

# **Mid-Term Evaluation Report**

**UN-REDD National Joint Programme in Panama**

**Independent Investigation and Evaluation Team  
October 2013**

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The UN-REDD Panama National Programme has gone through difficult processes, but all the involved individuals have stated their interest and intention that the experiences generated and the lessons learned serve to inform future UN-REDD programmes. The Team hopes that this Report may contribute to this objective.

## List of Abbreviations

ACP	The Panama Canal Authority ( <i>Autoridad del Canal de Panamá</i> )
ANAM	National Environment Authority of Panama ( <i>Autoridad Nacional del Ambiente</i> )
CATHALAC	Water Center for the Humid Tropics of Latin America and the Caribbean ( <i>Centro del Agua del Trópico Húmedo para América Latina y el Caribe</i> )
CCAD	Central American Commission for Environment and Development ( <i>Comisión Centroamericana de Ambiente y Desarrollo</i> )
CNCCP	National Committee for Climate Change of Panama ( <i>Comité Nacional de Cambio Climático de Panamá</i> )
CONAREDD	National REDD+ Committee ( <i>Comité Nacional REDD+</i> )
COONAPIP	National Coordinating Body of Indigenous Peoples in Panama ( <i>Coordinadora Nacional de los Pueblos Indígenas de Panamá</i> )
COP	Conference of the Parties
FAO	Food and Agriculture Organization of the United Nations
FCPF	Forest Carbon Partnership Facility
GIZ	German Society for International Cooperation ( <i>Deutsche Gesellschaft für Internationale Zusammenarbeit</i> )
ILO	International Labor Organization
IUCN	International Union for the Conservation of Nature and Natural Resources
INF	National Forest Inventory ( <i>Inventario Nacional Forestal</i> )
MEF	Ministry of Finance and the Economy ( <i>Ministerio de Economía y Finanzas</i> )
MIDA	Ministry of Agricultural Development
NES	National Environment Strategy ( <i>Estrategia Nacional del Ambiente</i> )
NJP	National Joint Programme
PAT	Technical Advisory Panel
PEIP	Strategic Plan and Policy Development ( <i>Plan Estratégico de Incidencia Política</i> )
POA	Annual Operating Plan ( <i>Plan Operativo Annual</i> )
R-Plan	REDD Readiness Plan
SBSTA	Subsidiary Body for Scientific and Technological Advice of the Convention
SINAP	National System of Protected Areas ( <i>Sistema Nacional de Áreas Protegidas</i> )
STRI	Smithsonian Tropical Research Institute
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNFCCC	United Nations Framework Convention on Climate Change
UN-REDD	United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries
UNS	United Nations System

## **Executive Summary**

The UN-REDD National Joint Programme (NJP) in Panama is led by the National Environmental Authority (ANAM) and directly implemented by the 3 United Nations System (UNS) agencies involved in UN-REDD, in collaboration with ANAM. The expected duration of the NJP is from January 2011 to January 2014.

### **Development and Design Process**

The NJP was designed between 2009 and 2010 as a UN-REDD pilot programme. During this period, the concept and understanding of REDD+ were still in very early stages and in the process of being defined and not based on real experiences. Consequently, the challenges of preparing the country legally and institutionally for REDD+ were underestimated, and the design was overly ambitious. In general, the design of the NJP reflects a confusing design process with several actors and stages, and with contradictions and gaps, among which the following stand out:

- Residues of the prior aspiration to design a joint programme with the Forest Carbon Partnership Facility (FCPF), which did not materialize.
- Inconsistencies in focus, vision and direction of the programme, in the proposed implementation modalities and the results framework.
- Large gaps in defining roles and budgetary frameworks in relation to the expected outcomes and stakeholders.

Design problems have become challenges for staff, demanding of them a high degree of flexibility, interpretation and adaptation to changing contexts (national, international REDD+ and UN-REDD contexts) in order to try to obtain concrete results.

From the design process, there was concern for the participation of the indigenous peoples that at the national level are represented by their maximum territorial authorities in the National Coordinating Body of Indigenous Peoples in Panama (COONAPIP). In June 2009, the proposal submitted by ANAM was conditioned by the UN-REDD Policy Board, for lacking proper consultation and validation. Subsequently, the UN agencies worked for 3 weeks with COONAPIP staff for the review and validation of the proposal. They prepared inputs to be inserted directly to the NJP as results and activities, and three annexes to be taken into account in the process. In October 2009, the final validation of the proposal was signed between the UNS, ANAM and COONAPIP, proposing the addition of the annexes prepared by COONAPIP to the Programme Document, but this was not formalized. Nor were the roles, responsibilities and competencies of the UN agencies and the Panamanian government bodies defined with adequate precision in regards to the participation and priorities of the indigenous peoples.

The Regulations of the UN-REDD Programme served as a safeguard to ensure consultation and validation by the indigenous peoples at the beginning of the process, which led to an initial sense of ownership of the NJP by the Indigenous

Peoples' authorities and a justified aspiration to be a key player in the implementation of its activities.

However, we must question whether a review process of the NJP document with numerous and geographically dispersed indigenous peoples over a period of only 3 weeks is sufficient to guarantee the legitimacy and quality necessary for the validation of a programme. Nor is there evidence that other civil society organizations or representatives of Afro-descendant communities participated in this process. The expedited process to include the concerns and priorities of the COONAPIP in the design of the Programme is one of the main reasons for the subsequent conflict, since the absence of well-defined frameworks and modalities gave way to a variety of conflicting interpretations and expectations lacking consensus between the parties.

Overall, the staff of the UN-REDD agencies express concern about the difficulties of applying "ideal" guidelines to the complex realities on the ground, and the need to focus more on the systematization of experiences and lessons learned arising from practical operational experiences.

### **Relevance**

It is estimated that Panama has one of the highest percentages of forest in Central America though it has declined dramatically in the last 60 years. The existing forest cover is concentrated in the territories and collective land of the seven indigenous peoples and in protected areas. According to the Forestry Law, all natural forests are state assets; this is contested by indigenous peoples. This discussion obviously has much relevance in relation to the rights associated with carbon.

The expected results of the NJP are considered relevant to Panama due to the expected impacts of climate change and the country's dependence on natural resources. The NJP can also enhance the visibility of opportunity costs and economic potential, which may contribute to the protection of forests and sustainable development in Panama.

### **Results**

The actual implementation period of the NJP has been barely a year and a half, given the late start in mid-2011 and the suspension of activities in March 2013 due to the withdrawal of the COONAPIP from the NJP. The most substantial progress was seen during 2012, mainly in the development of technical products while the components of consultation, participation, capacity-building and communication are still largely pending. Among the most important results are:

- Incipient debates on carbon rights, based on an analysis conducted in 2011, and a pragmatic consensus to focus on the system for distribution of benefits while the clarification of carbon rights is pending.
- Establishment of the REDD+ National Round Table and technical sub-tables in 2012 for the development of the REDD+ National Strategy. This is a good

start to the participatory process and has analysis products that are very important for decision-making.

- Various information/capacity-building workshops on REDD+ with ANAM staff (central and regional) and with some other partners, by request. Training modules are in the process of being developed.
- Communication Plan for October 2012 to June 2013, including the development of tools for internal communication; corporate image and visibility; and communication for development events.
- A series of maps and scenarios, identifying the multiple benefits of forests and assessment of opportunity costs to illustrate and analyse the potential of REDD+ in Panama.
- Overall design of a national system of forest and carbon inventory and monitoring, including: new national forest cover map; inventory of greenhouse gases; remote sensing-based system to monitor land and changes in land use and forest categories; inventory of greenhouse gases. The forest cover map will have multiple uses and functions that exceed expectations, and it is near to completion.
- A Geo-Web portal to visualise and share information generated by the monitoring system is in progress.

According to the efficiency rating scale it is estimated that the average advance of the NJP is moderately unsatisfactory, with more satisfactory progress in terms of outcome 2 (technical capacity to monitor, measure, report and verify reductions of emissions from deforestation and forest degradation) and less satisfactory progress for outcome 1 (institutional capacity established for coordination and efficient implementation of national REDD + strategy in Panama).

The rating was made based on the original results framework indicators that reflect the over-ambitious design of the NJP. Moreover, the rating is based on the assumption that the Policy Board will respond favourably to the recommendation to extend the NJP Team until January 2015, as a closure of the NJP in January 2014 would not ensure the completion and sustainability of products under development.

### **Participation, capacity building and communication**

In 2009 when the NJP was designed, COONAPIP as a national body had recently restructured its organization. Therefore, it had no clear formal definition – nor operational experience – to determine their competencies, roles and responsibilities of political representation and technical implementation in relation to territorial authorities and external actors. Through the NJP, no deep analysis or mapping was conducted to identify the authorities and indigenous organizations and their technical capacity to implement programmes, or the potential conflicts or internal challenges.

Subsequently, despite the active participation of COONAPIP and many efforts, both by COONAPIP and the NJP, it was not possible to define the mechanism through which COONAPIP could function as a fund manager for external cooperation, nor was agreement reached on the issues to be addressed or the budget required.



Therefore, formal or institutionalized mechanisms have not been established to ensure the full and effective participation of indigenous peoples in the NJP. COONAPIP did not manage to have its own technical team that would enable it to participate or contribute fully to the REDD+ process, and the traditional authorities that lent their legitimacy and support to the NJP have not been able to meet the expectations of the communities.

COONAPIP participation in the NJP began in a spirit of good faith, but to the extent that the proposed partnership was not concretised, relations deteriorated to the point of reaching a failure of dialogue and a loss of trust, both institutionally and personally. In September 2012, at the request of COONAPIP, a High-Level Commission and later a Technical Committee were established to address the problems and obstacles. The Technical Committee met 4 times between September 2012 and January 2013, but its work was not submitted to the High-Level Commission given that in February 2013, COONAPIP issued an order announcing its withdrawal from the NJP. The resolution cites a lack of guarantees for the respect of indigenous rights and the full and effective participation of indigenous peoples. The withdrawal of COONAPIP from the NJP can largely be explained by the subsequent failure to concretise and operationalise initial commitments and expectations that were generated with regards the full and effective participation of indigenous peoples in the NJP.

Subsequently, UN-REDD decided to suspend the activities with indigenous peoples and activities considered as new, and to conduct an independent investigation. We consider that these decisions have helped to not aggravate the conflict and there appears to be an opportunity for ANAM and COONAPIP to restart a dialogue, based on a proposal that ANAM will develop.

Internal differences have also contributed to the weakening and fragmentation of COONAPIP, with several territorial Congresses expressing their disagreement with the position of COONAPIP to the NJP. The NJP has been accused of creating divisions between indigenous peoples, but the Team has the impression that the problem is rooted in the contradictions between the territorial representative bodies and the national representative body, composed of the same territorial entities. The Team considers it to be pertinent that relevant external, national and international actors respect the diversity of institutions of indigenous peoples and support, to the extent necessary and requested, indigenous institutions at territorial and national levels to resolve internally the definition of their roles, responsibilities and powers to the state and external cooperation.

In 2012-13 the NJP hired three consultants in communication, participation and consultation but they came in during a period when the level of conflict with the COONAPIP severely limited their work. Nonetheless, the REDD+ National Roundtable with sub-tables began in 2012 as an important and promising national space for participation, which unfortunately was halted in March 2013. Apart from this space, the participation of other partners and sectors in the NJP has been relatively weak. A positive element is the capacity built in ANAM and some partners that were involved

in the development of analysis products and monitoring. For example, the work on the map of forest cover and scenarios has generated national and institutional capacity in the ANAM staff.

From design, there has been a tendency to conceptualize the REDD+ readiness process as a series of defined steps or sequences that, to the extent that they have not progressed as expected, have become barriers to progress on other issues. Furthermore, there has not been flexibility in responding to the expressions of interest and initiatives of various sectors and institutions.

There lacked, since the beginning of the NJP, a proactive conceptualization of strategies for consultation, participation, communication and capacity building as intrinsically inter-related issues and continuous processes. The weak progress on these issues also impairs the usefulness and sustainability of technical products for analysis and monitoring; forces the staff to work retroactively; affects the cohesion between the components and the NJP as such; and, limited national ownership of the process.

#### **Adaptive management and efficiency**

The Programme Document indicates different implementation modalities that are mutually exclusive, since it proposes both a modality of national implementation (through Panamanian government bodies) and the modality of direct implementation by agencies. Initially, ANAM opted for the national implementation modality but when the programme began in 2011 it was by direct implementation by the agencies. Apparently, factors that led to this decision included the lack of an ideal unit for implementation within the institutions, as well as the instability of the ANAM, and the disinterest of the previous administrator of ANAM towards the NJP.

The implementation of the NJP directly involves the three UN agencies and ANAM, as well as a Coordination Unit with two co-coordinators. For the direct implementation modality, the Coordination Unit reports administratively to the three agencies. The Unit meets many central coordination functions but due to the financial and administrative dependence, the agencies play a more direct role in the implementation than is made visible.

Each agency and ANAM have their own structures and decision-making and coordination mechanisms, which in the case of agencies involved regional and global levels and in the case of ANAM provincial and local departments. Additionally, UN-REDD has its own decision-making and coordination structure (Policy Board and Secretariat). At the country level, the NJP has to coordinate with a wide range of partners and governmental and civil society actors and with the 11 territorial authorities and the national authority of indigenous peoples. In addition, UN-REDD in general and the NJP of Panama in particular have generated the attention of many actors with their interests, concerns and individual communication channels at national, regional or international level. In general, the requirements and formal and informal spaces, both horizontally and vertically, of coordination, communication and decision making are much more complex than those made visible in

organisational charts and it seems that the agencies underestimated the human resources needed to handle this complexity.

In early 2012, a Steering Committee comprising representatives of the 3 agencies, ANAM and the Ministry of Economy and Finance (MEF) was established. The Committee is an important space in terms of reviewing progress and discussing and approving work plans and budgets, but within the overall structure of UN-REDD, the Steering Committee is not necessarily the highest decision-making body. Moreover, without the participation of COONAPIP, the Committee has been unable to play a direct role in mediation or conflict resolution. According to ANAM, the participation of the indigenous peoples and other stakeholders in the Committee is a pending task.

The implementation of the NJP operates largely through the commitment and effort of staff and bi- and multilateral relations that constitute informal spaces for coordination and decision-making. This is positive as it helps to overcome institutional barriers but involves risks since it hampers the proper management of processes, particularly in conflict situations. The complexity of the management and decision-making mechanisms has also contributed to there not being any subsequent changes made to the original design and the lack of progress made in considering a change of modality from direct implementation by the agencies to a national implementation modality. According to the rating scale for management arrangements the Team believes that the arrangements are moderately unsatisfactory.

### **Financial management and efficiency**

The NJP has a budget of \$ 5.3 million from UN-REDD, to which is added the contribution of the agencies in terms of human resources, office, equipment, etc. ANAM's contribution in terms of financial resources has been \$ 1,477,969. ANAM has also contributed with 23 people working full time, for different intervals between 2011-13, an estimated a contribution of U.S. \$ 262,000 USD.

It is only in 2011 that the budget was activated and the late start has had implications for the rate of implementation, which until December 31, 2012 is 39%. The implementation rates vary between 29.5% and 75.2 % among agencies, which is explained by the different dynamics and sequences of the results worked on by each agency. The team was not unable to reconcile the figures of implementation up until June 2013 but though many of the activities are suspended, there are still fixed expenses. The agencies estimate that with the available budget it would be possible to complete the vast majority of products in development if the NJP is extended for approximately one year.

In the short term, the agencies have liquidity problems, since the NJP, in the current situation of suspension of activities, has not applied for the expected transfer of funds. In the long term, the NJP faces the challenge of adjusting the budget to the necessary changes to the programme, including adjustments in the results framework, the time frame, and, depending on the outcome of the dialogue

between ANAM and COONAPIP, the work to be carried out with the indigenous peoples.

Due to the direct implementation modality, the budget is administered under the regulations of various agencies involved. The staff has made efforts to streamline and seek flexibility in administrative procedures, but the slowness and complexity of procedures is a factor that is beyond their control though it has direct consequences, including in the collaboration with partners who sometimes interpret bureaucratic barriers as expressions of bad faith.

A widespread problem among agencies is that their regular financial management systems are based on budget lines rather than activities and results. Therefore, officers must maintain a parallel system (manually operated) to reconcile the budgets and reports of UN-REDD and the regular systems. Management requires a lot of investment of time, without this investment signifying added value in terms of outcomes. Therefore, the Team believes that the transaction costs are high though we were unable to quantify these costs.

