

Submission to the REDD+ Partnership

Concerning the

Work Program for 2010

On behalf of the following Member and Observer
Organizations of the

Ecosystems Climate Alliance

September 2010



**HUMANE SOCIETY
INTERNATIONAL**



Focus and Ambition

The Ecosystems Climate Alliance¹ (“ECA”) makes this submission with serious reservations about the REDD+ Partnership (“the Partnership”). We wish to inform the Partnership that there is a significant amount of negative sentiment towards it and we hold concerns that it is on the verge of faltering in the event that it continues with a process of exclusion, disorganization, lack of realism and ‘money at all costs’ approach. This submission should in no way be construed as legitimizing or supporting the actions undertaken by the Partnership to date but rather our input for where we sincerely hope the Partnership intends to focus in the future.

The goal of the Work Program is not clear. ECA recommends stating explicitly that the Work Program's aim is to ensure that actions taken by the Partnership will contribute to a REDD+ mechanism that will keep natural forest ecosystems intact and their carbon out of the atmosphere in a way that is equitable, transparent, and consistent with the rights of Indigenous Peoples and local communities. Without clearly articulating the goal of activities undertaken by the Partnership, it becomes a smorgasbord, which cannot be coherently prioritized or assessed. This problem needs to be addressed in all elements of the Work Program.

We are seriously concerned about the level of ambition in the current Work Program. The timetable of workshops for which submissions are to be sought is over ambitious and unrealistic. It is likely to result in inadequate input, rushed deliberations and poor results, and will prevent remote Indigenous Peoples and local communities from engaging in the process. We recommend the Partnership reconsider the proposed timetable of workshops to allow sufficient time for responses and submissions having regard to limited resources and means of communication.

The REDD+ Partnership and the UNFCCC

Of significant importance, reference to consistency with the UNFCCC process is considered as an additional ‘possible’ item for consideration in Phase 2. This is a critical Component to both phases 1 and 2 and the Partnership should remain informed and engaged with the UNFCCC negotiations concerning REDD+ and act in a manner consistent with all consensus items in the UNFCCC negotiating text.

In the context of consistency with progress within the UNFCCC and other UN fora, we also submit that the Partnership Work program must make specific reference to its intention to act with respect for the knowledge and rights of Indigenous Peoples and local communities by taking into account relevant international obligations, national circumstances and laws, and respect for the United Nations Declaration on the Rights of Indigenous Peoples as adopted by the General Assembly.

¹ The Ecosystems Climate Alliance (ECA) is an alliance of environment and social NGOs founded in December 2008 committed to keeping natural terrestrial ecosystems intact and their carbon out of the atmosphere, in an equitable and transparent way that respects the rights of indigenous peoples and local communities;

Enabling Institutions in Developing Countries & Independent Monitoring

It is repeated throughout the work program that:

“a related operational measure in the Partnership is the consideration of proposals to effectively mobilize, deploy and facilitate enabling institutions, where relevant, in developing countries to better channel finance and technology for REDD+ actions.”

Institutions will be required in developing countries to regulate a number of separate but related matters including implementation and monitoring, reporting and verification (“MRV”) of safeguards and carbon emissions².

Institutional arrangements should ensure a system of checks and balances and the production of credible and verified information. Each institution should have dedicated and ongoing engagement with a multi-Stakeholder oversight body. “Enabling institutions” should be deemed to include enforcement agencies audit institutions whose task it will be to ensure effective enforcement of REDD+ legislation and prevention of fraud and corruption.

A system for Independent Monitoring of REDD+ (“IM-REDD”) will make a significant contribution to the institutions and in this context, we would propose that the work program expressly recognizes the need for the establishment of a system for IM-REDD that draws on experience of developing systems for independent monitoring in the forest sector, including under the EU FLEGT (Forest Law Enforcement, Governance and Trade) Initiative. The Partnership should expressly recognize the following principles of IM-REDD:

- a. Independence: the monitor must have no conflicting relationships with forest authorities or relevant private sector actors and must not be subject to political influence;
- b. An official mandate: through contracts with States;
- c. A Terms of Reference: must include modalities for joint investigations alongside government agents and independent missions;
- d. A transparent recruitment process: through a competitive tendering process;
- e. Appropriate technical capacity and resources: there must be long term commitment to funding and resources;
- f. Unhindered access to information: access to all relevant documentation held by government authorities, private companies, individuals, communities and all Stakeholders;

² Parties should use the 2006 Intergovernmental Panel on Climate Change (IPCC) guidance and guidelines, or comparable guidance and any further revised or updated IPCC guidance and guidelines as soon as they have been approved by the IPCC, as a basis for estimating-anthropogenic forest-related greenhouse gas emissions by sources and removals by sinks, forest carbon stocks and forest area changes;

- g. Unhindered access to locations: must be able to freely visit any part of the forest estate and associated trading facilities without prior notice or special permissions;
- h. A public profile and accessibility: the Monitor must engage with law enforcement officers, the private sector and all Stakeholders;
- i. A multi-Stakeholder reporting panel: reports should be validated through legal findings, peer review and a political process; and
- j. The right to publish: the Monitor's reports must be published.

