type: none"> • None identified

	<ul style="list-style-type: none"> • MOT (Ministry of Transport) • MOHA (Ministry of Home Affairs) • Attorney General's Office • MOFA (Ministry of Foreign Affairs) • MOF (Ministry of Finance) • Auditor General • MOC (Ministry of Construction) • MOE (Ministry of Education) • Cross Government Committees <ul style="list-style-type: none"> ○ Ethnic Group Committee ○ CDM DNA (Designated National Authorities) ○ NECC (National Environmental Conservation committee) ○ NAPA (National Adaptation Plan) Committees ○ NBSAP (National Biodiversity Strategy Action Plan) ○ National Poverty Reduction Committee 					
State/Region	<ul style="list-style-type: none"> • State/Region Level of Ministry Offices • State/Region Ethnic Ministers 		<ul style="list-style-type: none"> • State/Region offices of CS groups identified above 	<ul style="list-style-type: none"> • Some of above associations have offices at State and Region 	<ul style="list-style-type: none"> • Technological Universities/ Polytechnics • State/Regional universities may be managed by State/Regional Governments in the 	<ul style="list-style-type: none"> • State/Regional offices of development partners

					future under the decentralization process	
District/ Township	<ul style="list-style-type: none"> • District level offices of Ministries • District administrative authorities 		<ul style="list-style-type: none"> • Township offices of CS groups identified above • Various township- specific groups • Hometown Associations 	<ul style="list-style-type: none"> • District/Township offices of national associations 	<ul style="list-style-type: none"> • High Schools • Vocational High Schools 	<ul style="list-style-type: none"> • District/Township offices of development partners

Current and potential roles of government ministries in REDD+ readiness

Ministry	Current REDD+ relevant roles	Potential role in REDD+ Readiness
MOECAF (Ministry of Environmental Conservation and Forestry)	<ul style="list-style-type: none"> -Hosts current REDD Task Force -Responsible for national forest estate -Coordinates climate change policies - Drafts Forest laws -Technical climate change policy analysis and recommendations to MOFA for UNFCCC negotiations 	<ul style="list-style-type: none"> -Lead the National REDD Task Force -Coordinate REDD Readiness -Coordinate REDD Strategy and lead Strategy development -Drafting REDD relevant laws - Continue to conduct technical climate change policy analysis and make recommendations to MOFA for UNFCCC negotiations
MOAI (Ministry of Agriculture and Irrigation)	<ul style="list-style-type: none"> -Agricultural land management -Responsible for forested areas outside of MOECAF designation - Drafts agricultural laws - Carries out land demarcation (Department of Land Reform) -Needs to meet agricultural production targets 	<ul style="list-style-type: none"> -Department of Land Reform-responsible for land demarcation during REDD+ implementation - Draft agricultural laws relevant to REDD -Representation in the National REDD Task Force -Contribute to REDD Strategy
MNPED (Ministry of National Planning and Economic Development)	<ul style="list-style-type: none"> - Coordinates amongst ministries on development issues -Responsible for meeting national economic and development targets (e.g. poverty reduction targets) 	<ul style="list-style-type: none"> -Representation in National REDD Task Force - Tying in REDD with national development plans/planning process -Contribute to REDD strategy
MOFA (Ministry of Foreign Affairs)	<ul style="list-style-type: none"> - Represents Myanmar at a political level in UNFCCC negotiations -Coordinates with ASEAN 	<ul style="list-style-type: none"> - Represent Myanmar at a political level in UNFCCC negotiations - Representation in National REDD Task Force - Contribute to REDD strategy - Coordinate and communicate with ASEAN
MOHA (Ministry of Home Affairs)/Attorney General	<ul style="list-style-type: none"> - Responsible for law enforcement -Administration at state/region level 	<ul style="list-style-type: none"> - Representation in National REDD Task Force - Contribute to REDD strategy
MOF (Ministry of Finance)	<ul style="list-style-type: none"> -Auditing donor aid -Budget control/Allotment 	<ul style="list-style-type: none"> - Representation in National REDD Task Force -Managing Budget for REDD readiness activities
MOM (Ministry of Mining)	<ul style="list-style-type: none"> -Management of Mining companies (Private and Government) 	<ul style="list-style-type: none"> - Representation in National REDD Task Force
MOE (Ministry of Energy)	<ul style="list-style-type: none"> -Oversees biofuel policy and program implementation 	<ul style="list-style-type: none"> - Representation in National REDD Task Force
MOFL (Ministry of Fisheries and Livestock)	<ul style="list-style-type: none"> -Management of fisheries resources within Mangrove zones -Rural development and livelihoods initiatives within mangrove zones -River management within forested areas 	<ul style="list-style-type: none"> - Representation in National --- -- Representation in National REDD Task Force

Annex 2: Cancun Safeguards

When undertaking [REDD+] activities..., the following safeguards should be promoted and supported:

- a) 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 [REDD+] actions...;
- e) Actions are consistent with the conservation of natural forests and biological diversity, ensuring that [REDD+] actions...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.