

UN-REDD PROGRAMME



DRAFT

GUIDANCE ON CONDUCTING REDD+ CORRUPTION RISKS ASSESSMENTS (REDD+ CRA)

UN-REDD PROGRAMME

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DRAFT for comments

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I. Purpose

To identify corruption risks in REDD+ country programmes and to support the development of systems and capacities to mitigate those risks, the UN-REDD Programme has developed the current REDD+ Corruption Risk Assessment (REDD+ CRA) Guidance.

The results of the assessment will form the base for designing, implementing and monitoring the existence and effectiveness of anti-corruption measures.

As REDD+ countries 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, considering that transparent and effective governance structures are to be promoted and supported as a REDD+ safeguard. The REDD+ CRA can help to provide information on the principles and criteria defined in the UN-REDD SEPC, developed to assist countries in developing country safeguards for REDD+.

Corruption is “the misuse of entrusted power for private gain”¹ and occurs in public and private sectors. Corruption hinders countries’ sustainable development and has detrimental impacts on the poor, marginalized and oppressed communities. There are different ‘forms of corruption’² (Box 1).

Box 1: Forms of Corruption

Bribery refers to the act of offering someone money, services or other inducements to persuade him or her to do something in return. Bribes can also be referred to as kickbacks, hush money, or protection money.

Cronyism and **clientelism** refer to the favorable treatment of friends and associates in the distribution of resources and positions, regardless of their objective qualification.

Embezzlement is the misappropriation of property or funds legally entrusted to someone in their formal position as an agent or guardian.

Extortion is the unlawful demand or receipt of property, money or sensitive information to induce cooperation through the use of force or threat.

Fraud refers to an intentional misrepresentation which is done to obtain an unfair advantage by giving or receiving false or misleading information.

Grand corruption involves bribery or the embezzlement of huge sums of money by those at the highest levels of government.

Nepotism is a form of favoritism that involves family relationships. Its most usual form is when a person exploits his or her power and authority to procure jobs or other favors for relatives.

Patronage refers to the support or sponsorship by a patron (a wealthy or influential guardian), e.g. to make appointments to government jobs, or to distribute contracts for work.

¹ UNDP (2008), ‘Corruption and Development: Anti-corruption Interventions for poverty reduction, realization of the MDGs and promoting sustainable development’, Primer on Corruption and Development, New York, USA at pp.7.

² UNDP (2008), ‘Corruption and Development: Anti-corruption Interventions for poverty reduction, realization of the MDGs and promoting sustainable development’ pp. 231.

Petty corruption, also called bureaucratic corruption, involves low level contacts between citizens, businesses and officials and generally takes place where public policies are being implemented. It is common in service delivery, such as in health care, where people use public services.

Political corruption is the misuse of political power for private gain for preserving or strengthening power, for personal enrichment, or both.

State capture is where the state is held captive to the actions of individuals, groups, or firms who influence the formation of laws, rules and regulations to serve their own private interests. This is a way of 'legalizing' corruption.

The forestry sector has traditionally faced many corruption challenges and REDD+ mechanisms are equally susceptible to corruption risks at various levels. As a result there is a need to assess corruption risks at the **national, sub-national and community levels** in the development and the implementation of REDD+ strategies.

The five year REDD+ Programme Strategy (2010-2015) and the UN-REDD Programme's *Support to National REDD+ Actions: Global Programme Framework Document*³ have integrated activities on anti-corruption to support transparency, accountability and integrity within the development and implementation of national approaches to REDD+⁴. To be effective and deliver emission reductions and positive development results, national REDD+ strategies should minimize the vulnerability to corruption as well as identify measures to monitor corruption risks.

