

Joint Submission for TREES 3.0

Table of Contents

<i>Executive Summary</i>	4
<i>Introduction</i>	5
I. Safeguards	6
Context	6
Section 12 - Safeguard Requirements	7
Section 12.3- Reporting Requirements	8
Section 12.4 – Introductory Paragraph (Scope of International Conventions)	10
Theme 1.1 – Consistency with the objectives of national forest programs	12
Theme 1.2 – Consistency with the objectives of relevant international conventions and Agreements ...	15
Theme 2.1 – Respect, protect, and fulfill the right of access to information	19
Theme 2.2 – Promote transparency and prevent corruption, including through the promotion of anti-corruption measures.....	22
Theme 2.3 – Respect, protect, and fulfill land tenure rights.	26
Theme 2.4 – Respect, protect, and fulfill access to justice	29
Theme 3.1 – Identify indigenous peoples and local communities, or equivalent.	34
Theme 3.2 – Respect and protect traditional knowledge and practices.....	37
Theme 3.3 – Respect, protect, and fulfill rights of Indigenous Peoples, Local Communities, and Afro-descendant Peoples, or equivalent.....	41
Theme 4.1 – Respect, protect, and fulfill the right of all relevant stakeholders to participate fully and effectively in the design and implementation of REDD+ activities	46
Theme 4.2 – Develop adequate participatory procedures for the effective participation of Indigenous Peoples, Local Communities and Afro-descendant Peoples, or equivalent.	49
Theme 5.1 – Non-conversion of natural forests and other natural ecosystems.....	54
Theme 5.2 – Protect natural forests and other natural ecosystems, biological diversity, and ecosystem services and enhance environmental benefits.	57
Theme 5.3 – Enhancement of Social Benefits	60
Theme 6.1 – The risk of reversals is integrated in the design, prioritization, implementation, and periodic assessments of REDD+ policies and measures.....	64
Theme 7.1 – The risk of displacement of emissions is integrated in the design, prioritization, implementation, and periodic assessments of REDD+ policies and measures.	67
Dedicated guidance for TREES Section 12	71
II. Carbon Rights and Benefit Sharing	73
Context	73
Section 3.4.1- Carbon Rights	73
Section 3.4.2- Benefit Sharing	78
III. Stakeholder Engagement and the Safeguard Information System (SIS)	83
Context	83
Section 3.1.2 -National Reporting Requirements (SIS)	83
Section 2.6- Stakeholder Engagement	86
IV. Grievance Redress Mechanism	88
Context and Rationale	88

Section 16	88
<i>Conclusions</i>	<i>94</i>

Attached are:

Annex I- Safeguard Implementation Guidance for ART TREES 3.0 (Section 12)

Annex II- Guidance Note: Developing a High-Quality REDD+ Safeguard Information System (SIS)

Executive Summary

This joint submission responds to the ART Secretariat’s consultation on the draft **TREES 3.0** standard, focusing on strengthening its provisions for **social integrity** as jurisdictions move from retrospective crediting to forward-looking implementation. Drawing on extensive field and policy experience with jurisdictional REDD+, we provide detailed recommendations in five key areas:

1. **Safeguards (Section 12):** Amendments to clarify and operationalize safeguard requirements, complemented by a proposed Safeguard Implementation Guidance to ensure consistent interpretation by Participants, validators and verifiers.
2. **Emission Reduction & Removal (ERR) Rights (Section 3.4.1):** Stronger requirements for comprehensive tenure assessments (statutory and customary), enhanced transparency and explicit FPIC where rights-holders may be affected, and clear recognition of nested projects and community-led initiatives.
3. **Benefit Sharing (Section 3.4.2):** Enhanced transparency and equity requirements, including public disclosure of benefit-sharing plans, systematic monitoring of disbursements, and disaggregated reporting to demonstrate inclusivity.
4. **Stakeholder Engagement & Safeguard Information Systems (Sections 2.6, 3.1.2):** Clearer expectations for domestic consultation, participatory oversight, and robust SIS design covering all Cancún safeguards with active links to grievance redress.
5. **Grievance Redress Mechanism (Section 16):** Strengthened provisions to align with international best practice, including accessibility in multiple languages, protection against retaliation, independence of reviewers, and provision of timely and legitimate remedies.

Collectively, these refinements ensure that TREES 3.0 safeguards are not treated as retrospective compliance but embedded as **real-time operational requirements**, giving confidence that ART-issued credits are both environmentally robust and socially legitimate. We also recommend sequencing: finalizing TREES 3.0’s core provisions before introducing **Beyond Carbon Benefits (BCB)** certification, to ensure co-benefit claims rest on a strong foundational standard.

Introduction

We appreciate the opportunity to provide input to the **Architecture for REDD+ Transactions (ART)** Secretariat’s public consultation on the draft **TREES 3.0** standard. This update comes at a pivotal moment: after several years of ART’s operations and following the first issuance of TREES credits, jurisdictions are transitioning from **retrospective crediting** of past emission reductions to **forward-looking implementation** of new REDD+ programs. This shift makes the TREES 3.0 revision especially significant – the standard must not only recognize past results, but also guide high-integrity implementation going forward.

In this context, we commend ART’s commitment to periodically update TREES to ensure it remains a high-integrity global benchmark. The draft TREES 3.0 reflects lessons learned and stakeholder input, clarifying key provisions while reinforcing environmental and social integrity. Notably, the new draft strengthens social integrity provisions – those measures that safeguard communities, rights, and good governance alongside carbon results. For example, TREES 3.0 clarifies and streamlines the safeguards requirements (Section 12), adds explicit obligations on emission reduction and removal (ERR) rights and benefit sharing (Sections 3.4.1 and 3.4.2), and places greater emphasis on stakeholder engagement (Sections 2.6). These enhancements address a critical need as REDD+ moves to active implementation: ensuring that protecting rights, sharing benefits, and engaging stakeholders are treated as core, ongoing components of program delivery rather than as a one-time checklist.

Our joint submission accordingly focuses on recommendations to reinforce these social integrity elements in **TREES 3.0**. In particular, we offer constructive, evidence-based input on the following key areas:

- **Safeguards (Section 12):** Upholding robust social and environmental safeguards so that jurisdictional REDD+ programs “address and respect” all UNFCCC Cancun safeguards in practice, with clear requirements for their implementation and reporting.
- **Emission Reduction & Removal Rights (Section 3.4.1):** Clarifying how jurisdictions must demonstrate legal rights to all claimed emission reductions and removals, consistent with national law and respect for land tenure and Indigenous Peoples’ rights.
- **Benefit Sharing (Section 3.4.2):** Ensuring transparent and equitable benefit-sharing arrangements so that carbon finance and other REDD+ benefits are fairly distributed to Indigenous Peoples, local communities, and other stakeholders, in line with safeguard principles.
- **Stakeholder Engagement & Safeguard Information Systems (Sections 2.6, 3.1.2):** Strengthening requirements for meaningful stakeholder consultation and robust safeguard information systems to promote inclusive participation and accountability throughout program implementation.
- **Grievance Redress Mechanisms (Section 16):** Improving the existing mechanism to bring it into alignment with international best practices.

Drawing on our extensive engagement in jurisdictional REDD+ efforts, we present these comments in a constructive, collaborative spirit. The detailed recommendations that follow are grounded in on-the-ground experience, best practices, and international standards. Our aim is to support ART in refining TREES 3.0 to further bolster its social integrity provisions – helping ensure the standard delivers not only high-quality emissions results, but also equitable and positive outcomes for the communities and ecosystems at the heart of REDD+.

I. Safeguards

Context

Experience from early jurisdictional REDD+ programs demonstrates that safeguards can remain largely **theoretical**—documented for reporting purposes but not fully embedded in implementation—unless jurisdictions are equipped with **clear, context-sensitive guidance** on how to apply them in practice. In several cases, safeguard provisions were incorporated into program documentation without translating into concrete actions on the ground, due to uncertainty over what specific measures, processes, and evidence would demonstrate conformance.

This gap between safeguard *design* and safeguard *implementation* has direct implications for the integrity of jurisdictional programs. Without detailed operational guidance, even well-intentioned jurisdictions may default to minimal compliance—producing safeguard information only at reporting milestones, rather than integrating safeguards throughout the design, execution, and monitoring of REDD+ activities. This not only diminishes the potential of safeguards to protect rights, conserve biodiversity, and deliver social benefits, but also creates risks for Participants facing compressed timelines under TREES 3.0. Jurisdictions without clear guidance may struggle to complete Registration Documents within the two-year deadline (Section 2.5), leading to delays, inconsistent verification outcomes, and weakened investor confidence. Strengthening operational guidance is therefore essential—not only to ensure social and environmental integrity, but also to safeguard market trust and the timely mobilization of finance.

These early experiences underscore five critical needs to bridge the implementation gap:

1. **Further textual amendments to TREES Section 12** – clarifying its scope and aligning its requirements with international law and best practices, ensuring that expectations for both Structure/Process and Outcome indicators are explicit and actionable.
2. **Amendments to the associated guidance for Section 12** – providing detailed implementation guidance with step-by-step interpretation, examples, and verification benchmarks tailored to the diverse contexts of participating jurisdictions.
3. **Amendments to the Validation and Verification (V&V) Standard (VVS)**– updating verification protocols so that Validation and Verification Bodies (VVBs) apply the clarified safeguard requirements consistently, ensuring VVBs have clear, uniform criteria to confirm that safeguards are both addressed in program design and respected in practice.
4. **Amendments to program templates** – integrating the updated safeguard requirements into standard templates (e.g. program design documents, monitoring reports), thereby ensuring that jurisdictions systematically address and document safeguards at each stage of the program life cycle.
5. **Transparency is increased within the safeguard process** – so all stakeholders understand their responsibilities and expectations are managed when monitoring, reporting, and accountability processes are pursued.

