



Stakeholder Engagement and Consultation Guidelines For REDD+Program in Bhutan

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Foreword

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Acronyms

CSO	Civil Society Organization
DHI	Druk Holding and Investment
DOFPS	Department of Forests and Park Services
FMU	Forest Management Unit
FNCR	Forest and Nature Conservation Rules
MOAF	Ministry of Agriculture and Forests
NGO	Non Government Organization
PA	Protected Area
RGOB	Royal Government of Bhutan
R-PP	REDD+ Readiness Preparation Proposal
REDD+	Reducing Emission from Deforestation and Forest Degradation
RNR	Renewable Natural Resources

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1. Introduction

1.1 Background

Recognizing the multiple benefits of forests and their potential to enhance socio-economic development, the Royal Government of Bhutan (RGoB) has always emphasized the importance of conservation and sustainable management of forest resources for the long-term benefit of the people. With close to 69% of the population dependent on subsistence agriculture (National Statistics Bureau, 2012), forests play a major part in the overall productivity of farming systems (Roder et al., 2003) and their contribution in enhancing the economic development of the rural population. Considering that local peoples' participation is key to sustainable management of natural resources, RGoB has framed various enabling policies and acts of legislation to ensure public participation from initial decision-making to implementation.

In line with these policies and legislations, various strategies have been adopted by the line ministries and other agencies in planning and implementation of the five year development plan activities. Similarly the Department of Forests and Park Services under the Ministry of Agriculture and Forests (MoAF) has always encouraged engagement of local communities and other stakeholders in the management and utilization of forest resources including, but not limited to, community forestry program, forest management units and management of protected areas and other forests areas. In all of these programs (see chapter 2), the engagement of local communities residing within and near forests is central to planning and management of the respective forest regimes.

Similarly, for the national REDD+ program, there is on-going effort to engage relevant stakeholders starting from the inception of REDD+ program since 2010. Since then, awareness and consultation workshops have been carried out at national, regional and district levelsto create awareness on REDD+. The series of workshops helped to identify gaps and needs in the forest management sector in terms of REDD+ which then led to the development of a REDD+ Readiness Preparation Proposal (R-PP) in 2013. The consultation and awareness process conducted thus far on REDD+ and the R-PP in particular, has indicated strong support from relevant stakeholders in view of enhanced benefits from the program. In order to generate a sense of ownership, the R-PP was developed in an inclusive and participatory manner by a multi-stakeholder group known as the REDD+ Technical Working Group (TWG) consisting of representatives from the Government agencies, Academia and Civil Society Organizations (CSO) /Non-Governmental Organizations (NGO). To include a representation of all relevant stakeholders in the REDD+ readiness process, a National Task Force and three TWGs have been formed (see institutional arrangement for REDD+ Readiness implementation in Annex II).

Recognizing the importance of active engagement by stakeholders in ensuring a successful REDD+ Readiness Program, MoAF will therefore institutionalize active participation and engagement of relevant stakeholders in REDD+ processes. The adoption of participatory processes will promote transparency in decision-making, improve the empowerment of stakeholders by involving them in the design, implementation, monitoring and evaluation of REDD+ activities.

1.2 Objectives

The overall goal of the stakeholder engagement guideline is to promote full and effective consultation and participation of stakeholders, targeting both men and women in REDD+ processes ranging from planning and design to implementation and monitoring; from readiness to implementation phases. The guideline builds on broader guidance provided by the UN-REDD Programme's Guidelines on Free, Prior and Informed Consent (January 2013) and FCPF and UN-REDD Programme's Guidelines on Stakeholder Engagement in REDD+ Readiness (April 2012).

The primary user for this guideline is the DoFPS. Other stakeholders can also use the guideline as and when relevant. The Department of Forests and Park Services (implementing agency) will ensure that all relevant stakeholders at central as well as local level will be involved all along the way in planning as well as implementation of REDD+ activities.

1.3 Guiding Principles

The Stakeholder Engagement Guideline is developed to enable an open, inclusive and transparent consultation and participation process for REDD+ in Bhutan. Key principles informing the development of the Guideline are:

- Participatory and inclusive –Relevant stakeholders and experts, including men and women from marginalised and disadvantaged indigenous and non-indigenous forest dependent communities, are included in the decision making on the design, implementation

and evaluation of relevant REDD+ activities. They also participate in the implementation of relevant REDD+ activities, when appropriate.