Corruption can lead to decreases in REDD+ effectiveness (e.g. continued or increased deforestation and forest degradation), efficiency (by creating distortions in markets) and equity (by unfairly denying certain communities benefits from REDD+ payments), overall failing to deliver REDD+ development outcomes and leading to decreased confidence by local actors and international investors, therefore making the REDD+ mechanism unsustainable. It is therefore important to consider corruption risks and impacts in each phase of REDD+. Countries undertaking REDD+ activities should develop both transparent forest governance systems as well as systems for providing information on how this governance safeguard and the others are addressed and respected. What's more, the overwhelming majority of REDD+ countries are signatories or have ratified the UN Convention Against Corruption⁵, under which they have a number of obligations.

II. Framework for Analysis

1) Three Phases of Readiness and Three Components of a REDD+ System: A Nine Cell Risk Matrix

The Cancun Agreement (2010) identifies three phases in REDD+⁶, namely:

- **Phase 1: Development of national REDD+ Strategies or action plans and capacity building.** In this phase, countries prepare a national REDD+ Strategy and start building capacity through inclusive stakeholder consultation at national, sub-national and community levels.

³See Outcome 3. The UN-REDD Programme is the United Nations Collaborative Initiative on Reducing Emissions from Deforestation and Forest Degradation (REDD). It builds on the convening role and technical expertise of the Food and Agriculture Organization of the United Nations (FAO), the United Nations Development Programme (UNDP) and the United Nations Environment Programme (UNEP). The Programme supports developing countries prepare and implement national REDD+ strategies.

⁴REDD stands for Reducing Emissions from Deforestation and Forest Degradation and '+' indicates the REDD+ strategies go beyond deforestation and forest degradation, and include the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in reducing emissions.

⁵For a full list of signature and ratifications, please see <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>

⁶These phases are not strictly sequential. UNFCCC (2010), Report of the Conference of the Parties on its sixteenth session, held in Cancun from 29 November to 10 December 2010, FCCC/CP/2010/7/Add.1.

- **Phase 2: Initial implementation of national policies and measures** national strategies or action plans including capacity-building, technology development and transfer and results-based demonstration activities.
- **Phase 3: Results-based actions (at a national scale) that should be fully measured, reported and verified.**

Corruption risks will change as countries move through these three phases. For example, in Phase 1, a significant risk is that the design of the national REDD+ strategy or action plan favors certain individuals at the expense of others (see Figure 1)⁷.

The REDD+ CRA Methodology aims to assess risks in all three phases. Depending on the stage of implementation of REDD+ in a specific country, the risk assessment may either be forward-looking (i.e., anticipating risks in the future) or reviewing past practice. The findings will inform the development of risk mitigation strategies, which will be implemented as part of the REDD+ National Strategies.

To provide a structure to the REDD+ Corruption Risk Assessment (REDD+ CRA), it is useful to consider the major components of a REDD+ Programme (Figure 1). These are:

- **Policies and Measures:** REDD+ Programmes initially develop strategies, policies and measures to reduce emissions. The primary policy is the national REDD+ strategy, developed in Phase 1, but this may lead to the adoption of further legal frameworks, administrative rules and procedures and other measures to implement the national REDD+ strategy at the national and local level. These policies also include the development of safeguards information systems. The REDD+ CRA will assess whether these policies and measures are prone or have been prone to corruption risks.
- **System for Measurement, Reporting and Verification, and Monitoring (MRV&M):** This is a country's system developed to measure emissions and sinks and monitor the implementation of national policies and measures. A number of institutions and actors play a role in the measurement, reporting and verification of emissions and sinks, as well as the monitoring process. This includes the establishment of reference levels against which emission reductions or enhancement of sinks would be measured, as well as the information system for social and environmental safeguards. This will constitute a second focus area for the REDD+ CRA
- **Benefit Distribution System (BDS):** This is a system used to ensure that benefits secured through reducing emissions are distributed equitably to those stakeholders who have made investments to secure the reduced emissions. The BDS is the third area of focus under the REDD+ CRA.

It is crucial to understand that corruption risks may occur during each of the phases above. However, **note that this does not imply that the assessment be carried out during each Phase – the assessment can and should be carried out during Phase I, but the identification of corruption risks by Phase simplifies the analysis.** The matrix below summarizes the major risk categories.