Importantly, **the proposed amendments to the TREES safeguard indicators and corresponding ART VVS, guidance, and templates, are interdependent and must be implemented as a coherent package.** This ensures that the standard’s text, the VVS criteria, and the reporting templates all reinforce each other, providing a consistent framework for VVBs, Participants, and stakeholders.

Implementing these enhancements within TREES 3.0 would deliver multiple benefits:

- **Strengthened program integrity** – by making safeguards a live component of program management, not a retrospective reporting exercise.
- **Enhanced Indigenous and local community trust and interest in JREDD+** – through transparent, culturally appropriate, participatory, and verifiable application of safeguard commitments.

- **Consistent validation and verification** – by equipping VVBs with uniform benchmarks, reducing the risk of variable interpretations across jurisdictions and ensuring equitable assessment of safeguard performance.
- **Increased supply of high integrity JREDD+ credits** – by providing clear roadmaps for Participants to achieve conformance with TREES 3.0 safeguards.
- **Increased demand for JREDD+ credits issued by ART** – by increasing investor confidence in the integrity of those credits.
- **Risk mitigation and grievance handling** - by showing that better safeguard implementation reduces risk of conflict, reputational damage, or legal challenges for participants and buyers.
- **Alignment with international standards and buyer expectations** - clear operational safeguards will help ensure TREES credits remain aligned with ICVCM’s Core Carbon Principles, CORSIA eligibility and ESG due diligence frameworks used by institutional investors.
- **Efficiency and reduced transaction costs** - by providing jurisdictions with templates, benchmarks, and guidance reduces the time and resources required to demonstrate conformance.

As jurisdictional REDD+ expands under TREES 3.0, institutionalizing all of the above improvements will help ensure that *results-based payments are matched by results-based safeguards*. This comprehensive approach strengthening the standard’s language, providing detailed guidance, updating VVS , and refining templates – will bridge the implementation gap, aligning safeguard commitments on paper with verifiable, tangible benefits and protections on the ground.

Section 12 - Safeguard Requirements

Based on joint field experience supporting REDD+ jurisdictions, we recommend a comprehensive set of amendments to **TREES 3.0 Section 12 (Environmental, Social, and Governance Safeguards)**. The objective of these proposed changes is to **clarify safeguard compliance- not complicate it**, making it easier for Participants to understand what is required and to demonstrate conformance.

By sharpening the wording of safeguard themes and aligning reporting requirements with practical implementation, these amendments will help jurisdictions more effectively “address and respect” the Cancún safeguards in practice (i.e., demonstrate not only the legal, policy and institutional arrangements to *address* the safeguards, while also demonstrating *respect* through actual, effective and measurable implementation). This, in turn, will reduce ambiguity, lower transaction costs, and support more programs in reaching credit issuance while upholding high social and environmental integrity. This alignment will not only strengthen fairness but also bolster market confidence, as credit buyers and financiers increasingly require evidence of robust social and environmental safeguards consistent with ICVCM and CORSIA integrity frameworks.

Each safeguard theme below is presented with:

- **Rationale:** The specific challenge(s) in the current TREES text and why amendment is needed.
- **Proposed amendment to TREES text (blue boxes):** Insertion-ready revisions, using **bold** for new insertions and ~~strikethrough~~ for deletions.
- **Validation, Verification, and Findings guidance (green boxes):** Insertion-ready additions to the ART VVS, including non-exhaustive but guiding examples of major and minor non-conformance. Also presented in bold.
- **Template adjustments (orange boxes):** Insertion-ready language for the TREES Registration Document (TRD) and Monitoring Report (TMR) templates to operationalize safeguard requirements. Also presented in bold.

This structured approach ensures that amendments are:

- **Internally coherent** across TREES, VVS, and templates;
- **Practical for jurisdictions**, focusing TRD reporting on structure/process indicators (with updates only if changes occur) and TMR reporting on outcome indicators during the crediting period; and

- **Aligned with the use country safeguard systems**, reinforcing use of existing national frameworks (laws, policies, institutions) rather than creating parallel processes.

Section 12.3- Reporting Requirements

Rationale

Section 12.3 of TREES lays out the reporting requirements for safeguards in the **Registration Document (TRD)** and the **Monitoring Report (TMR)**. The design principle, that structure and process indicators are assessed once in the TRD and only updated in subsequent TMRs if changes occur, while outcome indicators are the focus during each crediting period – is sound. This is aligned with the country’s safeguards systems approach, where safeguards frameworks (laws, policies, institutions) are relatively stable, but outcomes must be monitored and reported during each results period.

However, we note that Participants should be required to demonstrate conformance with both **structure/process** and **outcome** indicators of TREES before any credit issuance. Experience under TREES 2.0 showed that deferring outcome-level reporting until later periods weakened safeguards in practice, as credits were issued without verified evidence that safeguards had been respected. We appreciate ART’s efforts in TREES 3.0 to strengthen safeguard reporting, but notable challenges remain:

First – Interaction with Section 2.3 (Crediting Period). TREES allows Participants to set an initial crediting period up to four years before the TREES Concept is accepted. In such cases, safeguard reporting should apply only to actions within that backdated crediting period – not to activities that occurred before the crediting period began. Requiring outcome reporting on activities prior to the start of the crediting period would be inconsistent with results-based finance principles and would unfairly burden Participants with retrospective obligations that do not correspond to credited results.

Second – Outcome reporting must start in the first crediting period. TREES 2.0 allowed Participants to delay outcome reporting until the second crediting period, opening the door for Monitoring Reports with no evidence of safeguard performance and the issuance of credits without demonstrated social integrity. The removal of this delayed reporting in TREES 3.0 is commended. The final TREES 3.0, however, must fully close this loophole by being more explicit. Outcome indicators should be demonstrated from the first crediting period – whether that period is current or backdated – *and before any credits are issued*. This ensures safeguards are treated as operational requirements directly tied to credited results.

Accordingly:

- The TREES Registration Document (TRD) should be used to identify the qualitative and quantitative metrics that Participants will apply to monitor safeguard outcomes during the crediting period. (We note that the current term “context-specific desired results” is confusing and should be replaced with clearer language on metrics and monitoring approaches.)
- The TREES Monitoring Report (TMR) should then be the vehicle where Participants demonstrate actual conformance with TREES outcome indicators, using the metrics set out and validated in the TRD. This sequencing maintains clarity: the TRD establishes the system; the TMR demonstrates the results.

We also note the need for:

Clear metrics and system linkages: The current text does not provide sufficient clarity on the use of Participant’s **qualitative and quantitative metrics** to assess conformance with TREES outcome indicators and risks further repackaging of aspirational desired results and vague statements of impacts that are not precise and measured. It also fails to make explicit how information should be collected, reviewed, and verified. Stronger

linkages are needed with the Safeguard Information System (Section 3.1.2) and stakeholder engagement provisions (Section 2.6), ensuring safeguard information flows through established national systems and is accessible to stakeholders.

Alignment between national and subnational reporting: The intent of the current final paragraph of 12.3 is to clarify that safeguard indicators apply to all participants is valid, but its current wording is dense and risks confusion. Because TREES safeguard structure and process indicators are grounded in legal and institutional systems, subnational participants cannot only reference their own laws or processes in isolation – they must also demonstrate how these are aligned with, and consistent with, the national framework (including the international obligations of the nation (to which subnational jurisdictions must also comply). This ensures that safeguard implementation at the subnational level does not diverge from national commitments and avoids fragmentation of safeguard reporting across levels of government. The requirement should therefore be stated plainly: **all participants report against all the indicators, but for subnational participants in the case of structure and process indicators it means their reporting must reference and cover both subnational and national systems, demonstrating consistency between them.**

Proposed Amendment Section 12.3 TREES 3.0

Participants shall report on conformance with all Cancún Safeguards and, in accordance with the stepwise nature of REDD+ implementation, will report in a progressive manner through indicators established for each theme.

In their TREES Registration Document, Participants shall report and demonstrate conformance with all structure and process indicators. In addition, for the outcome indicators, Participants shall:

- ~~Demonstrate how any REDD+ actions listed in the REDD+ Implementation Plan that occurred prior to the start of the crediting period were developed and implemented in conformance with the outcome indicator and describe how the information was collected.~~
- ~~Describe the context specific desired results for any REDD+ actions that will occur during the Crediting Period to demonstrate conformance with the outcome indicator and how this information will be collected and reviewed.~~
- **Present the qualitative and quantitative metrics, monitoring approaches, and information sources that will be used to demonstrate conformance with TREES outcome indicators during the crediting period.**

In their TREES Monitoring Report, Participants shall report any changes to the information in the TREES Registration Document regarding the structure and process indicators that occurred during the reporting period. If no changes have occurred, the Participant shall note this. For the outcome indicators, Participants shall:

- ~~Provide a brief summary of how conformance has been demonstrated previously. The Participant shall note and explain if no new activities were required during the reporting period to maintain conformance with the indicator.~~
- ~~Summarize the information collected through the context specific desired results monitoring outlined in the TREES Registration Document for any REDD+ actions that occurred during the reporting period. The Participant shall note any changes to the monitoring that occurred. The Participant shall also note any changes to either REDD+ activities or the outcome monitoring that are planned because of the review of this information.~~
- ~~Describe the context specific desired results, monitoring approach, and information collected for any REDD+ actions that were new or changed during the reporting period and not included in the TREES Registration Document.~~
- **Demonstrate actual conformance with TREES outcome indicators for REDD+ actions undertaken during the reporting period, using the metrics and monitoring approaches established in the TRD. Reporting shall be limited to REDD+ actions implemented in the**

reporting period within the crediting period (whether current or backdated) and must include outcome-level evidence before any credits are issued.

