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Eleventh Policy Board meeting

Information and Knowledge Sharing Session:

Support to the development of national approaches to safeguards

Safeguards Coordination Group

Geneva, Switzerland

8 December 2013

Objectives of the Information Session

- Share country experiences on safeguards processes and the associated challenges

- Present the UN-REDD framework and main tools to support the development of country approaches to safeguards

The Cancun Agreement (COP16, 2010)
(1) Cancun Safeguards

The Cancun Agreements (COP16, 2010)
(2) Safeguards Information Systems (SIS)

Safeguards Information Systems (SIS) recognized as one of the 4 core elements to have in place for REDD+ implementation:

1. National REDD+ strategy or action plan

2. National forest reference emission level and/or reference level

3. National forest monitoring system

4. SIS: System for providing information on how the REDD+ safeguards are being addressed and respected throughout the implementation of the activities

Durban decision (COP17, 2011)
Guidance on SIS

Agreement on guiding principles for safeguards information systems

Consistency	- Be consistent with Cancun guidance
Accessibility & Periodic Reporting	- Provide transparent and consistent information that is accessible by all relevant stakeholders and updated on a regular basis;
Improvement over Time	- Be transparent and flexible to allow for improvements over time;
Comprehensiveness	- Provide information on how all of Cancun safeguard elements are being addressed and respected;
Country Driven-ness	- Be country-driven and implemented at the national level;
Utilizing Existing Systems	- Build upon existing systems, as appropriate;

Durban decision (COP17, 2011) & Warsaw decision (COP 19, 2013)

Modalities for the provision of safeguards information

What

- **Summary of information** on how all of the Cancun safeguards are being addressed and respected throughout the implementation of REDD+ activities

How

- To be included in **National Communications** or communication channels agreed by the COP
- On a **voluntary basis**, the summary of information can also be provided **via the web platform on the UNFCCC website**

When

- **Periodic submission** of information
- Provision of safeguards information is **to start at the time of implementation of REDD+** activities…
- … and to follow the **same frequency as** the submissions of the **National Communications**

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Support to Countries on Safeguards

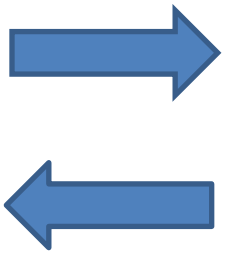
- **Flexible support** tailored to specific needs identified by countries
  - Delivered through National Programmes or Targeted Support

- ***UN-REDD Framework for Supporting the Development of Country Approaches to Safeguards***
  - Core elements of a country approach
  - Role of UN-REDD tools related to safeguards

Core Elements of a Country Approach to Safeguards

Institutions

1. Relevant safeguards to be addressed and respected:
Policies, laws and regulations (PLRs), either existing or those created for REDD+



2. Safeguard Information System (SIS):
Existing or new indicators, methodologies for collecting information, and framework for providing the information

Processes and Procedures

Development of a Country Approach to Safeguards

- No fixed, linear path to apply UNFCCC requirements on safeguards
- Taking into consideration:
  - phased approach
  - what is already in place
  - additional objectives defined by the country
- Throughout the process, effective participation will be essential

Generic Steps in the Development of a Country Approach

- Defining the goals of the safeguards approach
- Identifying / Developing Policies, Laws and Regulations (PLRs) relevant to REDD+ safeguards
  - *Gap analysis of existing country policies, laws and regulations*
  - *Set up of existing / new PLRs and procedures*
  - *Definition of REDD+ safeguard policies (when applicable)*
- Developing a safeguard information system (SIS)
  - *Gap analysis of existing country SIS*
  - *Identification / development of indicators*
  - *Development of data collection methodologies*
  - *Development of approaches for providing information*

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Today's session

- Presentation of two UN-REDD tools for safeguards work
  - Country Approaches to Safeguards Tool (**CAST**)
  - Benefits and Risks Tools (**BeRT**)
- Intervention by Edwin Usang, Africa CSO Representative
- Panel discussion

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Country Approach to Safeguards Tool

CAST

What is the Country Approach to Safeguards Tool (CAST)?

CAST is a **process**-oriented tool designed to support countries to:

- Conduct domestic planning for REDD+ safeguards and SIS activities
  - in response to the relevant UNFCCC decisions
- Identify, prioritize and sequence activities
  - **Flexible**: useful at the early planning stage or later in the process
- Identify available information resources for each activity
- Clarify how the processes under various safeguards initiatives correspond

Why was CAST developed?

