

**Forest Carbon Partnership Facility (FCPF) PC6  
Priority Recommendations for Strengthening the R-PP Template**

This briefing outlines three priority suggestions aimed at strengthening the existing R-PP template and illustrates how the template may effectively support Country Participants in their assessments and plans to achieve a REDD Readiness stage.

***Summary of Findings***

The R-PP template must ensure that the outcome of the R-PPs is a robust foundation for a comprehensive and systematic approach to tackling a country's REDD challenges in the ground, as readiness preparation proceeds. However, the current R-PP template falls short in assisting countries in the analysis, design and implementation of their REDD+ strategy which must address many governance considerations relevant for REDD+.

These findings suggest that the R-PP Template should be strengthened by the inclusion of clear standards, criteria and indicators to ensure that Country Participants' proposals elaborate concrete procedures aimed to ensure that principles of good governance are adhered to in practice in their readiness phase. Clarity about guidelines, expected scope and content analysis of the R-PP would assist Country Participant in the analysis, design and implementation of their REDD+ strategy and avoid further gaps in the R-PPs. The main priority suggestions with specific recommendations are:

- Addressing Governance Issues in the R-PPs Template: the need for Clear Standards, Criteria and Indicators (Pg. 2)
- Addressing Governance Issues in the FCPC Guidance Note for National Consultation and Participation for REDD: the need for further guidance, clarity and accountability (Pg. 13)
- Addressing harmonization of Key Governance Issues between the UN REDD Programme and the FCPF: taking stock of UN REDD guidance, support and requirements (Pg.16)

**I. Introduction**

At the 6<sup>th</sup> Participants Committee Meeting (PC6) of the Forest Carbon Partnership Facility (FCPF) to be held in Guyana, 28 June- 2 July 2010, the PC is expected to consider suggestions for revising the template for Country Participant Readiness Preparation Proposals (R-PP Template).

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<sup>1</sup> ClientEarth is a public-interest organisation of lawyers creating strategic solutions to key environmental challenges. For more information, please see our website at [www.clientearth.org](http://www.clientearth.org).

R-PPs are not meant to impose on Country Participants specific measures regarding how they should address their circumstances with regards to deforestation and forest degradation. Nor are Country Participants expected to complete a detailed analysis of all challenges and potential solutions within their R-PPs. However, the R-PP template serves as the central tool to help Country Participants effectively assess the drivers of deforestation and forest degradation in their countries and to move towards REDD readiness phase through planning and preparation (R-PP overview, number 3).

This briefing outlines three priority suggestions aimed at strengthening the existing R-PP template. Following a brief discussion of general concerns, we offer specific recommendations for how the R-PP template can be revised to make it a more effective and efficient tool to support country-led assessments and readiness plans to address key governance issues and contribute to the transparent assessment of the adequacy of R-PPs by the PC.

## II. **Addressing Governance Issues in the R-PPs Template: the need for Clear Standards, Criteria and Indicators**

The current R-PP template<sup>2</sup> recognizes the importance of addressing and monitoring governance issues, by providing guidance on assessing the governance-related drivers for deforestation, promoting transparency and participation in the design and implementation of REDD+, and monitoring of key governance factors pertinent to REDD+ implementation. However, the R-PPs developed using the new template are still struggling to come to terms with all the governance challenges related to deforestation and forest degradation. Proof of these statement is the fact that Guyana's R-PP (June 2009 Version considered in PC meeting 16-18 June of 2009 and the March 2010 version) still falls short in addressing issues of governance, corruption, stakeholder engagement, and non-carbon monitoring and do not make it clear if there are plans to address these gaps in the future<sup>3</sup>.

As the Facility Management Team (FMT) realistically states, Country Participants are not expected to fully understand and have answers to all relevant governance issues, prior to receiving their readiness funds. Nevertheless, Country Participants are expected to identify, recognize and plan to address key governance issues in their R-PPs. **To this end, the R-PP Template should be strengthened by the inclusion of specific minimum standards, criteria and indicators.** This would achieve the following:

- Enable countries to prepare their R-PPs following clear standards, providing a greater opportunity to ensure that R-PPs submitted to the FCPF meet the criteria set by the FCPF;
- Require Participant Countries' to elaborate in their R-PPs concrete procedures to ensure adherence to principles of good governance in their readiness phase;

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<sup>2</sup> R-PP Template v.4 01-28-10

<sup>3</sup> Global Witness, *Assessment of Guyana R-PP* (March 2010 Version). Trevin, J and Nasi, R, (2009) *Forest Law Enforcement and Governance and Forest Practices in Guyana*, CIFOR, Indonesia.

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- Serve to guarantee consistency between proposals, avoid gaps in the R-PPs, and compel Country Participants to provide concrete explanations for how key governance issues are being or will be addressed; and
- Ensure robust and consistent assessment of R-PPs on the basis of these standards, criteria, and indicators, and serve to hold governments accountable for the principles and processes laid out in their R-PPs in later assessment stages of the REDD readiness process.

It is important to note that the FCPF programme documents do allude to criteria and standards that must be met by Country Participants. As noted by the FCPF Information Memorandum, the “TAP’s experts are expected to review R-Plans submitted by REDD eligible countries, for completeness and quality in meeting the criteria for R-PPs set forth by the FCPF Information Memorandum”<sup>4</sup>. Moreover, TAP’s<sup>5</sup> recommendations are meant to assist the countries to meet the criteria and standards set.