- **Note where REDD+ actions or monitoring approaches have changed during the reporting period, describe these changes and provide updated information on metrics, monitoring methods, and results.**

A safeguards report template is provided for use by Participants as part of the TREES Registration Document and TREES Monitoring Report. However, Participants may utilize their Summary of Information reports prepared in the context of UNFCCC reporting or similar reports used on Cancún Safeguards outside the UNFCCC insofar all required information on required indicators is included and a cross reference is provided to ensure transparency on how the TREES indicators are reflected in the alternate report.

Safeguard Information Systems (SIS) in place shall serve as an important tool to provide data and information to demonstrate conformance. Participants should ensure alignment with Section 3.1.2 (National Reporting Requirements) and Section 2.6 (Stakeholder Engagement).

~~Participants may use Safeguard Information Systems in place as an important tool to provide data or systems information to demonstrate conformance as well. For the case of subnational Participants under TREES, reporting and monitoring tools to demonstrate conformance with safeguards shall demonstrate coherence and/or alignment with national reporting and monitoring in the context of the UNFCCC.~~

All indicators apply to all Participants. Because structure and process indicators are grounded in legal and institutional systems, subnational Participants must report on both their own subnational laws, policies, and institutions, and on the applicable national/federal frameworks. Subnational Participants shall demonstrate how their systems align with and are consistent with the national framework, ensuring coherence with the country's relevant commitments.

~~All indicators apply to all Participants. Where indicators reference a national program, framework or other requirement and a Participant is not a national government, the Participant must demonstrate how applicable subnational legislation is aligned and consistent with applicable national legislation.~~

Section 12.4 – Introductory Paragraph (Scope of International Conventions)

Rationale

The current text refers only to “relevant international conventions and agreements,” which leaves scope for varied interpretations and potential omission of key obligations. Where national laws and international conventions diverge, Participants shall apply the higher standard. These requirements ensure alignment with global integrity benchmarks, including the ICVCM Core Carbon Principles and CORSIA eligibility criteria.

The proposed amendment clarifies this scope by specifying explicit categories of treaties that jurisdictions must consider when implementing safeguards, including:

- **Environmental agreements** (e.g. UNFCCC, CBD, CITES, UNCCD);
- **Human rights instruments** (e.g. ILO Convention 169; the UN Declaration on the Rights of Indigenous Peoples, as the authoritative interpretation of State duties under binding human rights treaties such as the ICCPR and ICERD); and
- **Cross-cutting treaties** (e.g. the UN Convention Against Corruption).

By naming these categories, the amendment ensures that no essential international commitments are overlooked, particularly in areas such as biodiversity protection and Indigenous Peoples' rights. The addition of a "higher standard" clause also aligns with Cancún Safeguard (a), which requires consistency with a country's "international obligations," and reflects best practice under international law: REDD+ activities must actively uphold and never undermine the treaty obligations of the country, even where domestic law falls short.

This strengthens both compliance and credibility, guiding Participants to design and implement safeguards in a manner demonstrably consistent with *all* applicable international commitments. It also provides clear expectations for Validation and Verification Bodies (VVBs), ensuring they assess safeguard implementation against the most protective standard in force.

Proposed Amendment Section 12.4 TREES 3.0

All indicators shall be implemented in accordance with relevant international conventions and agreements ratified by the Participant or the Participant's country – **such as major environmental, human rights, and anti-corruption treaties** – and shall be anchored in domestic (and, if applicable, subnational) legal frameworks, policies, or processes. **Participants must comply with national law and obligations under international law, whichever is the higher standard (hereinafter "Applicable Law").**

Proposed Amendment VVS for Section 12.4 TREES 3.0

Validation Scope

The VVB shall confirm that the Participant has identified and described all relevant international conventions and agreements ratified by the country, including major environmental, human rights, and anti-corruption treaties. The VVB shall validate that the REDD+ program's legal and policy framework explicitly integrates these obligations, and that the Participant commits to applying the most protective standard (Applicable Law).

Verification Scope

The VVB shall verify, during each monitoring period, that REDD+ implementation remains consistent with both national law and international treaty obligations. This includes reviewing program activities, safeguard reports, and stakeholder evidence to ensure:

- No REDD+ activities have contravened a ratified treaty obligation;
- Where national law is weaker than international obligations, the higher standard has been applied in practice; and
- Any new or amended international commitments since validation have been integrated into safeguard implementation.

Findings (Section 3.6.3.4)

- **Major Non-Conformance:** Failure to identify and integrate relevant international obligations; evidence that REDD+ activities violated a ratified international treaty (e.g. human rights abuses, biodiversity treaty breaches); or reliance solely on weaker national laws where stronger international standards apply.
- **Minor Non-Conformance:** Incomplete documentation of relevant treaties, or minor reporting gaps in demonstrating consistency, provided there is no evidence of rights violations or environmental harm and corrective action is underway.

Proposed Amendments to the TREES Templates

Amendments to the TREES Registration Document (TRD) Template

Location: **Insert under Section 5: Legal and Institutional Context (or equivalent)**

Proposed Text (to be added as a new sub-section):

International Obligations

The Participant shall:

- **List all relevant international conventions and agreements ratified by the country—especially in the categories of environmental, human rights, and anti-corruption instruments (e.g., UNFCCC, CBD, ILO 169, UNCAC, UNDRIP (recognized as an authoritative interpretation of existing State duties and obligations with respect to Indigenous Peoples under international human rights treaties));**
- **Explain how each identified obligation is reflected in the program’s legal, policy, or procedural framework; and**
- **Demonstrate that, to the extent national law is less protective, the higher standard under international law ("Applicable Law") is being applied in program design.**
- **Provide supporting evidence or references (e.g., legal texts, policy documents) to substantiate these commitments.**

Amendments to the TREES Monitoring Report (TMR) Template

Location: **Insert under Section 5: Legal and Institutional Context (or equivalent)**

Proposed Text (to be added as a new sub-section):

Ongoing Alignment with International Obligations - During the reporting period, the Participant shall:

- **Confirm that REDD+ activities continued to comply with both national law and applicable international treaties;**
- **Report any incidents where international obligations required a higher standard than domestic law—and how these were upheld;**
- **Document any new treaty commitments ratified since the Registration Document and how they have been integrated; and**
- **Provide evidence (e.g., program updates, stakeholder notices, revised policies) demonstrating ongoing adherence to the higher standard.**

Theme 1.1 – Consistency with the objectives of national forest programs

Rationale

Theme 1.1 ensures that REDD+ actions align with national forest policies and programs, as required by Cancún Safeguard A. In practice, jurisdictions often struggle to demonstrate this alignment in a concrete and verifiable way—for example, by clearly showing how their REDD+ strategy supports existing forestry objectives, contributes to national priorities, or resolves potential policy conflicts.

Clearer language is needed to emphasize that REDD+ implementation must actively support and integrate with national (and, where relevant, subnational) forest program goals. This clarification reinforces that REDD+ is

not a standalone effort but a complementary instrument within broader forest management and climate strategies. Strengthening the outcome wording to require demonstrated contributions (rather than mere consistency or absence of conflict) sets a higher and more meaningful bar for alignment.

The amendments therefore focus on making explicit that jurisdictions must:

- Have a clearly defined national REDD+ strategy or action plan that articulates how REDD+ contributes to national forest program objectives; and
- Provide evidence at the outcome level of the actual contributions of REDD+ activities to advancing those objectives (e.g. through policy documents, coordination mechanisms, and measurable outcomes that reinforce forest governance, conservation, or sustainable management).

This shift strengthens both the clarity and the practicality of the safeguard, ensuring that participants know what is expected, and that verifiers have tangible benchmarks to assess compliance.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 1.1

Structure and Process Indicator (amended):

Participants have **in place a national REDD+ strategy or action plan that is clearly defined and explicitly designed in alignment with, and to contribute to, the objectives of a clearly defined domestic legal framework, policies, or programs (or national REDD+ strategy or action plan) as well as the necessary procedures and resources for REDD+ activities to be designed national and if applicable, subnational, forest policies/programs. The Participant shall clearly articulate how the REDD+ actions support, complement, and, where relevant, strengthen existing forest sector objectives and frameworks.**

Outcome Indicator (amended):

Public institutions have designed and implemented REDD+ activities **in a manner that is fully consistent with and demonstrably contributes to, or complementary to the objectives of the national and if applicable, subnational, forest policies/programs. Evidence of contribution shall be provided, showing how REDD+ actions have advanced forest sector goals (e.g. strengthening forest governance (including inclusiveness), expanding incentive programs, reducing deforestation drivers, or enhancing biodiversity conservation).**

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 1.1

Validation Scope

- The VVB shall confirm that the Participant has documented the relevant national (and, if applicable, subnational) forest program objectives and demonstrated how the REDD+ strategy or action plan aligns with and contributes to those objectives.
- Evidence may include national forest policy documents, development or climate plans, cross-walks showing how REDD+ activities map against policy goals, or legal analyses.
- The VVB shall also verify that any potential inconsistencies between REDD+ actions and existing forest sector policies have been identified and addressed in program design.

Verification Scope

- At each verification, the VVB shall evaluate whether REDD+ implementation remains consistent with and supportive of national (and subnational) forest program objectives.
- Evidence shall include monitoring reports, progress reports, or evaluation data demonstrating contributions of REDD+ activities to national policy targets (e.g. forest protection, reforestation, community forestry, biodiversity conservation).

- The VVB shall confirm whether REDD+ activities were updated as needed to remain aligned with evolving national forest objectives.
- The VVB shall also interview relevant government stakeholders (e.g. ministries, national REDD+ steering committees) to confirm institutional coordination and consistency.

