

# **REDD+ SAFEGUARDS INFORMATION SYSTEM (SIS): WHAT SHOULD FURTHER GUIDANCE DELIVER?**

## **SUBMISSION BY THE REDD+ SAFEGUARDS WORKING GROUP 24<sup>th</sup> September 2014**

This submission is supported by the following 47 undersigned organizations:

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ADEID-Cameroon (Action pour un Développement Equitable, Intégré et Durable)  
AMAN (Indigenous Peoples Alliance of the Archipelago)  
Asia Indigenous Peoples Pact (AIPP)  
Ateneo School of Government (ASoG)  
Bianca Jagger Human Rights Foundation (BJHRF)  
BirdLife International  
Center for International Environmental Law (CIEL)  
Centre pour le Développement et l'Environnement (CED)-Friends of Earth Cameroon  
Centro para la Autonomía y Desarrollo de los Pueblos Indígenas (CADPI)  
Centro Mexicano de Derecho Ambiental (CEMDA)  
Centro Humboldt  
Centro de Planificación y Estudio Social (CEPLAES, Ecuador)  
Climate Justice Programme  
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Derimbat Community Development Foundation Inc.  
Environmental Investigation Agency US  
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Forests of the World  
Fundación Ambiente y Recursos Naturales (FARN)  
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National Forum For Advocacy Nepal (NAFAN)  
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Nepal Federation of Indigenous Nationalities (NEFIN)  
NGO Coalition for Environment (NGOCE)  
Ona Keto Peoples Foundation Inc.  
OroVerde - Tropical Forest Foundation  
Pandapat Youth for Conservation & Sustainable Development Project  
Partners With Melanesians Inc  
Pivot Point  
Pro Natura - Friends of the Earth Switzerland  
Rainforest Foundation Norway  
Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education)  
Transparency International  
The Orangutan Project  
Wetlands International

## I. SUMMARY

Addressing and respecting the Cancun social, environmental and governance safeguards is an undisputed REDD+ requirement. Countries must demonstrate they have complied with this requirement by submitting a summary of information from their Safeguards Information System (SIS) through National Communications and the Information Hub. However, exactly what should be included as a part of this REDD+ reporting requirement remains unclear. The REDD+ Safeguards Working Group (RSWG) submits that further guidance is needed to address the current gaps and provide greater clarity. This further guidance would particularly benefit least developed countries (LDCs) by helping them to access results based payments.

We believe there should be common reporting elements, which include: information about a country's interpretation of the safeguards; information about governance-related arrangements that are in place to 'address' the safeguards in the country; the degree to which each of the safeguards has been realized, and therefore 'respected'; and the processes in place to ensure this implementation. Further guidance outlining, *inter alia*, common elements on which to provide information would assist REDD+ countries to implement safeguards equitably and effectively and contribute to climate mitigation from forests.

This submission sets out the context / background of SIS under the UNFCCC, then is divided into the following sections on further guidance and types of information: 1) Why further guidance is needed; 2) What further guidance should achieve; 3) Why common reporting elements are necessary; 4) What types of information should be provided in the summary; 5) How the process of preparing the summaries could be streamlined; and 6) Why the UNFCCC should provide guidance for assessing safeguards information to access funding and what it could include.

## II. CONTEXT / BACKGROUND

In 2010, Parties agreed that countries seeking to implement REDD+ should have a Safeguards Information System (SIS) to demonstrate that social, environmental, and governance safeguards are being addressed and respected.<sup>1</sup> The following year, in Durban, countries confirmed that an SIS must be in place to receive results-based finance for REDD+.<sup>2</sup> When countries adopted the Warsaw Framework in 2013, Parties agreed that before receiving results-based payments countries should provide "the most recent summaries of information on how all the safeguards...have been addressed and respected."<sup>3</sup>

Currently, there is only minimal guidance for countries developing their SIS. The present guidance is very broad, based on general principles such as transparency, consistency, accessibility, and flexibility,<sup>4</sup> and on a process that is country-driven and built on existing processes.<sup>5</sup> In addition, the frequency of reporting on how safeguards are being addressed and respected is insufficient. Currently, REDD+ countries are required to produce a summary of information in their National Communications, which only have to be submitted every four years.<sup>6</sup> Furthermore, the starting point for

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<sup>1</sup> Decision 1/CP.16, para 71(d).

<sup>2</sup> Decision 2/CP.17, para 64.

<sup>3</sup> Decision 9/CP.19, para 4.

<sup>4</sup> Decision 12/CP.19, para 2, Decision 12/CP.17, para 4.

<sup>5</sup> From UN-REDD's SEPC, the World Bank's SESA and ESMF, the CCBA's REDD+SES, the Convention on Biological Diversity, the UN Declaration on the Rights of Indigenous Peoples, among others.