- Transparency and accountability - Ensure a transparent feedback mechanism that is easily accessible to men and women from indigenous and non-indigenous local communities in order to inform and improve current and future stakeholder engagement processes for REDD+.
- Mutual understanding over shared responsibilities –Stakeholders understand how relevant REDD+ activities impact them, and agree what their roles and responsibilities are, in order to ensure sustainability of the REDD+ program.
- Human rights-based approach –Identifies and differentiates rights-holders and their entitlements from duty-bearers and their obligations. Efforts are made to strengthen the capacities of rights-holders to make their claims, and duty-bearers to meet their obligations.

2. Promoting Stakeholder Engagement in Bhutan

2.1 Enabling Policies and Legislations

The national legislations and policies provide substantial general support for engaging stakeholders in management and utilization of forest and other natural resources in the country. Before the introduction of modern forestry legislation in the 1960s, the people had customary rights to forest resources. Communities were able to conserve and use forests on a sustainable basis, first, because of the subsistence nature of forest use for family or household needs, and second, because the concept of

commercial exploitation did not exist in the culture itself. But with the advent of modern development, more and more people, especially in urban settlements, started to exploit the forests. After promulgation of Thrimshing Chenmoin 1959, a series of legislations, bylaws, and rules that are directly or indirectly related to forestry have been passed by the National Assembly and government ministries. The government's forest policy changed from a situation where the forest was there for everyone to exploit to a period when such rights and privileges over the forest were regulated. The government deliberately adopted this policy, not to deprive the people of some of their basic needs that come directly from forests, but rather to manage this important natural resource for both the present and future. Even if the management was taken over by the state, resource rights were adequately maintained in the policies, acts and rules which kept provisions to supply timber at very subsidized rate/nominal fees to rural people for house construction, maintenance, agricultural implements and other domestic use. However, clearances need to be sought from the local communities for any development activities. The RGoB realized that sustainability was the main concern. It also felt that a limited forestry service staff cannot adequately manage and control the local use of forests, and that participation of local people is the key to the conservation and utilization of forest resources.

Subsequently, the government, being fully aware of the restrictions that the Forest and Nature Conservation Act of 1995 put on the community's traditional rights over the local forests, adopted a forestry policy (2011) that allowed the people to participate directly and reap benefits from the forestry programs. Many major steps have been taken since then through promulgation of Forest and Nature Conservation Rules

(FNCR) 2000, 2003, 2006 and subsequent amended versions to promote people-oriented forestry and participatory forestry across the country as a means of utilizing forest resources for the benefit of rural people who traditionally depend on forests for their livelihood. This policy, which is also seen as a way of conserving and also improving already degraded forests, combines elements of decentralized resource management to benefit village farmers. Various provisions in FNCR necessitate consultation with local people and other stakeholders in undertaking various activities related to forestry. For instance, FNCR 2014 states that the Department of Forests and Park Services (DoFPS) is required to consult 'local residents, local authority, public; government officials in other agencies, divisions, ministries; and other relevant stakeholder and recognized Civil Society Organizations (CSOs) while developing Conservation Management Plans. Similarly, the department is required to consult local government, local communities and all relevant stakeholders while declaring any areas as critical/degraded watersheds and ensure participatory process of developing watershed management plans.

Furthermore, there are numerous other legislations which support and facilitate local people's participation in planning as well implementation of activities. These include the Local Government Act 2009, the Co-operative Act of Bhutan 2001, the Sustainable Hydropower Development Policy 2008, Gender Policy Note 2013 etc. Various other strategies and action plans including community forestry strategy, non-wood forest product strategy and human wildlife conflict management strategy also highlight various measures to make people partners in conservation and management of forest resources.

2.2 Trends and Best Practices

In 1979, a Royal Decree was issued which stated that “People’s participation is key to conservation and the utilization of forest resources”. The government increasingly recognized the importance of engaging local people in forestry and it placed the sustainable supply of forest products and services for local requirements above commercial production. This led to a paradigm shift towards a more decentralized and people-centred approach to forestry and the government started developing approaches to involve local people in forest management again.

At the strategic level, the five year development plans are formulated in a participatory planning process. While the Gross National Happiness (GNH) Commission ensures that programs and activities of the five year plans are prepared with the guiding principles of the GNH at the national level, the planning and policy divisions of each line ministry and agencies facilitate preparation in a participatory manner. Following these protocols and strategies, the issues, activities and programs are identified at the geog level and taken over to the Dzongkhag and then to the central level.