Findings see Section 3.6.3.4 of the Safeguard Implementation Guidance for ART TREES 3.0 (Section 12) in Annex I (hereinafter “Safeguard Guidance”).

Major Non-Conformance:

- Failure to demonstrate alignment of the REDD+ strategy with national forest policy objectives;
- Absence of a legal or policy framework linking REDD+ to national forest programs; or
- Evidence that REDD+ activities directly contradict or undermine national forest policy goals.

Minor Non-Conformance:

- Alignment is generally evident but contains minor gaps, such as incomplete documentation of contributions or slight mismatches with one policy area that do not fundamentally undermine consistency. Examples include REDD+ activities implemented before an updated policy came into effect, where adjustments are planned and feasible.
- Minor findings must be addressed by the next verification through updated documentation or corrective actions.

Proposed Amendments to the TREES Templates Theme 1.1

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 1.1/A.1 please add:

The Participant shall:

- Identify and describe the objectives of national (and, if applicable, subnational) forest policies and programs;
- Explain how the national REDD+ strategy or action plan is explicitly designed in alignment with, and contributes to, these objectives;
- Provide a cross-walk or table, where possible, showing how each REDD+ action or measure supports specific forest policy goals (e.g. governance, reforestation, biodiversity conservation, incentive programs);
- Identify and explain any potential inconsistencies between REDD+ actions and national forest objectives, and describe how these have been or will be resolved.

Instructions to Participants: Please attach supporting evidence such as national policy documents, REDD+ strategy references, or legal instruments demonstrating this alignment.

For outcome indicator- see recommendations in section 12.3

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator for Theme 1.1/A.1 please add:

For the reporting period, the Participant shall:

- Describe how implemented REDD+ activities contributed to advancing the objectives of national (and, if applicable, subnational) forest programs;
- Provide evidence of contributions, such as monitoring data, progress reports, or outcomes (e.g. reduced illegal logging, expanded PES coverage, improved forest governance, enhanced biodiversity protection);
- Note any updates to national or subnational forest objectives during the reporting period and explain how REDD+ activities were adjusted to maintain consistency;
- Identify any challenges encountered in maintaining alignment and the corrective measures taken.

Instructions to Participants: Please provide quantitative and qualitative evidence of contributions, including references to monitoring systems, government reports, or stakeholder inputs. Where possible, provide tables linking REDD+ results to specific forest program objectives.

Theme 1.2 – Consistency with the objectives of relevant international conventions and Agreements

Rationale

Theme 1.2 ensures that REDD+ actions align with relevant international conventions and agreements, as required by Cancún Safeguard A. In practice, jurisdictions often struggle to demonstrate this alignment in a concrete and verifiable way – for example, by showing how the national REDD+ strategy supports the objectives, duties, and obligations under treaties such as the UNFCCC, CBD, CITES, UNCCD, and international human rights instruments (e.g., ILO 169, UNDRIP, ICCPR, and ICERD).

Clearer language is needed to require that REDD+ implementation actively supports and integrates these objectives (rather than simply avoiding inconsistency) and to require demonstrated contributions in the outcome (rather than mere consistency). This reinforces that REDD+ is a complementary instrument within broader development and climate strategies, not a standalone effort.

The amendments therefore focus on making explicit that jurisdictions must:

- Have a clearly defined national REDD+ strategy/action plan that articulates how REDD+ contributes to the objectives (and respects the obligations) of relevant ratified international conventions and agreements; and
- Provide evidence at the outcome level of the actual contributions of REDD+ activities to advancing those treaty objectives (e.g., via policy cross-walks, coordination mechanisms, and measurable outcomes) while upholding and not violating any international obligations.

By referencing “objectives, duties, and obligations,” the amendment captures both the spirit and the letter of international law and aligns with Cancún Safeguard A and international safeguard best practice, preventing REDD+ actions from undermining commitments under instruments such as the CBD, UNDRIP, or ICERD.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 1.2

Structure and Process Indicator (amended):

Participants have a domestic and, if applicable, subnational, legal framework, policies, or programs ~~(or including a clearly defined national REDD+ strategy or action plan)~~ ~~as well as~~ and the necessary procedures and resources to recognize **integrate** and promote the application of **the objectives, duties, and obligations of** ratified, relevant international conventions and agreements in the design and

implementation of REDD+ activities. **The Participant shall articulate how REDD+ actions contribute to these instruments' objectives and include procedures to screen for consistency and address any potential conflicts.**

Outcome Indicator (amended):

Public institutions have designed and implemented REDD+ activities **in a manner that is consistent with – and demonstrably contributes to – or complementary** the objectives of the identified, ratified, and relevant international conventions and agreements, **upholding and not violating any resulting international obligations. Evidence shall show contributions to treaty objectives (e.g., climate mitigation/adaptation, biodiversity conservation, protection of human rights) and no instance of conflict with or breach of such obligations.**

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 1.2

Validation Scope

The VVB shall confirm that the Participant has:

1. Identified the set of relevant ratified international conventions and agreements (at a minimum covering environmental, human rights, and anti-corruption instruments, as applicable to REDD+) and listed them in the TREES Registration Document (TRD).
2. Integrated those instruments into the REDD+ legal/policy framework and/or REDD+ planning by:
 - Providing a national REDD+ strategy/action plan that articulates how REDD+ actions contribute to treaty objectives, duties, and obligations;
 - Presenting a cross-walk (or equivalent) mapping REDD+ actions/measures to specific treaty objectives (e.g., mitigation/adaptation under UNFCCC/Paris, biodiversity targets under CBD, species/habitat protection under CITES/Ramsar/CMS, rights protection under ILO 169/UNDRIP/ICCPR/ICERD, integrity under UNCAC); and
 - Describing screening procedures the Participant will use to identify and resolve any potential inconsistencies between planned REDD+ actions and treaty obligations prior to implementation.
3. Committed to apply the most protective standard when national law is less stringent than the country's international obligations, and to adjust REDD+ design accordingly.
4. Designated institutional responsibilities (e.g., treaty focal points, inter-ministerial committees) to oversee integration of treaty objectives into REDD+ planning.

Evidence may include: treaty inventory; REDD+ strategy sections referencing treaty objectives; legal analyses; cross-walk tables; minutes/terms of reference of inter-agency coordination bodies; corrective actions taken consistent with the rulings or recommendations of national, regional or international tribunals, decision-making bodies (i.e. UN Committee on Human Rights) and mandate holders.

Verification Scope

At each verification, the VVB shall assess whether REDD+ implementation remained consistent with and demonstrably contributed to the objectives of identified ratified conventions/agreements, and did not breach any obligations, by:

1. Reviewing evidence of contributions to treaty objectives (e.g., mitigation/adaptation outcomes, biodiversity conservation results, protection of endangered species/habitats, respecting, protecting, and promoting human rights, integrity/anti-corruption measures).
2. Confirming the Participant applied the higher (more protective) standard where national law lagged international obligations, and, where relevant, adjusted REDD+ activities to maintain alignment.
3. Checking updates: whether any new or amended international commitments arose during the period and how REDD+ implementation and safeguards were updated to integrate them.
4. Testing implementation of treaty-screening procedures (e.g., EIAs for CBD consistency; consultation/FPIC records for UNDRIP/ILO 169; species trade controls for CITES; anti-corruption/public disclosure for UNCAC; responses to UN human rights' treaty body decisions and Concluding Observations).
5. Interviewing relevant focal points (e.g., environment, foreign affairs, human rights institutions) and sampling stakeholders to corroborate no treaty conflicts occurred and that claimed contributions are credible.

Evidence may include: monitoring reports; biodiversity and species protection results; social safeguards/rights reports; publication of benefit-sharing and integrity disclosures; corrective actions taken to address any external findings (e.g., court/ombudsman/human rights commission recommendations).

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance (any one triggers major):

- Failure to identify and integrate material ratified international obligations relevant to REDD+ (e.g., omission of CBD/UNDRIP/UNCAC where clearly applicable);
- Evidence that a REDD+ action breached a ratified treaty obligation (e.g., harm to protected species/habitats; failure to respect FPIC/rights under ILO 169/UNDRIP; integrity violations inconsistent with UNCAC);
- No framework or procedures to screen REDD+ actions against treaty requirements, or a documented treaty conflict left unaddressed;
- Refusal/failure to take corrective measures to address the findings of courts/ombudsman, human rights committee recommendations, etc.
- Refusal/failure to apply the most protective standard where national law is weaker than international obligations, resulting in rights or environmental risk.

Minor Non-Conformance (all must be true):

- The program is generally aligned and no breaches occurred;
- Documentation gaps or limited cross-walk detail (e.g., incomplete mapping of all actions to treaty objectives); or
- Delayed integration of a newly ratified obligation that did not affect implementation during the period (including, caused no harm) and is being corrected through an approved plan.

Corrective Action for Minor: The Participant shall provide the missing documentation/cross-walk elements or complete integration of new obligations by the next verification; repeated or uncorrected minor issues escalate to major.

Optional VVS Annex – Auditor Checklist (Theme 1.2)

- **Treaty Inventory:** UNFCCC/Paris, CBD/Nagoya, CITES, Ramsar/CMS, UNCCD/ITTA, ILO 169/UNDRIP, ICCPR/ICERD/CEDAW, UNCAC (plus regional instruments).
- **Strategy Cross-Walk:** REDD+ actions → treaty objectives/obligations → expected contributions → evidence sources.