### **Impact**

It is still premature to try to assess impact but based on the products generated for analysis, decision-making, planning and monitoring, the NJP has good potential for positive impact in terms of contributing with key technical inputs for the definition of a national REDD+ strategy in Panama, and in terms of strengthening forest governance. Due to the many delays and difficulties in implementing the NJP, achieving this positive impact will require an extension of the expected time frame. The potential to achieve the expected impact in terms of consultation, participation and capacity building will largely depend on the outcome of the dialogue between ANAM and COONAPIP, which is still an unknown factor.

### **Sustainability**

The lack of an economic rationale for REDD+ entails a general risk and a fundamental requirement to seek financial sustainability, taking into account the opportunity and transaction costs. This is a factor that should be considered by all actors involved in REDD+.

The products that have been generated or are in development, such as the map of forest cover and the opportunity cost scenarios, will have multiple uses and are an important element of sustainability. The long-term sustainability also depends on communication, consultation, participation and capacity-building strategies that may arouse the interest of civil society and indigenous peoples as well as the political will of the state and thus generate national ownership of the products and advances of the REDD+ strategy. Special attention should be paid to the following elements and risks for sustainability:

- Strengthen links with other actors involved in REDD+ to find synergies, complementarities and consolidation of results. In particular the FCPF programme, possibly starting in 2014, tentatively may be an important complement to the NJP.

- Influence sectoral policies to include REDD+ considerations with aims to achieving sustainability and national ownership and policy.
- Find permanence, institutionalisation and national ownership of the REDD+ National Roundtable, which is also the way to ensure sustainability in the development process of the National REDD+ Strategy.
- Resolve financial, methodological, institutional and technical challenges to ensure the completion and regular updating of the National Forest Inventory (INF). A collective decision should be taken by ANAM, FAO and other stakeholders within the next few months to address these issues.

### **Lessons Learned**

REDD+ is an evolving process, which in and of itself represents a problematic starting point for the design of a Programme. Therefore, national UN-REDD programmes must have simple and flexible designs, with strategies that seek to generate multiple benefits.

The modality of direct implementation by the three agencies has high transaction costs and goes against the principles of the agenda of aid effectiveness as expressed in the Paris Declaration.

The UN-REDD Guidelines served as a safeguard to ensure initial consultation and validation with indigenous peoples, but did not lead to an adequate control of the quality of the programme design, including in the definition of roles and responsibilities between agency, state agencies, indigenous peoples and civil society. In particular, the agencies should carefully delineate their roles and responsibilities to the state and prevent that the programmes generate expectations that do not reflect state commitments.

From the outset, interrelated strategies should be conceptualised for consultation, participation, communication and capacity building with the diversity of actors, as continuous processes linked to the various phases of the UN-REDD programmes and the REDD+ readiness process.

Multifaceted and flexible processes might include, for example, the following:

- Initial processes of communication and consultation on the NJP
- Participation and consultation as permanent processes through institutionalized decision-making bodies
- Processes for institutional strengthening and capacity-building to ensure full and effective participation
- Consultations with various sectors on issues relevant to a national REDD+ strategy
- Diverse partner participation modalities in product development
- Diversified communication processes about generated products
- Internal consultations of indigenous peoples, according to the customs and traditions of their self-government bodies in order to consolidate positions regarding REDD+
- Specific inquiries about legislative or administrative measures that may affect indigenous peoples.

## Recommendations

- To NJP: Maintain the suspension of activities with indigenous peoples until there are specific agreements with national and regional indigenous authorities on how to continue the collaboration.
- To UN-REDD: Extend the NJP until the end of 2014 in order to finalise and consolidate the results achieved and support their sustainability.
- To NJP: Adapt the NJP strategy to the uneven progress of the various elements, minimizing the dependence on unpredictable results and strengthening the cohesion between the elements in place.
- To NJP: Adjust and/or resize the expected products of the NJP, to eliminate non-attainable products and focus on generating strong and sustainable products considering: the new time frame, the remaining budget, the national economy and, eventually, the signed agreements with indigenous peoples.
- To ANAM: Consolidate the REDD+ National Round Table as a platform for broad and permanent dialogue of ANAM and the Panamanian society for the definition, coordination and implementation of the REDD+ Strategy in Panama
- To ANAM: Request specific support under the UN-REDD Global Programme to strengthen the consultation and participation of indigenous peoples, to the extent that this support is agreed upon and requested by the indigenous authorities.
- To ANAM and FAO: Determine the scope, size, institutional anchor and maintenance and sustainability mechanism for the National Forest Monitoring System (INF, satellite ground system monitoring and inventory GEI) in accordance with the available budget, options for additional funding, the time frame of the NJP, and collaboration with other sub-national, national and international bodies.
- To NJP: Define diversified strategies of consultation, participation and capacity building, in accordance with the needs and demands of the various actors involved in REDD+ related processes in Panama
- To NJP and UN- REDD: Adopt a communication protocol to ensure that dialogue on issues of consultation and participation in the context of the NJP is directly between the duly authorized representatives of the NJP and the Panamanian organizations with institutionalized roles and mandates on the subject REDD+ Panama (governmental agencies, indigenous peoples, civil society, academia and others).
- To NJP: Focus the communication strategy on the dissemination and discussion of national analysis products generated by the NJP (Geo -Portal and others)

Since the overall guidelines of UN-REDD Programme impact the planning and implementation at the national level, the Team offers the following recommendations for consideration by the UN- REDD Global Programme:

- To UN-REDD: Find ways to simplify and streamline the management of joint national programmes through national implementation modalities or implementation through a single agency
- To UN-REDD: Adjust the directives and guidelines of UN-REDD (stakeholder engagement, FPIC) to better reflect the complex realities and experiences generated through implementation on the ground.
- To UN-REDD: Consider possible modes through which to ease and resolve the limitations arising from the rules and procedures of the UN System with regards recognising, also for administrative purposes, the political and technical bodies of the indigenous peoples in their various roles as representative bodies and programme managers.

# 1. Introduction

## 1.1. UN-REDD National Joint Programme in Panama

The UN-REDD National Joint Programme (NJP) in Panama is led by the designated state entity, the National Environment Authority of Panama (ANAM), and carried out with the technical and direct support of the 3 agencies of the United Nations involved in UN-REDD: the Food and Agriculture Organization of the United Nations (FAO), the United Nations Environment Programme (UNEP), and the United Nations Development Programme (UNDP). The NJP was design between 2009 and 2010 with a budget of US 5.3 million dollars that is directly implemented by the 3 agencies in collaboration with the National Environment Authority of Panama (ANAM). The foreseen term of the programme is 3 years - from January 2011 to January 2014.

According to the Programme Document, the objective is “to assist the Government of Panama to develop an effective REDD+ regime”. The Programme aims to contribute such that “towards the end of 2013, Panama shall be ready to implement REDD+ and have the capacity to reduce emissions from deforestation and the degradation of forests at a national level”.

The Programme has two main results:

- **Result 1:** *Established institutional capacity for the efficient coordination and implementation of the national REDD+ strategy of Panama.* This result is the shared responsibility of ANAM, UNDP, and UNEP.
- **Result 2:** *The technical capacity to monitor, measure, report, and verify the reduction of emissions from the deforestation and degradation of forests.* This result is the shared responsibility of ANAM, FAO, and UNEP.

## 1.2. Programme evaluation

In February of 2013, the National Coordinating Body of the Indigenous Peoples of Panama (COONAPIP) issued a Resolution announcing their withdrawal from the NJP, citing a lack of guarantees for the respect of indigenous rights and the full and effective participation of indigenous peoples. In response to the complaints made by the COONAPIP and with the agreement of the ANAM, the UN-REDD Programme proceeded to carry out an exhaustive and independent investigation into the complaints and a mid-term evaluation of the NJP. Meanwhile, all new activities of the UN-REDD Panama National Programme were (and continue to be) suspended pending the investigation and evaluation.

On the 20<sup>th</sup> of May of 2013, the external and independent work team<sup>1</sup> initiated the investigation and evaluation process. The Team is comprised of the following independent experts:

- Ms. Birgitte Feiring, anthropologist, specialized in the rights and development of indigenous peoples (Head of Mission);

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<sup>1</sup> Referred to as “the Team” in this Report.



- Mr. Eduardo Abbott, attorney, former Executive Secretary of the Inspection Panel of the World Bank, specialist in independent investigations.

Furthermore, the Team has the technical support of Mr. Osvaldo Jordán and Ms. Nanna Brendholdt Thomsen.

The objectives of the evaluation/investigation were threefold:

- (1) Investigate the complaints made by COONAPIP against the implementation of the UN-REDD Panama National Programme;
- (2) Thoroughly evaluate the implementation of the National Programme from the moment of its approval until an intermediate point with special emphasis on the matters of stakeholder engagement; and
- (3) Provide orientation and recommendations for the future implementation of the National Programme and the corrective measures that must be taken to attend to the concerns of the indigenous peoples.

The Team carried out its first visit to Panama, focused on the investigation, from May 28<sup>th</sup> to June 7<sup>th</sup>, 2013. Based on that visit, the Team elaborated a Preliminary Note of their findings, conclusions, and recommendations from the investigation<sup>2</sup>, which, after an open and ample procedure of dissemination and comments, was finalized and presented during an informative session prior to the UN-REDD Policy Board meeting that took place from the 25<sup>th</sup> – 28<sup>th</sup> of June of 2013 in Lombok, Indonesia.

From the 16<sup>th</sup> to the 26<sup>th</sup> of July 2013, the Team carried out their second visit to Panama. This visit focused on the pending matters of the evaluation. Based on the second visit, the team prepared the Mid-Term Evaluation Report contained herein.

### ***1.3. Methodology and working principles***

The methodology of the evaluation took into account the following key elements:

- **Document Review:** ANAM, the United Nation agencies, COONAPIP, and civil society organizations have facilitated access to ample documentation that the Team reviewed and analyzed in detail.
- **Interviews and meetings with organizations and key persons:** The Team has consulted and interviewed a great number of organizations and individuals through teleconferences, meetings, and workshops (see Appendix A for a list of the interviewees).
- **Presentation of preliminary conclusions and recommendations of the evaluation:** The Team presented the preliminary conclusions and recommendations of the evaluation on July 26<sup>th</sup>, 2013 to ANAM representatives and to the staff of the NJP and the United Nations agencies.

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<sup>2</sup> Annex B includes a brief analysis, extracted from the Preliminary Note, on the validity, pertinence and importance of the concerns expressed by the COONAPIP with regards the National Programme of UN-REDD in Panama.

The evaluation was carried out based on the common criteria of evaluation, including relevance, effectiveness, efficiency, sustainability, and impact.

The Team has endeavoured to ensure that their work be characterized by the highest level of objectivity and transparency based on the following principles:

- **Independence of the work team:** The Team was selected based on a process carried out by the Environmental and Social Compliance Review Unit of the Office of Audit and Investigations in UNDP in New York.
- **Transparency and confidentiality:** The Team has endeavoured to work in a transparent manner seeking a broad base of information and respecting the confidentiality of the persons who have requested it. All the products elaborated by the Team have been made public in the broadest manner possible with an invitation to stakeholders to verify and provide information and comments.
- **Respect for the rights of the indigenous peoples:** The Team has worked on the basis of the rights of the indigenous peoples, as enshrined in the United Nations Declaration on the Rights of Indigenous Peoples, endeavouring to ensure that the representative organizations of indigenous peoples have been fully informed and consulted, and that they have been able to participate in the evaluation and the investigation if they wanted to, always with their prior consent for such participation.
- **Broad participation:** To obtain the broadest possible foundation for the investigation/evaluation, the Team has sought participation of and contributions from a great diversity of organizations and persons related to the NJP.

#### ***1.4. Context of the National Joint Programme***

##### ***1.4.1. Panama's Forests***

The map showing the coverage of Panama's forests is in the process of being developed by the NJP and has not yet been published so there is no exact data on the current state of the forests in Panama.

However, the data of the *Modelo Forestal Sostenible* (Sustainable Forestry Model) (ANAM, 2008) shows that the forest coverage of Panama has diminished dramatically in the last 60 years.

**Table 5. Chronological estimates of the forest area of Panama:  
For the years 1947, 1970, 1974, 1986, 1992, 1998, 2000**

Year	Surface Area (h)	Percentage	Source
1947	5,245,000	70.0	Garver, 1947
1970	4,081,600	53.0	FALLA, 1978
1974	3,900,000	50.0	FALLA, 1978
1986	3,664,761	48.5	SIG/ANAM, 2003
1992	3,695,160	49.3	OIMT- ANAM, 2003
2000	3,364,591	44.9	SIG/OIMT, 2003

Source: Report on forest coverage, 1992; SIG-INRENARE, 1995; SIG/OIMT, 2003

According to the study carried out by the NJP in 2011 *“It is estimated that approximately 45% of the territory is forested. The forest coverage is found concentrated in the lands of the indigenous territories, which cover 20% of the national territory, and in the lands of the National System of Protected Areas [Sistema Nacional de Áreas Protegidas (SINAP)], that cover 38.7% of the national territory of which an estimated 1,081,100.4 hectares are forested. Also, in a lesser proportion, it is estimated that there are forests on private property, in particular in private reserves”* (Recio, 2011: 4).

There is no official map of the indigenous territories, which makes it difficult to have a precise appreciation of the percentage of forest cover within the indigenous territories and of the areas of overlap between the territories and the protected areas. Nevertheless, an ANAM publication indicates that the forest cover in the legally established territories was 27% in 2000 (ANAM; 2003)<sup>3</sup>, and a report issued by the NGO PRISMA cites sources that indicate *“54% of the mature forests and 54% of the forest carbon reserves are located in the indigenous territories of Panama ”* (PRISMA; 2013: 11<sup>4</sup>).

#### **1.4.2. The Indigenous Peoples of Panama**

In Panama, there are seven indigenous peoples: Bribri, Naso, Ngöbe, Buglé, Guna, Emberá, and Wounaan, who represent 12% of the population (2010 census). The peoples and their respective territorial authorities are in very different conditions. For example, the General Congress of the Guna Yala has a territory that was recognized 60 years ago and has systems of self-government and self-development (based on tourism revenue, amongst other sources). In contrast, the Bribri have a population of barely 2,000 in the Panamanian territory, without any recognised lands and with recently formed and still fragile representative institutions.

<sup>3</sup> ANAM, 2003, Report on the final results of forest cover and zoning in the Republic of Panama: 1992-2000.

<sup>4</sup> PRISMA Report – Indigenous People and Governing in Preparation for REDD+ en Panamá, 2013.

Starting with the fight of the Guna to achieve their autonomy, the peoples have not ceased their processes for recognition of their territories, and this has resulted in the approval of national laws for the creation of five indigenous regions and the approval of Law 72 of 2008 regarding collective lands.<sup>5</sup> As affirmed by the United Nations Special Rapporteur on the Rights of Indigenous Peoples, Professor James Anaya, upon conclusion of his visit to Panama in July of 2013: *“In Panama, the conservation and development of the indigenous culture is due in great measure to the acknowledgment of the territories and to the indigenous self-government granted by the Panamanian State to various indigenous peoples of the country through a system of regions”, which is “a reference point for other countries on the protection of indigenous peoples’ rights to property and self-government. In the same manner, the Political Constitution of the Republic of Panama contains important provisions that protect the rights of the indigenous peoples of the country”*.

Nevertheless, the Special Rapporteur makes the observations that there are indigenous peoples that still do not have the recognition of their territories and that the presence of third actors within recognized territories *“has resulted in the loss of great extensions of indigenous land and natural resources as well as the fragmentation of control and decision making that the indigenous authorities exercise in their lands”*. In the same manner, the development of mega projects without consultation has continued to be a subject of concern and conflict<sup>6</sup>.

Historically, there have been multiple efforts to unify the battle and aspirations of the seven indigenous peoples of Panama. The National Coordinating Body of Indigenous Peoples in Panama (COONAPIP) was established in 1991 as a platform for the struggle for the territorial recognition and the defence of the cultural and social rights of the indigenous peoples of Panama. During the first years of activity, COONAPIP supported the struggles of several of the indigenous peoples for the recognition of their regions and collective land. Later, due to internal differences, an institutional weakening occurred in the organization but in 2008, a compromise was reached for the unification of the indigenous struggle, which led to the restructuring of COONAPIP. The restructuring entailed that as of 2008, the indigenous peoples were no longer to be represented by technical staff but rather by the maximum territorial authorities of the indigenous peoples (Chiefs and Kings).

#### **1.4.3. Other actors related to Panama’s forest sector**

The Panama Sustainable Forest Model 2008 states: *“The forestry sector has two functions that work together to contribute to national development: One is the role of conservation, which seeks to ensure the environmental stability necessary in order to make use of the environmental services associated with the forest ecosystems for the economic activities of the country, particularly in the tourism, water, energy, biodiversity, health and food security. The other is a productive function, associated*

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<sup>5</sup> The five indigenous regions established at a national level: Guna Yala (1953), Embera-Wounaan (1982), Madungandi (1996), Ngöbe-Buglé (1997) and Wargandi (2000).