Based on the relevant legal provisions, all forest management regimes as well as other developmental activities in Bhutan require stakeholder engagement process as an integral part of their planning processes. Following are the forest management regimes that are practiced currently.

Community Forests

Participatory forestry management such as community forests (CFs) is designed to involve people in the management and utilization of forest resources. The Community Forest Management Groups (CFMGs) are formed for the community forests and they are responsible for planning, managing, monitoring, and improving their (CFs). The CFs are handed over to the CFMGs after the CF management plans are prepared with technical help from the forestry extension agents based at geogs/blocks. The plans are simple and meet the domestic needs of the people, while ensuring conservation of local environment. The CF management plan contains how much the communities can harvest different forest resources for a period of time, management interventions to improve the CFs, the bylaws on benefit sharing and penalties.

The management of CFMGs aims at putting into practice the principles of transparency in decision-making, accountability, inclusiveness and gender equality. The experiences in the past decade of community forestry benefitted stakeholders and communities in many ways, particularly in social cohesion and participation in decision making. With its own bylaws, it enables the community to organize itself more effectively and can better express their concerns. It also serves as a platform for developing social cohesion by bringing together people with different ethnic backgrounds, languages, customs and beliefs to talk about issues of common interest.

Forest Management Units

For the scientific management of production forests, the department prepares management plan for the Forest Management Units (FMUs) for sustainable harvesting and management of forests. Local government and local people living within and surrounding the FMUs are consulted and involved in plan preparation. The socio economic survey which incorporates demand of timber and other forest produce of the local communities is an important component of the FMU plan. Variety of forest products like timber, flagpoles, timber for agricultural implements, handicrafts and furniture for rural household use are provided free of cost after levying a royalty at rural rate from the FMUs for the nearby communities. Additionally, the traditional rights of communities are respected with adequate provision for protection of religious, cultural and sacred sites. The DoFPS has to seek clearance for operationalization of FMUs from local government, relevant authorities and also from National Environment Commission prior to approval of the FMU management plan by the Ministry.

Protected Areas

The Protected Area (PA) which consists of National Parks and Wild Life Sanctuaries in Bhutan is unique as it has communities living in it. Their needs for forest products for timber and other non-wood forest products are provided from the multiple use zones of the PAs. Recognizing that people are an integral part of the PAs, they are involved in PA management starting from boundary demarcation and zonation known as participatory zoning of protected areas, to resource assessment in order to develop management plans.

Various programs were initiated by the Department in the past, for example, the Integrated Conservation and Development Program supports people living in PAs to reduce pressure on forest resources in the form of incentives and local capacity building such as awareness programs, as well as implementation of activities related to protection and management of the PAs. More recently, opportunities to promote community ecotourism in PAs and other forest areas, managed by local communities themselves, are also carried out. For instance, an ecotourism group called “River Guides of Panbang” in Royal Manas National Park is operated by the local communities. They are trained as guides in rafting and other related works.

Apart from forest management and related activities, local people and communities are also engaged in development activities that are carried out in the country. As per provisions within various Acts like the National Environment Protection Act, Forest and Nature Conservation Act, Mines and Minerals Act, community and social clearances need to be sought from relevant agencies for any development work. Apart from forestry clearance, community clearance is one of the prerequisites to get the environmental clearance from the National Environment Commission for developmental activities like mining, quarry, land lease, road, industries and transmission lines. Community clearances are sought through consultative meetings with the local communities and local government leaders.

Bhutan has been recognized for its contribution to environmental conservation through various international awards like the John Paul Getty conservation leadership award 2004, Champion of the Earth of

UNEP 2006 and Kyoto Hall of Fame 2011. The conservation program so far has been considered successful because people's participation has always been the cornerstone of management and utilization of forest and other natural resources.

3. Steps for Stakeholder Engagement

The focus of this document is to plan and implement a Consultation and Participation process to identify who should be engaged and why, differentiating between stakeholders, including men and women, who can or will be impacted by REDD+ activities; and what they will be engaged for, and how. The steps proposed below will provide direction to ensure full and effective participation of relevant key stakeholders in REDD+ process.