<sup>6</sup> Decision 12/CP. 17, para 4.

safeguards reporting is ambiguous. While the COP could agree on additional communication channels for safeguards reporting,<sup>7</sup> they have not yet done so.

When countries adopted initial guidance for the SIS, they agreed to consider the need for additional guidance “to *ensure* transparency, consistency, comprehensiveness and effectiveness when informing on how all safeguards are addressed and respected (emphasis added).”<sup>8</sup> Recognizing this need for further guidance is justified on the basis that the Durban guidance is inadequate, vague and incomplete. The shortcomings of the current guidance limit the effective implementation of the REDD+ safeguards and the SIS.

### III. FURTHER GUIDANCE AND TYPES OF INFORMATION

#### 1. Why is further guidance needed?

Further guidance will assist developing country Parties to implement safeguards equitably and effectively and to establish their SIS in a manner that “*ensure(s) transparency, consistency, comprehensiveness and effectiveness when informing on how all safeguards are addressed and respected.*” It will also assist countries to access REDD+ finance.

Further guidance is needed to address gaps and inadequacies in the Durban Guidance on the SIS, many of which were identified in the 2011 workshop in Panama under the UNFCCC and REDD+ Partnership.<sup>9</sup> These inadequacies, [still] include:

- a) *How to ensure that reporting on safeguards is consistent.* There is inconsistency between the reporting requirements from the various multilateral funding initiatives for REDD+. This inconsistency limits their compatibility and opportunities for coordination.
- b) *What types of information should be provided.* There is currently no clear guidance on how to demonstrate that REDD+ safeguards have been addressed and respected.
- c) *How to collect, compile and provide information for the summary reports.* There is no guidance on the collection and provision of information. Most importantly, there is no guidance on whether and how to ensure participation of relevant stakeholders, particularly women, indigenous peoples and local communities, as provided for by REDD+ safeguard (d)<sup>10</sup> despite a decision in Copenhagen, which “Encourages, as appropriate, the development of guidance for effective engagement of indigenous peoples and local communities in monitoring and reporting.”<sup>11</sup> There is also no indication of who is responsible for this process and how it should be managed and verified.

The need for further guidance on how to facilitate coordination and coherence of information provision between the different REDD+ processes is particularly important for REDD+ countries in light of the multiple sets of requirements relating to the implementation and reporting of REDD+ safeguards under several multilateral funding

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<sup>7</sup> Decision 12/CP. 17, para 4, Decision 12/CP.19, para 2.

<sup>8</sup> Decision 12/CP.17, para 6.

<sup>9</sup> Based on the analysis in Gaia Larsen, Daniela Rey and Florence Daviet 2012. *Map of SBSTA Submissions: REDD+ Safeguard Information System*, WRI Working Paper, World Resources Institute, Washington DC, available online at <http://www.wri.org/publication/map-sbsta-submissions>, hereinafter Larson et al, 2012.

<sup>10</sup> Decision 1/CP16, Appendix I, para 2(d).

<sup>11</sup> Decision 4.CP/15, para 3.

initiatives (e.g. the Forest Carbon Partnership Facility, UN-REDD and the Forest Investment Programme) and bilateral agreements. The Green Climate Fund (GCF) is also expected to fund REDD+ activities; and the Standing Committee on Finance will be considering the need for improved coordination on finance related to forests. Further guidance under the UNFCCC could help to solve this lack of coherence by providing overarching direction to be followed consistently by funding agencies.

Without adequate guidance at the UNFCCC level, there is a real risk that countries will face unnecessary costs and inconveniences to implement the various requirements in a piecemeal fashion instead of developing comprehensive approaches to safeguards and reporting. For example, Ecuador's early experience in developing their SIS suggests that "the complex and confusing international support with multiple safeguard approaches" represents a challenge.<sup>12</sup> Similarly, Indonesia, which receives funding from the FCPF, FIP, and UN-REDD, among other sources, would benefit from additional guidance to contribute to an on-going dialogue to align relevant initiatives, including its SIS developed by the Ministry of Forestry, the PRISAI (Principles, Criteria, and Indicators) developed by the REDD+ Task Force (now REDD+ Agency) and the REDD+ Social and Environmental Standards (SES) initiative.<sup>13</sup> In the absence of more specific guidance on what the summaries of information should include, an SIS runs the risk of failing to achieve its primary purpose, which is to demonstrate that safeguards are being addressed and respected.