Stakeholder Participation – Call for a Meeting in Tianjin

The failure to engage Stakeholders in the formulation of the Work Program remains a serious problem, and it is not sufficient to restrict Stakeholder participation to views on how to implement specific elements of that plan without allowing for comment on its adequacy. In this context, we note and acknowledge the genuine apologies issued by a number of concerned Partners at the single open meeting in Bonn, at the end of the conference, on 5 August 2010.

We are seriously concerned about the adequacy of the systems being implemented by the Partnership for the purpose of Stakeholder participation. No clear system of registration for Stakeholders exists and communications are being sent out to different email lists of recipients. The Stakeholder list utilized by Norway appears to have been abandoned with the effect that many are no longer receiving direct communication from the Partnership, including ECA and several of our constituent NGOs, although we attended the launch of the Partnership in Oslo as an invitee of Norway and have previously made submissions and other communications to the Partnership.

Throughout the Work program, each Component has a subsection that specifically relates to 'Stakeholder Involvement'. We consider the content of these sections of the document to be lacking in specific information as to how the Partnership does intend to ensure there is full and effective ongoing Stakeholder participation.

The Partnership must engage in wide Stakeholder participation. Stakeholder participation is central to the success of REDD+. To assist, we recommend that an identified period of time be set-aside at the upcoming meeting in Tianjin, to enable proper open discussion between the Partnership and Stakeholders to create a clear process for participation of Stakeholders. The meeting should establish:

1. An appropriate registration system for Stakeholders;
2. The process to be undertaken by the Partnership to enable full and effective participation of Indigenous Peoples and local communities in remote locations³; and
3. Clear and reasonable timelines for:

³ The Partnership has undertaken to "promote inclusiveness and transparency through the participation of a representative group of Stakeholders – including indigenous peoples and local communities";

- a. Stakeholder contributions to work programs / reports and papers being prepared by the Partnership;
- b. Proper dissemination of information which is sufficient to enable fully informed contributions; and
- c. Notification of meetings to assist with travel arrangements.

Necessity for Greater Emphasis on Safeguards

Consensus appears to have been reached at Copenhagen in December 2009 for the promotion and support of the following seven (7) safeguards:

1. Actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements;
2. Transparent and effective national forest governance structures, taking into account national legislation and sovereignty;
3. Respect for the knowledge and rights of Indigenous Peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting the General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples;
4. Full and Effective participation of relevant Stakeholders, including in particular, Indigenous Peoples and local communities in actions;
5. Actions that are consistent with the conservation of natural forests and biological diversity, ensuring that actions ... are not used for the conversion of natural forests but are instead used to incentivise the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits;
6. Actions to address the risks of reversals; and
7. Actions to reduce displacement of emissions.

Safeguards are fundamental to ensuring REDD+ leads to permanent reductions in deforestation and degradation, enables conservation and restoration of natural forests, incorporates provisions to strengthen governance, and does not lead to negative social and environmental impacts. The safeguards protect the rights of forest dependent communities, protect biodiversity and prevent leakage.

The current Work Program lacks sufficient emphasis on the safeguards and this must be rectified as a matter of urgency and high importance.

Component 1. Database of REDD+ financing, actions and results

The current focus of the database is overly restricted and we recommend that the following paragraph be inserted into the Work Program immediately:

“The database also serves to identify and analyze gaps and overlaps in REDD+ actions⁴ and to analyse results that contribute to ensuring that a REDD+ mechanism will keep natural forest ecosystems intact and their carbon out of the atmosphere in a way that is equitable, transparent, and consistent with the rights of Indigenous Peoples and local communities”.

The actions must include all activities designed to ensure effective implementation and MRV of the safeguards. In this respect we consider further that an early development of a system for IM-REDD would not only provide valuable information for the database and contribute to improving REDD+ design and implementation, but also contribute to achieving good governance and provide credibility that the overall system is working effectively.