- Multiple initiatives, frameworks, guidance documents on safeguards
- Country needs expressed on clarifying linkages and developing systems that take into account all relevant initiatives
- UN-REDD has developed a number of guidance documents and tools relevant to safeguards across its work areas

CAST Development Process

- Jointly prepared through UN-REDD Safeguards Coordination Group
- Country feedback has been taken into account
  - Piloted in small group sessions in 2 regional workshops and 1 national meeting:
    - UN-REDD Africa Regional Workshop on Safeguards and Multiple Benefits, Nairobi, 17-19 September 2013
    - Taller técnico: Desarrollo de sistemas de información sobre salvaguardas para REDD+, Lima, 24-25 October 2013
    - First meeting of Nigeria's Safeguards Task Team
- Consultations with REDD+ SES and WB FCPF on overall design and alignment of processes

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UN-REDD Country Approaches to Safeguards Tool (CAST)

Country:

Enter name of the country.

Part 1: Identifying

Click on the appropriate box to choose the answer that most closely fits the current status in the country for each question. Once finished, click the "Next" ic… m of the page to proceed to the Analysis

FCPF SESA	REDD+ SES									
☑	☑	A.4	Has the country established a dedicated multi-stakeholder team or task force to lead/facilitate the development of the country approach to safeguards?	Yes ○	Progress made; more work needed ○	Not yet, but planned ○	Still needs to be considered ○	Not a priority activity ○		A.4
		B.1	Has the country defined institutional and procedural arrangements for the country approach to safeguards?			Not yet, but planned ○	Still needs to be considered ○	Not a priority activity ○		B.1
☑	☑	B.2	Has a consultative and participatory process been designed for the development/implementation of the country approach to safeguards?			Not yet, but planned ○	Still needs to be considered ○	Not a priority activity ○		B.2
☑		B.3	Have the country's objectives for its safeguards approach been determined, including the potential social and environmental risks and benefits of REDD+ in the specific context?	Yes ○	Progress made; more work needed ○	Not yet, but planned ○	Still needs to be considered ○	Not a priority activity ○		B.3
		B.4	Has the country developed national-level REDD+ safeguards (if electing to do so)?	Yes ○	Progress made; more work needed ○	Not yet, but planned ○	Still needs to be considered ○	Not a priority activity ○		B.4
☑		C.1	Has the country compared the existing policies, laws and regulations (PLRs) against goals of the country safeguards approach?	Yes ○	Progress made; more work needed ○	Not yet, but planned ○	Still needs to be considered ○	Not a priority activity ○		C.1
☑		C.2	For any identified gaps or inconsistencies in existing policies, laws and regulations (PLRs), has the country developed new (or amended existing) PLRs in order to comprehensively achieve the goals of the country approach to safeguards?	Yes ○	Progress made; more work needed ○	Not yet, but planned ○	Still needs to be considered ○	Not a priority activity ○		C.2
	☑	D.1	Has the country conducted an assessment of the existing	Yes ○	Progress made; ○	Not yet, but ○	Still needs to ○	Not a priority ○		D.1

• Examples include multi-stakeholder platforms that address a more extensive set of REDD+ issues, as well as government institutions, multi-stakeholder bodies and procedures dedicated to REDD+ safeguards and SIS at the country-level.

Introduction | **Identifying** | Information resources | Prioritizing | Planning | Applying information resources