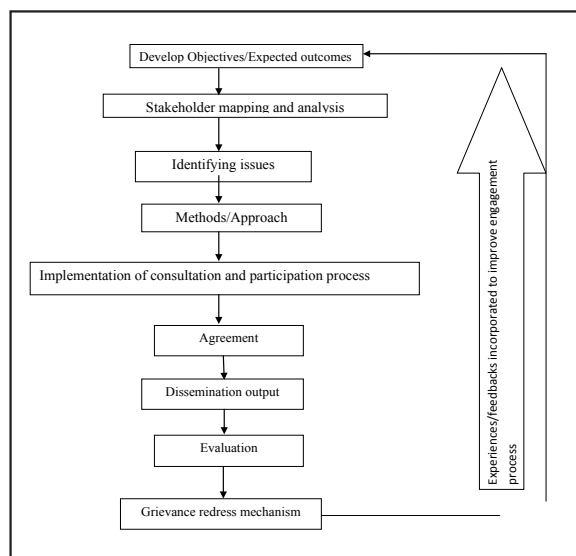


Fig.1: Steps for Consultation and Participation Process

3.1 Develop objectives/expected outcomes

The DoFPS or any agency responsible for REDD+ process will develop clear objectives and expected outcomes for a particular REDD+ activity. Once it is clear what needs to be achieved, and at which level, for example, central or local, the agency will identify key sections within the activity that require stakeholder engagement.

3.2 Stakeholder mapping and analysis

Once the objectives and expected outcomes are known, and prior to conducting any stakeholder engagement activities, stakeholder mapping and analysis help to determine how men, women and youth should be involved, based on who has interests, and who is able to influence the process. Next, the agency should identify who represents these stakeholder groups, who can make decisions, and if and how these groups are organised, for example, CFMGs, farmer's groups, cooperatives. The analysis is also useful to identify when specific groups of stakeholders should be engaged at which level, and what their roles might be in the REDD+ design, planning, implementation or monitoring processes. It will also help to identify potential conflicts of interests between, and among the identified stakeholders.

Based on experiences in natural resource management and REDD+, Appendix 1 contains a list of possible stakeholders that could be considered in future engagement processes. Stakeholders may include government agencies at central and local level, CSOs, NGOs, local communities, women groups and indigenous marginalized groups

residing in or nearby forests.

At the central level, relevant stakeholders relate to key agencies, ministries and departments involved in developing policies and legislations as well as implementation of plans and programs which can influence natural resource management. These agencies include Ministry of Agriculture and Forests, Gross National Happiness Commission, National Environment Commission, National Land Commission, Ministry of Home & Cultural Affairs, Ministry of Economic Affairs, Ministry of Works and Human Settlements. Consultations should be also made with relevant DHI owned companies, NGOs, CSOs and other agencies and organizations which can influence decision making and also help in implementation.

At the local level, stakeholders will include district and geog administrative bodies, community representatives like Tshogpas and Mangmis (Village headman), local communities, marginalized groups and the NGOs working at the local levels.

3.3 Identifying issues for discussion

While there is potential of REDD+ to deliver significant benefits to communities living in and around the forests for conserving and sustainably managing their resources, there are also risks of having negative impacts from REDD+ activities if not designed properly. Therefore, the risks and benefits associated with the implementation of REDD+ activities to communities including men, women and youth will be identified, reduced and mitigated in collaboration with

all relevant stakeholders right from beginning of REDD+ Readiness Phase and particularly while identifying and adopting activities for implementation under REDD+ mechanism. In this context, following are some of the discussion topics with stakeholders.

- Economic, socio-cultural and environmental impacts of REDD+
- Environmental and social safeguards to be introduced to mitigate impacts
- Land use rights
- Designing REDD+ benefit sharing system
- Designing a system for monitoring the forest cover and forest emissions as well as the expected social and environmental co-benefits
- Main causes and drivers of deforestation and forest degradation
- Potential policies and measures to address the drivers of deforestation and forest degradation
- Role of the local industries and other private sectors in REDD+
- Setting up effective grievance and feedback redress mechanisms

Consultations will have to be made in local dialect which local people can understand so that their issues are fully taken care off. To encourage participation of more women and marginalized groups, the consultations will be taken close to them and will be conducted at geog (block) level.