We note that the FMT/PT will be jointly requested to expeditiously propose a conceptual note and a design for the database, in collaboration with Partners and other Stakeholders. The Partnership must encourage and enable Stakeholders to access information and provide input to the database, with particular emphasis on, *inter alia*, Indigenous Peoples, local communities, and conservation focused NGOs located in particular in areas currently the subject of proposed and recently established REDD+ projects, with sufficient time and support provided for responses and submissions having regard to limited resources and means of communication.

Component 2. Analysis of financing gaps and overlaps

We acknowledge the importance of addressing financing gaps and overlaps, however, this component of the work program has been over emphasized, where other critical elements concerning the implementation of REDD+ require similar and comprehensive analysis of gaps and overlaps, commencing as soon as possible.

Gap analysis should involve a bottom up approach that identifies gaps in activities: capacity building; governance; actions to address drivers; Stakeholder participation; technology needs etc, that can then be resolved by recommendations on finance needed in these areas. A purely top down analysis seems based on expectations rather than concrete, on the ground realities and would therefore provide little help in guiding financing moving forward.

The type of comprehensive bottom up analysis concerning gaps and overlaps in the implementation of REDD+ that we advocate should include the following critical elements:

1. Best practice Stakeholder participation;
2. Analyses of activities that prioritize the protection and restoration of natural ecosystems;

⁴ Actions include Stakeholder participation, capacity building, prioritization of activities to protect and restore natural ecosystems, implementation and monitoring, reporting and verification (“MRV”) of safeguards, carbon, drivers of deforestation, including demand side measures and ecosystem degradation;

3. Appropriate, targeted and sustained capacity building designed to build good governance and enforcement for REDD+ implementation;
4. Activities to ensure effective implementation and MRV of the safeguards; and
5. Activities undertaken by all countries to address drivers of deforestation and degradation.

It is crucial that the application of the safeguards to REDD+ be tested at the earliest possible stage. Accordingly the gaps and overlaps analysis should be applied to actions in relation to safeguards and the financing of them.

In terms of drivers of deforestation and degradation, both donor countries and developing countries in the Partnership should adopt policies and measures, which identify and make plans to address the diverse social and economic drivers of deforestation and degradation. Such actions will contribute to lowering interim readiness costs, ensuring permanence and reducing leakage. Gaps and overlaps analysis will be required.

We note that the Partnership seeks to establish “*A process to regularly provide independent review of gaps and overlaps in financing*” and submit that this approach could be supported by IM-REDD. We assert that IM-REDD is a central pillar to the success of REDD+ and should be treated as such in the work program.

Component 3. Discussion on Effectiveness of multilateral REDD+ Initiatives

The primary key deliverable for 2010 under this Component is:

“An independent report on the effectiveness of multilateral REDD+ initiatives”

Whilst we acknowledge that it is important for there to be ongoing independent assessments of multilateral initiatives undertaken, this should not be limited to certain initiatives while ignoring others. In this context, we submit that any independent assessment must include an assessment of the effectiveness of the REDD+ Partnership itself and such assessments should also extend to bilateral initiatives and the Amazon Fund.

This ‘independent’ report should focus not only on the effectiveness of multilateral and bilateral vehicles but also whether their activities are appropriately focused in view of the purpose of a REDD+ mechanism. We reiterate that actions taken must focus on contributing to a REDD+ mechanism that will keep natural forest ecosystems intact and their carbon out of the atmosphere in a way that is equitable, transparent, and consistent with the rights of Indigenous Peoples and local communities.

We again assert the importance of Independent Monitoring and consider that IM-REDD can assist with independently assessing the existing REDD+ initiatives by providing evidence-based information to national control structures, international implementing and oversight institutions, and funding providers. IM-REDD should be designed and implemented at the earliest possible stage, whilst many initiatives are in their infancy, and provided with sufficient funding, so as to ensure its sustainability in the long term.

Further, we note that Terms of Reference (“ToR”) will be developed to assist with inputs for the Ministerial discussion in Nagoya. The Partnership fails to include Stakeholders in the development of the ToR. Again we assert the critical importance of full and effective participation of civil society and Indigenous Peoples and local communities at all stages of the development and implementation of REDD+, including in the approval or otherwise of the ToR to be used as the basis for discussions at the Technical Workshop.