<sup>6</sup> Declaration by the Special Narrator on the rights of the indigenous peoples at the conclusion of the official visit to Panama, 26<sup>th</sup> of July of 2013.

*with the forest's ability to produce goods such as timber and non-timber products.”*

There are a variety of actors in Panama associated with these functions, with differentiated interests in the forest and they are key actors in REDD+ in Panama. In addition to the indigenous peoples, these actors include rural communities, the private sector, including the forestry industry, afro-descendant communities of Darién, non-governmental organizations and academia.

#### **1.4.4 International legislation and commitments**

In 1998, Panama adopted the General Environment Law and created the National Environment Authority of Panama (ANAM) to ensure the compliance with and application of laws, regulations, and national policies on environment.

The Forest Law of Panama of 1994, in Article 10, indicates that all natural forests are state assets, implying that indigenous peoples as well as the proprietors of private forests must obtain authorization from ANAM for any forestry activity.

The General Law of the Environment originally indicated that ANAM *“shall coordinate with the traditional authorities of the indigenous peoples and communities regarding all that is relevant to the environment and the existing natural resources in their areas”* (Article 96). In 2003, the Legislative Assembly derogated this Article, amongst others. Nevertheless, the indigenous peoples, on the basis of relevant international norms, questioned the provision that stated that all the natural forests belonged to the state (see Recio, 2011: 10). All this discussion obviously has much relevance in relation to the rights associated with carbon.

Panama ratified the United Nations Framework Convention on Climate Change (UNFCCC) in 1995 and the Kyoto Protocol in 1998. Following the adopted commitments, the Ministry of Economics and Finances approved the National Policy on Climate Change in 2007 and proceeded with the creation of the National Committee of Climate Change of Panama (CONACCP) in 2009. During this period, Panama became one of the pilot countries for the elaboration of the REDD+ Strategy at a global level.

#### **1.4.5. International context of REDD+**

Since the 11<sup>th</sup> Conference of the Parties to the UNFCCC (COP 11) in 2005, REDD+ has emerged as a subject in the agenda of the UNFCCC conferences and amongst various interested actors at an international, national, and local level. REDD+ emerged as an idea to establish a mechanism at an international level to generate positive incentives to reduce emissions caused by deforestation and forest degradation in developing countries.

Panama was one of the first pilot countries to formulate a REDD+ readiness programme in 2008-2009, in a period in which the concept and the understanding of REDD+ was still incipient and not based on experiences. Therefore, the NJP was basing itself on general ideas of REDD+ that until now have not yet been made operational at an international level. For example, the conceptualization of REDD+

as a mechanism based on economic incentives has not yet been made a reality because the financing mechanisms (from UNFCCC, as well as from public funds, and a carbon market) are still in very early phases.

Currently, there is a general acknowledgement that the challenges were underestimated with regards how to legally and institutionally prepare a country for REDD+, including those measures to ensure the rights and involvement of the indigenous peoples and other communities that depend on their forests. This is why the NJP in Panama – and other pilot countries – have had to be aligned with a process of continuous adaptation to what REDD+ should be.

#### ***1.4.6. REDD+'s initiatives in Panama***

From the beginning, the NJP was conceptualized as a programme coordinated with and co-financed by the Forest Carbon Partnership Facility (FCPF) of the World Bank. FCPF approved, in principle, a budget of US 3.5 million for Panama in 2009 under certain conditions. To-date, the funding agreement has not been signed and the resources have not been transferred, but Panama has informed the FCPF that they will respond to the comments emitted by the Technical Advisory Panel (TAP) in 2009 and update its proposal in September 2013. Furthermore, Panama has chosen UNDP as its “implementing partner” with regard to FCPF, which seems like an opportunity to ensure alignment with the NJP.

The German development cooperation Gesellschaft für Internationale Zusammenarbeit (GIZ) is backing a project in Panama through its regional programme with the Central American Commission for Environment and Development (Regional REDD GIZ/CCAD Programme). From the beginning, GIZ has sought complementarity to UN-REDD operation in Panama. In addition to supporting with several initial studies before UN-REDD funding was available, work plans have been shared to identify areas where GIZ can collaborate with Panama. Pilot projects were an area not covered by UN-REDD, and therefore GIZ offered support to Panama on this specific issue. Always in coordination with ANAM and keeping the agencies informed, the programme is supporting a pilot project in the basin of the canal with the Panama Canal Authority (ACP), the pilot project on compensation mechanisms for the sustainable management of forest resources in the basin of the Panama Canal. Likewise, a regional programme financed by USAID through CCAD is in the process of being settled that could possibly make the province of Darién a priority.

The coordination between the pilot projects and the NJP is carried out through ANAM, which participates actively in all initiatives.

## **2. Design and relevance of the National Joint Programme**

### ***2.1. Design***

#### ***2.1.1. Process for formulation and design***

In June 2008, Panama was selected as a pilot country for the initiation of REDD+ demonstrative activities by FCPF and UN-REDD, and ANAM commenced the preparation of a REDD country Readiness Plan (R-Plan). In September of the same year, Panama requested resources from UN-REDD to co-finance its R-Plan, *“considering that the funds provided by FCPF shall not be sufficient”*. The intention was to develop a joint programmatic framework between UN-REDD and FCPF, sharing the same document for the programme and a common results matrix.

From September to November of 2008, ANAM worked to develop the R-Plan and organized some informative sessions with indigenous authorities. Nevertheless, in January of 2009, the UN-REDD agencies observed, amongst other aspects, a *“deficient participation of the local stakeholders”* in the elaboration of the proposal and indicated the importance that these actors *“have a fundamental role in the decision making process and not solely be the object of consultation with the finality of collecting information”*. Likewise, the World Bank recommended a more profound and extensive process of consultation and engagement.

In June of 2009, ANAM presented its UN-REDD National Programme in an informal manner to the Second Meeting of the UN-REDD Policy Board, which requested that Panama meet the following procedures to be considered intersessionally for the budget allocation of 5.3 million for the NJP: validation meeting; review of the document by the Secretariat of the UN-REDD Programme; and review by independent technical experts. Similarly, the FCPF meeting in June 2009 approved the Panama proposal, in principle, under certain conditions, including the need to conduct more in-depth and extensive consultations with civil society and indigenous peoples. The transfer of funds from FCPF to Panama is still pending the fulfilment of these conditions.

In September-October 2009, after the change of government in June 2009, a 3-week process of collaboration was initiated between agencies of UN-REDD Panama and COONAPIP that culminated with the review and validation of the Programme Document by COONAPIP and the approval of the budget allocation based on said document by the UN-REDD Policy Board in October 2009. According to UN-REDD procedures, to proceed with the transfer of funds, the document must be completed, incorporating the recommendations of the independent review and of the Secretariat to later be signed by the 3 agencies and the Government. The review process took one year mostly due to the internal changes in ANAM until the Panama document was concluded and signed in October of 2010.

The document was developed under the assumption that it was going to be a joint programme of UN-REDD and FCPF, and it was not until September 2010 that the World Bank notified that it was not able to sign a joint document. Consequently, in

September-October of 2010, work was done to “purge” the NJP document of the references to FCPF, but many remained (for example in reference to the management modality and safeguards). Finally, the government of Panama and the UN-REDD agencies signed the NJP UN-REDD Document in October of 2010.

### **2.1.2 Implementation modality**

The programme document states (p. 35) that the UN-REDD funds shall be implemented jointly with FCPF funds, and that a single unit for coordination and administration shall be established to jointly administer the funds. It also provides for the contracting of a coordinator for the NJP, to be based in ANAM. In the same document (p. 38), it is proposed to adopt the Mesoamerican Biological Corridor Programme, implemented by ANAM and financed by the World Bank as a model for administrative management. The model would involve the transfer of funds to a Project Implementation Unit, based on a contract with the Ministry of Economy and Finance (MEF) and ANAM. Later, on the same page of the Document, it is proposed that the UN-REDD agencies “*assume total programmatic and financial responsibility over the funds received*”. It is evident, that the same Programme Document indicated different modalities of implementation that are mutually exclusive because on the one hand, it proposes a modality of national implementation, and on the other, a modality of direct implementation by the agencies.

The modality of national implementation would be aligned with that agreed upon in the agenda for aid effectiveness (as reflected in the Paris Declaration, 2005), that UNDP and Panama have both signed. In contrast, the modality of direct implementation by the agencies goes against the principles of the Declaration with regards: 1) country ownership, 2) alignment with the strategies, systems, and the procedures of the countries, and potentially 3) harmonization of donor actions. The direct implementation modality is used when it is not possible to implement a project through the national implementation modality. For example, in cases of crisis, or when the government wishes, or when the administrative and fiduciary capacities do not permit a counterpart to manage and administer funds.

Initially, ANAM opted for a national implementation modality but when the programme commenced in 2011, it did so through direct implementation by the agencies. It seems that the lack of a proper unit for the implementation within the institution, the instability of ANAM, and the disinterest of the prior ANAM administrator in the NJP, were the factors that lead to this decision. Nevertheless, towards the end of 2011, a micro-evaluation of ANAM’s capacity (a micro “HACT”) was carried out with the end of identifying the strengths and weaknesses in the national capacity for the management and identifying the most appropriate modalities for the transfer of funds. The result of the micro-evaluation was positive regarding ANAM’s capacity for implementation . The report was presented at a meeting in July of 2012 with representatives from ANAM and the 3 agencies, and it was decided to establish a Work Team to identify the activities that could be passed to ANAM. In spite of these efforts, the modality of direct implementation by the agencies has continued, after the General Administrator requested this in a high level meeting with the Resident Coordinator of the United Nations System (UNS) on



November 20, 2012.

### **2.1.3. REDD+ as a goal in process**

The NJP was designed in 2008-2009 when the REDD+ concept was still in the development process and many methodological recommendations were lacking – particularly with regard to safeguards. Therefore, the first joint programmes between UN-REDD and FCPF were designed without a common template and without much methodological orientation concerning international negotiations regarding the preparation requirements for REDD+, safeguards, and themes related to monitoring.

Likewise, at the time there were high expectations of what REDD+ could become in a few years, based on various unproven assumptions about the clarity and differentiation of the preparation and implementation phases.

These uncertainties are reflected in the NJP's design that is extremely ambitious in terms of what it expects to achieve within a period of 3 years. The objectives propose that by the end of 2013, and with limited resources, Panama can adapt its legal framework, install the institutional capacities to implement REDD+ and reduce the emissions of deforestation and forest degradation. For example, the elaboration of the REDD+ National Strategy figures only as one among 19 “indicative activities” under the result 1.2. – though now it is known that to achieve a National Strategy would be an enormous achievement for the NJP. In the same manner, the need to make a map of the forest coverage does not appear in the results framework due to the fact that it already assumes there will be the environmental base line necessary for developing a Monitoring System for the Forest Coverage.

In general, the complexity that characterizes the regulatory framework regarding land and natural resources, a historically conflictive situation between the indigenous peoples and the State, technical challenges in terms of monitoring, and institutional and political complexity, are elements that are not reflected in the design. Also, when it became clear that there would be no co-financing from FCPF, the products expected from the NJP were not adjusted or re-scaled.

### **2.1.4. Results framework**

The NJP results framework shows many incongruities including at the level of goals and objectives.

On pages 18-19 of the Programme Document, it is stated that the **goal is**: *“Panama’s REDD+ proposal will contribute to mitigating climate change through the reduction of emissions caused by deforestation and the degradation of national forests, with the aim of recovering and/or increasing forest coverage in relation to the national base line, that may serve as a source of ecosystem services that permit the capitalization of the environmental services and that procure innovative sources of financing for the communities and the strengthening of the environmental management schemes of Panama”.*

On page 21 of the same document, another **goal** is stated: *“(…) assure that by the end of 2013, Panama will be ready to implement REDD+ and have the capacity to*

*reduce emissions from deforestation and the degradation of forests at a national level*". It is indicated that the **objective** is: "(...) *assist the Government of Panama to develop an effective REDD+ regime.*"

It seems that the first goal is formulated as a Panamanian programme focused on the reduction of emissions caused by deforestation and the degradation of forests while the other goal conceptualizes the NJP as external assistance of UN-REDD and/or FCPF to the government of Panama to prepare the country for REDD+. Contrasts between the analysis and the operative part of the Programme are also noticeable, for example, between Appendix 4 (Consultation and Participation Plan), which basically does not mention the indigenous peoples, and the aspiration reflected in the analysis of the situation, that the indigenous peoples are key actors. In general, the design lacks a clear and appropriate definition and the frameworks, mechanisms, and procedures for consultation, participation, decision-making, and monitoring. The incongruities have also contributed to problems with COONAPIP because some of the COONAPIP's priority points were included amongst the "indicative activities", but they were never systematically integrated and do not form a set of activities (product) with a defined budget.

The design also shows incongruities with regards to the products to be developed. For example, on page 21, it is stated that product 1.1 is "*The legal framework for the formulation of REDD+'s National Strategy*" while the logical framework indicates that the product is: "*a validated legal framework for the implementation of REDD+'s National Strategy*". This may appear a simple detail, but in a programme with multiple actors, interests, contexts, and volatile processes, the ambiguity of a results' framework is difficult to manage and very demanding of its personnel because it requires flexible, constant, and creative interpretation to be able to become operational.

### **2.1.5. Observations regarding the NJP Design**

Based on the international context of REDD+, the NJP has had to chase a "moving target" as the understanding of REDD+ and of the preparation phases has deepened in international negotiations. This in itself constituted a challenge for the design because it is based on many uncertain suppositions and could not be based on experiences. Additionally, the design is not based on a thorough assessment of the national context and reflects a confusing design process, with various actors and stages, and that were not remedied in the final document. In general, the NJP design shows contradictions and gaps, among which are:

- Residues of the previous aspiration of designing a coordinated and co-financed programme with FCPF that did not become a reality;
- Incongruities in the focus, vision, and orientation of the programme in the proposed implementation modalities and the results framework;
- Large gaps in the definition of roles and budgetary frameworks in relation to expected results and actors involved.

Based on the experiences already generated, it is clear that the design is overly ambitious and has not presented a clear roadmap with adequate conceptualization and a sequence of activities and results to guide the implementation of the NJP.

Furthermore, due to the complexity of UN-REDD and NJP management and decision-making mechanisms no subsequent changes have been made to the original design although all the actors agree on the need for adjustments. Also, there was no progress on the considerations to change from direct implementation to national implementation. Though this would have possible disadvantages in terms of the time needed for ANAM processes of acquisition and contracting, it would have important advantages in terms of the institutionalization and sustainability of results.

The design problems have become challenges for the personnel involved, demanding from them a high degree of flexibility, interpretation, and adaptation to changing contexts (national context, international REDD+ and UN-REDD) to obtain concrete results.

The fact that no adjustments have been made to the results framework also has implications for the evaluation because the Team has to evaluate the NJP based on the indicators taken from the original results framework while knowing that these reflect an overly ambitious and unrealistic design.

## ***2.2. Relevance of the programme for the country***

The subject of climate change is very relevant for Panama since the country expects to experience impacts such as the conversion of vegetation areas to desolated and degraded areas and extreme events of rainfall and temperature. As a country that primarily depends on its natural resources, this shall negatively affect the population and development. Furthermore, Panama maintains one of the highest percentages of forests in Central America (PRISMA; 2013: 10). Therefore, REDD+ is relevant for Panama in a more general manner and can also contribute to visualizing the opportunity costs and economic potentialities that will contribute to the protection of forests and the sustainable development of Panama.

The NJP also has relevance for Panama's national and international obligations and commitments in the context of the National Policy on Climate Change, the UNFCCC, and the Kyoto Protocol. Furthermore, as one of the first pilot countries of UN-REDD, Panama has a role in presenting REDD+ experiences at an international level.

The NJP, and REDD+ in general, is one of the main programmes and themes of ANAM and is reflected in the Strategic Plan proposed for the National Forest Policy. REDD+ and the NJP can also contribute to the success of other environmental initiatives managed by ANAM, such as policies and administrative plans for water resource management.

The programme also has importance for multiple sectors of the country, but so far has not developed strong links with, for example, the Ministry of Agricultural Development (MIDA). The strengthening of such ties would reinforce the REDD+'s relevance in Panama in the future.

The REDD+ theme appears to be of high interest of several Panamanian partners (civil society, indigenous peoples, academic society, and communities of afro-descendants). The programme also has relevance because it is

generating products with multiple benefits for the country, such as for example, the national forest inventory and the various maps and scenarios produced for monitoring and analysis.