However, neither clear standards nor criteria are provided to Country Participants through the FCPF Programme Documents: the R-PPs template, the FCPF Information Memorandum or the Review and Assessment of Readiness Preparation Proposals<sup>6</sup>. All documents lack of specificity and clarity in the standards they set, and criteria are not included.

**Clarity in the standards set by the FCPF is essential, as they are fundamental statements about the desired outcome of the Readiness Mechanism. The addition of criteria and indicators to the FCPF standards would not only assist countries in the development of their R-PPs, but it would also facilitate the verification of the standards.** A criteria refers to the ‘content’ level of a standard which sets out the conditions which need to be met in order to deliver a standard. Although it can be possible to verify criteria directly, they are usually further elaborated by indicators (quantitative or qualitative parameters which can be achieved and verified in relation to a criterion to indicate, in practical terms, whether this criterion has been met), that will also encourage the FCPF to incorporate.

In sum, the inclusion of clear standards, criteria and indicators would serve to strengthen the R-PP Template as an effective and efficient tool to support country-led assessments and readiness plans to address their key governance issues. It would contribute to the transparent assessment of the adequacy of R-PPs by the PC. Specific recommendations to achieve this are provided below for each component:

### **1. Component 1b: Stakeholder Consultation and Participation in REDD+ planning and implementation**

**Recommendation 1:** Minimal standards, criteria and indicators must be provided to the Country Participants for guidance and a realistic implementation of meaningful consultation

<sup>4</sup> FMT, [General Introduction to the FCPF](#), April 21, 2010

<sup>5</sup> *Ibid.*

<sup>6</sup> FCPF, Review and Assessment of Readiness Preparation Proposals, Draft, September 2009

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Under component 1b, the R-PP template states that “the country submitting the R-PP should give evidence of initial meaningful consultation with relevant stakeholders in the document”.<sup>7</sup>

However, “meaningful consultation” is not defined nor is a clear standard, criteria or indicator provided to the Country Participant. The R-PP template limits itself to providing guidelines such as requesting progress of consultation, participation and outreach efforts, and details about the consultations conducted so far. Similarly, the programme document titled “Review and Assessment of Readiness Preparation Proposals”<sup>8</sup> states that the inclusiveness of effective and informed consultation and participation by relevant stakeholders will be assessed in the following ways:

- i. The consultation and participation process for R-PP development thus far<sup>9</sup>, the extent of ownership within government and REDD coordinating body, as well as in the broader national stakeholder community; and
- ii. The Consultation and Participation Plan included in the R-PP (which looks forward in time); and the inclusion of elements in the R-PP that adequately document the expressed concerns and recommendations of relevant stakeholders and propose a process for their consideration, and/or expressions of their support for the R-PP.

Although valuable documents, they do not provide the Country Participant with clear and specific benchmarks that may ensure that the “initial meaningful consultation” that it undertook or plans to undertake is also considered “meaningful” in the eyes of the Technical Advisory Panel (TAP) and the Participants Committee (PC).

It is important that the FCPF take into consideration that the record of most nations in conferring access to participation in environmental decision making is still far from perfect. Several assessments<sup>10</sup> have found a variety of systemic weaknesses. For example, many nations have improved their laws granting public access to government data and/or provided access to enforce participation in decision making processes, but implementation of these laws remains weak<sup>11</sup>. Several developing countries do not have

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<sup>7</sup> R-PP Template v.4 01-28-10

<sup>8</sup> Review and Assessment of Readiness Preparation Proposals, Draft, September 4, 2009

<sup>9</sup> Did the R-PP development, in particular the development of the ToR for the strategic environmental and social assessment and the Consultation and Participation Plan, include civil society, including forest dwellers and Indigenous Peoples representation? In this context the representative(s) will be determined in one of the following ways: (i) self-determined representative(s) meeting the following requirements: (a) selected through a participatory, consultative process; (b) having national coverage or networks; (c) previous experience working with the Government and UN system; (d) demonstrated experience serving as a representative, receiving input from, consulting with, and providing feedback to, a wide scope of civil society including Indigenous Peoples organizations; or (ii) Individual(s) recognized as legitimate representative(s) of a national network of civil society and/or Indigenous Peoples organizations (e.g., the GEF Small Grants National Steering Committee or National Forest Program Steering Committee).

<sup>10</sup> Please refer to “Voice and Choice, Opening the Door to Environmental Democracy”, World Resource Institute, 2008. Also, please refer to United Nations Institute for Training and Research projects “Strengthening Participatory Environmental Governance: National Profile and Action Plan to Implement Principle 10 of the Rio Declaration”, country profiles available at <http://www.unitar.org/egg/publications>

<sup>11</sup> World Resource Institute, “Voice and Choice, Opening the Door to Environmental Democracy”, 2008. Also, please refer to United Nations Institute for Training and Research projects “Strengthening Participatory Environmental Governance: National Profile and Action Plan to Implement Principle 10 of the Rio Declaration”, country profiles available at <http://www.unitar.org/egg/publications>

legislation or regulation in place to ensure meaningful participation.<sup>12</sup> Therefore, minimal standards, criteria and indicators must be provided to the Country Participant for guidance and a realistic implementation of consultation.