## 2. What should further guidance achieve?

Additional guidance could greatly support REDD+ safeguards implementation, and thus the implementation of REDD+ as a whole. The summaries and the reporting processes within the SIS can serve multiple purposes including: helping Parties to judge their level of implementation of the UNFCCC safeguard requirements; acting as a planning tool; increasing accountability; and raising awareness at all levels, from local to national, and among various stakeholders. These stakeholders include government agencies, the private sector, civil society, women, indigenous peoples and local communities. Further guidance on the SIS from the UNFCCC could prevent the provision of summaries from substantially varying in scope, size and content.<sup>14</sup> This inconsistency has transpired in national reporting processes under other international Conventions that lacked clarity on what to include. Experiences from other conventions also suggest that further guidance could prevent problems relating to extracting relevant information from reports, which has created difficulties with assessing and comparing progress.<sup>15</sup>

Moreover, additional guidance will assist countries that lack the technical and financial capacities to implement the safeguards by providing a clear and indicative structure identifying elements for their summaries of information. For example, in Nepal, the government has recognized that "the current capacity of institutions and

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<sup>12</sup> Durban, J., Lhumeau, A., Franks, P., & Quesada, A., (2014) *Experiences, challenges and lessons learned about REDD+ safeguard information systems (SIS)*, REDD+ SES Initiative Secretariat, hereafter Durban et al. (2014), available online at: [http://www.unredd.net/index.php?option=com\\_docman&task=doc\\_download&gid=13211&Itemid=53](http://www.unredd.net/index.php?option=com_docman&task=doc_download&gid=13211&Itemid=53)

<sup>13</sup> *Design and Progress of The Development of Safeguards Information System (SIS) for REDD+ in Indonesia*, downloaded from [http://www.redd-indonesia.org/pdf/seminar/18\\_April\\_2013/Design\\_SIS\\_REDD.pdf](http://www.redd-indonesia.org/pdf/seminar/18_April_2013/Design_SIS_REDD.pdf); see also *Indonesia: Grant Reporting and Monitoring*, Forest Carbon Facility, June 2014, downloaded from [https://www.forestcarbonpartnership.org/sites/fcp/files/2014/June/FCPF%20Indonesia%20GRM%20June%202014\\_Final\\_v3.pdf](https://www.forestcarbonpartnership.org/sites/fcp/files/2014/June/FCPF%20Indonesia%20GRM%20June%202014_Final_v3.pdf)

<sup>14</sup> Ad Hoc Open Ended Working Group on Review of Implementation of the Convention on Biological Diversity (2005), *Reporting Mechanisms Under the Convention and Other Conventions*. Note by the Executive Secretary. UNEP/CBD/WG-RI/1/10.

<sup>15</sup> Ibid; the Convention on International Trade in Endangered Species (CITES) introduced a common reporting format for biennial "implementation" reporting mandated under the Convention due to lack of consistency, comparability and problems with non-reporting.

officials/individuals in the country will require significant improvement for making effective use of technologies and methodologies.”<sup>16</sup> It also noted that Nepal, like “most developing countries”<sup>17</sup> do not have appropriate technologies and methods to measure and evaluate REDD+ activities. Further guidance from the UNFCCC could provide countries like Nepal needed support. Importantly, further guidance needs to take into consideration that some countries have made significant progress on their safeguard approaches, which is necessary to avoid creating a burden and slowing their progress. However, the progress by some countries should not prevent the development of further guidance to assist others to progress.

Further guidance could also help countries match funding with needs, elaborate how to build upon their existing systems, and support national strategies and action plans.<sup>18</sup>

Further guidance should aim to:

- Provide a clear message to countries that safeguards implementation is required before reporting and as such the SIS should be developed as part of their overall safeguards approach, not separately. Mexico, for example, has taken time to develop such an overall approach;
- Provide guidance to less developed countries on how to design country approaches to safeguards by clarifying the types of information to be reported (i.e. identify key elements of a country safeguards approach);
- Ensure that, through the provision of simplified reporting formats, clear information requirements and submission procedures, the burden of reporting on Parties is reduced/kept low;
- Provide guidance on how to ensure effective public disclosure of safeguard information systems, including in local languages and in an online/open data format;
- Send a clear message that lack of coordination and/or of a participatory approach causes delays in reporting and results in incomplete information;<sup>19</sup>
- Help countries identify and report on who is/are best placed to collect and provide such information by building on existing structures and reporting requirements;
- Clarify that implementation and reporting on safeguards is a process, with multiple phases, each of which requires the provision of different information to indicate progress.

### 3. Why are common reporting elements necessary?

Currently, countries are free to decide how they want to structure their summaries of information. However, in order to ensure the “consistency”<sup>20</sup> of information submitted, having a common understanding of the structure for the summaries will be an important outcome in Lima. In addition to ensuring consistency and facilitating evaluation, agreement on a core set of elements could provide support to countries reporting on their safeguards implementation. These common elements could help structure how Parties provide information. They could also encourage countries to share best practices and lessons learned. In addition, they could provide countries with

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<sup>16</sup> The Government of Nepal’s submission on Co-benefits for REDD+ Implementation, pg. 3, available online at: [http://unfccc.int/files/methods/redd/redd\\_web\\_platform/application/pdf/redd\\_20130505\\_nepal\\_co-benefit.pdf](http://unfccc.int/files/methods/redd/redd_web_platform/application/pdf/redd_20130505_nepal_co-benefit.pdf)

<sup>17</sup> Ibid.