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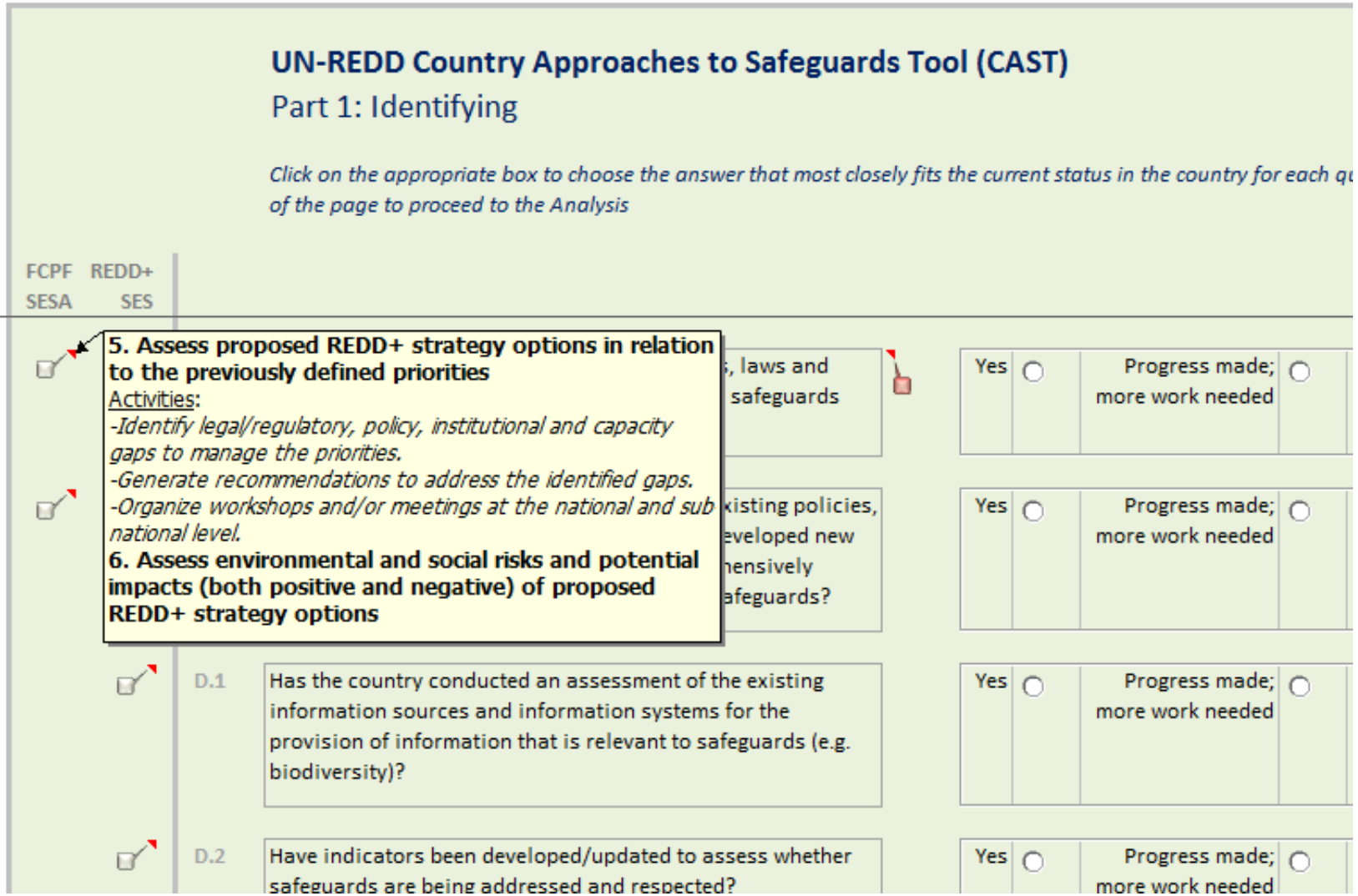

UN-REDD Country Approaches to Safeguards Tool (CAST)

Part 1: Identifying

Click on the appropriate box to choose the answer that most closely fits the current status in the country for each q
of the page to proceed to the Analysis

FCPF SESA	REDD+ SES				
		5. Assess proposed REDD+ strategy options in relation to the previously defined priorities Activities: *-Identify legal/regulatory, policy, institutional and capacity gaps to manage the priorities.* *-Generate recommendations to address the identified gaps.* *-Organize workshops and/or meetings at the national and sub national level.* **6. Assess environmental and social risks and potential impacts (both positive and negative) of proposed REDD+ strategy options**	, laws and safeguards	Yes ○	Progress made; more work needed ○
			xisting policies, eveloped new hensively afeguards?	Yes ○	Progress made; more work needed ○
	D.1	Has the country conducted an assessment of the existing information sources and information systems for the provision of information that is relevant to safeguards (e.g. biodiversity)?		Yes ○	Progress made; more work needed ○
	D.2	Have indicators been developed/updated to assess whether safeguards are being addressed and respected?		Yes ○	Progress made; more work needed ○

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UN-REDD Country Approaches to Safeguards Tool (CAST)

Part 2: Information resources

This is an auto-generated analysis. Once you have analyzed the feedback you may click the "Next" icon at the bottom to prioritize some activities based on your responses

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Section D - Collecting information on safeguards

D.1 For additional guidance while conducting a gap analysis of existing information sources and systems relevant to REDD+ safeguards, please consider these relevant tools, guides and resources:• Practical Guide to Forest Governance Data Collection (in development); • Ensuring inclusive, transparent and accountable national REDD+ systems: the role of freedom of information; • Multiple Benefits Series 3 and 9. D.1