For the United Nations Systems (UNS), the NJP has relevance for result number 8 of the United Nations Development Assistance Framework (UNDAF): *“Environmental sustainability (biodiversity conservation, forest management, climate change mitigation, and disaster risk management) is strengthened with the support of regulatory frameworks, national strategies, and local actions.*

Overall, the Team believes that the expected results – and the NJP as such, are relevant for Panama:

Results	Relevant	Not Relevant
1.1. Validated legal framework for the implementation of the REDD+ National Strategy	X	
1.2. Operational framework for the implementation of REDD+ National Strategy	X	
1.3 Sectoral, institutional, municipal and individual capacities strengthened for the implementation of the REDD+ National Strategy	X	
1.4. A validated and operational system for payment and distribution of benefits	X	
2.1. A national forest and carbon inventory and monitoring system	X	
2.2. Establish a baseline emissions scenario	X	
2.3. A system for carbon accounting and emissions data generation	X	
<b>Overall rating</b>	<b>Relevant</b>	

### 3. Progress towards results and effectiveness

The actual period of the NJP’s implementation has only been a year and a half due to the late start in mid-2011, and the suspension of activities in March of 2013. The most substantial progress was seen during 2012, mostly in the development of technical products while the components of consultation, participation, capacity-building, and communication are still largely outstanding. Amongst the factors that have affected the progress of the NJP, the following stand out:

- Uncertainty about REDD+ as such, on the path of defining itself internationally
- Underestimation of the complexity of legal, policy, social, and technical matters that implicated REDD+

- An over ambitious design and inconsistencies in the Programme Document, for example with regards the described implementation modalities
- Late operative start up
- Institutional changes and changes of commitment at ANAM
- Lack of a definition of consultation, participation, and communication strategies from the beginning
- Very complex management of the NJP
- Slow and complex decision-making and administration procedures
- COONAPIP withdrawal from NJP in February of 2013
- Suspension of many activities since March of 2013

In Table 3.1, the Team has prepared a general overview of the main activities that were carried out and an estimate of the progress toward expected results, according to a rating scale of effectiveness defined in the Terms of Reference of the evaluation<sup>7</sup>.

It is worthwhile to highlight that the rating has been carried out based on the original indicators of the results framework that reflect the over-ambitious and incoherent design of the Programme Document. Furthermore, the rating is based on the assumption that the Policy Board responds favourably to the Team's recommendation to extend the NJP until January of 2015 (see section 9.2.) because the closing of the NJP in January of 2014 would not ensure the completion and sustainability of the products in development.

Based on these criteria, the Team estimates that the average progress of the programme is moderately unsatisfactory with most satisfactory progress in terms of Outcome 2 (technical capacity to monitor, measure, report and verify emissions reductions from deforestation and forest degradation) and less satisfactory progress in terms of Outcome 1 (institutional capacity established for the efficient coordination and implementation of the REDD+ National Strategy in Panama). This also reflects the fact that the more technical components (maps, scenarios, etc.) have been less affected by the suspension of activities.

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<sup>7</sup> This scale has a 6 point rating scale: Highly Satisfactory (HS), Satisfactory (S), Moderately Satisfactory (MS), Moderately Unsatisfactory (MI), Unsatisfactory (I), Highly Unsatisfactory (HI).

### 3.1. Results Progress Table

Anticipated Results	Indicators	Grade	Activities	Progress	Grade
<b>Result 1: Institutional Capacity established for the efficient coordination and implementation of the REDD+ national strategy in Panama</b>					
1.1. Validated legal frame for the implementation of the National REDD+ Strategy	Proposal of the legal framework is approved in 2013 to facilitate the implementation of the National REDD+ Strategy	I	The programme completed the first phase of analysis of the legal framework with the work on an analysis (June 2011): "REDD+: "Legal aspects relative to its application in Panama"	There have been advancements in the analysis but a National REDD+ Strategy has not yet been elaborated, and the legal framework has not yet been approved for its implementation.	I
	Number of relevant actors that support the implementation of the REDD+ legal framework (this number shall be determined during the start-up phase of the project)	I		The indicator has not yet been quantified. The indicator remains irrelevant because it reflects a level of unrealistic ambition of the Programme (legal framework has been approved and in the implementation process)	
	Agreement on the consensus on the subject of the proprietorship of carbon amongst the relevant actors reached for 2013	MI	The results of the analysis carried out in 2011 were shared with national entities (government; indigenous peoples) and international, local, and regional forums.	Incipient debates have been encouraged on carbon rights based on the analysis and apparently a pragmatic, not formalized, consensus was reached towards focusing on a system of a distribution of benefits while the clarification of the carbon rights remains pending.	
1.2. Operational Framework for the implementation of the National REDD+ Strategy	Number of sectoral policies that include REDD+ considerations (base line and goal shall be defined during the starting phase)	I		The indicator has not yet been quantified.  There seems to no sectoral policies that include REDD+ considerations.	I
	The state's investment increases in \$\$ to support the implementation of the National REDD+ Strategy (the goal shall be defined during the start-up phase)	I		The indicator has not yet been quantified. The indicator remains irrelevant because it reflects a level of unrealistic ambition of the Programme (the National REDD+ Strategy has not yet been defined)	

	REDD+ National Committee facilitates the coordination amongst the relevant actors to facilitate the implementation of the REDD+ National Strategy	I		Not yet established; the intention was to establish it as a permanent procedure for REDD+ implementation once the REDD+ National Strategy was adopted.	
	Formulation of the REDD+ National Strategy based on the results of the preparation process and agreed upon with the principal social actors.	MS	In 2012 the REDD+ National Round Table was established as well as technical sub-tables. The Round Table meets 2 times in plenary form with the attendance of 65 to 79 persons respectively. The various sub-tables meet frequently and carry out diverse dynamic activities. Several studies have been carried out on deforestation studies as inputs for the REDD+ National Strategy's definition: "Direct or indirect causes of deforestation and the degradation of forests- changes in the use of soil" (March 2012); "Analysis of the impact of the programmes in Panama for the control of deforestation and the degradation of forests" (April 2012). The different inputs for analysis of deforestation are part of the necessary information for the calibration of a spatial model for future deforestation.	The REDD+ National Strategy will be developed at the National Round Table. A good start has been given to the participation process for the definition of the National Strategy with products of analysis that are very important for the decision making, but at this moment, the Round Table and sub-tables are suspended, and it does not appear to be realistic to end the Strategy and get a consensus amongst the principal actors on the Strategy by the end of 2014.	
1.3 Sectoral, Institutional; Municipal; and Individual Capacities strengthened for the implemen-	National Training Programme defined in 2010	I	Between 2011-12, several informative/training workshops were carried out on REDD+: <ul style="list-style-type: none"> <li>• Participation of ANAM officials in training activities at a national and international level (2011)</li> <li>• Induction Workshops for ANAM officials between April-October 2012</li> <li>• Forest Conservatory "Forests and Society",</li> </ul>	An integral programme for national capacity-building has not been defined. Advances have been made with workshops with ANAM personnel (central and regional) and with some other partners, by request.  The component of strengthening of the COONAPIP and the indigenous peoples has not advanced. The elaboration of training modules is in process.	I

tation of the REDD+ National Strategy			<p>May 2012</p> <ul style="list-style-type: none"> <li>Regional, local governments, ANAM officials, and community leaders workshops May - October 2012</li> </ul> <p>A map of the political and environmental scenarios was made (2013) and an exercise of needs assessment (December 2012) to evaluate the capacity-building needs of the different sectors, which included workshops with leaders of the indigenous peoples, farming and Afro-descendant communities, officials from related institutions, and local government authorities, amongst others.</p> <p>There is work underway on the design of training modules on the REDD Climate Change (PNUD On-line School).</p>	<p>The indicator shows an unrealistic level of ambition because it indicates a generalization of capacities at several levels and multi-sectors for the implementation of the National Strategy – that could not possibly be elaborated or approved until the conclusion of the Programme.</p>
	Programme for National Communication Campaign defined in 2010	MI	<p>A communications plan was elaborated from October 2012 until June of 2013. There has been an advance in the following activities:</p> <p><u>Internal Communication:</u> Dropbox, data base contacts</p> <p><u>Corporate Image and Visibility:</u> Community baseball, communication at fairs, image bank, national campaign, web page (this has not yet been made public), acting protocol.</p> <p><u>Communication for Development:</u> Strengthening of the capacities of ANAM officials and the On-line School</p>	<p>A belated communications plan was started in June 2013 with the assumption that from October 2013, the REDD+ National Strategy would be available; to subsequently centre the second phase of the communication plan to the dissemination and communication of the Strategy (an assumption that carries high risks).</p>
	National Consultation Plan Defined with its protocol in 2011	I	<p>The following activities have been carried out:</p> <ul style="list-style-type: none"> <li>Preparation Workshop on the 2012 Work Plan</li> <li>Regional Workshops for Consultation on the</li> </ul>	<p>To-date, a consultation plan has not been able to be elaborated, stipulating what matters are to be consulted, during which phases and with which actors. The consultation process with the indigenous peoples has been suspended.</p>



			<p>REDD+ National Strategy (ENAREDD+) and the Strategic Plan of the Policies for Forests of Panama. – 227 participants, July – November 2012.</p> <ul style="list-style-type: none"> <li>• Encounter with the leaders from the Buglé region, 120 participants, February 2013</li> </ul>		
	Number of representatives of the relevant actors have the capacity to execute the REDD+ National Strategy (goal shall be defined during the start up phase of the project)	I	It is not possible to estimate until what point this has advanced because the REDD+ National Strategy has not been elaborated.	The indicator remains irrelevant because it reflects the Programme’s unrealistic level of ambition.	
1.4. One system for payment and distribution of benefits was validated and made operational	One system for payment and distribution of benefits was completed and validated at a national level for strategy for 2012	MS	<p>Several workshops and studies have been organized to evaluate the multiple benefits of the forest resources and estimate the costs of opportunity:</p> <ul style="list-style-type: none"> <li>• Analysis July 2012: “Evaluation of Forest Resources in Panama”</li> <li>• “Estimate the costs of opportunity for REDD”, 2 regional workshops (Bocas del Toro, Santiago), June 2012</li> <li>• Workshops for the “Identification and Prioritization of the Multiple Foreseen Benefits of the Forests of Panama as a Planning Tool for the REDD+ Strategy”, September 2012</li> </ul> <p>A series of maps and settings have been elaborated identifying the multiple benefits of the forest and the evaluation of the costs of opportunity. (2013)</p>	<p>Several important maps and settings to illustrate and analyze the potential of REDD+ in Panama that until now have not been shared with the participants in the REDD+ National Round Table due to the suspension of the same.</p> <p>It is estimated that there is little probability that a payment and distribution strategy can be agreed upon until the end of 2014.</p>	MI
	Operative units to facilitate and monitor the equal distribution	I	To the moment no activities for this product have been contemplated.	It is estimated that there is Little possibility that there shall be an operative unit until the end of 2014.	

	established in 2012				
	Agreement between the relevant actors in respect to the mechanism, payments, and the evaluation methodology of the costs and distribution of benefits.	I	To the moment no activities for this product have been contemplated.	It is believed that there is little possibility of obtaining agreements on the mechanisms and methodology of an operative unit until the end of 2014.	
<b>Result 2: Technical capacity to monitor, measure, inform, and verify the reduction of the emissions of deforestation and the degradation of the forests</b>					
2.1. A national forests and carbon inventory and monitoring system	National system designed in 2012	HS	<p>A general design for a national system of inventory and forest and carbon monitoring has been elaborated with the following elements:</p> <ul style="list-style-type: none"> <li>• A new national map of forest coverage;</li> <li>• A national forest and carbon inventory;</li> <li>• A remote based sensing system for monitoring the soil and the changes in the use of the soil and forest categories;</li> <li>• A national system for carbon accounting;</li> </ul> <p>There has been an advance with the following activities:</p> <ul style="list-style-type: none"> <li>• System for the classification of coverage and the use of the soil and definitions of the elaborated and approved categories</li> <li>• Map of the forest coverage and the use of the soil is under process (to be concluded by the end of 2013)</li> <li>• Preliminary design of the national forestry and carbon inventory and implementation started on the pilot inventory</li> </ul> <p>The satellite land monitoring system is</p>	The map of the forest coverage would have multiple uses and functions that surpass what is expected, it is near completion.	S

			conceptually designed but pending its implementation	
	- A pilot project for forest and carbon inventory and monitoring	S	<p>Several advances have been made towards a pilot inventory:</p> <ul style="list-style-type: none"> <li>• The design of the pilot inventory</li> <li>• Elaboration of the field manual</li> <li>• Initiation of a collection of data of the pilot inventory. Therefore, what have been listed as activities and progress under the indicator labeled “methods for the estimation of biomass and carbon...” better corresponds to a pilot inventory. Once we have the information of the pilot inventory, a final design of the inventory shall be elaborated including the necessary adjustments in the field manual.</li> </ul>	Good advances have been achieved in the design of the national forest inventory. The pilot inventory will generate information for adjustments to the final design, such as data concerning costs and times and the variability of different forest characteristics taking into account the time-frame and available budget.
	- Number of local indigenous actors and other capacitated relevant actors for 2012 in the inventory, monitoring, and forest and carbon evaluation	MS	Workshops on “National Inventory of forests and carbon” and “System of classification of definitions of coverage and the use of the land” and “Satellite system of land monitoring” carried out with a total of 248 participants from ANAM, central and regional, the University of Panama, companies, forest organizations and technicians, and indigenous companies/organizations for their involvement in the monitoring.	Technicians have been trained to carry out the inventory but activities are currently suspended.
	Methods for the estimation of biomass and carbon elaborated in 2012	MI	Training of ANAM personnel in the elaboration and application of allometric equations and the development of a system for the processing of inventory data.	Good advances have been made in the design of the national forest inventory but it is still lacking to define the methodology and focus and to make it adequate to the temporary frame and available budget.

	Analyzed and available results on forest biomass and carbon in 2012.	HS	A Geo-portal Web to visualize and share information generated by the monitoring system is in process	The Geo-portal shall make available all the material elaborated for inventory and forest and carbon monitoring to the Panamanian society, and this shall have multiple uses and functions.	
2.2. Establish a setting of the referenced emissions	Base line established for 2012	HS	A forest map in process shall serve as a base line to monitor changes in the forest coverage. Generation of an initial setting for 20 years indicating the levels of deforestation and changes in the use of the land.	The forest map as a base line for monitoring the changes is in the process of completion (last foreseen in 2013). An initial setting is being generated for 20 years indicating the levels of deforestation and changes in the use of the land.	S
	Number of relevant trained actors in the design of emission settings of reference (the goal shall be defined during the start-up phase of the project)	S	Workshops for analysts, technicians, and specialists in SIG and other relevant themes of production of maps April 2012 – January 2013.	The work was carried out in conjunction with ANAM so there are installed capacities	
	Emissions setting for reference defined for 2012.	S	Induction to the REL/RL theme	The methodology for the evaluation of historic deforestation has been developed but pending implementation, nevertheless, it is estimated that the required work to establish a setting for emissions has been completed.	
2.3. An accounting system for carbon and the generation of emission information	An accounting system for carbon defined for 2013	MI	Activities foreseen for the last phase of the Programme	Until now, direct work had not been contemplated for this product, but there are advances in regard to analysis inputs and definition of an accounting system for carbon.	MI
	- National Unit of GEI established and functioning in 2013.	MI	Activities foreseen for the last phase of the Programme	Until now, direct work had not been contemplated for this product, but there are advances in regard to analysis inputs and definition of an accounting system for carbon.	

## ***3.2. Observations regarding specific products***

### ***3.2.1. Legal Framework***

One of the early products completed by the NJP is an analysis of the legal framework for the implementation of REDD+ in Panama. The study will serve as a basis for discussions on the legal framework of REDD+ and carbon rights. The study was prepared in June 2011 by an attorney contracted by UNEP.

During the process, coordination with COONAPIP was maintained through periodic meetings while broader dissemination and debate was to be carried out through the REDD+ National Round Table, which is still pending.

The study reveals that *“the rights associated with carbon will create greater challenges since they, according to the law (forestry), belong to the state forest heritage even though they may be in territories of the region (Comarca)”* (Recio, 2011: 10). The initial discussions between ANAM and COONAPIP revealed conflicting visions so it was decided to relegate to other political and legal entities, and a preliminary consensus was reached to focus the work of the NJP to ensure that the potential benefits of REDD+ flow into the communities. With the suspension of the REDD+ National Round Table, it has not yet been possible to elevate this discussion to a national level although it is a crucial element for the elaboration of the National REDD+ Strategy.

### ***3.2.2. Strategy for payment and distribution of benefits***

The work aimed at defining a system of payment and benefit sharing has been carried out between ANAM and UNEP, with contributions from FAO and UNDP, and several partners specialized in economics, modelling, multiple benefits etc., that have been contracted as external consultants.