<sup>18</sup> *Additional Guidance on REDD+ Safeguards Information Systems*, Briefing Paper by the REDD+ Safeguards Working Group for the 36th Session of the Subsidiary Body for Scientific and Technological Advice UN Framework Convention on Climate Change, Bonn, 14-25 May 2012, accessible at [http://reddplussafeguards.com/reddplus\\_safeguards/wp-content/uploads/2014/05/Additional-Guidance-on-REDD-SIS-Bonn-SBSTA.pdf](http://reddplussafeguards.com/reddplus_safeguards/wp-content/uploads/2014/05/Additional-Guidance-on-REDD-SIS-Bonn-SBSTA.pdf)

<sup>19</sup> Ibid.

<sup>20</sup> Decision 12/CP.17, para 6.

an opportunity to identify gaps and needs that the donor community may wish to address with further support and technical assistance. Such common reporting elements could build investor confidence, providing donors with greater certainty that they are, indeed, providing results-based payments. They could also assist investors demonstrate their accountability to their domestic constituencies.

Furthermore, including common reporting elements in the additional guidance allows for more effective evaluation. Views from the 2011 submissions on the SIS support our view that at least a core set of information is required for comparability,<sup>21</sup> and some argue in favour of a common reporting template.<sup>22</sup> Besides setting out the 'core elements' to be provided in the summary of information, the guidance should describe what information should be addressed under those core elements.

Common reporting elements could also improve consistency in reporting among relevant international agreements and conventions. A number of the 2011 submissions recommend linking reporting on safeguards to reporting under other relevant international agreements and processes so as to ensure consistency.<sup>23</sup> Making such a link could encourage countries to draw from the reporting formats or guiding questions from relevant agreements when preparing their summaries. This connection could also reduce the duplication of efforts to collect information, and promote cross-sectoral coordination and policy coherence. There are a number of opportunities for relevant reporting processes to link to REDD+ safeguards reporting. For example, reporting on relevant Aichi Targets under the Convention on Biological Diversity (CBD), and reporting under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Notably, CITES has a detailed biennial reporting format for legislative, regulatory and administrative measures taken to enforce the Convention. Moreover, there are a number of human rights bodies, such as the Human Rights Committee, which require all States to submit regular reports on how rights from relevant international instruments (that many of the REDD+ countries must follow) are being implemented. Also, the Extractive Industries Transparency Initiative (EITI), which requires companies and governments to disclose what they pay/receive to access resources,<sup>24</sup> has a multi-stakeholder group that oversees reporting under the EITI. It provides a useful model that could inform national REDD+ SIS. Reporting requirements under the EU's Forest Law Enforcement, Governance and Trade (FLEGT) and VPA process could also be linked to REDD+ reporting. In addition, the UN Convention Against Corruption (UNCAC), particularly its public reporting requirement and freedom of information provisions, could be used as an anti-corruption framework to guide SIS as well as measurement, reporting and verification in national REDD+ programmes, and to prevent fraud.<sup>25</sup>

#### 4. What are the types of information that should be provided in the summary?

A country's summary of information needs to demonstrate how it is **addressing** and **respecting** all of the Cancun safeguards *throughout* the implementation of its REDD+ activities. In the 2011 submissions, many countries expressed that additional guidance

<sup>21</sup> See submissions from EU, Norway, CAN, ECA, WWF.

<sup>22</sup> See submissions from CE/WRI, IPAM et al., WWF; see also Annex on pg. 11.

<sup>23</sup> See submissions from Australia, EU, Japan, Norway, El Salvador et al., AC, CBD, CE/WRI, CIEL, ECA. See also comments under "Harmonization and Efficiency."