D.2 For additional guidance while developing safeguards indicators, please consider these relevant tools and guidelines:• PGA; • Practical Guide to Forest Governance Data Collection (in development). • Guidelines for Use of REDD+ SES at country level. D.2

D.3 For further assistance while selecting approaches and methodologies for how safeguards information will be collected, please refer to these related tools:• (draft) Guidelines for monitoring the impacts of REDD+ on biodiversity and ecosystem services; • Practical guide to forest governance data collection (in development); • (draft) Participatory Biodiversity Monitoring for REDD+: A briefing for Asia-Pacific countries.• Methods for Assessing and Evaluating Social Impacts of Program-Level REDD+ (FCMC). D.3

Section E - Validating and sharing information on safeguards

E.1 An approach for the provision of information will be developed.• Ensuring inclusive, transparent and accountable national REDD+ systems: the role of freedom of information. E.1

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UN-REDD Country Approaches to Safeguards Tool (CAST)

Part 3: Prioritizing

In order to generate a plan on safeguards, first proceed to define the time frame for each of the prioritization option:

Prioritization options:	***Time frame for undertaking the activities:***
Recurring action	*Click to select the time frame*
Inmediate action	
Short-term activity	
Mid-term activity	
Long-term activity	
No further action needed	

1

Click to select the time frame
Once a year
Every six months
Every three months
Once a month
As needed

After, based on the responses provided in the "Identifying" section and also taking into consideration the feedback (in "Finding resources"), please select one of the prioritization options for each of the activities. After finishing, click "next" to go to the auto-generated plan or go back to review the previous section

2

	Section B - Preparing the development of the country approach to safeguards, including development of a national set of safeguards when	**Country's Stage (as per Identifying Section)**		
B.2	Design a consultative & participatory process for the development of the country approach to safeguards.	Addressed	Click to select an option	B.2

	Section E - Validating and sharing information on safeguards	**Country's Stage (as per Identifying Section)**		
E.1	Develop a framework for the provision of information.	Not yet, but planned	Click to select an option	E.1

Back to "Information resources"

Next to "Planning"

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UN-REDD Country Approaches to Safeguards Tool (CAST)

Part 4: Planning

Please choose the expected date for (continue) undertaking the activities: *(Month)*

May
June
July
August
September
October
November
December

	Recurring action	Inmediate action	Short-term activity	Mid-term activity		
	Click to select the time frame	*Click to select the time frame*	*Click to select the time frame*	*Click to select the time frame*		
	Section B - Preparing the development of the country approach to safeguards, including development of a national set of safeguards when appropriate					
B.1	Define institutional and procedural arrangements for the development of the country approach to safeguards.					
B.2	Design a consultative & participatory process for the development of the country approach to safeguards.	X				
B.3	Define goals of the country approach to safeguards, identifying key social and environmental issues for the country.					
B.4	Develop national-level REDD+ safeguards (if the country has elected to do so).					
	Section E - Validating and sharing information on safeguards					
E.1	Develop a framework for the provision of information.			X		
E.2	Develop quality assurance procedures for the information collected on safeguards.					
E.3	Conduct a multi-stakeholder analysis and assessment of safeguards information.					
E.4	Share publically information on how safeguards are being addressed and respected.					

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UN-REDD Country Approaches to Safeguards Tool (CAST)

Part 5: Applying resources

Using or referring to these tools and resources is a voluntary process. They should be seen as sources of potential support:

Type	Organization	Name	General Description	Specific Utility	Hyperlink
UN / UN-REDD	UN-REDD	Guidance on Conducting REDD+ Corruption Risk Assessment	As countries implementing REDD+ readiness activities are working to meet the provisions of the UNFCCC Cancun Agreements and the Durban Outcome on safeguards and safeguard information systems, the REDD+ CRA can feed into their efforts to build a safeguards system. The REDD+ CRA can help to provide information on the principles and criteria defined in the UN-REDD Social and Environmental Principles and Criteria, developed to assist countries in developing country safeguards for REDD+.	• For Activity A.2: Provides details into what "transparent forest governance structures" may refer to. • For activity B.2: Please refer to sections3.2 and 3.3	http://www.unredd.net/index.php?option=com_docman&task=doc_download&gid=8322&Itemid=53
UN / UN-REDD	UN-REDD	Ensuring inclusive, transparent and accountable national REDD+ systems: the role of freedom of information	Describes how the implementation of freedom of information laws can inform the development of transparent systems to access REDD+ information.	• For activity E.1: Provides lessons learned on ensuring effective access to information	http://www.un-redd.org/Newsletter35/FreedomofInformationandREDD/tabid/105809/Default.aspx

