

A lush tropical forest scene with various palm trees and dense green foliage. The top portion of the image is partially obscured by a semi-transparent dark green overlay containing text. The bottom portion shows a close-up of large, vibrant green palm fronds.

Climate  
Law & Policy  
Global Impact Partner

*Booklet*

# ART TREES Safeguard A

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In doing so, this project seeks to strengthen the high-integrity carbon market for Nature-Based Solutions (NBS) to climate change that provide economic, social and environmental benefits for the countries and local communities producing the carbon credits.

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# Objective and structure of this document

The objective of this document is to provide a clear understanding of the scope and coverage of this safeguard and what Indigenous Peoples and Local Communities (IP and LCs) should expect from national and subnational government led processes ('Participants') when demonstrating conformance with TREES indicators under this safeguard.

The analysis contained therein is based on the authors' practical experience and international best practice. Direct quotations from TREES will be appropriately cited and quoted in italic.

This booklet is divided into two sections and associated questions:

- **What is TREES Safeguard 'A' and how does it protect IP and LCs?** This section will explain the scope and coverage of this safeguard, and how it recognizes and protects the rights of IP and LCs.
- **What to expect when demonstrating conformance with TREES safeguard 'A'?** This section will explain what IP and LCs should expect from national and sub-national governments when demonstrating conformance with TREES indicators under this safeguard.

# 1. What is Safeguard A and how does it protect IP and LCs?

As a reminder, TREES Safeguard A and in alignment with Cancun Safeguard A is, “*Actions are complementary or consistent with the objectives of national forest programs and relevant international conventions and agreements*”.

This safeguard has 2 themes, and we examine their scope below:

- THEME 1.1 Consistency with the objectives of National Forest Programs
- THEME 1.2 Consistency with the objectives of relevant international conventions and agreements

## THEME 1.1 Consistency with the objectives of National Forest Programs

To address and respect this theme, national and sub national governments are expected to ensure that their REDD+ actions are consistent with the objectives of their national forest programmes. This safeguard recognizes and protects IP and LCs because the objectives of national forest programmes can include objectives of forests conservation, forest management, and sustainable development, among others. Furthermore, national forest programmes are themselves expected to be formulated with due recognition and respect for customary and traditional rights of (inter alia) indigenous peoples, local communities, forest dwellers and forest owners.

IP and LCs relevant rights and interests are therefore expected to be recognized under this safeguards theme, as REDD+ actions should designed to complement or at least be consistent with each and all of the objectives set out in national/sub-national forest programmes.

## THEME 1.2 Consistency with the objectives of relevant international conventions and agreements

To address and respect this theme, national and sub national governments are expected to ensure that their REDD+ actions are consistent with the objectives of their relevant and applicable international conventions and agreements. This safeguard recognizes and protects IP and LCs because relevant international conventions and agreements for most national and subnational governments include the Sustainable Development Goals; and core international human rights treaties, all of which recognize, protect and promote the rights and interests of IP and LCs.

### 2. What to expect when demonstrating conformance with TREES safeguard ‘A’?

This section will explain what IP and LCs should expect from national and sub-national governments when demonstrating conformance with TREES indicators under this safeguard. Please note the TREES Safeguards Guidance document provides a prescriptive list of the Validation and Verification Body’s (VVB) requirements for the provision of information on each safeguard<sup>1</sup>. This section is instead intended to provide a clear understanding for IP and LCs of the types of information they should expect to see from national and subnational government led processes when demonstrating conformance with TREES indicators under this safeguard, and which is most relevant to them.