⁷ Annex A# of Transparency international's Manual for assessing integrity in the Development and implementation of forest carbon projects and national REDD+ strategies should also be consulted. It provides a useful list of examples of corruption risks. See DRAFT here, kindly provided by Transparency International : http://www.unredd.net/index.php?option=com_docman&task=doc_download&gid=7300&Itemid=53

Figure 1: Conceptual model of REDD+

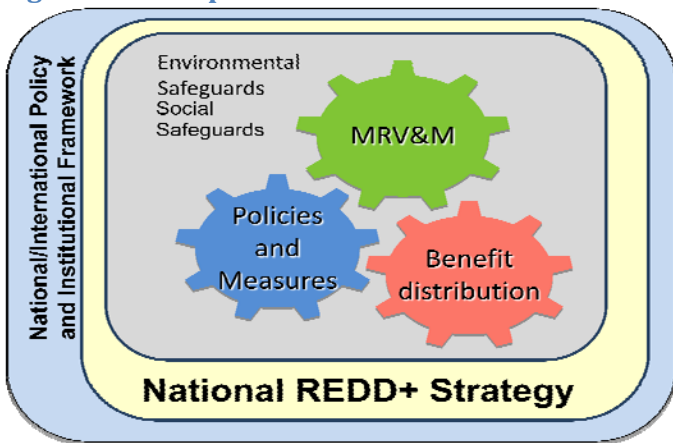


Table 1: Nine Cell Matrix of corruption risks in each phase and element of a national REDD+ system

	Phase I: National Strategy development	Phase II: Implementation of policies and measures and national strategy	Phase III: Results-based actions
Policies & Measures	<ul style="list-style-type: none"> • Bribery or undue influence to define “forest” in such a way as to include or exclude areas under the control of those with influence/power • Collusion to favour certain types of REDD+ activities that favour one sector • Undue influence to determine who is eligible to conduct REDD+ activities • Undue influence to create fraudulent licenses, land titles or Carbon rights • Inaccurate information to deliberately limit effective engagement and decision-making power of certain stakeholders • Fraud to weaken the system of information for environment and social safeguards • Fraud to avoid the recognition of informal and customary tenure rights⁸ • Lack of transparency allowing cronyism in the appointment of new staff to conduct the readiness process 	<ul style="list-style-type: none"> • Corruption that results in REDD+ safeguards not being adhered to • Collusion, extortion, bribery or cronyism in the procurement of goods and services • Bribery, cronyism, abuse of discretion, and/or collusion to overlook poor enforcement • Corruption of the judiciary system 	<ul style="list-style-type: none"> • Undue influence and bribery to ignore breaches of REDD+ regulations • Fraud in reporting information on social and information safeguards
MRV & M	<ul style="list-style-type: none"> • Identification of roles in such a way as to allow future manipulation of data • Identification of “national circumstances” to favour those with influence/power and/or marginalize others • Artificially inflating the reference level/reference emission level • Auditing parameters for verification made deliberately unclear 	<ul style="list-style-type: none"> • Manipulation of data to favour certain stakeholders in demonstration activities • MRV actors over-estimate the amount of avoided emissions in demonstration activities 	<ul style="list-style-type: none"> • Manipulation of data to favour certain stakeholders • MRV actors over-estimate the amount of avoided emission • Undue influence or pressure to overlook due diligence in verification
BDS	<ul style="list-style-type: none"> • Intentionally weak designs to favor obscure movements of funds • Definition of beneficiaries to favour those with influence/power and/or exclude the poor and marginalized • Undue influence to link Carbon rights to state ownership excluding informal or customary tenure • Bribery to register Carbon rights over particular parcels of land 		<ul style="list-style-type: none"> • Embezzlement of REDD+ revenues • Fraud related to the distribution of benefits from REDD+ revenues • Laundering of money and other assets through the purchase and sale of Carbon rights

⁸For example, in order to limit stakeholders’ ability to exercise their rights to decision-making and benefits

2) Who is involved in the REDD+ CRA?