3.4 Outreach Methods/Approach

Recognizing that the stakeholders to be involved in REDD+ process are from a range of diverse backgrounds including literate as well as

illiterate and from different linguistic and cultural backgrounds, various appropriate consultation methods and materials need to be designed, planned, adapted and implemented to meet the specific needs of the stakeholders. A consultation and participation plan is useful to ensure how and when the identified stakeholders including men, women and youth and their designated representatives, should be engaged, and who from the agency should be responsible to implement the plan. Careful considerations should be given for literacy levels of the stakeholders.

The agency should consider and allocate sufficient time for the designated representatives to inform their stakeholders, and for these stakeholders to understand the topics for discussions. Where necessary, consultations with stakeholders, especially local communities, are encouraged to determine the right season, right time and adequate length of time to understand the risks and benefits of the proposed REDD+ activity. Feedback mechanisms for stakeholders to provide input or request for further information should be considered, along with a responsible agency or individual.

The following non-exhaustive consultation/ outreach methods could be used:

Consultation methods	Outreach methods
Consultative meetings	Posters
Interviews	Documentaries
Focus group discussion	Radio talks, songs
Workshops	TV talk shows, cartoons, songs
	Quiz & drawing competitions, debates, extempore speech

In general, there is fair understanding among the stakeholders including the local communities on importance of sustainable management and utilization of natural resources. The awareness programs in the REDD+ Readiness will be an opportunity to build upon and further enhance their understanding on environment and related issues including the climate change and their impacts on environment.

3.5 Implementation of consultation process

Based on the results from the stakeholder mapping and analysis, the implementation of consultation process will be held with relevant stakeholders at different levels. At the national level, the three REDD+ Technical Working Groups and the National REDD+ Task Force consisting of all relevant stakeholders (government agencies, NGOs, DHI owned companies) will be fully involved in formulating any policies and programs related to REDD+. The DoFPS will inform the stakeholders in advance about the issues to be discussed and seek their guidance. Stakeholders can be involved through meetings, workshops, email correspondences and individual consultations.

For discussion with stakeholders at the local level, the official correspondence will be routed through Dzongkhag and geog and finally to the community level for their participation. Any issues or programs to be taken for consultation at the grass root level will ensure that consultations are conducted in a socially and culturally appropriate manner at national, district, geog and community/village levels. It will also ensure that there is regional balance for consultations.

To ensure effective engagement of stakeholders, consultations will be carried out as far as possible in local dialects including the presentation of materials and videos. For this, field based geog level extensions agents and executive committee members of farmer's groups, cooperatives and CFMGs can be facilitators for consultations.

3.6 Agreement/Consensus

For any REDD+ activity where agreement, consensus or consent from specific stakeholder groups is an expected outcome, the agency should ensure that the decision, whether a “yes”, “no” or “maybe” should be given based on the following elements:

- Free from coercions, intimidation or manipulation. For local communities, the decision-making process should be self-directed in terms of timeline, how and who makes a decision.
- Prior refers to a period of time in advance of an activity or process, before any authorisation or commencement of activities, when agreement, consensus or consent should be sought, as well as the period between when it is sought and then it is given or withheld.
- Informed refers mainly to the nature of the engagement and type of information that should be provided prior to seeking agreement, consensus or consent, and also part of the ongoing process.

For affected local communities, the collective decision should be reached through a process that adheres to their customs, cultures and practices. This could be in the form of majority, unanimity or consensus but will be in accordance with customary decision-making practices, including

how the decision should be documented. A simple majority vote, either through a ballot system or show of hands, may be considered as a final measure, only if the affected local communities agree to this form of decision making.

For other stakeholder groups, decisions made, whether consent given or withheld, should be documented through meeting minutes and resolutions as a proof of willing consent and agreement. The parties who enter into agreement could agree on a timeline to monitor whether the terms of agreement are adhered to. If there are violations or disputes over the agreement, follow the recommended steps in grievance redress mechanism

3.7 Endorsement and dissemination of output

The findings from the various consultations will be analyzed, documented and discussed at the national level with representative stakeholders for endorsement. The REDD+ Task Force, REDD+ TWG and other appropriate national forum will be used as a forum to discuss the proposed Consultation and Participation plan, findings and issues from all the consultations and address the concerns and incorporate appropriately in the REDD+ strategy and related programs.

The findings of all the consultations should be easily accessible by relevant stakeholders and could be disseminated through publication of report, government websites, written press or any other means of communication.