Next Steps:
Further improvements to CAST in 2014

- Populating resources tab with tools, guidance, case studies and other resources generated at country-level
  - Reports of safeguards/SIS work in country
  - Case studies/lessons learned

- Details on how/what sections or aspects of tools, guidance, etc. can be used for the specific activities

- **Excel-based version will be made available on www.unredd.net in early 2014**

- Web-based version to be developed

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Benefits and Risks Tool

BeRT

Why is a new version of BeRT needed?

- Responding to country feedback and evolving needs
- UN-REDD conceptual framework on country approaches to Cancun safeguards
  1) PLR review & development
  2) SIS development
- Requests for support on both areas and on understanding the Cancun safeguards

Objectives

BeRT aims to

1) Help identify benefits and risks associated with specific REDD+ actions
2) Identify gaps in policies, laws and regulations with respect to the Cancun safeguards
3) Identify steps to fill PLR gaps identified (module to be developed)

As referenced in CAST:

Section C - Defining or developing safeguard policies, laws and regulations

C.1 Please consult the following tools and resources for support to carry out a gap analysis of existing PLRs against the country's goals for the safeguards approach. Please consider the following tools:• BeRT; • Guidance on Conducting REDD+ Corruption Risk Assessment; • LEG-REDD+ C.1

Resources drawn upon

1. Social and Environmental Principles & Criteria (SEPC)
   - UN-REDD's guiding framework on social & environmental issues
2. Original BeRT
   - aimed to address social & environmental issues in National Programme development
3. UN-REDD national and international workshops on safeguards and multiple benefits
   - sessions on benefits and risks
4. Experience with FCPF SESA

Structure of the BeRT

Modules include guiding questions, resources, & tables to fill in

Outputs of each module have stand-alone value:

- Module 1: Documenting actions likely under REDD+
  - List of likely actions
- Module 2: Identifying benefits & risks from REDD+ actions
  - List of benefits & risks of actions, by safeguard
- Module 3: Identifying relevant PLRs and gaps in coverage
  - List of relevant PLRs, and gaps, by safeguard
- Module 4: Next steps in PLR revision (to be developed)

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1: Documenting actions likely under REDD+

Objective:

to **identify and document the REDD+ actions that are anticipated in the country**; or if this is not clear yet, the REDD+ actions that might be feasible.

Includes:

- Table to fill in actions envisaged
- Reference table of possible actions by activities (GFEP);
- Suggestion to fill in prior to workshop

2: Identifying benefits & risks from REDD+ actions

- Objective:

  to rapidly **assess the potential risks and benefits of the REDD+ actions** documented in Module 1, as well as general benefits and risks for each safeguard.

Includes for **each safeguard**:

- Guiding questions
- Supporting material

- Table for benefits
- Table for risks

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Example for Safeguard (c):

Module 2 – Identifying risks and benefits

How to use

Please use the guiding questions and supporting materials provided as a starting point to thinking about risks and benefits relevant to your country context. **Please identify any general risks or benefits related to the safeguard**; and drawing from REDD+ actions documented in Module 1, **please identify risks and benefits of REDD+ actions related to safeguard (c) in Table 12 and Table 13 below.**

Key Issues:

- Rights to land, territories and resources
- Involuntary resettlement
- Free, Prior & Informed Consent (FPIC)
- Traditional knowledge and cultural heritage
- Rule of law, access to justice and effective remedies

Guiding questions

Are the any of the REDD+ actions identified in Module 1 likely to:

- Involve the relocation/resettlement/removal of an indigenous peoples from their lands?
- Adopt or implement any legislative or administrative measures that may affect the rights, lands, territories and/or resources of indigenous peoples / forest-dependent community (e.g. in connection with the conservation, development, utilization or exploitation of forest, mineral, water or other resources)?
- Involve logging on the lands/territories of indigenous peoples / forest-dependent community?
- Involve the development of agro-industrial plantations on the lands/territories of indigenous peoples / forest-dependent community?
- Involve any decisions that may affect the status of indigenous peoples' / forest-dependent community's rights to their lands/territories or resources?
- Involve the taking, confiscation, removal or damage of cultural, intellectual, religious and/or spiritual property from indigenous peoples / forest-dependent community?
- Have an impact on the continuance of the relationship of the indigenous peoples/forest dependent community with their land or their culture?
- Involve the accessing of traditional knowledge, innovations and practices of indigenous and local communities?