Throughout the REDD+ CRA, it is important to involve all relevant stakeholders for each of the three REDD+ implementation phases and the main focus areas (as described above).

These stakeholders will usually include: the Ministry of Environment, the Ministry of Forestry (if separate), other ministries and state agencies engaged in the REDD+ readiness process, private sector entities relevant in drivers of deforestation and forest degradation, forest communities, indigenous peoples, journalists, civil society organizations etc.

Because of their role in REDD+ and in demanding accountability, particular attention should be given to the engagement of civil society and indigenous peoples at the local level, either directly or through their partners at the national level. The joint Forest Carbon Partnership Facility (FCPF) and UN-REDD Programme Guidelines on Stakeholder Engagement in REDD+ Readiness⁹ offer useful guidance and should be consulted in this exercise.

Following consultation with the UNDP anti-corruption advisors, it is also highly encouraged to involve the national Anti-Corruption Agency, General Auditor's Offices¹⁰ and/or other instances leading on anti-corruption issues in a given country, in the process of undertaking the REDD+ CRA.

3) Methodology: REDD+ CRA step by step

The following steps should be taken to undertake the REDD+ CRA.

i) Establish an REDD+ CRA Team

The team will usually consist of one or more national consultants (one of whom will be designated the "coordinator"), supported by technical advisors from the UN-REDD Programme (UNDP) at global and regional levels, UNDP Democratic Governance advisors from UNDP Headquarters and regional levels, and possibly Oslo Governance Centre staff.

The team should agree on the objective of the REDD+ RCA and follow up actions.

Sample Terms of Reference (ToRs) for the national consultant may be found in Annex 3.

ii) Desk Research

The coordinator, supported by other national consultants, if any, will collect secondary data from relevant documents. The most important secondary information consists of legal documents, including the current legal and policy provisions and practices to control corruption in the forestry sector and beyond, as well as previous corruption assessments, studies, not limited to the forest sector¹¹. A short synthesis report

⁹ Also in Spanish, French and English here :

http://www.unredd.net/index.php?option=com_docman&task=cat_view&gid=1467&Itemid=53

¹⁰ Information about international cooperation between general Auditor's offices may be found at <http://www.riksrevisjonen.no/en/InternationalActivities/development/Pages/development.aspx>

¹¹ FAO's [National Forest Programme](#) database of country profiles has a comprehensive list of relevant legislation

highlighting the national enabling/disabling environment and most common/accepted corruption practices will be produced.

Through this process a preliminary mapping of key stakeholders, described fully in step 3, will be initiated.

iii) Identify the stakeholders to be involved in the REDD+ CRA

The coordinator, supported by other national consultants, if any, and **in consultation with national REDD+ multi-stakeholder advisory and decision-making bodies**, will undertake the stakeholder identification and strategize on the level of involvement required according to power/authority and interest (see Figure 2).



Figure 2: Making sense of how to involve stakeholders¹²

Note that the process of identification of stakeholders for a corruption risk assessment is analogous to the process for a number of other governance assessments, such as a Participatory Governance Assessment for REDD+. If such mapping has already been conducted, its results should simply be validated and used.

When possible, it is encouraged that an Institutional Context Analysis is conducted, as this provides valuable information on power relationships among stakeholders, and may therefore guide the design of workshops and surveys¹³. By assessing the relative power/authority and interest of stakeholders help determine how best to understand and manage corruption vulnerabilities, as well as how to differentiate engagement with the different stakeholder groups. In addition to identifying the actors and institutions involved in the different activities in the sector, such analyses are crucial to uncover where overlaps and conflicts lie, where power is concentrated and other influential factors. Given the sensitivity often associated with corruption, an understanding of who has interest in seeing corruption unchecked - or prevented - will help understand where the resistance to change lies – and where opportunities for change can be found.