The main products are studies, maps, and scenarios that identify the direct and indirect causes of deforestation (mining, highways etc.), the key tendencies (indicating the probability of cutting trees, additional activities), the policies against deforestation, the multiple benefits of the forest (biodiversity, water resources, erosion control etc.), and the opportunity costs per ton of carbon (showing, for example, the REDD+ potential of changing practices such as planting coffee plants in shaded areas, grass with trees, and reconversion to agriculture). FAO has supported converting these scenarios into emissions scenarios, with which it is possible to estimate emissions baselines and projections for REDD+ inputs.

The work has required the development of new methodologies that have even generated interest internationally (these have served as examples for similar work in Ecuador and Paraguay and were internationally presented by ANAM in June of 2013 at an event on REDD+ in the green economy). For example, the deforestation map was developed on the

basis of 15 determinants and enriched through interviews with experts, decision-makers, and social sectors. Also, field workshops were carried out with multiple actors to detect the most important transformations by region etc.

The products are in the process of being completed but have not yet been presented to the public. The plan was to present these mainly as technical inputs to the sub-table on economic matters within the REDD+ National Round Table. Furthermore, there was the intention to create a Geo-Portal (that will also include a forest coverage map) that would make the primary data and the interactive maps available to the public. Both activities are now suspended.

The Team believes that these innovative and high quality products constitute highly valuable tools for analysis, decision-making and national planning on issues related to REDD+, forest management, green economy, agricultural development, and other matters. Therefore, it should be a priority in the communication strategy of the NJP to ensure that these inputs are available and discussed, at the technical and academic levels, as well as at the political level in multi-sectoral contexts.

### ***3.2.3. Map of forest coverage***

The development of a map of forest coverage is not included within the framework of expected results but considering that the last forest map of Panama (2008) was not of satisfactory quality, ANAM and FAO decided to develop a new map. The technical discussions to define parameters and subjects took a year, a process that had the support of FAO headquarters because ANAM did not have the internal capacity for the monitoring. Furthermore, the acquisition of images was a long process that delayed the work. Nevertheless, the work is quite advanced, and the map will be ready for digital publication at the beginning of 2014.

Like the maps and data on deforestation and opportunity costs, the forest coverage map is a product of much relevance and importance for the country; the dissemination and availability of the data must be a priority within the communications strategy of the NJP (also through the intended Geo-Portal). Satellite images have been purchased with a government license, which implies that these can be used by other government agencies, and with an investment of USD 20-30,000 by local governments, including indigenous congresses. This is an opportunity that must be disseminated as an element of the communication strategy.

### ***3.2.4. National forest inventory***

The last forest inventory of Panama dates back to 1972, so the elaboration of a new inventory generates much interest and expectations for the country. FAO and ANAM have developed a general design for a national system for forest and carbon inventory, using a methodology developed by FAO and ANAM. Furthermore, forest companies (indigenous and non-indigenous) have been trained to pilot the methodology, but do the suspension of activities these companies were not contracted.

The methodology yields not only data that is focused on carbon but also high-quality data on forest categories, biodiversity, soil etc. Therefore, the proposed inventory will be a multipurpose product for multiple sectors and stakeholders in the country, but it also requires a lot of resources for its completion (which exceeds the available budget of the NJP) and for regular updating.

There are also considerations about whether the proposed methodology requires external technical assistance, and if it is possible to opt for a sub-national and local methodology that involves local actors, indigenous peoples, and other actors to a greater degree without losing the compatibility with the national inventory with regards categories, definitions and procedures for mediation. At the moment, there is no agreement with the project financed by GIZ in the canal's basin to use a methodology linked to the national level but there are efforts to increase compatibility between the definitions and procedures of mediation. If compatibility between the methodologies applied at national and local levels is not achieved, this will be a risk for sustainability. Thus there are several considerations regarding the completion and sustainability of this product (see section 8.1.3.).

### **3.2.5. REDD+ National Round Table**

The REDD+ National Round Table was designed as a catalyzing element in terms of technical inputs and multiple actors for the elaboration of the REDD+ National Strategy in Panama. In the NJP design, the Round Table was conceptualized as a temporary instance of the NJP to be replaced by the National REDD+ Committee (CONAREDD) that would have the function of coordinating the implementation of the Strategy.

The National Round Table met twice (September and December 2012) and brought together 65 and 79 people respectively, from the public sector, international cooperation, indigenous peoples, academia and civil society. The various sub-tables met with varying frequency and dynamics until the suspension of activities in March of 2013. The sub-tables also served as instances for training of members on several themes.

ANAM convenes the Round Table's meetings, but it does not have a formalized institutionalism. This in turn weakens the Round Table's potential to mainstream REDD+ into broader national policies and to be a stage for debate and the coordination of all the REDD+ initiatives in the country (USAID, FCPF and GIZ).

The importance of the National Round Table is evident as a central axis to develop the National Strategy and link REDD+ inputs and technical themes with all the relevant actors, including governmental bodies, indigenous peoples, civil society, academia etc. Therefore, the Team believes that ANAM could take control of the REDD+ National Round Table in a more institutionalized manner as a flexible national platform - open to the emerging REDD+ processes and all the other relevant actors.

## 4. Stakeholder Engagement

### 4.1. History of stakeholder engagement

In May of 2009, COONAPIP reported a lack of consultation and participation of indigenous peoples in the process of the formulation of the ANAM proposal for FCPF and UN-REDD. In June of 2009, the proposal presented by ANAM was conditioned by the UN-REDD Policy Board because it was not duly consulted and validated. This led the Resident Coordinator of the UN system in Panama to send a letter to the MEF indicating that the proposal should adhere to the guidelines and procedures established by UN-REDD (including the Operational Guidelines for the Participation of Indigenous Peoples and Other Forest-Dependent Communities).

Subsequently, the UN agencies, in agreement with ANAM, hired six COONAPIP technical staff who worked for 3 weeks (September-October 2009) on the review and validation of the UN-REDD proposal. Specifically, they prepared inputs to be attached directly to the NJP as results and activities and three annexes to take into consideration in the process. During this process, a meeting for consultation and validation was organized with the traditional authorities that made up COONAPIP that defined the 19 points as the “*principles of implementation of the UN-REDD Programme in Panama*”. The final validation of the proposal between UNS, ANAM, and COONAPIP was signed on the 13<sup>th</sup> of October of 2009. The signed document suggests adding the annexes elaborated by COONAPIP to the Programme Document, but this was not formalized. In October of 2009, the Policy Board of the UN-REDD Programme approved the NJP with a budget of US \$5.3 million Dollars.

Two documents of regulations/guidelines applicable to UN-REDD were in force in 2009:

The *UN-REDD Programme Rules of Procedure and Operational Guidance*<sup>8</sup>, that states, among other things, the need to validate the Programme Document as part of a continuous consultative process, to ensure government ownership and the involvement of civil society actors. The Rules of Procedure specifically mention the need to have evidence of consultations with the indigenous peoples and indicate that the Programmes shall be evaluated based on the sense of ownership by the governments and the civil society actors and the level of consultation, participation, and involvement.

*The Operational Guidelines: The participation of the indigenous peoples and other forest-dependent communities* stipulate, among other things, that:

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<sup>8</sup> UN-REDD Programme Rules of Procedure and Operational Guidance; March 2009.



- The indigenous peoples will be represented in the Executive Committees or other similar bodies;
- The consultation and social responsibility strategy of the National Programme should, effectively, include Indigenous Peoples and other forest-dependent communities and civil society organizations at all stages, including the design, implementation, monitoring, and evaluation of the programmes. (page 11).
- A mapping of the organizations, authorities, and institutions of the indigenous peoples should be carried out; articulate traditional authorities with indigenous organizations with technical ability; work in an open and inclusive way and be attentive to any conflicts that may arise (page 16).

The conditions established for the approval of the NJP by the Policy Board of UN-REDD in June of 2009 indicate that the Regulations of the UN-REDD Programme served as a safeguard to ensure the consultation and validation of the indigenous peoples at the beginning of the process. The Team also has the impression that the initial validation of COONAPIP of the NJP is a reflection of the initial sense of ownership of the Programme by the indigenous authorities and a justified aspiration to be a key player in the implementation of their activities. There is no doubt that validation by COONAPIP and their participation in the presentation to the Policy Board were determining factors for the approval of the Programme.

In this sense, the NJP met with the formal requirement stated in the UN-REDD Regulations to obtain validation of the proposal. Nevertheless, it should be questioned if the review process of the NJP document by numerous and geographically dispersed indigenous peoples that lasted only 3 weeks is enough to guarantee the legitimacy and the quality needed for the validation of a Programme of this nature. In this manner, in the UN-REDD guidelines, it is evident that the validation meeting is an important milestone that marks the beginning of a broad process of consultation that should be carried out (and partly funded) during the implementation.

Generally speaking, the personnel of the UN-REDD agencies express their concern regarding the difficulties of applying the “ideal” guidelines to fit the complex reality on the ground and the need to focus more on the systematization of the experiences and lessons learned that arise from the practical operational experiences.

Nor is there evidence that other civil society organizations or representatives of the Afro-descendant communities participated in this consultation and validation process of the proposal. Even though the formal requirement of the validation was fulfilled, no profound and broad analysis of the partners was carried out, and the consultation and participation were not conceptualized as a continuous and multifaceted process.

The Team considers that the expedited process of including the COONAPIP’s concerns and priorities in the design of the Programme is one of the main reasons for the later conflict, since the absence of well-defined frameworks and modalities led to a variety of

interpretations that were often contradictory, and expectations that were not consensual among the parties.

For example, the indigenous authorities had an aspiration of good faith that broader matters would be taken into account about territories and the promotion of Agreement No. 169 etc., based on the 19 points and the 3 annexes identified in the validation process. Nevertheless, from the review to the validation of the initial Programme Document, it seems that the relationship with the indigenous peoples was taken up by UN agencies, with ANAM in a secondary role. Therefore, it was not clear the extent to which the Panamanian State had a clear commitment to the 19 points established by COONAPIP, many of which require political will from the government in order to be realized.

#### ***4.2. Representation of Indigenous Peoples***

From the beginning, COONAPIP was recognized by the NJP as the legitimate representative of the indigenous peoples of Panama. Also, in the document review phase, the indigenous authorities of the 11 territories established that: *“COONAPIP will be the National Indigenous Board for the communication and coordination for the activities in indigenous areas”*<sup>9</sup>.

COONAPIP is comprised of eleven indigenous territorial authorities<sup>10</sup> of Panama, but according to their own practices and customs and in agreement with the international regulations, each people has the right to self-determination. Also, each group has its own internal consultation procedures and makes its own decisions, which often involve holding assemblies and conferences. This implies the need of defining with much precision and attentiveness the roles and competence of COONAPIP as a national entity and the eleven authorities as territorial entities. In 2009, COONAPIP had just restructured its organization and because of that, it had no clear formal definition – or operational experiences – to precisely determine its competences, roles, and responsibilities regarding the political representation and the technical implementation in relation to the territorial authorities. It is worth mentioning that the Panamanian State tends to work directly with the group of territorial authorities and not with COONAPIP as their spokesperson.

The UN-REDD agencies identified COONAPIP as the representative authority of the indigenous peoples based on the criteria set forth in the Operational Regulations of the UN-REDD Programme, but there was no deep analysis or mapping made of the indigenous authorities and organizations and their technical capacity to implement the programmes, nor of the possible conflicts, or internal challenges. Nor was an analysis made of the other civil society organizations.

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<sup>9</sup> See “Final Report of the Elaboration of a Reference Framework concerning the Participation of the Indigenous Peoples of the Republic of Panama in the Context of the Proposal of the UN-REDD in Panama”, COONAPIP, October 12<sup>th</sup> of 2009.

<sup>10</sup> The General Congress of the Wounaan has decided to temporarily withdraw from COONAPIP.

This apparent initial omission by NJP – and the lack of internal explanations of COONAPIP’s roles and its constituents – has had serious consequences for the implementation of the NJP. In this context, NJP has been accused both of creating divisions amongst the indigenous peoples by responding to the requests of territorial authorities of the indigenous peoples, and of ignoring the legitimate representatives of the indigenous peoples by working through COONAPIP. Also, the internal differences have apparently contributed to the weakening and fragmentation of COONAPIP with several Congresses expressing their disagreement with COONAPIP’s position toward the NJP.

Some representatives of civil society and advisors of the indigenous peoples have insisted that the dissident opinions regarding the COONAPIP were actually requested by the personnel that worked for UN-REDD. The Team has not found evidence to independently verify these claims, and the Team has the impression that the problem lies in the fact that contradictions arise between the territorial representative bodies and the national representative body, composed by the same territorial authorities.

Given this situation, the Team considers it appropriate that the external, national, and international elements respect the diversity of the institutions of the indigenous peoples and that they support, to the extent needed and requested, the indigenous institutions at a territorial and national level to internally resolve the definition of their roles, responsibilities, and competences before the State and the international cooperation.

### ***4.3. Participation of the Indigenous Peoples***

#### ***4.3.1. Participation of the Indigenous Peoples***

The NJP Document established that COONAPIP *“shall be responsible for the activities in the preparation phase of the UN-REDD Programme in indigenous territories”* (Ibid), but for that *“the consultation and implementation of the national strategy of REDD+ should have the support of the Indigenous Congresses”* (page 38). The Document reflects certain ambiguity regarding COONAPIP’s role since it was not clear if COONAPIP had a role regarding communication and coordination, or if it would be directly responsible for the activities in the territories.

The discussion about the roles has been tied to the discussion of the possible modalities for the channelling of funds to COONAPIP. The NJP acknowledges COONAPIP as the spokesperson and representative of the indigenous peoples, but COONAPIP has no legal status, which is an administrative-legal requirement to receive public funds from international cooperation. Until June of 2012, it was thought that COONAPIP was going to request legal status (with the financial support of the NJP), but in June, COONAPIP informed that it would not take this path since it was going to be obligated to assume the role of an NGO, a legal structure that was not consistent with its role as a representative of the indigenous peoples

The subject of disagreement has been the thematic scope and the budget allocation for the work to be carried out with the indigenous peoples. Facilitated by the NJP, COONAPIP worked between November of 2010 and August of 2011 on the development of a Strategic Policy Advocacy Plan (PEIP) that contains a detailed proposal concerning the indigenous participation in the preparation of REDD+ and includes broad governance themes related to the territories and natural resources. Shortly after the validation of PEIP by the indigenous authorities, the long and unsuccessful discussions amongst COONAPIP and UN-REDD began, concerning which PEIP components should be part of the NJP results framework. Related to the discussion of the thematic scope of the work done with the indigenous peoples, the discussion about the budget to be allocated to the activities arose since the NJP did not have a defined budget framework before supporting COONAPIP to enter into the PEIP formulation process. COONAPIP's aspiration was that the PEIP be totally financed (\$1.7 million dollars) while the NJP indicated that it knew that several of the elements of a strategic plan could be beyond the programme's scope of action. The final UN-REDD "offer" after long and unsuccessful discussions was for USD 300,000.

Until now, it has not been defined what would be the ideal mechanism so that COONAPIP could function as a manager of international cooperation funds, nor has an agreement been reached concerning the issues to work on or the required budget. The intended collaboration with the NJP did not materialize, and COONAPIP was not able to have its own technical team that would allow it to participate or contribute fully to the process related to REDD+.

COONAPIP's participation began in a spirit of good faith, but to the extent that the collaboration did not materialize, relations began to deteriorate. This was further aggravated by the absence of defined frameworks for issues, budgets, and collaboration modalities. All of this has resulted in a failure of dialogue, at an institutional as well as at a personal level, and apparently there is no longer trust in the good faith of the parties involved. This, at the same time, has had negative consequences for the traditional authorities that provided the legitimacy and support to the Programme from the beginning but have not been able to meet the communities' expectations.

At the margins of the failed collaboration with COONAPIP, there has been participation of indigenous leaders at the two meetings of REDD+'s National Round Table and the sub-tables. Until now there has been no participation of the indigenous peoples in the Executive Committee. According to ANAM, the participation of the indigenous peoples and other relevant elements in this Committee is a pending matter.

#### ***4.3.2. Participation of the Afro-descendent communities***

The Afro-descendent communities are located in the Darien Province, where 19 communities represent 25% of the population. The communities are located in the buffer zones of the National Park of Darien where they practice a rotation farming system. The communities do not have the legalization of their collective lands, and some of them are found inside the indigenous regions. The Coordinator of the Black Communities of Darien

does not have a legal status. The Coordinator participated in the NJP since the first meeting of the REDD+ National Round Table in September of 2012. Since then, she participated actively due to the relevance of REDD+'s subject matter for their forest-dependent communities, and with the expectations that REDD+ could contribute to forest conservation, reforestation control, allocation of lands, and the development of economic alternatives.