- **Screening SOPs:** EIA/SESA, rights/FPIC screening, species/habitat screening, integrity/anti-corruption disclosure.
- **Implementation Evidence:** Monitoring data; rights compliance; species/habitat protection; publication of integrity and benefit-sharing information; corrective actions taken.
- **Higher Standard Test:** Where national law < international obligation, confirm program applied the higher standard and adapted activities.

Proposed Amendments to the TREES Templates Theme 1.2

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 1.2/A.2 please add:

The Participant shall:

- **List all relevant international conventions and agreements ratified by the country that are pertinent to REDD+ (covering at least environmental, human rights, and anti-corruption instruments);**
- **Explain how the national REDD+ strategy or action plan has been explicitly designed to align with and contribute to the objectives, duties, and obligations of these conventions and agreements;**
- **Provide a cross-walk or summary table mapping REDD+ actions or measures to specific treaty objectives (e.g., mitigation/adaptation under UNFCCC/Paris, biodiversity under CBD/CITES, rights protection under ILO 169/UNDRIP, integrity under UNCAC);**
- **Describe the institutional or procedural arrangements in place to ensure that REDD+ implementation remains consistent with treaty obligations (e.g., inter-ministerial committees, screening processes, safeguard frameworks); and**
- **Identify and explain any potential inconsistencies with ratified conventions, including where the supervisory bodies of said conventions have advised the Participant of such inconsistencies, and describe how these are to be addressed.**

Instructions to Participants: Please attach supporting documents such as treaty ratification lists, legal or policy frameworks, cross-walk tables, and safeguard assessments. Where relevant, describe how national law and international obligations are reconciled, and confirm that the higher (more protective) standard will be applied in implementation.

For outcome indicator- see recommendations in section 12.3

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on boxes above) for Theme 1.2/A.2 please add:

For the reporting period, the Participant shall:

- **Report on how REDD+ activities implemented contributed to advancing the objectives of relevant international conventions and agreements ratified by the country;**
- **Provide evidence of contributions, such as monitoring results, biodiversity or habitat protection outcomes, rights-related safeguards, integrity/anti-corruption measures, or other results directly tied to treaty commitments;**

- Confirm that no REDD+ activities conflicted with or breached treaty obligations;
- Describe any new international conventions or agreements ratified during the reporting period and how they have been integrated into REDD+ design and implementation; and
- Explain any adjustments made to REDD+ actions to maintain consistency with evolving international obligations.

Instructions to Participants: Please provide quantitative and qualitative evidence of contributions, using tables or cross-walks where possible to link REDD+ actions to treaty objectives. Supporting documents may include monitoring data, safeguard information reports, stakeholder feedback, or government reports to treaty bodies.

Theme 2.1 – Respect, protect, and fulfill the right of access to information

Rationale

Theme 2.1 operationalizes Cancún Safeguard B on **transparent and effective governance**, by requiring jurisdictions to ensure stakeholder access to information on REDD+ activities, benefit distribution, and safeguards. In practice, many countries have **freedom of information laws** or establish a **Safeguard Information System (SIS)**, but these mechanisms are often weak in practice: information may not be proactively disseminated, may be delayed, or may not be accessible in appropriate formats and languages. As a result, stakeholders – particularly Indigenous Peoples, local communities, and civil society – may not be aware of or able to use relevant information effectively.

To address this gap, the safeguard indicators should be strengthened to require:

- **Timely, proactive, and accessible disclosure** of REDD+ information, rather than reliance on ad hoc or reactive provision;
- Availability of key documents – such as benefit-sharing plans, safeguard reports, and monitoring results – in **appropriate languages and non-technical formats**;
- Confirmation that stakeholders have actually **used and exercised their right to information**, not just that the information exists on paper.

These changes align with international transparency norms, such as the **Rio Declaration Principle 10**, and **UNCAC Article 13**, all of which emphasize timely, non-discriminatory, and accessible public information as a cornerstone of good governance. They also respond to calls from civil society and carbon buyers for greater openness around REDD+ benefit-sharing, agreements transferring/affirming ERR rights, and safeguard performance.

In sum, the amendments ensure that the **right of access to information is effectively realized**, building trust, accountability, and stakeholder engagement in REDD+ programs. The timely access to information also ensures that the public can comment at a time to influence pending decisions and approvals *before* they are issued.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 2.1

Structure and Process Indicator (amended):

Participants have in place a legal framework, policies and/or programs, ~~as well as~~ **and** the necessary procedures and resources ~~for providing access to ensure the timely, proactive, accessible, and non-discriminatory provision of~~ information related to REDD+ activities, REDD+ benefit distribution, and how safeguards have been implemented ~~addressed and respected~~. **This includes measures to make key documents (e.g. REDD+ strategies, benefit-sharing plans, agreements to transfer ERR rights, safeguard reports, and**

monitoring results) publicly available in appropriate languages, culturally accessible formats, and through multiple dissemination channels.

Outcome Indicator (amended):

Public institutions have provided **timely, accessible, and non-discriminatory** access to information, and ~~the~~ public stakeholders have been aware of and exercised ~~the~~ their right to seek and receive official information on REDD+ activities, REDD+ benefit distribution, agreements to transfer ERR rights, and how safeguards have been implemented. ~~addressed and respected~~. Evidence demonstrates that information was proactively disseminated and actually accessed and used by stakeholders.

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 2.1

Validation Scope

The VVB shall confirm that the Participant has:

1. Identified the legal and institutional framework for public access to REDD+ information (e.g., freedom of information laws, Safeguard Information System, or REDD+-specific transparency provisions).
2. Committed to timely, proactive, accessible, and non-discriminatory disclosure of information on REDD+ activities, benefit distribution, agreements to transfer ERR rights, and safeguards.
3. Outlined dissemination mechanisms, including how information will be:
 - Made publicly available in appropriate languages and culturally accessible formats;
 - Proactively published (e.g., online portals, community meetings, media channels);
 - Shared in a way that is usable by women, Indigenous Peoples, local communities, and vulnerable groups.
4. Listed key documents (e.g., REDD+ strategy, benefit-sharing plan, agreements to transfer ERR rights, monitoring reports, safeguard information summaries) that will be disclosed.

Evidence may include:

- Laws or policies mandating disclosure;
- SIS design documents or websites;
- Communications strategies or outreach plans;
- Draft/public versions of benefit-sharing plans, agreements to transfer ERR right, or monitoring reports.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. Information was disclosed proactively and in a timely manner, not only on request.
2. Key documents (e.g., REDD+ strategy, benefit-sharing plan, agreements on ERR rights, monitoring reports, safeguard reports) were made publicly available in accessible formats and languages.
3. Stakeholders were aware of and exercised their right to information, demonstrated by:
 - Records of stakeholder access (e.g., website downloads, distribution lists, community meeting minutes);
 - Interviews with Indigenous Peoples, local communities, women's groups, and NGOs confirming awareness and access;

- Evidence of stakeholder use of safeguard information (e.g., referencing it in consultations, raising feedback, submitting comments).
- 4. No systematic barriers were imposed on vulnerable groups' access (e.g., paywalls, complex procedures, language exclusion).
- 5. Public feedback loops were in place – e.g., mechanisms to provide comments on disclosed documents – and any feedback was acknowledged or addressed and calendarized to ensure meaningful comment before key decisions and approvals were made.

Evidence may include: monitoring reports; biodiversity and species protection results; social safeguards/rights reports; publication of benefit-sharing and integrity disclosures; corrective actions taken to address any external findings (e.g., court/ombudsman/human rights commission recommendations).

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance:

- No functioning mechanism for public access to REDD+ information exists;
- Key REDD+ documents (e.g., benefit-sharing plan, agreements to transfer of ERR rights, monitoring report) were withheld from the public;
- Information was not disclosed in a timely manner, preventing stakeholders from exercising rights to participate or monitor benefit-sharing;
- Systematic exclusion of certain groups (e.g., Indigenous Peoples, women, remote communities) from access to REDD+ information.

Minor Non-Conformance:

- Mechanisms exist and most key documents were disclosed, but with documentation gaps (e.g., late publication, incomplete translations, limited accessibility in one period);
- Minor delays in dissemination that did not materially impair stakeholder access or rights;
- Feedback loops exist but are only partially functional (e.g., comments received but not fully tracked).
- These issues must be corrected before the next verification.

Proposed Amendments to the TREES Templates Theme 2.1

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 2.1 please add:

The Participant shall:

- Describe the legal and institutional framework governing public access to information, including any freedom of information laws, Safeguard Information System (SIS), or REDD+-specific mechanisms;
- Explain how REDD+ information (e.g., REDD+ strategy, benefit-sharing plan, agreements on the transfer of ERR rights, monitoring reports, safeguard information summaries) will be proactively disclosed in a timely, accessible, and non-discriminatory manner;
- List the dissemination methods (e.g., SIS website, community meetings, radio broadcasts, hard copy distributions) and how these ensure access for Indigenous Peoples, local communities, women, and vulnerable groups;

- Identify the formats and languages in which information will be made available to ensure usability;
- Describe feedback mechanisms (e.g., comment periods, online forms, community feedback sessions) to allow stakeholders to provide input on disclosed information.

Instructions to Participants: Attach supporting evidence such as SIS portal design, communication strategies, or sample disclosure materials. Where applicable, specify institutional roles and budgets allocated for dissemination and translation.

For outcome indicator- see recommendations in section 12.3

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on boxes above) for Theme 2.1 please add:

For the reporting period, the Participant shall:

- Report which REDD+ documents were publicly disclosed (e.g., monitoring report, benefit-sharing plan, safeguard summary), when, and through which channels;
- Provide evidence that information was disseminated in a timely, accessible, and non-discriminatory manner (e.g., SIS links, distribution lists, community meeting records, translated summaries);
- Confirm how stakeholders, including Indigenous Peoples, local communities, women, and vulnerable groups, were made aware of and accessed the information;
- Summarize any feedback received from stakeholders on disclosed information and describe how it was addressed;
- Explain any challenges in providing timely, accessible disclosure and the measures taken to address them.