¹² Adapted from : (Reference to be added)

¹³ ICAs “refers to analyses that focus on political and institutional factors as well as processes concerning the use of national and external resources in a given setting, and how these have an impact on the implementation of UNDP programmes and policy advice”. They seek to help UN RCs, country teams and UN COs to be more strategic in their engagement with different actors and sectors, and provide tools for disaggregating the incentives and constraints related to supporting UN development interventions. A reference document is available online here : http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/oslo_governance_centre/Institutional_and_Context_Analysis_Guidance_Note/

iv) Conduct the REDD+ CRA stakeholder survey

All stakeholders identified under step (ii), above, should be asked to complete a survey. Initially, stakeholders should be invited to complete an on-line survey (using Survey Monkey) organized by the coordinator; subsequently, for those who do not have internet access, or who did not complete the on-line survey, it can be completed in hard copy at step (v), below.

The survey should be based on the nine cells in the matrix above. For each identified corruption risk, respondents should be asked 2 questions:

- What is the risk of this occurring (on a scale of 0-5)?
- What is the potential impact ¹⁴ of the risk if it were to occur (scale of 0-5)?

In addition, they should be asked to identify other corruption risks not included in the matrix; and score them as for the others.

The coordinator, supported by other national consultants and UN-REDD Programme/Democratic Governance technical advisors will analyze the results of the on-line survey.

v) Conduct focus group discussions (FDGs)

The coordinator, supported by other national consultants, if any, will organize a number of FDGs. These could include both national and sub-national events, but they **should be structured to avoid mixing of stakeholders among whom conflicts may arise**. UN-REDD Programme/DG technical advisors will attend at least some of the FDGs, where possible. The FDG meetings should consist of the following elements:

- An opportunity for those who have not completed the on-line survey to complete the survey in hard copy
- A discussion of the preliminary results of the survey (likely limited to on-line results), including discussion on risks that are rated surprisingly high or low
- For each of the critical corruption risk (i.e., risk with a high probability of occurrence and greater potential impact), a discussion on what measures are currently in place to mitigate any risk and what additional measures could be introduced to reduce the risk further
- A discussion on the more general questions regarding corruption indicated in the Annex 2

The coordinator, supported by other national consultants, if any, will document all information generated by the FDGs.

vi) Analyze the data and draft the REDD+ CRA report

The coordinator, supported by other national consultants and UN-REDD/DG technical advisors will prepare a draft report combining the findings of the desk research, the surveys and the FDGs to establish a prioritized and specific list of corruption risks, and including a proposed workplan to mitigate REDD+ corruption risks. The draft report will be circulated to all stakeholders for comments, and if considered necessary, one or more

¹⁴ See Transparency International Manual: Impact may be human (on local livelihoods, on environmental services, or on social grievances); financial (on tax revenues, on investment); or political (ability of the state to deliver services, elite capture). If possible, these different impacts should be captured in the report of the Focus Group Discussions.

consultation workshops may be held. The report should recall the dissemination plan agreed to by the REDD+ RCA team. .

vii) Validate the REDD+ CRA findings and develop and disseminate recommendations

A validation workshop will be organized for all stakeholders to validate and endorse the report and to establish a time-bound workplan for implementation of recommendations, with clear delineation of roles and responsibilities, and capacity needs. The report should be disseminated following the dissemination strategy developed by the REDD+ RCA team.

Depending on the country's progress on REDD+ readiness, this report or its summarized conclusions and recommendations may:

- Be summarized and included in a UN-REDD National Programme Document or RPP, and/or
- Be annexed to or inform the development or revision of a national REDD+ strategy, and/or
- Complement a Participatory Governance Assessment for REDD+, and/or
- Be used in a safeguards information system
- 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+

Although not part of the REDD+ CRA process itself, follow-up actions in terms of developing and implementing interventions to apply the recommendations is essential. Further guidance will be provided on this aspect.