<sup>24</sup> UNDP, *Staying on Track: Tackling Corruption Risks in Climate Change*, available online at: Pg. 9 [http://www.undp.org/content/dam/aplaws/publication/en/publications/democratic-governance/dg-publications-for-website/staying-on-track--tackling-corruption-risks-in-climate-change/Staying\\_on\\_Track\\_corruption\\_risk\\_in\\_CC.pdf](http://www.undp.org/content/dam/aplaws/publication/en/publications/democratic-governance/dg-publications-for-website/staying-on-track--tackling-corruption-risks-in-climate-change/Staying_on_Track_corruption_risk_in_CC.pdf)

<sup>25</sup> UNDP Anti-corruption Guidance Note (2008), p 9, Table 3 which contains a table setting out "UNCAC as a democratic governance and development framework"; *Staying on Track: Tackling Corruption Risks in Climate Change*, available online at: [http://www.undp.org/content/dam/aplaws/publication/en/publications/democratic-governance/dg-publications-for-website/staying-on-track--tackling-corruption-risks-in-climate-change/Staying\\_on\\_Track\\_corruption\\_risk\\_in\\_CC.pdf](http://www.undp.org/content/dam/aplaws/publication/en/publications/democratic-governance/dg-publications-for-website/staying-on-track--tackling-corruption-risks-in-climate-change/Staying_on_Track_corruption_risk_in_CC.pdf)

was needed to clarify what is meant by ‘addressing’ and ‘respecting.’<sup>26</sup> At a recent REDD+ SES workshop, participants identified the lack of clarity on the type of information expected by UNFCCC and donors as a major challenge to the design and implementation of the SIS.<sup>27</sup> The proffered solution was guidelines to define the type of information to be reported.<sup>28</sup> The UNFCCC could take a similar approach with respect to further guidance to define the type of information to be provided, which could include a baseline as well as information on how safeguards were applied during the readiness phase. As with common reporting elements, guidance on the type of information would also provide certainty to potential funders. Investor risk is reduced when countries show that they have taken specific steps towards realizing the safeguards in a transparent and comparable manner.<sup>29</sup>

## A. Information about a country’s interpretation of the safeguards

It is clear Parties are required to provide information on *all* of the seven Cancun safeguards. A number of Parties and observers have suggested that a fundamental building block of the summary of information should be an explanation of how the reporting country understands or interprets each of the safeguards according to its national context.<sup>30</sup>

Given that the Cancun safeguards are in the form of broad principles, countries first need to clarify what they consider to be the constituent thematic elements of the safeguards in order to demonstrate how they have addressed and respected them. In Nepal, experiences prioritizing indicators for the development of a safeguards monitoring plan suggested that different stakeholders had different interpretations.<sup>31</sup> Moreover, the experience of developing a safeguards assessment report in Acre, Brazil suggests that developing an indicator assessment checklist or guide would assist in evaluating progress.<sup>32</sup> Completing this exercise would not only help to structure a country’s summaries, but could also provide guidance on implementation of the safeguards at the country level.

The Cancun safeguards reflect language contained in relevant international environmental and human rights conventions and agreements.<sup>33</sup> This requirement suggests that in interpreting the safeguards, countries should examine their own commitments under international and regional law, as well as access a number of guidance documents to assist in the interpretation.<sup>34</sup> There are a number of tools and resources available to governments and other stakeholders to support this process.<sup>35</sup>

Although UNFCCC guidance should be limited to a recommendation that interpretation of the Cancun safeguards is necessary, countries could choose to go further by expanding on the constituent thematic elements of the safeguards through the development of principles and criteria that provide a more detailed breakdown of each safeguard. This voluntary step is very important, as it will not only inform safeguards

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<sup>26</sup> See submissions from El Salvador et al., EU, Indonesia, AC, CE/WRI, FPP.

<sup>27</sup> Durban et al. (2014) *Experiences, challenges and lessons learned about REDD+ SIS*, Pg. 8.

<sup>28</sup> Ibid.

<sup>29</sup> See submission from Norway.

<sup>30</sup> See submissions from Australia, Norway, Switzerland, CBD, CE/WRI, FPP, World Bank (FCPF), WEDO.

<sup>31</sup> Case study 4b Durban et al. (2014) *Experiences, challenges and lessons learned about REDD+ SIS*, pg. 7.

<sup>32</sup> Durban et al. (2014) *Experiences, challenges and lessons learned about REDD+ SIS*.

<sup>33</sup> Rey, D., Roberts, J., Korwin, S., Rivera, L., and Ribet, U. (2013) *A Guide to Understanding and Implementing the UNFCCC REDD+ Safeguards*. ClientEarth, London, United Kingdom.

<sup>34</sup> Including the above-mentioned guide by ClientEarth, the UN-REDD SEPC, the REDD+ SES.

<sup>35</sup> Some of these resources include: 1) REDD+SES’ framework for a multi-stakeholder SIS development process; 2) [ForestDefender](#), an online legal database that provides a snapshot of international human rights and obligations relevant to REDD+; 3) [Global Forest Watch](#), which is an online forest monitoring and alert system that empowers people to better manage forests; 4) AIPP and [CIEL’s My Guide](#) capacity building tools; among many others.

implementation at the country level but it will also help countries assess, collect, and provide information on how they have addressed and respected the safeguards. The REDD+ SES initiative, which was developed through a participatory and inclusive process and provides technical support, capacity building and opportunities for a South-South exchange, provides a framework to enable such an approach.<sup>36</sup> Ecuador offers a good example of a country that has developed principles and criteria that provides a more detailed breakdown of each safeguard. Their SIS is being developed from a national approach for safeguards based on its own legal framework for REDD+. As a first step in designing the SIS, Ecuador conducted a harmonization and gap analysis of the different initiatives regarding existing safeguards tools. Based on this assessment, Ecuador developed its objectives, functions and structure for the SIS.