To do so, **the FCPF may want to consider taking stock or making reference to the initiatives addressing the development of comprehensive governance indicators.** The first initiative we recommend is the *Governance of Forest Toolkit, produced as part of the Governance of Forests Initiative*<sup>13</sup>; which aims to provide a common definition and conceptual framework for understanding the meaning of good governance of forest across different country contexts. The second initiative we recommend is the *Analytical Framework for Governance Reform from the World Bank*<sup>14</sup>, which aims to develop a forest governance diagnostics tool for use by policy makers in conducting baseline situation analysis and identifying appropriate reforms that have a high chance of success. We also recommend the *REDD+ Social and Environmental Standards*<sup>15</sup> facilitated by the Climate Community and Biodiversity Alliance (CCBA) and Care International. These standards are designed to work for the new global REDD+ regime and with exception of standard 3 and 5; all are related to promoting good governance. These standards and their corresponding criteria are generic, while the indicators will be developed on a country-specific basis, tailored to different countries' situations. As a preliminary guide, however, generic indicators have been defined.

**Recommendation 2:** Inclusion of an explicit and clear guideline to Country Participants informing them that Consultation and Participation Plans must be included in the R-PP in accordance with the standards and guidelines specified

The rationale and the guidelines under component 1b of the template<sup>16</sup> refer to the Consultation and Participation Plans. However, these references lack consistency and clarity, leaving Country Participants with gaps concerning the requirements they must meet in the design and implementation of their Consultation and Participation Plan.

Country Participants must be required to formulate a Consultation and Participation Plan detailing how stakeholders will be consulted and engaged in REDD+ Planning and implementation throughout the readiness phase and beyond, in accordance with specific standards and guidelines. If not, several gaps

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<sup>12</sup> Ibid

<sup>13</sup> The Governance of Forests Toolkit (Version 1): a draft framework for assessing governance in the forest sector, WRI, September, 2009. The Governance of Forests Toolkit is a collaborative initiative of WRI, Imazon (Brazil) and Instituto Centro de Vida (Brazil).

<sup>14</sup> Roots for Good Forest Outcomes: An analytical Framework for Governance Reforms, Report N. 49572-GLB, World Bank, 2009

<sup>15</sup> Social and environmental standards for REDD and other forest carbon programs, CCBA/CARE International, June 2010, [www.climate-standards.org/REDD+](http://www.climate-standards.org/REDD+)

<sup>16</sup> R-PP Template v.4 01-28-10

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will continue to emerge across country proposals and no concrete procedures to ensure a transparent and accountable consultation process will be developed in their Consultation and Participation Plans.<sup>17</sup>

In order to provide clarity and consistency in the R-PP template<sup>18</sup> to Country Participants, the following changes are suggested:

**Paragraph 2** of the current template states *“For the later phase when the contents of the R-PP are carried out, the R-PP has been designed to contain a Consultation and Participation Plan”*. This should be revised to state *“The R-PP must be designed to contain a robust Consultation and Participation Plan in accordance with the Guidance Note available at [http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/FCPF\\_FMT\\_Note\\_2009-2\\_Consult\\_Particip\\_Guidance\\_05-06-09\\_0.pdf](http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/FCPF_FMT_Note_2009-2_Consult_Particip_Guidance_05-06-09_0.pdf), or an equivalent consultation and participation approach in the country”*.

**Guideline number 3** of the current template states *“Consultation and Participation Plan (required to be included here), for continuing and expanding consultations over time on the various components of REDD Readiness once the R-PP has been funded and while the R-PP work is being performed, recognizing that consultation needs to be a continuous process informing decision makers on options to be considered: Please refer to and use the guidance note available at [http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/FCPF\\_FMT\\_Note\\_2009-2\\_Consult\\_Particip\\_Guidance\\_05-06-09\\_0.pdf](http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/FCPF_FMT_Note_2009-2_Consult_Particip_Guidance_05-06-09_0.pdf) to develop this Plan, or use an equivalent consultation and participation approach in the country. Please also refer to the guidelines on social and environmental impacts, in particular on Strategic Environmental and Social Assessment, in Section 2d.”*

This should be revised to state: *“The Consultation and Participation Plan must be included in the R-PP and will serve for continuing and expanding consultations over time on the various components of REDD Readiness once the R-PP has been funded and while the R-PP work is being performed, recognizing that consultation needs to be a continuous process informing decision makers on options to be considered. The Consultation and Participation Plan must meet the standards set in the Guidance Note available at [http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/FCPF\\_FMT\\_Note\\_2009-2\\_Consult\\_Particip\\_Guidance\\_05-06-09\\_0.pdf](http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/FCPF_FMT_Note_2009-2_Consult_Particip_Guidance_05-06-09_0.pdf), or use equivalent consultation and participation standards in the country. Country Participants should also check the guidelines on social and environmental impacts, in particular on Strategic Environmental and Social Assessment, in Section 2d of this Template”*.

These changes will ensure that the guidelines included in the R-PP template concerning the development of the Consultation and Participation Plan are consistent and aimed at ensuring that Country Participants follow standards set in the guidance documents provided or equivalent ones used in their countries.

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<sup>17</sup> Davis, C, *Governance in REDD+, Taking stock of governance issues raised in readiness proposals submitted to the FCPF and the UN REDD Programme*, Background Paper Two, Monitoring Governance Safeguards in REDD+ Expert Workshop, Chatman House, London, 24-25<sup>th</sup> May 2010, Pg. 7

<sup>18</sup> *Ibid.*

## 2. Component 2a: Assessment of Land Use, Forest Policy and Governance

**Recommendation 3:** The R-PP Template should be revised to provide clarity to Country Participants about the expected scope and content analysis of the R-PP

The purpose of Component 2a of the R-PP Template is to assist countries in the assessment of land use, forest policy and governance, in order to identify key drivers for deforestation and forest degradation. However, Component 2a does not clearly provide a scope for analysis of existing legal frameworks in the forest sector. As a consequence, the latest R-PPs contain only a preliminary overview of the problems implementing and enforcing existing forest laws.