We welcome the steps the Partnership has taken to ensure stakeholder participation at a Technical Workshop in Tianjin, however we are concerned by the lack of information concerning the content of the Workshop. It is important that the Partnership is clear and specific about the substance of workshops and technical meetings in advance so that, where numbers are limited, Stakeholders can select appropriate delegates with relevant expertise, otherwise any such invitation should be broad and open.

Component 4. Share lessons on our REDD+ initiatives, share best practices & promote and facilitate cooperation among Partners

The justification for the development of REDD was global recognition that avoiding emissions from deforestation and forest degradation represented a very significant opportunity for cost-effective greenhouse gas mitigation. The expansion to REDD+ has brought in a range of activities and with this a requirement to ensure that those activities which are most effective in mitigating climate change and providing multiple benefits (livelihoods and biodiversity) receive priority. We assert that priority should be given to activities that focus on protecting and restoring natural forests including peatlands.

Capacity building and REDD+ readiness must also be given priority if rapid progress is to be made towards the implementation of a fully-fledged REDD+ regime. To ensure effective implementation and enforcement, capacity building activities should include all relevant implementing and enforcement agencies as well as civil society and Indigenous Peoples and local communities, and draw on institutions and organizations in-country and among other developing country Partners that already have experience and capacity to contribute. Lessons on what works and what does not work need to be identified and applied to ensure capacity building is appropriate, targeted and sustained.

The need for all Partners to address drivers of deforestation and degradation including important demand side actions, and lessons learned to date in relation to attempts to address drivers should also be addressed under this part of the work program.

A further key deliverable is “*to prepare enhanced communication platforms*”. Implicit in this deliverable is the need for enhanced communication with Stakeholders with particular emphasis on remote Indigenous Peoples and local communities. The wealth of technical and practical experience available to contribute to a successful implementation of REDD+ within such groups is extensive. Civil Society, Indigenous Peoples and local communities contributions will be key to the success of REDD+ and their participation should be emphasized in this section of the work program. Continued exclusion of Stakeholders will give rise to a flaw from the outset.

A missing operational measure is taking action on the basis of shared lessons, taking advantage of the promotion and facilitation of cooperation amongst Partners, to get some outcomes that further explicitly identify policy objectives. This sharing and cooperation building process should

lead to the adoption of best practice models and abandonment or refinement of failed approaches.

Again, as per our comments above, the Partnership fails to include Stakeholders in the development of the ToR referred to under this section. We assert the critical importance of full and effective participation of civil society and Indigenous Peoples and local communities at all stages of the development and implementation of REDD+, including in the approval or otherwise of the ToR to be used as the basis for discussions at this and any other Technical Workshop.

Further, the background paper is limited to facilitating cooperation among Partners. There is no provision for background papers on the other key areas identified or input from Stakeholders on these issues other than at the workshop itself. These issues are of importance and deserve equal attention and preparation. There is no provision for input to the workshop of the results of workshops already held, including the Chatham House / UN-REDD workshop on monitoring governance and the Freiburg workshop on biodiversity monitoring. We recommend that the outcomes of these workshops be considered and referred to.

Component 5: Institutional Arrangements

It is proposed that:

“The Partners.....formulate concrete recommendations by early 2011 for multilateral institutions to support enabling local institutions in developing countries, where relevant”.

This could imply the creation of a new multilateral institution under the Partnership in advance of any UNFCCC Decision that would guide the institutional arrangements for implementation of a REDD+ mechanism, and seek clarification that the Partnership is not flagging development of its own multilateral institution which we understand to be contrary to the founding agreement of the Partnership.

We agree that the Partners should commission an independent report by the end of 2010 to assess the current capacities and capabilities of developing country institutions involved with REDD+ activities and say further that this independent report must be undertaken with full Stakeholder participation, in particular those Stakeholders, Indigenous Peoples and local communities and conservation organizations working in the relevant developing countries.

Institutions will be required in developing countries to regulate a number of separate but related matters including implementation and MRV of safeguards and carbon emissions. Institutional arrangements should ensure a system of checks and balances and the production of credible and verified information. Each institution should have dedicated and ongoing engagement with a multi-Stakeholder oversight body. “Enabling institutions” should be deemed to include enforcement agencies audit institutions whose task it will be to ensure effective enforcement of REDD+ legislation and prevention of fraud and corruption.

We again assert the importance of Independent Monitoring and consider that IM-REDD can assist with any and all institutional arrangements and should be designed and implemented at the earliest possible stage.