## **B. How the safeguards have been 'addressed'**

In addition to a country's interpretation of the safeguards, it is essential that information is provided about any governance-related arrangements that are in place to 'address' the safeguards in the country.<sup>37</sup> Specific types of information on governance-related arrangements could include a description of:

- Evidence of the political will and resources (including finance allocated) to ensure the effective implementation of safeguards;<sup>38</sup>
- Evidence of the willingness to engage stakeholders in the development of national approach(es) to safeguards, including the SIS;<sup>39</sup>
- The efforts to improve governance and address corruption;<sup>40</sup>
- *The legal framework*, which includes the laws, policies, regulations, plans or programmes relevant to the implementation of the safeguards.<sup>41</sup> For example, Parties should explain how full and effective participation has been addressed in the legal framework;
- Current gaps in the legal framework and *plans* to address those gaps identified, such as land tenure issues. For example, the Philippines' draft Safeguard Guidelines identify risks related to tenure and propose possible actions to address these concerns, including carrying out FPIC process, updating maps and making boundary delineations.
- *The institutional framework*, which includes institutions or institutional arrangements at multiple levels relevant to the implementation of the safeguards. It would also include a clarification of these institutions and institutional arrangements for safeguards implementation, including a clear process for establishing full and effective participation of all stakeholders, the roles and responsibilities for the provision of information, and clear lines of accountability.
- Coordination between local, provincial, sub-national and national entities that may be engaging in REDD+, implementing safeguards and collecting information about safeguards;
- *The compliance framework*, which includes channels for addressing grievances, redress mechanisms and mechanisms to protect complainants and whistle-blowers, the arrangements for the settlement of disputes, and enforcement (non-compliance mechanisms).

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<sup>36</sup> See <http://www.redd-standards.org/>.

<sup>37</sup> Submissions from Australia, Colombia and Mexico.

<sup>38</sup> Cited as an important lesson learned from developing and implementing the SIS by Mexico, Acre, Central and East Kalimantan in the REDD+ SES workshop report, pg. 9.

<sup>39</sup> Cited as a problem in Mexico related to engaging stakeholders and developing a work plan for SIS in the Yucatan Peninsula, REDD+ SES report, pg. 5.

<sup>40</sup> For example, using REDD+ governance assessment and REDD+ corruption risks assessment.

<sup>41</sup> See submissions from Australia, EU, India, AC, CAN, CE/ WRI, World Bank (FCPF).

UNFCCC guidance could also request Parties to report on any gaps they have identified in their governance-related arrangements relating to safeguards, as well as any steps they have taken, or propose to take to address these gaps.

### **C. How the safeguards have been ‘respected’**

The phased approach to REDD+ means that the results of actions countries have taken are likely to become clearer over time as REDD+ activities progress in their implementation. This will also apply to addressing and respecting the safeguards as countries progress with their implementation. As such, further guidance should promote more regular reporting, at least in a voluntary way. We understand that reporting on how Parties are ‘respecting’ the safeguards should include information on the **degree** of realization of each of the safeguards,<sup>42</sup> i.e. whether or not they have been implemented and/or the progress being made. The information could also include information on a country’s *progress* addressing the gaps identified in the chosen approach to implementing the safeguards. The report would thus include any actions or steps taken or planned to improve this approach over time, based on an examination of the outcomes in practice.

In addition to providing information on the degree of realization of each of the safeguards, it is important to include information on particular **processes or procedures** relating to their operationalization, as well as the level of resources and finance put towards their realization. For example, it could include information relating to and/or describing consultation processes, identifying stakeholders potentially affected by REDD+ activities and their degree of participation and influence in decision-making.<sup>43</sup> Indonesia’s SIS has a participatory principle with criteria that include identification of indigenous peoples and local community rights, a demonstrated process to obtain FPIC, and fair benefit sharing.<sup>44</sup>

Information on how the safeguards have been respected should also include both quantitative as well as qualitative information. For example, to report on safeguard (d) (the full and effective participation of relevant stakeholders), the number of consultations and workshops as well as who attended these gatherings, and how their input has been taken up could be included. In addition, there should be a formal process whereby communities and civil society could assess the quality of the information relayed, noting whether such information enabled them to more effectively participate and make relevant decisions.