In order to provide clarity to Country Participants about the expected scope and analysis of the R-PP template, the following changes are suggested:

**The title of Component 2a** of the current template states *“Assessment of Land Use, Forest Policy and Governance”*. This should be revised to state: *“Assessment of Land Use, Forest **Law** (emphasis added), Policy and Governance”*. Assessment of the latest R-PPs recognize that R-PPs have not undertaken a deep analysis of the implications of forest laws and policies with respect to deforestation, and do not provide a thorough assessment of the forest law enforcement system.<sup>19</sup> The recommended change would clarify for Country Participants that the R-PP must include an analysis of existing forest laws and failures of the law enforcement system with respect to their role in deforestation.

**Paragraph two** of the current template states: *“Please prepare an assessment of land use, forest policy and governance using the guidance below.”*

This should be revised to state: *“Please prepare an assessment of land use, forest law, policy and governance using the guidance below. Countries must consider in the assessment which laws are relevant to forest in the country: international obligations, constitution, primary legislation, case law, customary law, etc.”*

This change may ensure that Country Participants do assess their applicable forest legislation.

**Paragraph three (Guidelines, Number 1)** of the current template states: *“Identify the underlying causes of deforestation and forest degradation, considering implications for REDD of direct and indirect drivers and factors both within and outside the forest sector, major land use trends and forest policy and governance issues (e.g., issues of land tenure and resource rights, accountability in existing revenue distribution systems, effectiveness of law enforcement systems; and coordination of existing policy processes, especially relating to land use decisions).”*

This should be revised to state: *“Identify the underlying causes of deforestation and forest degradation, considering implications for REDD of direct and indirect drivers and factors both within and outside the forest sector, major land use trends, and forest law, policy and governance issues (e.g., Do policies and laws provide perverse incentives that drive deforestation? What are the laws, policies and the issues surrounding land tenure and resource rights? How is accountability in existing revenue distribution systems addressed or planned to be addressed? To what extent does poor governance and enforcement*

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<sup>19</sup> Davis, C, *Governance in REDD+, Taking stock of governance issues raised in readiness proposals submitted to the FCPF and the UN REDD Programme*, Background Paper Two, Monitoring Governance Safeguards in REDD+ Expert Workshop, Chatman House, London, 24-25<sup>th</sup> May 2010, Pg. 7

*play a role? What is the effectiveness of law enforcement systems? How is coordination of existing policy processes, especially relating to land use decisions?)”*

The suggested changes and additions would assist Country participants in the analysis and assessment of this component.

**Recommendation 4:** The R-PP template should incorporate guidelines to support Country Participants in the identification of capacity constraints at the systemic, institutional and individual level

Capacity constraints are the most commonly cited obstacle to effective law enforcement across the R-PPs, as few R-PPs identify specific capacity-building activities needed for effective implementation of REDD+ policies and regulations.<sup>20</sup> The incorporation of these recommendations will ensure that capacity constraints are analyzed by Country Participants and included in their R-PPs. It will also ensure coherence and complement Component 2b. REDD Strategy Options.<sup>21</sup> Specific recommendations are provided below:

**Guidelines of Component 2a Assessment of Land Use, Forest Policy and Governance:** we strongly suggest that the following guidelines and related questions are included within the current R-PP template under the Guidelines of Component 2a:

*“What are the technical, legal, policy and governance capacity constraints that play a role in deforestation and/or forest degradation? Please identify the capacity constraints at the Systemic, Institutional and Individual Level?”*

Country Participants should note that:

- i. Capacity Constraints at the **Systemic** level refer to the overall policy, economic, regulatory and accountability framework in which individuals and organizations operate and interact with the external environment, as well as the formal and informal relationships of institutions, (e.g. Is the appropriate legislation in place and are these laws effectively enforced? Is there a clear policy mandate to avoid deforestation and forest degradation?).
- ii. Capacity Constraints at the **Institutional** level focus on the overall organizational performance and functioning capabilities, as well as the ability of an organization to adapt to change (e.g. are the institutions effectively structured and managed to address deforestation?).
- iii. Capacity constraints at the **Individual** level refer to the process of changing attitudes and behaviors, through imparting knowledge and developing skills while maximizing the benefits of participation, knowledge exchange and ownership (e.g. are there opportunities for technical and legal training on deforestation issues?)”

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<sup>20</sup> *Ibid.*, Pg. 5

<sup>21</sup> **Rationale:** The purpose of the REDD Strategy is to develop a set of policies and programs for addressing the drivers of deforestation and/or forest degradation, **capacity constraints** and governance challenges identified in component 2a...and hence reducing emissions from deforestation and forest degradation...