As a reminder, under each theme TREES has three types of indicators that national and subnational governments would need to demonstrate conformance with. The guidance document from TREES states the following in relation to each type of indicator:

<sup>1</sup><https://www.artredd.org/wp-content/uploads/2022/01/TREES-Val-and-Ver-Standard-v2-Dec-2021.pdf>

- **Structural Indicators:** *demonstrate that relevant governance arrangements (e.g., policies, laws, and institutional arrangements) are in place in the country or applicable jurisdiction(s) to ensure that design and implementation of REDD+ actions is done in line with relevant safeguards theme. These arrangements may be part of the national or subnational legal framework or may be REDD+ specific arrangements.*<sup>2</sup>
- **Process Indicators:** *demonstrate that appropriate processes, procedures or mechanisms are in place to enact and enforce the arrangements outlined in the Structural indicator.*<sup>3</sup>
- **Outcome Indicators:** *demonstrate implementation outcomes for each theme are being monitored. For the outcome indicator for all themes, Participants will need to identify and describe the selected monitoring parameters including how a successful outcome is defined, monitoring methods to be used and a summary of collected data. If the data analysis does not indicate a successful outcome, a description of how the governance arrangements or supporting processes, procedures or mechanisms (structure or process indicators) will be modified should be included.*<sup>4</sup>

## THEME 1.1 Consistency with the objectives of National Forest Programs

Based on international best practices, IP and LCs should expect to see the following relevant information from national and subnational government led processes when demonstrating conformance with each of TREES indicators under this theme:

### Structural indicators

- A full list of the legal, policy, and/or regulatory arrangements in place and/or planned for REDD+ Strategy or Action Plan, including for the particular REDD+ actions (e.g. Sustainable Forest Management Plan).
- List of all relevant national forest policies/programs -and their objectives- with which REDD+ actions will be consistent with

<sup>2</sup><https://www.artredd.org/wp-content/uploads/2021/12/TREES-ESG-Safeguards-Guidance-Document-Aug-2021.pdf>

<sup>3</sup>ibid

<sup>4</sup>ibid

- Description of how the REDD+ actions complement or are consistent with the objectives of each relevant national and/or subnational forest policies/programs, including the objectives relevant to the particular rights and interests of IP and LCs (e.g. sustainable development).

### **Process indicators**

- A full breakdown of the relevant public institutions in place for the REDD+ actions and associated mandates relevant to this theme
- Description of any processes and procedures executed with regards to this theme. This could look like the design and/or set-up of inter-institutional coordination body and/or multistakeholder coordination platform forms, such as a REDD+ Stakeholder Platform, a description of the terms of reference adopted, execution of any meetings, etc. Of relevance for IP and LCs would be the inclusion of information about their participation in these bodies and meetings.

### **Outcome indicators**

- Description of how the REDD+ actions have been designed in complementarity or consistency with the objectives of national/sub-national forest programmes, including the objectives relevant to the particular rights and interests of IP and LCs (e.g. sustainable development).
- Description and evidence of how the REDD+ actions are making and/or have made a contribution to the objectives of the relevant national and/or subnational forest policies/programs.

## THEME 1.2 Consistency with the objectives of relevant international conventions and agreements

Based on international best practices, IP and LCs should expect to see the following relevant information from national and subnational government led processes when demonstrating conformance with each of TREES indicators under this theme:

### **Structural indicator**

- A full list of relevant ratified international conventions and agreements with which REDD+ actions aim to complement or be consistent with, and when these were adopted;
- Description of how the REDD+ actions will complement or be consistent with the objectives of said international conventions and agreements, including the objectives relevant to the particular rights and interests of IP and LCs (e.g. human rights, indigenous peoples rights, etc).

### **Process indicator**

- A full breakdown of the relevant public institutions and associated mandates in place to implement the REDD+ actions and associated mandates relevant to this theme;
- Description of any processes and procedures executed with regards to this theme. This could look like the design and/or set-up of inter-institutional coordination body and/or multistakeholder coordination platforms, such as a REDD+ Stakeholder Platform, etc. Of relevance for IP and LCs would be the inclusion of information about their participation in these bodies and meetings.

### **Outcome indicator**

- Description of how the REDD+ actions have been designed in complementarity or consistency with the objectives of relevant international conventions and agreements, including the objectives relevant to the particular rights and interests of IP and LCs (e.g. human rights).
- Description and evidence of how the REDD+ actions are making and/or have made a contribution to the objectives of the relevant international conventions and agreements.