Further UNFCCC guidance on how safeguards have been respected should also support countries in demonstrating how forest cover is monitored and whether and how indigenous and local communities have been involved in such monitoring processes. It should also demonstrate how REDD+ actions are consistent with or support biodiversity conservation and the prevention of forest loss and conversion in REDD+ countries. The information should include specific geographical references and identification of the projects that either have or have not respected the Cancun safeguards. Finally, the SIS must inform how the System will be improved based on the experiences and lessons learned in the reported period.

### **D. Additional information**

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<sup>42</sup> See submissions from CAN, ECA, EU, Japan, FPP.

<sup>43</sup> See submissions from Australia, El Salvador et al., EU, India, Norway, USA, CAN, CE/WRI, ECA, FPP, WB (FCPF). Most of these submissions refer specifically to indigenous peoples and local communities.

<sup>44</sup> Development of Safeguards Information System (SIS-REDD+) Implementation in Indonesia, presentation of Indonesian Government in Warsaw, November 14th 2013.

The inclusion of additional information would help paint a complete picture of a country's safeguards implementation, and facilitate lesson sharing between countries. This could include, *inter alia*, a description of the broader country safeguard approach. For example, in Mexico, their SIS is used to present and disseminate the most important information related to their safeguards compliance. Recognizing that the information included in the SIS does not guarantee that the safeguards are addressed and respected, they also have their own National Safeguard System (Sistema Nacional de Salvaguardas) that provides a support structure and defines the way Mexico will follow, report and guarantee its compliance with the REDD+ safeguards, and is based on information related to Mexico's legal, institutional and compliance frameworks.<sup>45</sup>

Other types of information proposed to include are:

- Channels used to actively disseminate the reporting on safeguards;
- Positive outcomes (including adaptation outcomes) of safeguard implementation;
- Challenges faced to provide relevant information;
- Lessons in developing the SIS, such as the process of establishing the SIS, the difficulties encountered, and plans for improvement;<sup>46</sup>
- Specific capacity needs;
- Sources of information countries use for their summary;
- A description of the steps taken to collect and consolidate the information and ensure its accuracy (e.g. domestic verification/review of information);
- The process in place for an independent review;
- A summary of grievances lodged and how they have been processed.

## **5. How can the process of preparing summaries be streamlined?**

Aside from addressing substantive information to be provided on implementing the safeguards themselves, further guidance on the SIS should also cover the process(es) for preparing the summaries of information. Specifically, guidance should require countries to corroborate that all stakeholders have, in fact, been involved in the preparation of their national reports, particularly women, indigenous peoples and local communities, and CSOs.<sup>47</sup>

In addition, the national focal points responsible for preparing national reports (i.e. national communications to the UNFCCC and/or summaries of information on the safeguards) should be encouraged to work closely with national counterparts, across different Ministries and national and sub-national government departments, responsible for the implementation of other related conventions and relevant reporting.<sup>48</sup> These may include the CBD, CITES, the International Labour Organization Convention No. 169 (ILO 169), UNCAC, and relevant human rights bodies, among others. By coordinating report preparation, the focal points for the various conventions can share data and analysis, ensuring consistency among reports and reducing the overall reporting burden for the country. Such coordination could also enhance opportunities for synergies in the national implementation of related conventions, such as the CBD's National Biodiversity Strategies and Action Plans (NBSAPs).

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<sup>45</sup> Diseñando un Sistema Nacional de Salvaguardas REDD+, September 2014, Conafor.

<sup>46</sup> See submissions from Australia, Japan, Norway, CAN, CE/ WRI, ECA.

<sup>47</sup> Submissions from Australia, El Salvador et al., EU, India, Norway, USA, CAN, CE/WRI, ECA, FPP, WB (FCPF) also requested that countries should report on the extent of participation in decision-making by stakeholders, including those that stand to be affected by REDD+ activities. However, most of these submissions focus on indigenous peoples and local communities in particular.

<sup>48</sup> See submissions from Australia, Belize et al., Brazil, Colombia/Mexico, Costa Rica, EU, Japan, Norway, Switzerland, AC, CBD, ECA, FAO, FPP, IPAM et al., WWF.

Finally, Parties should be asked to provide a brief description of the participatory process followed in preparing the summary of information in an Appendix to their summary.

## **6. Why should the UNFCCC provide guidance for assessing safeguards information to access funding? What could it include?**

Further guidance for the SIS is not only needed to support countries in providing information on addressing and respecting the safeguards, but also to enable them to access results-based finance. In order to demonstrate that safeguards are being addressed and respected, there need to be some criteria by which this is assessed.