### 3. Component 2b: REDD Strategy Options

**Recommendation 5:** Introduction of robust and results-oriented work plans for the development of REDD strategy options

**Paragraph three (Guidelines, Number 2)** of the current template states: *“Propose a process of development of REDD strategy options to address the drivers of deforestation and/or forest degradation outlined in Component 2a, including a sequence and schedule of activities, and the consultation aspects (included in the Consultation and Participation Plan). Strategy options and interventions that are robust in their ability to address the challenges identified in Component 2a for achievement of planned results will be required”*

This should be revised to state: *“Propose a work plan for the development of REDD strategy options that will address the drivers of deforestation and/or forest degradation outlined in Component 2a, including a sequence and schedule of inputs (resources to be committed) and activities (utilization of resources to generate services or products, e.g. training of law enforcement officers in deforestation), expected outputs (products or services used to stimulate achievement of results, e.g. Increased law enforcement in forestry sector) and outcomes (effect or behavior change resulting from program outputs, e.g. robust law enforcement has reduced deforestation rates in 50%). The work plan must also include the consultation aspects (included in the Consultation and Participation Plan). The strategy options and interventions must be robust and results oriented in their ability to address the challenges identified in Component 2a for achievement of planned results.”*

This change will provide transparency and accountability across all aspects of the REDD strategy options, as without a proper process of monitoring, performance measurement and evaluation, it would be difficult to judge if the Country Participant is heading in the right direction. Requesting Country Participants to development a results-based management work plan of REDD Strategy options can be a critical element of success with means of learning from past experiences, planning and allocation of resources, and demonstrating results.

### 4. Component 2c: REDD Implementation Framework

**Recommendation 6:** The R-PP Template should merge component 2c with component 2b to ensure correlation between the development of REDD strategy options, their implementation framework and assessment.

**Paragraph 5 (Note)** of the current template states: *“You may find it is easier or necessary to merge this Section with Section 2b. It may be hard to divide the presentation of the REDD strategy options from the implementation aspects, in particular in terms of the proposed R-PP assessment criteria.”*

The latest assessment of R-PPs recognized that REDD strategy options are more clearly linked with drivers of deforestation, but considerable gaps remain concerning the implementation of potential

strategy options<sup>22</sup>. By merging component 2c with component 2b, the R-PP template will be strengthened to compel a full spectrum of proximate and underlying drivers of deforestations to be analyzed and addressed in a correlated manner.

Furthermore, successful REDD+ strategy options must be pragmatic and realistic with its national circumstances, which will require taking into consideration issues detailed in Component 2c when addressing component 2b.

**Recommendation 7:** The R-PP Template should incorporate further guidelines that must be considered in the design of institutional, economic, legal and governance arrangements necessary to implement the REDD+ strategy options

**Paragraph two (Guidelines)** of the current template states: *“Please discuss early ideas or analytic results on how to design the institutional, economic, legal and governance arrangements that may be necessary to implement the country’s REDD strategy options discussed in Component 2b, and to meet potential obligations under any future REDD regime. Since these are new topics, the FCPF does not expect a country to have these arrangements and issues fully understood at this time.*

*Consider a discussion of the following questions and issues, and present a proposed work program to address them via analytic studies or other approaches to be undertaken:”*

This should be revised to additionally include the following questions and issues:

- *Which forest areas will be involved? All the country’s forests or some forests of the country?*
- *Who owns the forest under statutory law and customary law? Are there competing claims?*
- *What other rights exist in relation to the forest? (Mortgage, usufruct, license, rights of access, etc.)*
- *Does national law provide any definition of rights relating to forest carbon sequestration?*
- *Do government institutions have the capacity and authority to plan and implement forest management activities?*
- *Are there any processes for coordinating forest sector activities with larger development strategies and land use plans?*
- *Is there recognition of the role of different stakeholders, including local communities, in forest management?*
- *Do government institutions have the capacity to monitor and report forest information?*
- *Are there any independent institutions with the capacity to monitor and verify information?*
- *Are there transparent, accessible and coordinated mechanisms for managing and offering forest information?*

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<sup>22</sup> Davis, C, *Getting Ready: A review of the World Bank Forest Carbon Partnership Facility Readiness Preparation Proposals*, Working Paper, World Resource Institute, March 2010, Version 1.3.

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- *Are there transparent and accountable systems for distributing revenues from forest management?*
- *Is there a legal recognition of indigenous people rights to land?*
- *Is there a mechanism for resolving conflicts over tenure rights?*
- *Are there institutions and systems in place that uphold the rights of forest dependant people?*
- *Are procedural environmental rights (access rights) fully implemented (access to environmental information, access to public participation in environmental decision making processes and access to environmental justice)?*
- *Is there an obligation (for governments, private sector, donors, etc) to provide information to relevant stakeholders?*
- *Are stakeholders aware of their procedural environmental rights and how to exercise them?*
- *Do stakeholders receive or have access to relevant information in a form or manner they understand?*
- *Is there an obligation to provide stakeholders with access to participate in environmental decision making?*
- *How information is made available to ensure timely and effective participation?*
- *Is there a dispute settlement process to resolve conflicts between stakeholders (mediation, litigation, arbitration, etc)?*
- *Is the justice system accessible?*

Several gaps emerge across all R-PPs concerning the institutional, economic, legal and particularly the governance arrangements necessary to implement the REDD+ strategy options. For example, R-PPs give minimal consideration to concrete strategies to promote financial transparency and accountability, the role of judiciary system in dispute/conflict resolution, and the role of law enforcement bodies in REDD+ strategy design and implementation.<sup>23</sup>

We strongly recommend the inclusion these additional questions and issues to be considered by Country Participants. The inclusion of these questions may assist Country Participant in the analysis, design and implementation of their REDD+ strategy, and avoid further gaps in the R-PPs.