Work Plan Components and Timeline for the REDD+ Partnership – Phase II (2011-2012)

It will be necessary for the Partnership to address each of these matters sufficiently and comprehensively to enable it to meet its stated objective to:

“scale up REDD+ actions and finance, and to that end to take immediate action, including improving the effectiveness, efficiency, transparency and coordination of REDD+ initiatives and financial instruments, to facilitate among other things knowledge transfer, capacity enhancement, mitigation actions and technology development and transfer⁵.”

Of significant importance, we note with concern that reference to consistency with the UNFCCC process is considered as an additional ‘possible’ item for consideration in phase 2. We expect the Partnership will conduct itself in accordance with the following undertaking contained in the Partnership agreement, viz:

“.....the work of the Partnership should not prejudice but support and contribute to the UNFCCC process. The Partnership would be replaced by a future UNFCCC mechanism including REDD+.”

The elements prioritized, particularly results-based payments and scaling up finance and actions, demonstrate an interest in “money at all costs” with no attention being paid to safeguards and mechanisms to prevent corruption and ensure benefits will be distributed equitably. In this context, we have provided suggested additional text (as underlined) to the proposed Phase 2 Elements for consideration by the Partnership.

Indicative elements of a work plan for Phase II

Work Plan Element 1: Demonstration Activities

- Leveraging approved guidance for demonstration activities and other REDD+ activities (decision 2/CP.13, Appendix II and list SBSTA decisions), the Partners should seek to define interim guidance, including demonstration activities, in order to improve effectiveness, efficiency, transparency and coordination.
- The Partners should establish a web-platform to exchange views and experiences with the objective of identifying criteria for the effective implementation of REDD+ activities. Such criteria should include prioritizing activities to protect and restore natural ecosystems with special emphasis on ecosystems containing endangered and critically endangered species, and implementation of safeguards.
- A workshop should be held (date) with Stakeholders to exchange information, share lessons and develop best practice.
- The Partners should formulate concrete recommendations in consultation with Stakeholders by (date) to multilateral and bilateral institutions facilitating the implementation of REDD+ actions, including demonstration activities and safeguards.

⁵ Oslo Climate and Forest Conference, 27 May 2010;

- The Partners in consultation with Stakeholders should develop guidance for a robust system of Independent Monitoring to engage immediately with demonstration activities and exchange information and share lessons.

Work Program Element 2: Results Based Payments

- Noting the initiatives, including efforts by the World Bank FCPF Carbon Fund and others to pilot a small-scale ‘results based’ incentive system, the Partners should seek to develop interim guidance and methodologies in consultation with Stakeholders for the implementation and scaling up of results-based incentives to support REDD+ actions, including activities to ensure safeguards implementation.
- A workshop should be held with Stakeholders (date) to exchange information, share lessons and develop best practice, including a presentation from the World Bank Carbon Fund team, related to results-based incentive systems to support REDD+ actions.
- The Partners should formulate concrete recommendations in consultation with Stakeholders by (date) to multilateral and bilateral institutions to facilitate the implementation and scaling up of results-based incentives systems to support REDD+ actions, including safeguards implementation.

Work Program Element 3: Scaling up of Finance and Actions

- A workshop should be held with Stakeholders (date) to exchange information and share lessons on scaling up of financing. The workshop will consider a variety of inputs on the issue of scaling up financing for REDD+ actions, including systems for auditing and corruption prevention, and information from the Advisory Group on Finance of the Secretary General.
- Following the workshop, a Working Group should be established to consider options and for scaling-up financing for REDD+ actions, and effective systems for auditing and corruption prevention. Such a working group should include balanced representation of civil society representatives and Indigenous Peoples and local communities.
- The Partners may consider formulating concrete recommendations in consultation with Stakeholders by (date) for multilateral initiatives, taking into account the views presented by the private sector, on means to mobilize the resources necessary to scaling up financing to support REDD +actions.

Additional possible areas of the work plan for discussions (to be further developed) as raised by the partners, including but not limited to, *inter alia*: implementing readiness activities, addressing the outcome of the gap analysis, **establishing actions by all countries to address drivers of deforestation and degradation, building good governance for REDD+, monitoring, reporting and verification of safeguards, MRV of carbon, a system for Independent Monitoring of IM-REDD** and ensuring compatibility with the UNFCCC process⁶. Stakeholders should also be afforded the opportunity to suggest additional possible areas of the work plan and to then participate in discussions about the forward work plan.

⁶ We strongly assert that this is a critical Component to both phases 1 and 2 and the Partnership should remain informed and engaged with the UNFCCC negotiations concerning REDD+ and ensure it acts in a manner consistent with all consensus items in the UNFCCC negotiating text.