The UNFCCC should provide guidance to financial institutions and other donors that will develop the criteria for their own assessment frameworks. Considering that funding institutions have some level of internal assessment before financing activities, further guidance from the UNFCCC will support better coherence and compliance with its required safeguards. For instance, the GCF is developing a logic model for results-based finance for REDD+ that is expected to be agreed in October 2014. UNFCCC countries should have input into that framework.<sup>49</sup> More broadly, this is an opportunity for the UNFCCC to provide guidance to the GCF and other financial institutions on how to assess the safeguards information. Guidance from the UNFCCC on how the summaries of information should be assessed would ensure such assessments are carried out consistently and do not impose a further burden on countries.

The UNFCCC is best positioned to provide guidance to financial institutions for assessing safeguards information. Some of the critical factors that REDD+ donors should consider include the:

- Extent to which the interpretation of safeguards is consistent with international obligations (e.g. UNDRIP and FPIC, the CBD and ILO 169, UNCAC);
- Extent to which safeguards are incorporated into a country's legal framework and institutions, and/or the quality of their plans to improve national frameworks;
- Extent to which indigenous peoples' and local communities' knowledge is respected and incorporated into REDD+ activities, e.g. through support for community monitoring;
- Capacity building needed to ensure full and effective participation of all stakeholders;
- Evidence of independent civil society oversight and contribution to the SIS;
- Extent to which effective whistle-blower protection and grievance/dispute resolution mechanisms have been put in place;
- Extent to which indigenous peoples, local communities and women are engaged throughout all phases of REDD+;
- Extent to which natural forests and biological diversity are conserved and other social and environmental benefits are enhanced;
- Accuracy and reliability of the information reported (e.g. through external assessment/verification and/or independent multi-stakeholder review).

***The REDD+ Safeguards Working Group*** is a North-South coalition of civil society, indigenous peoples' and local community organizations cooperating to ensure effective implementation of safeguards and the achievement of benefits for communities,

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<sup>49</sup> Moreover, there could be room for an addition or an amendment as the GCF evolves, thereby affording the UNFCCC time to provide guidance.

*climate and biodiversity through the global REDD+ mechanism. It currently comprises more than 30 organizations.*

For further information please contact [info@reddplussafeguards.com](mailto:info@reddplussafeguards.com)

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## ANNEX

### Proposed elements for the Summary of Information

#### A. Information about the country's interpretation of the safeguards

- Please provide details on the country's interpretation of each of the safeguards.
  - Include constituent thematic elements, as well as principles and criteria

#### B. Information on how the safeguards have been 'addressed' in the country

##### 1) Context:

- Please provide evidence of the level of political will in the country to ensure the effective implementation of the safeguards.

##### 2) Implementation:

- Please provide information on the general policy steps taken to implement the safeguards and develop the SIS, including the development of a work plan.

##### 3) Participation:

- Please provide information on steps taken to ensure the engagement of the different stakeholders in the implementation of the safeguards and provision of information, including ensuring the full and effective participation of indigenous peoples and local communities.

##### 4) Legal Framework:

- Please provide information on the domestic laws, policies, regulations, plans or programmes relevant to the implementation of the safeguards.

##### 5) Institutional framework:

- Please provide information on the institutions or institutional arrangements at the national, sub-national and local levels relevant to the implementation, internal monitoring, dispute settlement and enforcement of safeguards.

##### 6) Gaps:

- Please provide information on any gaps identified relating to how the safeguards have been 'addressed' including how these gaps were identified and what measures are being taken/intended to address them.

#### C. Information on how the safeguards have been 'respected'

##### 1) Degree of Achievement for Each Safeguard:

- Please provide information on the degree of realization of each safeguard. Your description should include whether and how you have implemented each of the safeguards and/or what progress you have made.
- When providing information on how you have respected the safeguards, please address each of the seven social, environmental and governance safeguards and include both quantitative as well as qualitative information.
- Please also identify all domestic REDD+ projects by geographic location and report on whether and how each project has respected each of the seven safeguards.
- Please provide information on identified gaps and proposed measures to address these gaps.

##### 2) Relevant Processes and Procedures:

- Please include information on any relevant processes or procedures concerning how you have operationalized each of the safeguards, including:
  - Consultation processes;
  - Identification of stakeholders potentially affected by REDD+ activities (including indigenous peoples, local communities and women); and
  - The different stakeholders' degree of participation in decision-making.

**D. Additional information**

- Please include here any additional information that would serve to facilitate learning and sharing of lessons between countries. Such information would include, *inter alia*:
  - Information about positive outcomes, including adaptation outcomes of safeguards implementation;
  - Lessons learned from implementing the SIS, including difficulties encountered;
  - Identified capacity needs among each of the different stakeholders;
  - Sources of information used to produce the summary;
  - Description of any steps taken to ensure the accuracy of the information provided (verification/assessment/review).