### 5. Component 4b: Design a Monitoring System of Other Benefits and Impacts

**Recommendation 8:** The MRV of key governance issues must be an essential requirement in the R-PP template

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<sup>23</sup> Davis, C, *Governance in REDD+, Taking stock of governance issues raised in readiness proposals submitted to the FCPF and the UN REDD Programme*, Background Paper Two, Monitoring Governance Safeguards in REDD+ Expert Workshop, Chatman House, London, 24-25<sup>th</sup> May 2010, Pg. 7

Country proposals recognize that countries must identify a number of forest governance reforms necessary to lay the groundwork for successful national REDD+ programs and to address the governance-related drivers of deforestation, such as: clarifying land tenure, developing land use plans, strengthening law enforcement systems and anti-corruption measures, undertaking judicial reform, improvement of governance coordination, etc.<sup>24</sup> However, there is a lack of consideration given to how governance issues could be monitored, and R-PPs do not move forward beyond a concept stage for monitoring and assessing governance.

The most recent version of the R-PP template<sup>25</sup> does include a component (Component 4b) on designing a system for monitoring “other benefits and impacts.” This component requires that countries must design a monitoring system for “other benefits and impacts,” and the guidelines for this component recommend that the system include monitoring of “key governance factors pertinent to REDD implementation”. Nonetheless, few country R-PPs express the intent to develop such a system, despite the fact that governance challenges and potential measures to address them are discussed throughout other sections of the proposals.<sup>26</sup> Exceptions can be found in the R-PPs of Argentina, Zambia and Madagascar, but beyond these exceptions, the monitoring and assessing of progress towards addressing governance issues stands out as a major gap and weakness across proposals.

In order to ensure Country Participants think comprehensively and systematically about the issues of governance and monitoring that are important for REDD+, the R-PP template must clearly require developing monitoring plans consistent with other components in the R-PP template. Our specific recommendations are detailed below.

**The Title of component 4b** in the current template states: “Other Benefits and Impacts”. This should be revised to state: “*Governance Factors and Safeguards*”. This change will clearly illustrate to Country Participants that the monitoring of governance factors and safeguards needs to be included in R-PPs.

**Component 4b must include a Note alerting Country Participants that the MRV of Governance Factors and Safeguards must be considered within the REDD+ Strategy and Implementation framework:** The reference should state that: “*Country Participants are expected to include a MRV system of governance factors and safeguards in their R-PPs. The development of the MRV system of governance factors and safeguards should be considered when developing the REDD+ strategy (component 2b) and the implementation framework (component 2c) to ensure coherence between components*”

This change will ensure that Country Participants are aware that there is an essential correlation between the development of the REDD+ strategy, its implementation framework and the MRV of governance factors and safeguards.

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<sup>24</sup> Ibid.

<sup>25</sup> R-PP Template v.4 01-28-10

<sup>26</sup> Davis, C., *Governance in REDD+, Taking stock of governance issues raised in readiness proposals submitted to the FCPF and the UN REDD Programme*, Background Paper Two, Monitoring Governance Safeguards in REDD+ Expert Workshop, Chatman House, London, 24-25<sup>th</sup> May 2010, Pg. 11.

Furthermore, if the recommendation under component 2b (concerning the inclusion of a results-based management approach in the REDD strategy options) is accepted by the FCPF, then the R-PP template will also assist countries to take the first step towards the monitoring of progress in addressing governance issues. Finally, if the recommendation under component 1b concerning the inclusion of clear standards, criteria and indicators is also accepted by the FCPF, it will also serve as a tool for monitoring and verification.

**III. Addressing Governance Issues in the FCPC Guidance Note for National Consultation and Participation for REDD: The need for further guidance, clarity and accountability**

**Recommendation 9:** Minimal standards, criteria and indicators must be provided to Country Participants for the design and realistic implementation of National Consultation and Participation Plans

The Guidance Note<sup>27</sup> provides a good start for countries to understand the benefits that public participation and consultation may offer and provides general guidance with regards to what should be included in the requested Consultation and Participation Plan. However, the Guidance Note as well as the R-PP Template must seek to ensure that countries provide full and effective participation of relevant stakeholders in all aspects of planning and implementing REDD+ programs.

The assessment of R-PPs to date recognizes gaps in the development of Consultation and Participation Plans. For example, the need to provide details on how indigenous and other forest-dwelling communities will be consulted has been a major recommendation from the Technical Advisory Panel (TAP) for some R-PPs.<sup>28</sup> Although assessments show that all the R-PPs contain a preliminary consultation plan, “it is often unclear how stakeholders will be able to meaningfully engage in and influence decision-making processes in REDD+.”<sup>29</sup> Furthermore, some proposals do not yet elaborate concrete procedures to ensure a transparent and accountable process for consultation, including feed-back loops to ensure that stakeholders’ concerns are adequately addressed.

To address the gaps that emerge across country proposals, we strongly recommend the inclusion of standards, criteria and indicators which would prove an essential tool to ensure that an effective Consultation and Participation Plan is developed. This would also serve as a mean to measure if a country has taken all the necessary steps to achieve meaningful consultation.