Annex 1: Introductory questions for REDD+ CRA Focus Group Discussions

Introductory Questions
<ul style="list-style-type: none">• What are the conditions that facilitate corruption in policy-making processes?• Are revisions to forest laws, other relevant laws (e.g., tenure laws) or proposed corruption mitigation-related policy reforms necessary to tackle corruption risks?• What are the challenges in defining, implementing and renewing forest policies and other relevant policies to tackle corruption risks?• What are the factors that may lead to corruption in the three phases of the REDD+ framework?• Does the implementation of consultation processes take place at national and project levels?• How does the involvement of bilateral and multilateral donors affect the risk of corruption?• What are the necessary steps needed to work in parallel on anti-corruption strategies at national, sub-national and community levels?

Annex 2: Relevant Guiding questions from the UN-REDD Programme Social and Environmental Principles and Criteria Tool

The UN-REDD Programme is currently developing a ‘Benefit and Risk Tool’ (BeRT) to accompany its Social and Environmental Principles and criteria, which seeks to support countries in building a safeguards system to meet the provisions of the Cancun Agreements. The BeRT contains a list of questions related to governance, including some of direct relevance to anti-corruption, who have been adapted in the table below. The BeRT also contains a list of relevant sources. The latest draft is available here:

http://www.unredd.net/index.php?option=com_docman&task=doc_download&gid=6352&Itemid=53

Table 2.a: Assessing the context

Topic	Sample questions ¹⁵	Desk study	FDG or polls
Anti corruption framework	Has the country ratified UNCAC or other regional agreement against corruption? Does the country actively enforce the principles from these conventions?	X	X
Fund management systems	Have relevant fund management systems been described elsewhere, including national budgeting processes, management of funds in the forest and other natural resource sectors, and donor funding systems?	X	
	Are there laws assigning clear authority, roles and responsibilities for the collection, commitment and use of public funds in sectors relevant to the REDD+ programme/strategy?	X	
	To what extent are existing public accounting systems relevant to making the REDD+ programme/strategy transparent and predictable?	X	X
	Is there a system for timely reports on fiscal activity in the forest sector and other sectors relevant to REDD+ and are these reports publicly accessible? How effective are these?	X	X
	Do bodies/agencies relevant to REDD+ apply internal controls and external auditing to their fiscal spending? How effective are these?	X	
Accountability	Are systems in place for integrity monitoring and testing systems that include wealth/lifestyle audits for public officers and ad-hoc integrity checks?	X	
	Do public service performance management system –	X	

¹⁵ Questions marked with a star (*) apply more specifically to an existing national REDD+ strategy

	that include transparency and accountability as part of performance criteria - exist in governmental bodies in charge of REDD+? Are they effectively applied?		
	Do structures or forum for citizens to demand accountability exist and can be applied for REDD+?	X	
Transparency and Access to Information	Does infrastructure for access to information exist up to the subnational/district level?		
	To what extent are these effective?	X	X
	Is there a clear and accessible mechanism available to request information if it has not been actively disclosed? How has this mechanism been communicated to stakeholders?	X	X
	Does the country have a freedom of information law or act? Are there other government policies that support free and timely stakeholder access to information about the REDD+ program, including information on rights to lands, trees and resources?	X	
Complaints and justice delivery	Do impartial, accessible and fair mechanisms for feedback, grievance, conflict resolution and redress exist? Are these accessible to all stakeholders, including those with varying literacy abilities and ethnic groups and/or indigenous peoples that may speak different languages? Do these policies contain: clear definitions of what constitutes a complaint; when and how they can be filed; independent support for complainants; protection of the identity of complainants; clear lines of responsibility for oversight of the mechanism; provisions for appeal and clear lines of independence between those investigating complaints and the complainants?	X	
	Is the speed and success rate with which investigation, arrest, prosecution and correction conducive to deter those who might be tempted to engage in corrupt activities?		X
	Are there relevant existing programmes and institutions that help to ensure access to justice for stakeholders? Including, for example, programmes on: legal protection, legal awareness, legal aid and counsel, adjudication, enforcement and civil society/parliamentary oversight. How accessible are these to all stakeholders?	X	X
	Are whistleblowers protected by national legislation?		

Table 2.b: Assessing a national REDD+ strategy

If a country has already developed or is in the process of developing a national REDD+ strategy, the following additional questions should be considered.