Instructions to Participants: Please provide both qualitative and quantitative evidence (e.g., number of downloads, attendance at community meetings, copies of translated materials, evidence of distributions of full copies (not just excerpts of draft agreements to parties to affected stakeholders)). Attach stakeholder feedback or comment summaries where available.

Theme 2.2 – Promote transparency and prevent corruption, including through the promotion of anti-corruption measures

Rationale

Theme 2.2 operationalizes Cancún Safeguard B by requiring transparent and effective governance, particularly to promote transparency and prevent corruption. In TREES, this theme ties closely to Section 3.4 on benefit sharing arrangements, which already requires Participants to describe how proceeds are allocated to stakeholders.

Field experience shows that while benefit-sharing plans can look strong on paper, the integrity of implementation depends on additional safeguards:

- Public disclosure of REDD+ revenues and benefit allocations;
- Independent oversight (e.g. audits, watchdog committees, or civil society monitoring); and

- Mechanisms to detect and address irregularities (fraud, diversion, elite capture).

The structural indicator should therefore be clarified to require dedicated transparency and anti-corruption systems specifically for REDD+ finance, complementing Section 3.4.2. The outcome indicator should reflect the full anti-corruption cycle: prevention, detection, and response, ensuring that if misuse of REDD+ funds occurs, corrective or legal action is taken.

These refinements align with the UN Convention Against Corruption (UNCAC) and safeguard best practice (e.g. FCPF Carbon Fund requirements for transparency and audits). They also make explicit that compliance with Safeguard B is inseparable from demonstrating integrity in benefit-sharing (Section 3.4.2), as both are assessed together under TREES safeguards.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 2.2

Structure and Process Indicator (amended):

Participants have in place a legal framework, policies and/or programs, ~~and as well as~~ the necessary procedures and resources to prevent corruption, promote anti-corruption measures, and ~~promote~~ **ensure** transparency ~~as applicable in REDD+ activities and in the management and the distribution of REDD+ benefits. These reflect the principles of rule of law, proper management of public affairs and public property, and integrity. These~~ **measures shall include: public financial disclosure of REDD+ revenues and benefit allocations, independent oversight or audits of REDD+ funds, and mechanisms to detect, investigate, and sanction misuse. These safeguards shall complement the benefit-sharing arrangements required under Section 3.4 and reflect the principles of rule of law, integrity, transparency, and accountability, consistent with relevant international conventions (e.g. UNCAC).**

Outcome Indicator (amended):

Public institutions have carried out REDD+ activities and the distribution of REDD+ benefits in a transparent and accountable manner, ~~preventing corruption and effectively addressing any instances of fraud, mismanagement, or misuse of funds. Evidence shall include public disclosure of benefit distribution, audit reports, and corrective or legal actions taken where irregularities were identified, consistent with the benefit-sharing requirements under Section 3.4 and Safeguards B, C, D, and E.~~

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 2.2

Validation Scope

The VVB shall confirm that the Participant has:

1. Identified the legal and institutional framework for anti-corruption and transparency, and demonstrated how it applies specifically to REDD+ activities and benefit-sharing under Section 3.4.2.
2. Documented procedures for ensuring transparency in REDD+ finance, including:
 - Public disclosure of REDD+ revenues and benefit allocations;
 - Independent oversight or audits of REDD+ funds; and
 - Mechanisms to detect and address irregularities (e.g., fraud, mismanagement, elite capture).
3. Clarified institutional roles for oversight of REDD+ benefit distribution, including how civil society, Indigenous peoples and local communities, or other stakeholders are engaged in monitoring.

4. Provided a benefit-sharing plan (Section 3.4.2) that explicitly includes transparency and anti-corruption safeguards in its principles, criteria, and implementation arrangements.

Evidence may include: legal and policy texts; financial management manuals; descriptions of planned audits; provisions for disclosure; oversight body terms of reference; benefit-sharing plan documentation.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. Public disclosure of REDD+ revenues and benefit distribution has occurred, in appropriate formats and accessible channels.
2. Independent oversight mechanisms (audits, multi-stakeholder oversight committees, watchdog groups) were implemented, and audit findings (if any) were made public.
3. No evidence of corruption or mismanagement was identified; or, if issues occurred, that they were investigated and addressed through corrective or legal action.
4. Stakeholder interviews (e.g., IPs & LCs, NGOs, local beneficiaries) corroborate that benefit-sharing was carried out transparently and without elite capture.
5. Benefit-sharing reporting under Section 3.4.2 aligns with safeguard reporting under Theme 2.2, ensuring consistency across the TRD/TMR and safeguard sections.

Evidence may include: audit reports; public financial disclosure reports; monitoring reports; records of benefit allocations; records of corrective actions or sanctions taken; interviews with beneficiaries confirming receipt of benefits.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance:

- No disclosure of REDD+ revenues or benefit allocations;
- No audit or oversight mechanism in place;
- Credible evidence of corruption, diversion, or elite capture in REDD+ benefit-sharing that was not addressed;
- REDD+ funds or benefits distributed in a non-transparent, discriminatory, or unaccountable manner;
- Failure to implement the transparency and integrity provisions in the benefit-sharing plan (Section 3.4.2).

Minor Non-Conformance:

- Disclosure occurred but with delays or incomplete data (e.g., partial publication of expenditures, lack of timely translation);
- Audits or oversight conducted but with delays in publication of results;
- Small irregularities detected but corrective actions were promptly taken;
- Minor inconsistencies between safeguard reporting and benefit-sharing reporting under Section 3.4.2, provided they do not undermine overall transparency.

Corrective Action for Minor: The Participant must close documentation gaps, ensure timely disclosure, and align reporting by the next verification. Repeated or unaddressed minor issues escalate to major.

Proposed Amendments to the TREES Templates Theme 2.2

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 2.2 please add:

The Participant shall:

- Describe the legal and institutional framework for transparency and anti-corruption, and how it applies to REDD+ benefit-sharing arrangements (Section 3.4.2);
- Explain procedures for preventing and addressing corruption, including requirements for:
 - Public disclosure of REDD+ revenues and benefit allocations;
 - Independent oversight and/or audits of REDD+ funds;
- Mechanisms for detecting, investigating, and sanctioning misuse or diversion of funds;
- Identify institutional roles and responsibilities for financial oversight (e.g., ministries, audit bodies, multi-stakeholder committees);
- Describe how stakeholders (e.g., Indigenous Peoples, local communities, civil society) are engaged in monitoring transparency and accountability of REDD+ finance;
- Attach or reference the Benefit-Sharing Plan (Section 3.4.2), ensuring it includes clear provisions for transparency, accountability, and anti-corruption safeguards.

Instructions to Participants: Attach supporting evidence such as laws, policies, financial procedures, audit mandates, disclosure mechanisms, or oversight body terms of reference. Clearly identify how benefit-sharing reporting will be integrated with safeguard reporting.

For outcome indicator- see recommendations in section 12.3

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on boxes above) for Theme 2.2 please add:

For the reporting period, the Participant shall:

- Report all REDD+ revenues received and benefits distributed, with details on amounts, recipients, and timing;
- Provide evidence of disclosure of this information (e.g., SIS links, public reports, community dissemination);
- Attach or summarize audit findings or oversight committee reports relevant to REDD+ finance and benefit-sharing;
- Describe any irregularities (e.g., fraud, mismanagement, elite capture) detected during the period and explain corrective or legal actions taken;
- Confirm stakeholder participation in oversight or monitoring (e.g., NGO observers, IPLC representatives) and describe their feedback;
- Explain any challenges encountered in ensuring financial transparency and integrity, and the measures taken to strengthen systems.

Instructions to Participants: Please provide both qualitative and quantitative evidence (e.g., financial statements, audit reports, disclosure websites, meeting records). Summarize findings from independent oversight where applicable. Ensure reporting is consistent with Section 3.4.2 (Benefit-Sharing Arrangements).

Theme 2.3 – Respect, protect, and fulfill land tenure rights.

Rationale

Theme 2.3 is central to Cancún Safeguard B and C, requiring that REDD+ implementation respect, protect, and fulfill land and resource tenure rights. The current wording focuses on recognition and mapping of tenure rights and prohibits involuntary relocation without FPIC. While essential, this formulation does not fully address the risks observed in practice.

Field experience and evolving international standards highlight the need to go further:

- **No REDD+ action should undermine or infringe tenure rights (whether title yet, or not).** Securing tenure must be an ongoing guarantee, not a one-time administrative or legislative step (i.e. recognized tenure rights that face illegal occupancies or unfettered incursions into ancestral lands is not conformance with Cancun Safeguards).
- **FPIC must apply broadly** – not only to cases of physical relocation, but to *any REDD+ activity* that may affect Indigenous Peoples’ or local communities’ rights to land, territories, or resources. Narrow interpretations of FPIC (as limited to resettlement) are inconsistent with established jurisprudence and international standards.
- **Alignment with international standards** such as UN human rights treaties, the **Voluntary Guidelines on the Responsible Governance of Tenure (VGCT)**, **UNDRIP** (Articles 10, 25, 26), and **IFC Performance Standard 5**, reinforces that REDD+ must strengthen tenure security and never erode rights to “own, use, develop, and control lands, territories, and resources” (whether recognized yet by the issuance of title or not) (“tenure rights”).