3.8 Evaluation and feedback mechanism

Evaluation shall consider the quality of the engagement process and the implementation of the outcomes from the process. It can be carried out at two levels depending upon composition and relevance of the stakeholders to a particular issue. At the National level, the REDD+ Task Force/TWGs will evaluate how relevant stakeholders have been engaged effectively in consultation process at national as well as local level. A team representing all stakeholders at the local level should be formed to undertake participatory evaluation of the engagement process and the implementation of the outcomes.

The feedbacks received from the local level stakeholders will be discussed at the national level. Based on the evaluation report, the findings should be incorporated to improve future consultation and implementation.

3.9 Grievance redress mechanism

In general, there is efficient judiciary system in Bhutan and law is accessible to all individuals and every individual has right to approach and resolve conflicts/grievances as per the law. Further, there are existing local practices of resolving conflicts. Administratively, Bhutan is divided into 20 Districts (Dzongkhags) and 205 Blocks (Geogs), and Blocks into a number of Villages (Chiwogs). Each village is headed by Tshogpa and Block by Gup. The complainant/local people can use the existing customary practice of addressing grievances at the local level.

There are two existing mechanisms of filing complaints/grievances at

the local level. If you are close to Gup's office, one could directly visit the office. For the remote village or community, normal channel is through Tshogpa who is elected/appointed village leader by the community members. Tshogpa mediates or negotiates the issue and if not settled, Tshogpa takes up the issue with the Gup of Block (Geog). The Gup could settle it or forward to the District court depending on the nature of grievances/complaints. If disputes are not resolved at the village, Geog or District levels, they can be referred to the national level before the High Court and Supreme Court. An alternative local community complaint mechanism is provided via a parallel Prime Minister Grievance Cell. This could be another complaint mechanism for REDD+ grievances resolution.

Informal traditional dispute mechanisms, based primarily on negotiations between aggrieved parties and through community meetings to reach consensus on a satisfactory resolution, are therefore already practiced in Bhutan. These traditional dispute practices appear to function well and are generally accepted by all community members as a satisfactory means for resolving disputes and grievances.

The implementation of REDD+ will make use of these existing systems for addressing grievances. If there are specific issues related to REDD+ implementation which cannot be resolved by existing customary practices and judiciary system, effort could be made to come up with an alternative and efficient grievance redress mechanism to specifically address issues arising from REDD+ implementation. The REDD+ Task Force and other committees at high level will be used as a forum to discuss and address special issues related to REDD+. The recently

established Green Bench under the Bhutan National Legal Institute may be approached for further guidance.

In order to make the grievance redress process more systematic, but still working within traditional community norms and practices, aggrieved parties will follow the below stated steps:

- Any complaining parties will submit a formal complaint to the Tshogpa (village headman) of the Chiwog for consideration,
- If it cannot be resolved within the jurisdiction of the Tshogpa, the grievance case will be submitted to the Geog Administration. The Geog Administration which also consists of forest extensions agents will review the grievance case and call a public hearing,
- Where the complainant does not agree with the recommendation of the public hearing, he/she can file the case with the Dzongkhag Administration for review and intervention. The Dzongkhag Administration will review the case and make recommendations to resolve the case, and
- The complainant can always file his/her case in court at any time, and where the case cannot be resolved by the Geog Administration, it will be reviewed and settled by the Dzongkhag Administration.

The REDD+ implementation staff at the local level will keep a feedback register and inform local stakeholders that they may register their complaints, comments and/or suggestions related to REDD+ activities. The REDD+ staff members will review the feedbacks and take appropriate action. Complaints may also be registered at the Geog/Dzongkhag offices. The Geog will take up these complaints with

the REDD+ implementation team and forward the complaints to the Dzongkhag authorities.

Annexure I: Stakeholder mapping

Level	Government institutions and agencies	NGOs	Private Sector/ Corporation
National	Ministry of Agriculture and Forests Gross National Happiness Commission National Environment Commission National Land Commission Ministry of Home & Cultural Affairs Ministry of Economic Affairs District Administration Ministry of Finance Ministry of Works and Human Settlements	RSPN BT FEC WWF Tarayana Foundation Association of Bhutanese Tour Operator (ABTO)	Natural Resource Development Corporation Limited (NRDCL) Wood based industries Druk Green Power Corporation Bhutan Power Corporation
Local	District Administrations (20 Districts) Geog Administration (205 Geogs) Local Government leaders (Gups)	Farmer groups and cooperatives Community Forest Management Group members Non-wood forest group management members Farmers Religious institutions	