Topic	Sample questions ¹⁶	Desk study	FDG or polls
Fund management systems	Does the programme/strategy explain approaches to ensure the transparency and integrity of fund management systems?	X	
	Does the programme/strategy assign clear authority for the use of funds, describe accounting systems and approaches to ensure transparency such as schedules for reporting, internal and external audits and participation and feedback mechanisms for those involved in REDD+ activities?	X	
Accountability			
Participation	Have national anti-corruption agencies or bodies been engaged and consulted during in the development of the national REDD+ strategy?	X	
	Do clear rules on stakeholder participation exist in all key decision-making bodies and/or are they established by the programme/strategy? ¹⁷	X	
	Are stakeholders involved in designing nationally-appropriate indicators for safeguards information systems?	X	
	Are there specific plans to develop the capacities of civil society to engage in anti-corruption for REDD+?	X	
Transparency and access to information	Does the programme/strategy include clear rules on transparency, such as disclosure policies, active dissemination through multiple and appropriate channels and clear rules on when and how often information will be made public?	X	
	Does the strategy include adequate planning about how information will be made accessible to potentially interested members of the public, including information about program design, implementation and evaluation, including social and environmental impact assessment, benefit-sharing, biodiversity and ecosystem services and rights to lands, territories, resources?	X	
	Have appropriate means of communication been considered for each rights holder and stakeholder	X	X

¹⁶ Questions marked with a star (*) apply more specifically to an existing national REDD+ strategy

¹⁷ This includes policies explaining the organizational structure and membership of decision-making structures, clear descriptions of the principles that guide decision-making, comprehensive stakeholder analysis to identify stakeholders and criteria to decide who is involved, and a clear timetable for decision-making processes. Please Refer to the joint Forest Carbon Partnership Facility (FCPF) and UN-REDD Programme Guidelines on Stakeholder Engagement for more guidance on how to ensure adequate participation.

	group? In particular, are there specific provisions for providing information to vulnerable groups, including in culturally appropriate forms and resources to help them access information?		
	Does the strategy contain specific reference to how information regarding safeguards will be provided to stakeholders ?	X	
Citizen demand for accountability	Is there a specific plan to encourage citizen to demand information on public undertakings relevant to REDD+, such as budgets, expenditures, employment opportunities, procurements etc		
Complaints and justice delivery	Does the strategy provide for its own impartial, accessible and fair mechanisms for feedback, grievance, conflict resolution and redress? Does it detail its accessibility to all stakeholders, including those with varying literacy abilities and ethnic groups and/or indigenous peoples that may speak different languages. Do these policies contain: clear definitions of what constitutes a complaint; when and how they can be filed; independent support for complainants; protection of the identity of complainants; clear lines of responsibility for oversight of the mechanism; provisions for appeal and clear lines of independence between those investigating complaints and the complainants?	X	

Annex 3: Sample Terms of reference

1. Background

Corruption hinders efforts to achieve the MDGs by reducing access to services and diverting resources away from investments in infrastructure, institutions and social services. Success in meeting the MDGs will therefore largely depend on the 'quality' of governance and the level of effectiveness, efficiency and equity in resource generation, allocation and management.

Under the UN framework Convention for Climate Change (UNFCCC), REDD+ (reducing emissions from deforestation and forest degradation in developing countries, and the role of conservation, sustainable management of forest and enhancement of forest carbon stocks) is an international financial mechanism that will compensate developing countries for cutting carbon emissions from their forest sector, through the conservation of standing forests and more sustainable forest activities. REDD+ was first proposed as part of the UNFCCC Bali Action plan in 2007, and in December 2010 an agreement on a general REDD+ framework was reached by Parties to the UNFCCC in Cancun. Developing countries are getting ready for REDD+ with bilateral and multilateral support, including the UN-REDD Programme¹⁸.