The amendments therefore:

- Refine the **structure/process indicator** to explicitly require procedures for securing tenure, addressing overlapping claims, and ensuring FPIC applies to any rights-affecting activity;
- Strengthen the **outcome indicator** to make clear that stakeholders’ tenure rights are retained and respected, and that FPIC is a condition not only for relocation but for any measure that may affect rights;
- Insert a clarifying sentence that closes the misconception that FPIC is only required in cases of resettlement, consistent with international law and safeguard best practice.

This approach ensures REDD+ programs, including carbon crediting initiatives, cannot displace, dispossess, or compromise tenure rights – and instead are expected to contribute positively to tenure security and trust with rightsholders.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 2.3

Structure and Process Indicator (amended):

Participants have in place a legal framework, policies, or programs, ~~as well as the~~ **together with** the necessary procedures and resources, for the recognition, inventorying, mapping, and ongoing security of customary and statutory land and resource tenure rights relevant to REDD+ activities. **These procedures shall include mechanisms for resolving overlapping or contested claims and for ensuring that any REDD+ activity that may affect stakeholders’ rights to lands, resources and territories is undertaken only with their Free, Prior, and Informed Consent (FPIC), consistent with applicable international standards (e.g. ICCPR, ICERD, UNDRIP, VGCT).**

Outcome Indicator (amended):

Public institutions have recognized, inventoried, mapped, and secured customary and statutory land and resource tenure rights relevant to ~~the implementation of~~ REDD+ activities and ensured that stakeholders **retained rights of ownership**, access to, use of, and control **over their lands and, resources, and territories throughout the implementation of REDD+ actions** ~~implementation~~. **No REDD+ activities undermined or infringed upon those rights without prior good-faith consultations and, where required, FPIC.** Title and untitled lands, resources, and territories issued by a national or subnational authority shall not be dispositive of a tenure right.

REDD+ activities have not caused any involuntary relocation without the FPIC of Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent stakeholders. **The same standard of FPIC shall apply to any other REDD+ activities that may affect these stakeholders' rights, lands, territories, or resources, regardless of whether physical relocation is involved.**

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 2.3

Validation Scope

The VVB shall confirm that the Participant has:

1. Identified and described all statutory and customary land and resource tenure systems within the REDD+ accounting area, including Indigenous Peoples, Local Communities, Afro-descendant Peoples, and other rightsholders.
2. Provided mapping and inventory evidence of tenure arrangements, including community lands, indigenous territories, private lands, and areas with overlapping claims.
3. Documented procedures for:
 - Recognition and ongoing security of tenure rights (titles, demarcations, or formal recognition of customary rights);
 - Resolution of overlapping or contested claims prior to credit issuance; and
 - Application of FPIC to any REDD+ activity that may affect rights to lands, resources and territories, not limited to relocation, and;
 - Identified where credits cannot be issued due to residual unresolved claims.
4. Referenced international standards (e.g., VGCT, UNDRIP, others) in describing how rights protections are integrated into the REDD+ strategy.
5. Confirmed governance roles of relevant institutions responsible for tenure recognition and oversight.

Evidence may include: land tenure assessments, participatory maps, legal frameworks, conflict resolution procedures, FPIC protocols, and safeguard information system records.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. Tenure rights were maintained and respected throughout REDD+ implementation. Stakeholders confirm continued access to and control over their lands, resources, and territories.
2. No REDD+ activity undermined or infringed tenure rights. If land/resource access was restricted or altered, the existence of FPIC documentation is confirmed and reviewed (e.g., signed agreements, community resolutions, audio/visual records, third-party attestations).

3. No involuntary relocation occurred without FPIC.
4. Any contested claims were resolved in accordance with Applicable Law before credits were issued.
5. Grievance records (Theme 2.4) are reviewed to identify any tenure-related complaints. The VVB checks how these were addressed and whether remedies were effective.
6. Stakeholder interviews (with Indigenous Peoples, local communities, women, and vulnerable groups) and/or documents they submit corroborate tenure security and confirm whether FPIC was respected.

Evidence may include: tenure maps, updated land registry records, agreements with communities, FPIC records, grievance logs (including those filed domestically or to international complaint mechanisms), monitoring reports, and stakeholder testimonies.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance:

- Failure to identify or recognize significant tenure rights-holders in the REDD+ area;
- Evidence that REDD+ activities caused dispossession, loss of access, limitations on resource use, or infringement of tenure rights without FPIC;
- Involuntary relocation of communities without FPIC;
- Failure to resolve known land disputes or overlapping claims prior to credit issuance (unless such issuances are discontinued until claims are resolved);
- Evidence of FPIC being bypassed, coerced, or procedurally invalid.

Minor Non-Conformance:

- Incomplete tenure documentation (e.g., minor mapping gaps) where tenure rights are nevertheless respected in practice and there is no evidence of harm due to REDD+ implementation;
- FPIC was obtained but some documentation is incomplete (e.g., missing minutes, limited translation records) without evidence of harm;
- Small, low-impact disputes or claims remain pending, will not harm stakeholders with REDD+ implementation, and they are being addressed transparently through recognized mechanisms.

Corrective Action for Minor: The Participant must close documentation gaps, finalize conflict resolution, or strengthen FPIC record-keeping before the next verification. Repeated or uncorrected minor issues escalate to major.

Proposed Amendments to the TREES Templates Theme 2.3

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 2.3 please add:

The Participant shall:

- Describe the statutory and customary tenure systems present in the REDD+ accounting area, including Indigenous Peoples, Local Communities, Afro-descendant Peoples, and other rights-holders;

- Provide evidence of recognition and mapping of land and resource tenure rights (e.g., land registries, participatory maps, customary land records, or official designations of indigenous territories);
- Identify any overlapping or contested claims and describe how they will be addressed or resolved prior to credit issuance;
- Explain the procedures for ensuring tenure rights are maintained throughout REDD+ implementation, including institutional roles and resources dedicated to tenure security;
- Describe the FPIC process to be followed for any REDD+ activity that may affect rights to lands, territories, or resources – clarifying how FPIC will be sought, documented, and verified in culturally appropriate ways;
- Attach supporting documentation (e.g., tenure assessments, FPIC protocols, national legal provisions, international commitments referenced).

Instructions to Participants: Please provide a comprehensive tenure assessment report (or equivalent) and include maps or tables summarizing tenure arrangements. Clearly reference how FPIC processes will be triggered and carried out for activities that may affect tenure rights.

For outcome indicator- see recommendations in section 12.3

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on boxes above) for Theme 2.3 please add:

For the reporting period, the Participant shall:

- Report on the status of statutory and customary land and resource tenure rights in the REDD+ area, confirming that tenure security has been maintained;
- Provide updates on recognition, inventorying, mapping, or formalization of tenure rights carried out during the period;
- Confirm that no REDD+ activity undermined or infringed on tenure rights;
- Document FPIC processes undertaken for any REDD+ activity that affected rights to lands, resources or territories, including evidence such as meeting records, signed agreements evidencing disclosure and consent to limitations on use, control, access or ownership, community resolutions, or independent attestations;
- Report on disputes or claims raised during the period and describe how they were addressed or resolved (link to grievance mechanism reporting under Theme 2.4);
- Describe stakeholder perspectives, summarizing how Indigenous Peoples, Local Communities, and other rightsholders view the status of their land/resource/territory rights under the REDD+ program.

Instructions to Participants: Attach supporting evidence (maps, tenure records, FPIC documentation, grievance logs, stakeholder feedback). Where applicable, provide disaggregated information by group (e.g., Indigenous Peoples, smallholders, women) to demonstrate inclusivity and equity.

Theme 2.4 – Respect, protect, and fulfil access to justice

Rationale

Theme 2.4 addresses **access to justice** under Cancún Safeguard B by requiring jurisdictions to provide stakeholders with effective, affordable, and non-discriminatory mechanisms for grievance redress. The current indicators focus on ensuring that relevant judicial or administrative dispute resolution exists and that remedies are provided when rights are violated.

Experience from the field shows that relying solely on existing judicial and administrative systems is inadequate. Courts and administrative channels are often too slow, costly, distant, or inaccessible for Indigenous Peoples, local communities, women, and other vulnerable groups. As a result, many REDD+ programs have operated without an adequate grievance mechanism that stakeholders could realistically use, leaving safeguards untested and grievances unresolved. If TREES is to stand on the shoulders of REDD+, it needs to reconcile this experience with its requirement of access to justice.

To uphold international standards, TREES must require a grievance redress mechanism (GRM) that has clear mandate, resources, and accountability within the REDD+ agency responsible for the REDD+ Implementation Plan (Section 3.3).

This does not mean creating a new national institution. Rather, it means ensuring that the REDD+ agency (or designated authority) has a formalized program-specific mechanism capable of:

- Receiving, assessing, and resolving grievances tied to activities under the REDD+ Implementation Plan;
- Providing multiple, culturally appropriate entry points accessible to Indigenous Peoples, local communities, women, and vulnerable groups;
- Delivering prompt and effective remedies, not just acknowledging complaints; and
- Meeting the effectiveness criteria of the UN Guiding Principles on Business and Human Rights (UNGPs): legitimacy, accessibility, predictability, equitability, transparency, rights-compatibility, and continuous learning.

This approach aligns with best practice. Under the **FCPF Carbon Fund**, all Emission Reduction Programs were required to establish program-specific GRMs that were transparent, accessible, and consistent with international standards. These mechanisms proved essential in building trust, enabling accountability, and preventing conflict. TREES 3.0 should emulate this best practice by requiring REDD+ program-specific grievance redress mechanisms as part of safeguard compliance.

Furthermore, adding “promptly” to the outcome indicator makes clear that remedies must not only exist but must be **delivered in a timely and effective manner**, ensuring that grievances are resolved before they escalate or undermine program integrity.