The Coordinator regrets the suspension the PNC activities and is still waiting for an answer to the requests presented before the PNC to disseminate information through the radio and to carry out three training sessions in the Black communities.

#### ***4.3.3. Participation of civil society institutions and organizations***

At the beginning, it was thought that COONAPIP could handle all of the consultation, participation, capacity-building, and communication processes with the indigenous peoples and that from the NJP coordination processes with other non-indigenous sectors could be organized with the support of the Regional UNDP. During 2012, this decision was re-evaluated and at the end of 2012, specialized consultants were hired for communication and for REDD+'s National Round Table. In 2013, UNDP carried out a consultancy for the Creation of Environmental Scenarios that includes a mapping and analysis of relevant elements in Panama for REDD+. Recently in June of 2013, a consultant was hired for the subject of stakeholder consultation and participation in preparation for REDD+ Panama, as a result of a call for experts that started in mid-2012.

The participation of the organizations of the civil society has been mainly in three areas:

- 1) The participation of some international institutions in the elaboration of specific products; for example, in the Water Center for the Humid Tropics of Latin America and the Caribbean (CATHALAC) with offices in Panama, has participated in the elaboration of the scenarios for deforestation and opportunity costs.
- 2) Alliances with some academic institutions; for example, the unit on Panama of the Smithsonian Tropical Research Institute (STRI) contributed to induction workshops concerning the topic of REDD+ for ANAM personnel at the beginning of the preparation process of the Programme. A discussion session was also carried out at the Universidad Tecnológica, and the support of ANAM and NJP staff have been an instrumental factor for the establishment of a forestry engineering programme at the university.
- 3) The participation of civil society organizations in the REDD+ National Round Table. This activity had just begun to gather momentum when the activities were suspended in March of 2013.

#### ***4.4. Communication with stakeholders***

The development of a communication strategy is seen as an indicative activity in the results framework, and Attachment 4 of the Programme Document provides somewhat confusing elements and with objectives that are too broad for national awareness. At the

beginning of the NJP, ANAM elaborated some materials for general publication, but there has not been a communication strategy concerning NJP's technical products and several organizations of civil and academic societies do not have more information about the products that are in process even though there is the intention to establish a Geo-Portal that will make the products available to the public.

At the same time, it was planned to include all communication with indigenous peoples in the collaboration with COONAPIP, which now implies that several of the Indigenous Congresses and Councils have no knowledge of NJP since the collaboration failed.

It wasn't until the end of 2012 that a consultant was hired to work on the communication and dissemination issue more systematically. The communication strategy that has now been elaborated is conceptualized in two phases:

The first phase (October 2012-June 2013 in process of implementation) focuses on a general dissemination of the topics related to forests and REDD, for example, through participation in fairs, messages publicized on the radio etc. Together with ANAM, work is underway to launch a web page about REDD+. Another element of this phase is the strengthening of the internal communication (establishment of a dropbox), the NJP's corporate image and visibility (definition of unified messaging, graphic design etc.) To optimize the resources of a limited budget, the consultant shows creativity in seeking opportunities for communication through social media and other free channels and is building alliances with other actors that can reinforce the messages, for example, working with the Ministry of Education so that in the professional development of teachers, ANAM can communicate information concerning REDD+. The budget assigned for this phase is for \$50,000 USD.

The second phase (foreseen for October of 2013 until the end of the NJP) is conceptualized to implement the communication strategy about the REDD+ National Strategy to be carried out in the communication sub-table of the REDD+ National Round Table. This conceptualization assumes that the National Strategy will end by October of 2013, which is an assumption of low probability, among other factors because it did not foresee the suspension of activities in March 2013.

The most systematic work of communication started very late and has been limited by the suspension of activities. Great improvements have been evident since the consultant entered, but the Team is under the impression that there is a need to refocus the strategy considering that:

- There is no clarity in the process or the temporary framework required for the finalization of REDD+'s National Strategy;
- The assigned budget for the implementation of the communication strategy is very limited;

- The NJP is generating very important products for the national analysis and monitoring of forests and possible REDD+ strategies have not been communicated to the relevant actors.

Based on these considerations, the Team notes the need for reorientation of the communication strategy so that it is more focused on the products generated by NJP and to reinforce the cohesion of the Programme. This also implies the need for communications to be a task for everyone, with the specialist taking on the role of advisor to all of the actors involved.

#### ***4.5. Capacity-building***

A crucial element of the NJP is to strengthen the sectoral capacities, at several levels, for REDD+.

Between 2011 and 2012, several information and capacity-building workshops on REDD+ were carried out with ANAM officials as well as a series of regional workshops with local governments, community leaders, and ANAM officials in 2012. The planned strengthening of the capacities of the indigenous people did not start since it was seen as an element of COONAPIP's collaboration.

The installed capacities at ANAM and some of the partners involved in the development of the analysis and monitoring products was a positive element. For example, the work being done with the map of forest coverage and the scenarios have generated national and institutional capacity in the technical staff of ANAM.

Some elements of civil society such as the NGO ODESCA and the Coordinator of the Black Communities expressed to the Team their interest in collaborating with the NJP regarding capacity building. For example, ODESCA was a partner of a previous joint Programme concerning climate changes and formed a group of 60 community promoters that could also work as communication, consultation, and capacity building agents regarding REDD+.

The results framework stipulates that a national capacity building programme would be defined in 2010. However, it was not until the end of 2012 that they hired UNDP's Online School to do a participatory assessment to *"better understand the context of REDD+ in Panama, as well as the characteristics, needs, and concerns of the priority populations about this issue"*. Based on this diagnosis, the Online School was in the process of developing training modules for the capacity building of various key stakeholders such as indigenous peoples, rural communities, officials, local authorities etc., but with the suspension of activities, this work has not progressed.

#### ***4.6. Observations with regards participation, consultation, communication, and capacity building***

Despite COONAPIP's active initial participation and many other efforts of COONAPIP and the NJP, no formal or institutionalized mechanisms have been established to ensure the full and effective participation of the indigenous peoples. Another weakness originating from the design of NJP is that it did not define with adequate precision the roles, responsibilities, and competencies amongst the agencies of the United Nations and the Panamanian Government Authorities regarding the participation and the priorities of the indigenous peoples in the context of the Programme. The withdrawal of COONAPIP from the NJP in February of 2013 can, to a great extent, be explained by the previous failure to concretize and operationalise the commitments and initial expectations generated for full and effective participation of the indigenous peoples in the NJP.

The REDD+ National Round Table with the sub-tables started late, but was an important and promising national space of participation that unfortunately was suspended in March of 2013. Besides this space, the participation of other partners and sectors in the NJP has been relatively weak.

In 2012-2013, three communication, participation and consultation consultants were contracted. This has been a positive step, but the consultants joined in a period in which the conflict level and the cancellation of the activities seriously limit their work. Since the beginning of the NJP, there lacked a proactive conceptualization of strategies for consultation, participation, communication, and capacity building, as intrinsically interrelated and continuous processes. The weak progress in these matters also harms the usefulness and sustainability of the technical products for analysis and monitoring; obliges the personnel to work retroactively; affects the cohesion among the components and of the NJP itself, and limits national ownership of the process.

Since the design, there has been a tendency to conceptualize the preparation process of REDD+ as a series of well-defined sequences or stages that, to the extent that it has not progressed as expected, have turned into barriers for progress in other matters. For example, since the strengthening plan for the COONAPIP did not start, the indigenous peoples have not been informed about the NJP; since the National REDD+ Strategy has terminated, a communication strategy has not been designed concerning the technical products, and no thought has gone to the sustainability of the REDD+ National Round Table since it was contemplated as a temporary authority until the adoption of the Strategy. Also, there has been no flexible answer for the expressions of interest and initiatives from several sectors and institutions. As the preparation process for REDD+ comprises many unproven assumptions, it would be advisable to think of more flexible and dynamic strategies built in a more participatory way and gathering local initiatives that could consolidate partial and more immediate results.



## 5. Adaptive Management

### *5.1. Steering committee and other decision making bodies*

The description of the decision-making bodies in the Programme Document is somewhat confusing. The document indicates that it establishes a National REDD+ Committee to provide operational coordination, coordinate activities at a national level and integrate the REDD+ National Strategy into national planning processes (Programme Document, page 37). The text of the Document does not elaborate further the composition of the REDD+ National Committee, but in the Executive Summary (page 7), it mentions that the Committee shall be made up of *“government agents and representatives of civil society and indigenous groups who shall fulfil the tasks of providing the strategic guidelines, guarantee the participation of key agents, and the follow-up of the actions scheduled for the preparation phase”*.

At the beginning of 2012, the high level Steering Committee was established, composed of representatives of the UN agencies, ANAM, and MEF. The Steering Committee has had 3 meetings to date. The minutes reflect that it is an important space regarding the review of advances and for discussions and gaining approval for work plans and budgets and for the problems that arise in implementation. The Committee was also instrumental in pushing to increase the implementation of NJP in 2012. Nevertheless, it is worth mentioning that inside the complex structure of UN-REDD as a global programme made up of agencies with their own governance structures, and with its own Policy Board and Secretariat, the Steering Committee is not necessarily the maximum authority in the decision-making. This is reflected in the fact that the decision for suspending activities in March of 2013 was taken by a troika of officials from UNDP, UNEP, and the UN-REDD Secretariat that visited Panama to get to know about the COONAPIP withdrawal from the NJP. Until now, the Steering Committee has not met to discuss this decision.

It would have been considered that COONAPIP could participate in the Steering Committee as an observer, but this participation has not yet taken place. According to ANAM, the participation of the Indigenous peoples and other relevant agents in the Committee is a pending task. The Steering Committee has discussed the situation with COONAPIP at its three meetings but without the participation of the COONAPIP, the Committee has not been able to play a direct role in mediation or conflict resolution.

However, in September of 2012, a High Level Commission was established at the request of COONAPIP to attend to the problems and obstacles of the Programme. Then, a Technical Committee established by the High Level Commission met 4 times between September of 2012 and January 2013, but the work of the Committee was not delivered to the High Level Commission because in February of 2013, COONAPIP withdrew from the Programme.

## ***5.2. Coordination Mechanisms***

The formal spaces of coordination of the NJP are the Steering Committee and the biweekly coordination meetings that include ANAM, the agencies, and the Coordination Unit of the Programme. Internationally, the NJP, through the agency leader (UNEP), is related with the Policy Board and the Secretariat of UN-REDD. However the requirements and informal spaces of coordination, communication and decision-making are much more complex than those visualized in the formal organizational charts; this constitutes a challenge and great effort for the personnel involved.

The NJP directly involves three UN agencies and ANAM in the implementation plus a Coordination Unit with two co-coordinators (an ANAM coordinator and another hired by the NJP). Each one of the agencies and ANAM has its own structures and mechanisms for decision-making and coordination that in the case of the agencies involve regional and global levels and in the case of ANAM, the provincial and local levels. On the technical side, the officials of the three agencies confirm that they have received important inputs from their headquarters or specialized programmes; for example, UNDP has worked with the UNDP Online School and UNEP and FAO have coordinated technical inputs for monitoring and economic aspects of REDD with the headquarters.

Additionally, UN-REDD has its own structure for decision-making and coordination (Policy Board and Secretariat) that refers to the donors and decision-making structures and agency coordination. The Coordination Unit administratively depends on the three agencies that administer the budgets that finance the various consultants and activities. Another level of coordination exists between the officials and consultants that are directly involved in the development of the different NJP products. Also, at a national level, the NJP has to coordinate with a broad range of government and civil society partners and actors, and with the 11 territorial authorities, and the national authority of the Indigenous peoples.

Another dimension is that UN-REDD in general, and the NJP of Panama in particular, has caught the attention of numerous NGOs, researchers, and other actors of the regional and international civil society - many of them with their own particular interests or concerns. These actors have their own channels of communication with stakeholders involved in UN-REDD at a national, regional, or international level.

The agencies involved in Panama already had previous experiences with a joint programme that were applied as lessons learned for the NJP. For example, the officials already knew the particulars of each agency, the different philosophies, orientation, and administrative procedures, and they were more aware of the challenges and the importance of not taking the matter of coordination lightly. Therefore, the officials in charge worked together from the beginning and established a Coordination Unit even though it was not regulated or specified in the Programme.

Even so, all the parties involved point out that the coordination is time-consuming. The Annual Report of 2012 identifies as challenges *“the long time periods that were taking place within the programme team, the procedures for the decision making, definition of the activities, definition and approval of TOR’s, the approvals for hiring, and other administrative aspects”* and that *“the ANAM internal processes were generating delays, some substantial, for the way in which the activities should be defined and approved, which require the approval of the highest ANAM authorities, independently of the magnitude and impact of the proposed activities”*. The Team has the impression that these factors are not necessarily taken into consideration in the allocation of the human resources or in the definition of timeframes.

The Team notes that the formal coordination offices are many more than those visible in the NJP organizational chart, since it only shows the offices established by the same NJP. Parallel to this, the officials involved have to respond to many institutionalized offices, horizontal as well as vertical, for coordination and decision-making. These offices are particular for each actor and are not necessarily synchronized in the coordination and decision making processes. Added to this are the informal entities. The Team is under the impression that this complexity is very demanding in terms of human resources and time, and that it requires flexibility and much effort on behalf of the personnel, and that in a great measure, makes the programme work through informal relations and spaces.

### **5.2.1. Coordination Unit**

The NJP Coordinator was hired on July of 2011 with the responsibility to ensure the implementation, coordination, integration, and monitoring of the implementation of the NJP. Also, ANAM assigned an official as a coordinator. The formal relation between the two coordinators is not clear, but in practice, the two officials coordinate and distribute the tasks and responsibilities between them.

At first, it was thought that the Coordination Unit was going to be more formal, functioning as a sub-office of ANAM, but until now the Unit has not been formalized. According to the modality of direct implementation by the agencies, the budget is managed by the three agencies, and the Unit has no financial control.

Most of the personnel of the Unit are technical staff, and most of them are the interpreters of the satellite images for the mapping of the forest coverage. Some of them are consultants hired according to the procedures of each agency and others are officials of ANAM, delegates of the NJP. This implies that the personnel of the Unit depend on four different institutions, each one with its different monitoring, evaluation, procedures, salaries, etc. There are also consultants that work from the agencies’ offices, which make the programming and monitoring more difficult for the coordinators.

Due to the direct implementation modality, many of the functions of an implementation unit remain in the agencies. The Coordination Unit, according to the terms of reference of the coordinator, has responsibilities regarding the implementation, coordination,

integration, and monitoring of the implementation , but actually it has limited authority. The Team is under the impression that the Unit meets many of the centralized coordination functions, but because of the financial, administrative, coordination, and decision-making dependencies, the agencies play a more direct role in the implementation than what is visible.

### ***5.3. Planning work***

The annual planning of the work and budget plans through the Steering Committee constitutes the macro roadmap of the NJP. The micro-planning is based on the processes and coordination meetings between the officials of the agencies, ANAM, and the Coordination Unit. The technical staff and the consultants who were hired develop their work plans based on their terms of reference. At the end of 2012, a consultant was hired for the Coordination Unit to reinforce the planning and monitoring of the NJP.

In general, due to the weaknesses in the design of the NJP, the results framework has not been used directly as a guide for the implementation. Due to the complexity of the decision-making processes, none of the required changes to the framework have been done. For some specific products like the National REDD+ Strategy, a specific roadmap was developed.

### ***5.4. Personnel***

Each agency has designated technical staff to the NJP, as focal points or coordinators. Formally, they dedicate between 15-20% of their time to the programme, but in reality the time they are dedicating varies between 20-50%.

For FAO, the focal point dedicates 50% of his/her time to the NJP and also a full time person has been hired for coordination and management who is in charge of the contracts of the consultants working on the mapping of forest coverage etc. FAO has also designated focal points at headquarters for each national programme in Latin America. One of them is a specialist in monitoring matters and has participated in several meetings and work sessions with the FAO technical team and ANAM.

In the case of the UNDP office in Panama, the environment focal point dedicates 20-30% of his/her time to the NJP. UNDP-Panama did not hire a person specifically for the NJP; but the focal point has the support of the regional team. The UNDP regional team (2 persons; one regional advisor and one stakeholder engagement expert) serve several functions, for the 14 member countries of UN-REDD in Latin America, and also the 4 countries in the region where UNDP is the Implementing Partner for the FCPF. The functions include:

- Link between UN-REDD Secretariat and country teams (government, UN System staff and other partners) and with observers of the Policy Board of indigenous peoples and civil society at the regional level.