Moreover, a more comprehensive Consultation and Participation Plan is essential to help countries assess and address key issues in a systematic and comprehensive manner (during the development of the R-PP and beyond). It is the responsibility of the management team of the FCPF and the PC, as part

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<sup>27</sup> Forest Carbon Partnership Facility (FCPF), Note FMT 2009-2: National Consultation and Participation for REDD, May 6, 2009

<sup>28</sup> Davis, C., *Governance in REDD+, Taking stock of governance issues raised in readiness proposals submitted to the FCPF and the UN REDD Programme*, Background Paper Two, Monitoring Governance Safeguards in REDD+ Expert Workshop, Chatman House, London, 24-25<sup>th</sup> May 2010, Pg. 7

<sup>29</sup> *Ibid.*

of the readiness process, to ensure that the implementation of the Consultation and Participation Plan is fully functioning and effective.

In sum, the inclusion of clear standards, criteria and indicators would serve to strengthen the Guidance Note for the development of Consultation and Participation Plans. Specific recommendations on how to achieve this are provided below.

**Paragraph three (Number 3 in pg. 1)** of the guidance note<sup>30</sup> states: *“Countries participating in the FCPF Readiness Mechanism are expected to implement a Consultation and Participation Plan before and/or while they develop their REDD Strategy.”* This should be revised to state: *“Countries participating in the FCPF Readiness Mechanism are expected to implement a Consultation and Participation Plan before they develop their REDD strategy”*.

This change will ensure that stakeholders have the opportunity to comment on the development of the REDD+ strategy. If a Consultation and Participation Plan may be implemented while the REDD strategy is under development, it is unlikely that stakeholders will have a chance to provide full input in the development of the REDD+ strategy. The implementation of the Consultation and Participation Plan will only be successful if it adheres to principles of transparency and inclusiveness, and this involves the possibility for stakeholders to fully and effectively participate during the development of the R-PP and beyond.

**Paragraph four, number 6 (under the title: Key Objectives and Principles of Effective Consultations and Participation).** The document states that the *“key principles for effective consultations and participation include the following:”* and letter (e) states: *“Recognizing diverse stakeholders and strengthen the voice of vulnerable groups, especially IPs and forest dwellers. Different stakeholders have different stakes and /or interest in REDD and some may be positively or negatively impacted, so the consultation should be held at various levels. Special emphasis should be given to the issue of IPs in relation to land tenure and resource use rights and property rights. In many tropical forest countries, land tenure and policy frameworks for IPs are unclear as they often have customary/ancestral rights that are not necessarily codified in or are inconsistent with national laws. The other important issue to consider for IPs and other forest dwellers is that of livelihoods. Thus clarifying rights to land and carbon assets, including community (collective )rights, and introducing better control over the resources will be critical priorities for REDD plan formulation and implementation. Consultations with IPs and forest dwellers should use wherever possible existing networks and local level institutions...Countries that have signed on to the UN Declaration on the Rights of Indigenous Peoples will be expected to adhere to the principles of free, prior and informed consent (FPIC).”*

This section of the document provides important guidance for Country Participants concerning the elements they must consider when developing their Consultation and Participation Plan. However, the guidance note has been shown to provide limited guidance as several R-PPs are not addressing certain issues thoroughly and leaving considerable gaps for their realistic implementation. For example, Ghana, Mexico and DRC R-PPs do not provide much detail on how the government will interact with forest dependent communities,<sup>31</sup> as letter (e) cited above only requires that: *“Consultations with IPs and forest*

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<sup>30</sup> Forest Carbon Partnership Facility (FCPF), Note FMT 2009-2: National Consultation and Participation for REDD, May 6, 2009

<sup>31</sup> Davis, et al. *Getting Ready, A Review of the World Bank Forest Carbon Partnership Facility Readiness Preparation Proposals*, v 1.3., WRI Working Paper, World Resource Institute, Washington DC.

*dwellers should use wherever possible existing networks and local level institutions*". The same situation is repeated under letter (e), which is limited to requiring that: "Countries that have signed on to the UN Declaration on the Rights of Indigenous Peoples will be expected to adhere to the principles of free, prior and informed consent (FPIC)". Such vague guidance results in a lack of clarity in Participant Country R-PPs as to how they will ensure that FPIC is ensured. For example, the Suriname R-PP states that the Principle of Free, Prior and Informed Consent will be used as the basis for the consultation process, but does not describe how FPIC will be implemented in practice.<sup>32</sup>

**In sum, providing further guidance, clarity and accountability through the format of clear standards, criteria and indicators would be beneficial for Country Participants' R-PP development and FCPF assessment of R-PPs.**

To do so, the FCPF may want to consider taking stock or making reference to the initiatives addressing the development of comprehensive governance indicators described under the recommendations for Component 1b in Section I of this briefing. The Table example below is taken from the most recent version of the draft REDD+ Social and Environmental Standards<sup>33</sup> to illustrate the difference in specificity and clarity the Guidance Document could provide to Country Participants if it included standards, criteria and indicators:

Principle	Criteria	Indicators
Principle 6: All relevant rights holders and stakeholders participate fully and effectively in the REDD+ program	6.2 All relevant rights holder and stakeholder groups that want to be involved in REDD+ program design, implementation and evaluation are fully involved through culturally appropriate and effective participation.	6.2.1 A process and institutional structure are established and functional to enable all relevant rights holder and stakeholder groups to participate fully and effectively in program design, implementation and evaluation.
		6.2.2 There is effective and equitable representation of marginalized and/or vulnerable groups in the rights holder and stakeholder participation process, including women.
		6.2.3 Consultations about the REDD+ program are tailored to the local context using socially and culturally appropriate methods and are conducted at mutually agreed locations.
		6.2.4 Local government is involved in the REDD+ program as well as government at national or other

<sup>32</sup> *Ibid.*

<sup>33</sup> Social and environmental standards for REDD and other forest carbon programs, CCBA/CARE International, June 2010, [www.climate-standards.org/REDD+](http://www.climate-standards.org/REDD+)

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		relevant levels and their roles and responsibilities are clearly defined.
		6.2.5 The REDD+ program design and implementation is adapted based on ongoing rights holder and stakeholder participation in design, implementation and evaluation of the program.
		6.2.6 Relevant rights holders and stakeholder groups have access to sufficient resources to participate fully and effectively in the design, implementation and evaluation of the REDD+ program.