3: Identifying relevant PLRs and gaps in coverage

Objective:

To determine if there are **existing PLRs** that address the benefits and risks identified; what the **gaps** are; and whether there are any **PLRs that conflict** with those identified as supporting the safeguards.

Includes for **each safeguard**:

- Guiding questions
- Supporting material

- Table for PLRs, conflicts and gaps related to benefits
- Table for PLRs, conflicts and gaps related to risks

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Example for Safeguard (c):

Module 3 – Identifying Policies, Laws and Regulations

How to use

After considering the guiding questions and the relevant international and national PLRs, **please collate risks and benefits from module 2 for this safeguard into Table 15 and Table 16 below. Then please identify relevant PLRs, assess their coverage of the safeguard, note any conflicting PLRs and specify any remaining gaps (risks or benefits not addressed by existing PLRs)**. The identification of gaps should come after all the risks or benefits have been considered.

Guiding questions

- Are there policies, laws, regulations, administrative measures and/or methodologies in place or proposed to:
  - Guarantee security of land tenure, regularization of lands, resources and territories of indigenous peoples
  - Respect and protect a variety of different types of forest tenure e.g. recognition of indigenous rights over forest lands and/or resources that they have traditionally used and occupied; collective forest ownership by communities, and/or of adequate forest use and management rights for communities living in or dependent upon public forests; and recognition of customary tenure systems?
  - Support processes to address conflicts over land and resource rights issues?
  - ensure access to reasonable benefits for indigenous peoples/forest dependent communities as arising from the project/activity
  - Ensure access to justice for stakeholders e.g. legal personality, legal aid, just and fair means to remedy violations
  - Determine alternative options to resettlement; rules around compensation?
  - Guarantee procedural rights of stakeholders e.g. right to participation, decision-making, and/or FPIC?
  - Protect traditional knowledge and cultural heritage (ILO 169, UNESCO Conventions, CBD)?
- How effective, legitimate, accessible, predictable, equitable, transparent are each of these policies, laws, regulations, administrative measures and/or methodologies? Are they implemented?
- How could they be strengthened or enhanced?

Supporting materials

- Table 14: List of national and international PLRs potentially relevant to safeguard (c)
- Legal Companion to the UN-REDD Programme Guidelines on Free, Prior and Informed Consent (FPIC)

Example output: Module 3 for Safeguard (e)

Module 3: Policies, Laws and Regulations relevant to safeguard (e) and gaps in coverage in relation to benefits

Benefit	Relevant PLRs for this safeguard	Clarify relevance	How complete is PLR coverage of safeguard?	Are there conflicting PLRs?	Gaps identified
The targeted implementation of REDD+ reduces the loss of natural forest cover, increases populations of certain threatened species and the availability of natural forest products.	*Definition of natural forest;* *Forest zoning plan identifying natural forest areas for protection*	*Due to definition and zoning plan, natural forests could be prioritized in planning for REDD+ actions.*	*Complete for natural forests.* *Definition and zoning plan do not differentiate between different types of natural forest (e.g. tropical dry forest, montane cloud forest).* *Hence, PLRs do not directly address ecosystem diversity.*	*No.*	*These PLRs do not address diversity among natural forests .*

Example output: Module 3 for Safeguard (e)

Module 3: Policies, Laws and Regulations relevant to safeguard (e) and gaps in coverage in relation to risks					
Risk	**Relevant PLRs for this safeguard**	**Clarify relevance**	**How complete is PLR coverage of safeguard?**	**Are there conflicting PLRs?**	**Gaps identified**
Displacement of land-use change into non-forest ecosystems (e.g. Wetlands)	*National Biodiversity Strategy and Action Plan*	*NBSAP specifies country conservation objectives for different ecosystems.*	*Incomplete – does not directly address displacement; only partially implemented to date*	*Development objective of agricultural production (conversion of land for agriculture)*	*No PLR to address displacement*

Application of the new BeRT

- Primarily designed for use in national consultative process (e.g. workshops)
- Flexible application
  - Modules have stand-alone value
  - Can complete safeguard by safeguard or module by module
  - To identify PLRs for defined set of actions, or to identify benefits and risks of possible actions
- Interactive version is under development

Feedback & testing

- Seeking feedback on the concept and structure of the tool
- Tool now available for trial use, so please get in touch if interested

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Thank You