- Technical/Policy advice to UN- REDD (14 in the region) countries, responses to requests and ad-hoc needs from countries,
- Advising, monitoring and quality control during the design and implementation of national programmes and special supports
- Contribution to the coordination and articulation between agencies and other REDD readiness initiatives at the regional level in the different countries
- Promoting learning and the sharing of experiences and lessons learned, and contributing to the flow of information.

The regional team dedicates an estimated 20-30% of their time to the Panama NJP. In addition, UNDP has hired the support person for the NJP on planning, monitoring and evaluation that balances the workload.

At UNEP, the focal point dedicates 40% of his/her time to PNC, and the administrative assistant dedicates a similar percentage to the Programme.

Due to the lack of information in the NJP design, it was impossible to estimate the human resources needed from the beginning. For example, the responsibility of creating a Coordination Unit became the responsibility of UNDP, but it does not appear in the results framework. Also, it seems that all the agencies underestimated the human resource requirements. This underestimation seems more severe in the case of UNDP since up until the end of 2012, they only had the focal point dedicating 20-30% of his/her time to NJP for all the matters of consultation, participation, communications, and capacity-building.

### ***5.5. Monitoring and reporting systems***

The monitoring of the budgets and the financial administration is carried out by the agencies while the monitoring of results, based on the Annual Operational Plans (POAs) is carried out at several levels that include the Coordination Unit, the agencies, the Executive Committee, and the UN-REDD Policy Board.

ANAM officials prepare monthly reports to ANAM. The administrative assistant of the NJP consolidates NJP implementation data monthly using mechanisms that range from consulting online performance data (UNDP) to direct coordination with administrative staff of the agencies (UNEP and FAO). The consultants prepare monthly reports that are sent simultaneously to ANAM and the Programme Unit. The agencies carry out the payment for the consultants, subject to the inputs of the coordinator of the NJP.

As a lead agency, it is UNEP's obligation, together with the NJP coordinator, to gather inputs and consolidate the bi-annual and annual reports that are presented to the UN-REDD Policy Board. ANAM reviews these reports and fills out the section destined to the national authorities.

The early reports from 2010 and 2011 are very general and present an optimistic situation regarding the advances of the NJP. It is possible to note a great effort in the reports to reconcile the advances with the results framework.

The report of 2012 shows a big qualitative step regarding reporting the advances (2012 was the year of the most substantive advances) but also in terms of reflecting the challenges of low implementation, administrative procedures, and the slow and complex decision making process.

NJP receives comments and input on the reports from the UN-REDD Secretariat and the agency headquarters, who also certify the financial information. Even though the reports are public, they have not received comments from other actors.

## ***5.6. Risk Management***

The risks identified in the Programme Document are:

1. Low ownership of the NJP by ANAM
2. Low participation level of the indigenous peoples
3. High level of conflicts between key actors
4. Changes in the regulatory framework
5. Rotation of ANAM personnel
6. Coordination Unit with little knowledge of the policies, regulations, and procedures regarding the donors
7. Difficulty with inter-agency coordination
8. Difficult coordination between UN-REDD and FCPF
9. Increase in the deforestation rate
10. Effects related to the decreased liquidity of donors

Risks 4 and 7-10 have not had a greater impact in the implementation of the NJP, while other risks previously described have had a deep impact on the implementation. Risks 1 and 5, related to the ownership and ANAM personnel have been resolved, since the current administrator of ANAM and its technical team have shown a high level of commitment with the NJP. Risk No. 6 has been resolved through training and strengthening of the Coordination Unit. The risk related to the inter-agency coordination (7) is still a critical factor due to the difficulties intrinsically related to the joint programmes between agencies of administrative procedures and slow and complex decision making procedures.

Risks 2 and 3 concerns the conflict and participation of the indigenous peoples, but unfortunately these are still critical factors that now have led to the suspension of the activities.

The risks are monitored quarterly through the UNDP risk systems that are read at headquarters and by the UN-REDD Secretariat. Nevertheless, it is not clear to what

degree this system gives feedback to the NJP or facilitates the allocation of the technical resources to contribute to the resolution of the problems.

### ***5.7. Problem-solving***

The conflict with COONAPIP has had a severe impact on the NJP reaching the point of suspension of activities with indigenous peoples and the activities considered as new. The conflict has also had a transversal impact with much attention and resources directed to it. Despite the many efforts, meetings, exchanges of letters, commissions etc., it has not been possible to establish formal or institutionalized mechanisms to ensure the full participation of the indigenous peoples in the Programme or the decision-making entities. The Team is under the impression that this is mainly due to the lack of diverse strategies for consultation, communication, participation, and capacity-building from the beginning and the lack of representation of the indigenous peoples in the Steering Committee. This implies that there have been no participatory processes that were gradually generating results - and there have been no formal or institutionalized spaces to continue to resolve the obstacles and challenges met. The *ad hoc* mechanism established at the request of the COONAPIP has not filled this void. Also the complexity of the mechanism of the decision-making of UN-REDD and the NJP, and the diffused role between ANAM and the agencies in the relationship and commitments with the indigenous peoples, are factors that have affected the conflict even more. Facing these problems, the NJP has lacked formal and regular instances for problem-solving and has been characterized by a certain amount of unrealism in detecting, describing and solving the problems.

Starting from the complaints and the withdrawal of the COONAPIP from the NJP, UN-REDD made the decision to suspend the activities with indigenous peoples and the activities considered as new. At the same time, it has decided to carry out the independent investigation and mid-term evaluation. The preliminary report of the investigation was presented informally to the meeting of the UN-REDD Policy Board in June of 2013, in the presence of ANAM and COONAPIP. In response to the preliminary findings in the investigation, ANAM emphasized its commitment to continue with the implementation of the NJP; it acknowledged that there were mistakes along the process and made a commitment to present a proposal to be subjected to the approval of the COONAPIP Assembly. COONAPIP confirmed that, in its view, the NJP is closed, but expressed its desire to consider the government proposal at its Assembly and suggested that the dialogue with the Government could be resumed.

The Team is under the impression that the suspension of the activities that could directly affect or involve the indigenous peoples and the carrying out of an investigation has represented positive steps for not making the conflict more severe. It also seems that there is an opportunity that COONAPIP and ANAM may initiate dialogue based on the proposal made by ANAM.

A challenge is to ensure that many of the authorities and levels involved on behalf of the UN-REDD and the external actors have a common understanding about the process

agreed upon between ANAM and COONAPIP without offering their own interpretations, initiatives or interferences.

Finally, it seems feasible to reinstate the activities of the NJP that do not affect or directly involve the indigenous peoples since the suspension of other activities such as the establishment of the Geo-Portal to place the maps, information and generated scenarios into public access does not affect the rights of the indigenous peoples and may lead to other negative effects.

### ***5.8. Management effectiveness***

The Team has noted several factors that limit the effectiveness of management amongst which the following stand out:

The management and administrative structure of the NJP is much more complex and tiring than what is formally acknowledged amongst agencies (at national, regional and headquarter levels), ANAM, the Coordination Unit, and the UN-REDD Global Programme. Additionally, there are partners and actors at a national level and external actors at regional and international levels that in one way or another influence implementation.

The design has critical voids regarding the definition of roles, responsibilities, and the administration of responsibilities and mechanisms, which lead to confusing roles amongst the various actors involved.

The implementation of the NJP works in great measure through the bi- and multi-lateral commitment, efforts and informal relations that constitute coordination and decision-making spaces. This is positive to the extent that it helps to defeat the institutional barriers but implies a risk to the extent that it makes correct and proper management of the process more difficult, particularly in situations of conflict. Sometimes the process of decision-making and channels are confusing for the very officials involved and even more for the partners. In general, according to a grading scale of management arrangements established in the terms of reference, the Team considers that the arrangements are moderately unsatisfactory.



## 6. Financial management and efficiency

### 6.1. Financial implementation and co-financing

The NJP has a Budget of US \$5.3 million Dollars that come from UN-REDD; to which are added the resources that were contributed by ANAM. The contribution of the agencies is granted particularly in terms of human resources such as wages, offices, equipment etc.

The contribution from ANAM in terms of financial resources has been USD 1,477,969. The resources, for example, have been used to buy vehicles so that the regional ANAM agencies can support the activities of the mapping of forest coverage. To this is added the ANAM contribution of 23 people working full time for different intervals between the years of 2011-2013 estimating a contribution of USD 262,000.

YEAR	ASSIGNED	IMPLEMENTED
2011	960,000.00	740,177.00
2012	768,366.00	715,392.00
2013	32,224.00	22,400.00
<b>Sub-total</b>		<b>1,477,969.00</b>
Personnel (2011-13)		262,200
<b>Total</b>		<b>1,740,169.00</b>

The late start of the NJP has had implications for the implementation rate. The budget was only activated in 2011, and the implementation rate in 2011 was of only 16.5%. The drive to accelerate implementation in 2012 is reflected in the implementation rate until December 31 2012 of 39%. The percentages of implementation vary between 29.5% and 75.2% amongst agencies, which is explained by the different dynamics and sequences of the results worked on by each agency.

#### Implementation rate to December 31<sup>st</sup> 2012

	Total Assigned	Amount Transferred	Accumulated Expenses until 12.31.2012	Percentage Implemented
FAO	2,189,000	1,679,900	646,726	29.5 %
UNDP	2,067,350	906,290	636,419	30.7 %
UNEP	1,043,650	833,530	785,554	75.2 %
Total	5,300,000	3,419,720	2,068,699	39.0 %

The Team has not been able to reconcile the amounts of implementation up to June of 2013 but even though many of the activities are suspended, there are still fixed expenses. For example, in the case of UNDP, the accumulated implementation (including commitments) until June 2013 is of 43.3%. The officials in charge of the agencies estimate that with the available budget, it would be possible to conclude most of the products underway if the NJP is extended for approximately one year. This excludes the termination of the National Forest Inventory that presents a particular challenge (see sections 3.24 and 8.1.3).

The NJP faces two challenges regarding financial management: In the immediate context, all the agencies have liquidity problems given that the NJP, in the current situation of the suspension of activities, has not requested the transfer of foreseen funds. In the long term, the NJP faces the challenge of readjusting the budget to the necessary changes of the programme including readjustments in the results framework, the temporary framework and depending on the results of the dialogue between ANAM and COONAPIP, the work to be done with the indigenous peoples.

The Team considers it pertinent that the NJP request the transfer of the next payment while it reviews the budget according to the changes of the results and temporary frameworks. The Team furthermore considers it pertinent that the NJP request special support from UN-REDD to reinforce the collaboration with the indigenous peoples if ANAM and COONAPIP come to an agreement.

## ***6.2. Efficiency***

Due to the direct implementation modality, the budget is managed under the different regulations of the agencies involved. Therefore, the Coordination Unit and the institutions and consultants hired operate under different modalities. This brings obvious disadvantages that have been slowly overcome, for example through capacity-building of the Unit's personnel.

The regulations and procedures of the UN agencies in general are not flexible or agile. For example, the FAO system needs to register beforehand the identification and photographs of all the participants in a workshop which is not feasible in relation to workshops for indigenous communities. Also, the internal changes in the management systems, for example at FAO, have affected management. The advantage of having three different financial management systems is that this lends a certain flexibility regarding how to make internal arrangements among the agencies to fund activities through the agency that offers more ease for certain expenses. In this sense, for example, it was UNEP that was able to transfer funds for COONAPIP for the payment of their leasing.

A generalized problem amongst the agencies is that their regular systems of financial management are based on budgets and not on activities and results. Therefore, the officials have to maintain a parallel system (manually operated) to reconcile budgets and reports related to the UN-REDD budgets and reports (by results) and the regular systems.

Because of the difficulties previously mentioned and the additional complexity of a joint programme, management requires an investment of time by the personnel, without this investment adding value in terms of the results. Therefore, the Team considers that the transaction expenses are elevated though it has not been able to quantify these costs.

The personnel in charge of the NJP has made an effort to accelerate and to search for flexibility in the administrative procedures, but the slowness and the complexity of the procedures is a factor beyond their control even if it has direct implications in the implementation of the programme, even in the collaboration with the partners that sometimes interpret the bureaucratic barriers as expressions of bad faith.

## **7. Impact**

Since this report concerns the mid-term evaluation, it is too early to try to measure the impact of the NJP. However, the Team considers that the NJP, based on the products generated for the analysis, decision-making, planning, and monitoring, has good potential to achieve a positive impact in terms of contributing with the key technical inputs for the definition of a REDD+ National Strategy in Panama and with regard to reinforcing Forest Sector governance. However, due to the multiple delays and difficulties in the implementation of the NJP, to achieve this positive impact will require an extension of the timeframe.

The potential to achieve the intended impact concerning the consultation, participation, and capacity building will depend in great measure upon the results of the dialogue between ANAM and COONAPIP, which until now is an unknown factor.

## **8. Sustainability**

The NJP has tried to put emphasis on the generation of multiple benefits, reflected in the generation of products such as the mapping of forest coverage and the scenarios of the opportunity costs that will have multiple uses. This is an important sustainability factor, however, in a general sense, the absence of an economic basis from REDD+ implies a risk and a fundamental requirement to seek another form of financial sustainability taking into consideration the opportunity and transaction costs. This is a factor that should be taken into consideration not only by the NJP or UN-REDD, but by all the actors involved in REDD+.

With the delays of the NJP and the suspension of activities, the first condition to ensure the sustainability of results on the way is to extend the timeframe. This will allow for the necessary time to ensure the termination, publication, and dissemination of the technical products such as maps and scenarios.

The other general consideration is that sustainability depends in great measure on communication, consultation, participation, and capacity-building strategies that may the

spark the interest of civil society and the indigenous peoples and ensure the political will of the state, and in this way generate national ownership of the generated products and advances with regards the REDD+ strategy. Within these general considerations, the Team gives special attention to the following elements that represent sustainability elements or risks.

### ***8.1. Links with other actors and government procedures***

The existence of other donors for the preparation of REDD+ in Panama represents an opportunity to seek synergies, complementarities, and consolidation of the results. In particular, the FCPF programme, with a possible launch in 2014, could tentatively be an important complement to the NJP since supposedly it will also be of national reach. ANAM is in the process of updating the proposal for FCPF; which should be adapted to the experiences generated, the results reached, and the NJP's pending tasks. Also, if methodologies and approaches are aligned, the pilot projects funded by GIZ and USAID will be important complements to consolidate the results of the NJP and to ensure that these pilot projects can have the advantages to register in a REDD National Plan; which could potentially imply better prices, a system of safeguards for quality inputs and non-monetary benefits.

The NJP has not reached better results with regard to influencing sectoral policies so that they include REDD+ considerations. Achieving this will be very important in the aim of achieving sustainability and national and political ownership. Authorities such as MEF and MIDA and the legislative assembly are key actors in this sense. The Team considers that the communication, consultation, participation, and capacity-building strategies can be reoriented to strengthen the links with these actors, considering the REDD+ National Round Table as a possible permanent authority for integration and alignment.

### ***8.2. REDD+ National Round Table***

The REDD+ National Round Table has been conceptualized as a temporary authority in the context of the NJP, with a specific function regarding the development of the REDD+ National Strategy. The Team considers that there is a low probability that the National Strategy will be approved before the conclusion of the NJP and also considers that the processes of discussion, elaboration, piloting, generation, and the exchange of ideas etc. may possibly be more multifaceted than what was thought at the beginning. So, the Team considers it important to seek institutionalization and national ownership of the REDD+ National Round Table, which is also a manner in which sustainability can be guaranteed in the development process of the REDD+ National Strategy. Therefore, ANAM should seek a way to guarantee the continuation and sustainability of the Round Table as a true national multi-sectoral platform for REDD+ matters.

### ***8.3. Sustainability of national forest inventory***

A methodology for the INF has been designed to obtain a high quality and multipurpose product for the country, but this methodology also brings questions about the balance

between quality and cost and as a result the sustainability of the result. FAO has calculated that in the NJP there is a budget deficit of USD one million in order to conclude the INF. In terms of finishing the inventory, the question arises regarding whether it is possible to obtain the additional funding needed to finalize the INF. Regarding sustainability, the question is whether Panama, in the long term, will prioritize the allocation of funds to regularly update the INF. In order to take an urgent decision on the way forward to advance the INF, there are several considerations that should be taken into account:

- There is the option of a less ambitious and less expensive methodology that focuses directly on the measurement of carbon without the multiple benefits that the most expensive methodology includes. However, the main cost seems to be reaching the sampling units and setting the sampling plots. The marginal cost for raising additional information is relatively low.
- The scope of the INF can be limited, reducing the amount of sampling units.
- Alliances could be sought with other donors/actors that work at a sub-national level to collect funds (for example ACP) based on a common methodology.
- The conclusion of INF can be included in the offer to be presented to FCPF.