While REDD+ is attracting momentum and interest, concerns are also being raised because REDD+ countries often face a number of governance challenges, inside and outside the forestry sector. The overall risks of corruption in REDD+, and possible mitigation measures for these risks, were examined during a workshop organized by UNDP with GTZ (now GIZ¹⁹) at the 14th International Anti-corruption Conference (IACC) in Bangkok in November 2010. These risks and strategies were also detailed in a UNDP-commissioned report²⁰ in November 2010, and addressed in Transparency International's Global Report on Corruption in Climate Change, among other reports.

The UN-REDD Programme has integrated activities on anti-corruption as a core element of its five-year Programme Strategy²¹, supported by its Global programme Framework Document 2011-2015²², with UNDP the lead agency. These activities are implemented together with PACDE. They include guidance on institutional frameworks for equitable, transparent and accountable benefit distribution systems in REDD+; strengthening the integrity of fiduciary systems for receiving and disbursement of funds, coordinating anti-corruption activities at the national, regional and international level; and supporting the capacity of multiple stakeholders to jointly mitigate corruption risks.

¹⁸ The UN-REDD Programme is a partnership of FAO, UNDP and UNEP, established in 2008. See www.un-redd.org

¹⁹ Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

²⁰ « Staying on Track : Tackling Corruption Risks in Climate Change », UNDP, 2010. Available at http://www.unredd.net/index.php?option=com_docman&task=doc_download&gid=3790&Itemid=53

²¹ Five Year Strategy, UN-REDD Programme, 2011-2015. Available at http://www.unredd.net/index.php?option=com_docman&task=doc_download&gid=4598&Itemid=53

²² « Support to National REDD+ Action : Global Programme Framework Document – 2011-2015 », UN-REDD Programme, 2011, Available at http://www.unredd.net/index.php?option=com_docman&task=doc_download&gid=5534&Itemid=53

2. Objective of consultancy

The Objective of the consultancy is to develop proposals that will ensure [*choose one or several as appropriate*]:

- that all relevant stakeholders understand corruption risks in REDD+ and are clear on their roles and responsibilities to mitigate these risks
- that corruption risks are adequately represented in the developing safeguards information systems for REDD+
- that a monitoring mechanism for corruption risks in REDD+ is initiated
- that the National REDD+ Strategy incorporates effective measures to address REDD+ corruption risks that fully reflect national and international requirements.
- ...

3. Tasks to be performed

In order to achieve the stated Objective, the following indicative activities are anticipated:

1. Work with the UN-REDD Regional Advisor, UNDP Regional Anti-Corruption Specialist and UNDP Global Specialist on anti-corruption and REDD+ to ensure coordination and methodological consistency of the activities undertaken in {COUNTRY} with those undertaken in other countries so as to allow for comparative data and generate lessons
2. Develop a contextualized corruption risk assessment methodology that builds on existing frameworks/tools including UN-REDD's REDD+ Corruption Risk Assessment (RCRA) as well as existing data sets and research, including for collecting evidence from regional and local stakeholders, in consultation with relevant national partners, including the country's anti-corruption bodies
3. Identify the stakeholders to be involved in the REDD+ CRA and provide support the Institutional Context Analysis
4. Conduct the REDD+ CRA stakeholder survey and complement with focus group discussions, including through workshops as appropriate, based on the analysis in (3)
5. Analyze the data and draft the REDD+ CRA report
6. Validate the REDD+ CRA findings through consultations and workshops
7. Based on results from the consultations, prepare a final report (for circulation to all stakeholders) that includes:
 - a. a prioritized list of corruption risks in REDD+ in the country;
 - b. proposed and agreed upon measures to mitigate the risks that have been identified as most likely and most detrimental in the short, medium and long term;
 - c. a preliminary budget and identified responsibilities for implementation of those measures;
 - d. extracting lessons that may be applicable in other countries.

4. Output

The outputs will consist of:

- a) An inception report
- b) A contextualized REDD+ CRA methodology

- c) Reports of the workshops and data collected
- d) A dissemination plan
- e) A final report as above

5. Duration and timing

The national consultant will contribute [60] working days to this work over a [4 months] period, commencing in [..].

DRAFT