Please note that if the proposition of the FCPF to incorporate a Strategic Environmental and Social Assessment (SESA) approach is adopted into the readiness process, it must be central to the R-PP process as it may provide a useful framework for Consultation and Participation Plans.

#### **IV. Addressing harmonization of Key Governance Issues between the UN REDD Programme and the FCPF**

**Recommendation 10:** The FCPF should consider how to harmonize the development of R-PPs with UN REDD National Programme Documents concerning key governance issues

Taking into consideration that the PC6 meeting agenda will address the outcomes of the Oslo Conference<sup>34</sup> it is important to mention that, if the FCPF and UN REDD want to move towards a shared and harmonized readiness template, the FCPF and UN REDD must consider how to address the divergence in their work towards addressing key governance issues.

Both, the FCPF and UN REDD recognize the importance of building the capacity of REDD+ countries to address and monitor governance issues. However, they differ in the scope of guidance, support and requirements imposed to Country Participants. The UN REDD Programme's guidance for developing National Programme Documents (NPDs) calls for designing interventions around the same agreed components of readiness found in the R-PPs. However, UN REDD has taken a different approach in supporting country-led activities in their Readiness Phase, through assessments directly supported by the technical expertise of FAO, UNDP and UNEP, including supporting the engagement of Indigenous Peoples and civil society at all stages of the design and implementation of REDD+ strategies.

<sup>34</sup> Oslo Conference concerning REDD+ Partnership Proposal, 12 May 2010

Furthermore, the UN REDD Programme NPDs require that processes to be included in their strategy will be fully functioning and effective, as the NPDs must include specific outcomes and outputs for measuring achievements in this area.

Currently, the UN REDD Programme provides Country Participants with Guidance in Consultation and Stakeholder Participation through its Programme Document titled “Operational Guidance: Engagement of Indigenous Peoples and other Forest Dependent Communities” version June 2009. Although the document does not systematically include standards, criteria and indicators, it does make reference to several indicators, guidance documents and toolkits.

Additionally, the UN REDD Programme is currently finalizing its proposals and work plans to support effective and inclusive national systems of governance for REDD+. The Programme plans to support country led-assessments, which will help pilot countries to arrive at a clear picture of their REDD+ governance situation, gaps and needs through a multi-stakeholder process. The Programme is also developing a social due diligence approach and risk assessment tool that seeks to guide the design and implementation of UN REDD programmes by providing a structured framework to assess risks in terms of good governance, livelihoods and policy coherence. The first principle of good governance covers corruption, transparency, accountability, and stakeholder participation, focusing on a) identifying and enabling stakeholders and b) vulnerable groups and free, prior and informed consent.

To move towards the harmonization of a readiness template between the FCPF and UN REDD, **we strongly that the FCPF examines the existing guidance documents of UN REDD and that the R-PPs template includes throughout the template references to UN REDD documents that refer to governance issues.** The inclusion of these references will complement the R-PPs template requirements and strengthen Country Participant’s Readiness Proposals.

## V. Conclusion

Country Participants’ Readiness Preparation Proposals (R-PPs) will only be as effective and robust as the R-PP template allows. The inclusion of a set of minimum standards, criteria and indicators will ensure that the R-PP template effectively supports Country Participants in their assessments and plans to achieve a REDD Readiness stage. Clarity about guidelines, expected scope and content analysis of the R-PP would assist Country Participants in the analysis, design and implementation of their REDD+ strategy and avoid further gaps in the R-PPs.

It is important to note that the role of the PC in allocating readiness grants is not clear. The PC is now expected to review and assess R-PPs with reference to the Standards comprised in the Program Document titled Review and Assessment of Readiness Preparation Proposals<sup>35</sup> and to make recommendations on how to move forward. As a result, there is a lack of transparency and clarity concerning the decision-making criteria and the process for allocating the readiness grants.

To provide clarity and transparency in the decision-making criteria and process for allocating readiness grants, the FCPF should provide clear standards, criteria and indicators that must be met by REDD Country Participants for the PC’s approval of the readiness funds. The standards, criteria and indicators

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<sup>35</sup> Forest Carbon Partnership Facility, Program Document FMT 2009-1 Rev.3, Draft, September 4, 2009

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should be elaborated and linked consistently and coherently in the R-PP template, in Program Document FMT 2009-1 Rev.3, and in the FCPF Information Memorandum.

By introducing the recommendations included in this briefing, a win-win-win scenario may be achieved. Firstly, by providing Country Participants with a clear set of standards, criteria and indicators, Country Participants gain more clarity about the expectations of the PC assessment. In turn, the FCPF wins because the assessment of the adequacy of a country's R-PP is facilitated by clearer standards and guidelines against which the R-PPs can be assessed. Finally, both Country Participants and the FCPF benefit, as these recommendations enhance that transparency and clarity of the decision-making criteria and process for allocating readiness grants.

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