All these reflections about INF require technical and political decisions, and it is important that amongst ANAM, FAO, and other relevant actors, a collegiate decision be taken during the next months. In particular it is important to define how the INF will be institutionalized as part of the forest and carbon monitoring system.

## **9. Conclusions, recommendations and lessons learned**

### ***9.1. Conclusions***

The most important conclusions about the NJP that constitute the basis for the recommendations are the following:

- The subject of REDD+, and as a result the NJP, are very relevant to Panama
- The extremely ambitious and inconsistent design has required great effort of analysis, adaptation, and operation from all the actors involved.
- Technical products of multiple benefits are being generated that are very important for a REDD+ strategy in Panama and for forest sector governance.
- The unequal advances of the components and the absence of transversal strategies of communication, consultation and participation since the beginning have weakened the cohesion of the Programme.
- There have been unnecessary re-learning of lessons about the need to work on the issues of consultation, participation, communication, and capacity building in a systematic form from the beginning of the programme.
- The complexity of the decision making and administration and financial management processes have made adaptive management difficult; it has limited

the necessary flexibility in collaboration with its partners and has made it difficult to carry out the changes and readjustments needed for the results framework.

- The resources required to coordinate a joint programme were underestimated.
- The consolidation and sustainability of the REDD+ National Round Table is a fundamental element with implications for the development of the National REDD+ Strategy and the alignment and ownership at the national level and with other actors.
- The activities with the indigenous peoples have failed, and the potential to reinitiate collaboration will depend on clear agreements being made between COONAPIP and ANAM
- Not all of the planned products are reachable in the planned timeframe and available budget, but with a timeframe extension, the NJP has the potential to generate products that are very valuable for the country
- The suspension of new activities that do not affect or involve the Indigenous peoples, such as the opening of the Geo-Portal, harms the completion and the sustainability of the technical products
- It is opportune to readjust the results framework and reorient the NJP towards a more dynamic and realistic strategy
- If a collaboration agreement is achieved between ANAM and COONAPIP for REDD+, the possibility to request special support from UN-REDD may be considered to reinforce the budget for this work
- The reorientation of this Programme constitutes an opportune time to seek complementarities with other actors in the matters of the REDD+ in Panama (FCPF, GIZ, ACP etc.)

## ***9.2. Recommendations***

The recommendations related to the Panama NJP are:

- To the NJP: Maintain the suspension of activities with the Indigenous people until agreements have been reached with the national and territorial indigenous authorities on how to continue with the collaboration.
- To UN-REDD: Extend the NJP until the end of 2014 with the aims of concluding and consolidating the results achieved and to seek their sustainability.
- To the NJP: Adapt the NJP strategy to take into account the unequal progress of the various elements, minimizing the dependence on results that are not predictable, and reinforcing the cohesion among the elements that are underway.
- To the NJP: Readjust and/or re-dimension the expected products of the NJP in order to eliminate products that are not reachable and to focus on generating products that are robust and sustainable considering: the new timeframe, the

remaining budget, the national circumstances, and, eventually, the agreements signed with the indigenous peoples.

- To ANAM: Consolidate the REDD+ National Round Table as a platform for a permanent and broad dialogue of ANAM and the Panamanian society for defining, coordinating, and executing the REDD+ Strategy in Panama.
- To ANAM: Request specific support under the UN-REDD Global Programme to reinforce the consultation and participation of the indigenous peoples to the extent that this support is agreed upon and requested by the indigenous authorities.
- To ANAM and FAO: Determine the reach, dimension, institutional anchoring, and mechanism for the maintenance and sustainability of the National Forest Monitoring System (INF, satellite terrestrial monitoring system and the GEI inventory) in alignment with the available budget, options to find additional financing, the NJP timeframe, and the collaboration with other sub-national, national, and international authorities.
- To the NJP: Define diversified strategies of consultation, participation, and capacity building according to the various needs and demands of the stakeholders that participate in the REDD+ process in Panama.
- To the NJP and UN-REDD: Adopt a communication protocol to ensure that dialogue about issues of consultation and participation in the context of the NJP take place directly between the duly authorized representatives of the NJP and the Panamanian organizations with roles and mandates on the issues relevant to REDD+ in Panama (government authorities, indigenous peoples, civil society, academia and others).
- To the NJP: Focus the communication strategy on the dissemination and discussion of the products for national analysis generated by the NJP (Geo-Portal and others).

Since the guidelines and requirements of the global UN-REDD Programme somewhat define and impact the planning and implementation at the national level, the Team would like to offer the following recommendations for consideration by the UN-REDD Global Programme:

- To UN-REDD: Seek ways to simplify and accelerate the management of the joint national programmes through the modality of national implementation or implementation through only one agency.

- To UN-REDD: Adjust the UN-REDD Guidelines (stakeholder involvement, FPIC) to better reflect the complex realities and experiences gained through implementation in the field.
- To UN-REDD: Study possible ways to improve flexibility and resolve the limitations that arise in the rules and procedures of the UN systems with regards recognizing, also for administrative purposes, the political and technical bodies of the indigenous peoples in their various functions as representative authorities and programme managers.

### ***9.3. Lessons learned***

REDD+ is a changing process, which in and of itself constitutes a problematic starting point for the design of a Programme. Therefore, UN-REDD National Programmes need to have simple and flexible designs with strategies that seek to generate multiple benefits.

The direct implementation modality of three agencies has high transaction costs and is against the principles of the aid effectiveness of agenda as established in the Paris Declaration.

The UN-REDD guidelines served as a safeguard to ensure the consultation and initial validity with the indigenous peoples, but they did not lead to adequate quality control of the design of the Programme, even in terms of the definition of roles and responsibilities of agencies, state authorities, indigenous peoples, and civil society. In particular, the agencies should very carefully outline their roles and responsibilities to the state and avoid that programmemes generate expectations that do not reflect state commitments.

From the outset, the inter-related strategies for consultation, participation, communication, and construction of abilities should be conceptualized with the diversity of actors as continuous processes linked to the several phases of UN-REDD national programmes and the REDD+ readiness process itself. Multifaceted and flexible processes could include, for example, the following elements:

- Initial processes of communication and consultation about the NJP
- Participation and consultation as permanent processes through institutionalized decision-making mechanisms
- Institutional strengthening and capacity building processes to ensure full and effective participation
- Consultations with several sectors about relevant issues for a National REDD+ Strategy
- Diverse modalities of participation for partners in the development of products
- Diversified communication processes about the generated products



- Internal consultations with the indigenous peoples, according to the traditions and customs of their self-government bodies, to consolidate positions concerning REDD+
- Specific consultations about the legislative or administrative measures that may affect the indigenous peoples

## **Annex A: List of persons who were consulted**

### **ANAM:**

- Silvano Vergara, General Manager of ANAM
- Gerardo González, Director of Intergrated Watershed Management and ANAM Focal Point for UN-REDD
- Eric Rodríguez, REDD Coordinator, ANAM
- Carlos Gómez, Acting ONU-REDD Coordinator, ANAM
- Carlos Melgarejo, INFC Coordinator, ANAM
- Víctor Corro, INFC Soil Specialist, ANAM
- Raúl Gutiérrez, Forestry Engineer – Climate Change Unit, ANAM
- Magalys Castillo, SIG Analyst, ANAM
- Yahaira Cárdenas, Climate Change Unit, ANAM
- Joaquin Díaz, ANAM
- Orlando Bernal, Director of Evaluation y Environmental Management

### **Panama Canal Authority**

- Ángel Ureña, Manager of the Environmental Assessment Section of the Environment Division of the Panama Canal Authority

### **National Directorate for Indigenous Policy**

- Roberto Lino Pacheco, Legal Advisor, National Directorate for Indigenous Policy, Ministry of Government and Justice.
- Esteban Arosemena, Director, National Directorate for Indigenous Policy, Ministry of Government and Justice.
- Arellys Midi, Social Work, National Directorate for Indigenous Policy

### **FAO:**

- Lars Gunnar Marklund, Programme Coordinator for FAO, Subregional Office
- Xinia Soto Solano, FAO Coordinator, UN-REDD
- Allan Hruska, a.i. Subregional FAO Coordinator y a.i. Representative in Panama
- Asdrúbal Calderón, Specialist, Forest Invenotries in Central America, FAO
- Tamara Hernandez, FAO, UN-REDD
- Adolfo Kindgard, Remote Sensing Specialist; FAO
- María del Carmen Ruiz, Forest and Carbon Inventory Coordiantor, FAO

### **UN Panama**

- Kim Bolduc, Resident Coordinator and Representative for the United Nations System in Panama and UNDP

### **UNDP:**

- Gisele Didier, Programme Officer, UNDP Panama
- Javier Jiménez Pérez, Participation Technical Staff, UN-REDD Programme Panama

- Irina Madrid, Consultant for planning, monitoring and evaluation, UNDP
- Pierre-Yves Guedez, Regional Technical Advisor, UNDP
- José Arturo Santos, Regional Technical Specialist in Stakeholder Engagement, UNDP
- Charles McNeill, Senior Policy Advisor, UN-REDD y Environment and Energy Group, UNDP
- Nina Kantcheva, Advisor, stakeholder engagement, UNDP/UN-REDD
- Gayathri Sriskanthan, Advisor, stakeholder engagement, UNDP/UN-REDD
- Jennifer Laughlin, Programme Analyst, stakeholder engagement, UNDP/UN-REDD
- Iñaki de Francisco, Indigenous Development Board, UNDP

#### **UNEP:**

- Gabriel Labbate, Programme Officer, UNEP
- Margarita Astrálaga, Regional Director, UNEP
- Emilio Mariscal
- Ricardo G. Montenegro G.

#### **Indigenous Peoples**

- Betanio Chiquidama, Chief General of the Emberá-Wounaan and President of the COONAPIP
- Lic. Héctor Huertas González, Lawyer, COONAPIP
- Cándido Mezua, Project Coordinator, Emberá-Wounaan Congress
- Atencio Lopez, Lawyer, Guna Yala General Congress
- Kinyapiler F. Johnson, Maniburba Ilemagged, Onmagged Dummad, Guna Yala
- Valerio Núñez, Forestry Technical Staff, Guna Yala General Congress
- Blas López, Secretario General, Guna Yala General Congress
- Baglio Pérez, Chief, Guna Yala General Congress
- Eriberto González Chief, Guna Yala General Congress
- Enrique Inatoy, Guna Yala General Congress
- Sara Omi Casama, Techincal Staff, OJEW/COONAPIP
- Williams Barrigón, Advisor, COONAPIP
- Heráclio López Gonzalez, Advisor COONAPIP
- Johny Alvarado, Local Secretary
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- Magdalena González, Technical Advisor, Bribri Peoples
- Marcelo Guerra, President, Bugle Congress
- Joaquín González, Bulu, Bribri Peoples
- Tino Quintana, Regional Chief Sambú, Embera-Wounaan
- Abigail Grajales, President, General Congress of the Collective Territories of Embera-Wounaan.
- Edilberto Dogirama, President, Embera-Wounaan General Territory
- Marilizeth Cansarí, Student, Darién
- Sergio Gómez, Advisor, General Council Bribri

- Clementina Pérez Jiménez, Reserve Regional, Cerro Balsas, Munä
- José Colman, Guna Yala General Congress
- Félix Sánchez, Pueblo Naso Advisor, Bocas del Toro
- Elivardo Membache, General Chief of the Collective Territories of Embera-Wounaan, Darién
- Reynaldo Santana, King of Pueblo Naso, Bocas del Toro
- Jeremías Cansarí, General Chief, General Congress Embera of Alto Bayano
- Gloria Tovar, Technical Staff, Dagangunyala Congress
- Flaviano Iglesias, Advisor, Dagangunyala Congress
- Evangelisto Santo, Bugle Local Chief, BIEDESHIA
- Luis Bacorizo, Vice-President, General Congress of the Collective Territories of Embera-Wounaan, Darién.
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#### **Academia**

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- Dr. Catherine Potvin, McGill University, Department of Biology, Canada y Smithsonian Tropical Research Institute, Panamá
- Julie Velásquez Runk, Department of Anthropology University of Georgia

#### **Civil Society**

- Víctor Alcázar, Representative of the Afro-descendent Communities of Darién
- Noris Alain, NGO ODESCA
- Michelle Szejner, National Advisor for Panama, REDD Programme for Central America and the Dominican Republic (GIZ)
- Alida Spadafora, Executive Director, National Association for the Conservation of Nature (ANCON)

- Armstrong Wiggins, Director, Indian Law Resource Center
- Leonardo Crippa, Principal Lawyer, Indian Law Resource Center
- Christopher W. Meyer, Environmental Defense Fund, y representative of the developed countries in the Policy Board of UN-REDD
- Onel Masardule, Foundation for the Promotion of Indigenous Knowledge
- Mikel Barraondo, Almaciga Intercultural Group

## Annex B: Validity, pertinence and importance of COONAPIP concerns

In this section, extracted from the Preliminary Note of findings, conclusions and recommendations of the Independent Investigation Team of UN-REDD Programme Panama (June 22, 2013), when significant and briefly discusses relevant are the concerns to light COONAPIP PNC Document 2009 and the objectives, policies and standards identified in it.

COONAPIP Complaints	Team Analysis
<p><b>Lack of mechanisms for full and effective participation</b></p>	<p>Despite initial active participation of COONAPIP and many efforts, meetings, exchanges of letters, commissions, etc., formal or institutionalized mechanisms to ensure full and effective participation in the Programme and in decision-making instances have not been established.</p> <p>Nor has there been a process of strengthening the COONAPIP as a national body –or of the congresses as territorial bodies– for their full and effective participation in accordance with UN-REDD guidelines.</p> <p>All this has also resulted in a lack of adequate information about the programme for the indigenous peoples in general.</p>
<p><b>Non-recognition of representative institutions of indigenous peoples</b></p>	<p>COONAPIP was recognized from the start as the national representative body of the indigenous peoples. This role is specifically recognized in the programme document, in which it is described as “<i>a key actor in the development and implementation of national REDD+ strategy with the Indigenous Congresses.</i>”</p> <p>However, roles, competencies and responsibilities are not defined with precision among the indigenous territorial and national authorities in the context of the UN-REDD programme, which has led to many contradictory expectations and interpretations.</p>
<p><b>Non-compliance of agreements</b></p>	<p>The complex initiation and development of this programme, together with significant changes in the state administration and delays due to elections, changes of Ministers and orientations and slow and complex administrative procedures have undoubtedly affected obtaining and enforcing clear, transparent and enforceable agreements.</p> <p>As part of their early contributions to the development of the programme, COONAPIP proposed 19 points to be developed in the context of the programme as principles for implementation of the programme, but there were no explicit agreements to concretise related outcomes or activities. Nor were agreements reached on the budgetary framework for indigenous participation and budget that was ultimately</p>

	finally offered seems inadequate to achieve the goals reflected in the 19 points.
<b>Inadequate procedures</b>	From the beginning, the design of the programme lacked clear and adequate frameworks, mechanisms and procedures for consultation, participation, decision-making and monitoring as envisaged in the programme document and the relevant guidelines.
<b>Lack of good faith</b>	In regards to the participation of indigenous peoples, the NJP, with the participation of the COONAPIP, began with a spirit of good faith and harmony but to the extent that this collaboration did not materialise in specific activities, relations deteriorated. This was aggravated by the absence of clear mechanisms for consultation, participation, and decision-making as well as defined budget frameworks, mechanisms for collaboration and agreements between COONAPIP and UN-REDD. All this has resulted in a situation where the dialogue has fallen apart both institutionally and personally and apparently there is no trust in the good faith of the parties involved.
<b>Failure of the State and the United Nations to fulfil their responsibilities</b>	Roles, responsibilities and competencies between the UN agencies and Panamanian government authorities regarding participation and priorities of indigenous peoples in the context of the programme were not adequately defined. The extent of state commitment to the 19 points that the COONAPIP defined as essential for their participation in the Programme was also not clearly established.
<b>Violations of the rights of indigenous peoples</b>	<p>It is the opinion of the independent Team, that the shortcomings in the design and the failure to meet the objectives of the UN-REDD Panama Programme have resulted in that the programme has not had the expected positive results but neither has it had a significant negative impact on the collective rights of the indigenous peoples, as it has not yet been implemented nor have any legislative or administrative measures been issued that affect indigenous peoples as a result of the programme. At the same time it should be noted, that the programme has not affected the individual human rights of indigenous peoples.</p> <p>However, a significant negative impact resulting from the implementation of the Programme is that it has, unintentionally, created unnecessary pressures to the representative bodies of the indigenous peoples of Panama, exhausting their efforts and resources in a context external to the Programme, marked by many conflicts and pressures.</p>