These refinements strengthen TREES 3.0 by ensuring REDD+ grievance mechanisms are not simply procedural, but **functional, accessible, and trusted** by stakeholders, providing a meaningful safeguard against rights violations and governance failures.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 2.4

Structure and Process Indicator (amended):

Participants have in place a legal framework, policies, or programs and the necessary procedures and resources for guaranteeing non-discriminatory, ~~and non-cost prohibitive,~~ **and accessible** dispute resolution mechanisms at all relevant levels for stakeholders involved in the implementation of, or with a recognized legal interest in, the REDD+ activities, ~~including judicial and/or administrative procedures for legal redress, which, among other things, provide access for Indigenous Peoples, Local Communities, Afro-descendant Peoples or equivalent stakeholders..~~ **In addition to these judicial and/or administrative dispute**

resolution mechanisms, Participants shall establish a REDD+ program-specific grievance redress mechanism (GRM) mandated within the REDD+ agency responsible for the REDD+ Implementation Plan (Section 3.3). The mechanism shall:

- Be designed to receive, assess, and resolve grievances directly related to the REDD+ Implementation Plan and its activities;
- Provide multiple, culturally appropriate entry points accessible to Indigenous Peoples, local communities, women, and vulnerable groups, in relevant local languages;
- Operate according to published rules of procedure that specify responsibilities, timelines, and avenues for appeal;
- Ensure remedies are legitimate, accessible, predictable, equitable, transparent, rights-compatible, and a source of continuous learning, consistent with the effectiveness criteria set out in the UN Guiding Principles on Business and Human Rights (UNGPs).

Outcome Indicator (amended):

Public institutions have resolved disputes and competing claims arising from the REDD+ Implementation Plan and provided effective recourse and remedies through non-cost prohibitive, ~~and~~ non-discriminatory, **and accessible** mechanisms ~~when~~ **whenever** there was a violation of rights, grievance, dispute, or claim related to the implementation of REDD+ activities. ~~Such grievances were resolved promptly and fairly, with remedies that affected stakeholders recognize as legitimate and effective.~~

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 2.4

Validation Scope

The VVB shall confirm that the Participant has:

1. Identified and described the legal and institutional framework for dispute resolution relevant to REDD+ (e.g., judicial, administrative, customary, or ombudsperson mechanisms).
2. Established or designated a dedicated REDD+ grievance redress mechanism (GRM) that is accessible, non-discriminatory, and free of charge, in addition to existing judicial and administrative options.
3. Outlined the procedures of the REDD+ GRM, including:
 - Intake channels (written, oral, hotline, digital, community focal points);
 - Accessibility for Indigenous Peoples, Local Communities, Afro-descendant Peoples, women, and vulnerable groups (languages, cultural appropriateness);
 - Timelines and processes for acknowledgement, investigation, and resolution;
 - Escalation pathways to higher authorities if not resolved.
4. Designated responsible institutions (e.g., grievance committees, REDD+ secretariat units, or independent oversight bodies) to operate the GRM with sufficient resources and authority.
5. Linked the GRM to the Safeguard Information System (SIS) and benefit sharing reporting processes under Section 3.4.2, ensuring transparency of grievance data.

Evidence may include: legal frameworks; GRM policy documents; SOPs/manuals for case handling; staffing and budget allocations; communication/outreach plans to inform stakeholders of the mechanism; internal/external assessments of the GRM's conformance with best practice and international duties and obligations related to access to justice and the provision of remedies to address harms.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. The REDD+ GRM is functional and accessible – demonstrated by outreach records (e.g., awareness-raising with communities), multiple intake channels, and grievance logs.
2. Disputes, grievances, and claims were resolved promptly and fairly through the REDD+ GRM or other accessible channels.
3. Remedies provided were legitimate and effective in the eyes of affected stakeholders (confirmed through interviews with complainants or representatives).
4. Records of grievances (logs, databases, summaries) exist and are consistent with reported outcomes, showing timeliness of responses and resolutions.
5. Transparency of outcomes was ensured – at minimum, anonymized grievance statistics and summaries were disclosed through the SIS or equivalent channels.
6. Linkages with judicial/administrative systems are clear, and any escalated cases were appropriately handled.
7. No evidence exists of retaliation against complainants.

Evidence may include: grievance registers; case resolution files; complainant satisfaction surveys; stakeholder interviews; SIS updates; independent observer or civil society monitoring reports.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance:

- No functioning grievance redress mechanism for REDD+ exists;
- Mechanism exists but is inaccessible (e.g., no outreach, only in capital city, not free of charge);
- Documented grievances or rights violations remain unresolved or were dismissed without due process;
- Remedies provided were not legitimate (e.g., coercion, no corrective action, denial of valid claims);
- Evidence of systematic retaliation or intimidation against complainants.

Minor Non-Conformance:

- GRM exists and is functional, but documentation is incomplete (e.g., missing details in grievance logs);
- Some grievances resolved but not within stated timelines;
- Outreach insufficient in one region or community group, though overall access is functional;
- Public disclosure of grievance data incomplete (e.g., statistics delayed or partial).

Corrective Action for Minor: The Participant must address gaps by the next verification (e.g., improve outreach, complete logs, shorten resolution times, publish data). Repeated or uncorrected minor issues escalate to major.

Proposed Amendments to the TREES Templates Theme 2.4

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 2.4 please add:

The Participant shall:

- Describe the legal and institutional framework for access to justice relevant to REDD+, including judicial, administrative, customary, or ombudsperson systems;
- Identify and describe the dedicated REDD+ grievance redress mechanism (GRM) to be used, including its structure, mandate, and resources;
- Explain accessibility measures (e.g., intake channels, languages, culturally appropriate procedures) ensuring Indigenous Peoples, Local Communities, Afro-descendant Peoples, women, youth, and vulnerable groups can use the mechanism without cost or discrimination;
- Outline procedures and timelines for grievance intake, acknowledgement, resolution, and escalation, including how stakeholders will be informed of outcomes;
- Describe linkages between the REDD+ GRM and other systems (e.g., courts, administrative appeals, national human rights institutions);
- Explain disclosure arrangements, including how grievance data will be summarized and made available through the Safeguard Information System (SIS) or equivalent platform.

Instructions to Participants: Attach GRM policy documents, SOPs, terms of reference for responsible institutions, and outreach plans to demonstrate accessibility. Provide evidence of resources allocated for the GRM.

For outcome indicator- see recommendations in section 12.3.

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on box above) for Theme 2.4 please add:

For the reporting period, the Participant shall:

- Summarize grievances received through the REDD+ GRM and other relevant channels (e.g., courts, ombudspersons), including number, type, and geographic distribution;
- Report on outcomes: how grievances were resolved, remedies provided, and whether complainants were satisfied with the resolution;
- Provide timelines for grievance handling, confirming that grievances were resolved promptly and fairly;
- Describe any escalated cases and how they were addressed (e.g., referral to judicial or higher-level bodies);
- Confirm accessibility and outreach: measures taken during the period to inform stakeholders of the GRM and enable their use of it;
- Summarize public disclosure of grievance data (e.g., statistics or summaries published via the SIS);
- Identify challenges and corrective actions taken to strengthen the effectiveness of the GRM.
- Describe corrective actions taken to the REDD+ program relevant to the Accounting Area and ART issuance of credits as a result of lessons learned through review of grievances.

Instructions to Participants: Please provide grievance logs, anonymized summaries, examples of resolutions, evidence of remedies, and stakeholder feedback (e.g., interviews, satisfaction surveys). Clearly explain how information was disclosed to the public.

Theme 3.1 – Identify indigenous peoples and local communities, or equivalent.

Rationale

Theme 3.1 (Safeguard C) requires jurisdictions to identify all Indigenous Peoples and local communities, or equivalent groups, within REDD+ program areas. This safeguard is foundational because **rights cannot be respected if rights-holders are not identified**.

The current indicators address legal recognition and the need to identify groups, but they risk being interpreted narrowly – limiting recognition only to groups formally acknowledged by government authorities. Field experience shows that such an approach can leave out critical stakeholders, especially:

- Indigenous Peoples without formal recognition,
- Uncontacted or voluntarily isolated peoples,
- Semi-nomadic or transhumant communities, and
- Afro-descendant and other traditional local communities with their own attachment to forests, customary norms, and experience of marginalization.

To close this gap, the indicators should explicitly require **inclusive identification and self-identification processes, where possible (i.e. carve outs for uncontacted or voluntarily isolated peoples)**. This ensures recognition of groups who may not appear in official registries but meet one of the many accepted international definitions of **Indigenous Peoples (including tribal peoples, Afro-descendants, and traditional local communities)** (collectively referred to throughout this paper as “IPs & LCs”).

Additionally, we propose strengthening the Structure/Process indicator to emphasize **procedures that recognize self-identification and customary governance systems** as valid bases for identification, in line with **UNDRIP (Articles 9 and 33)**. This avoids exclusion of peoples based on gaps in national legislation.

At the outcome level, the revised indicator clarifies that all such groups must be **identified, mapped, and documented**, ensuring no omission of groups living in or using forest resources within the REDD+ accounting area.

Together, these changes set a best-practice expectation: REDD+ programs must cast a wide net, actively seeking out and recognizing all potentially affected communities, regardless of formal status.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 3.1

Structure and Process Indicator (amended):

Participants have in place a legal framework, policies, or programs, ~~as well as~~ **and the** necessary procedures and resources for the identification ~~or~~ **and** self-identification of Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent **groups**. **This shall explicitly include peoples or communities that may not be formally recognized under national law, such as uncontacted or voluntarily isolated peoples, semi-nomadic or transhuman communities, and traditional forest-dependent groups, and shall take into account their customary laws, institutions, and representative structures in the identification process.**

Outcome Indicator (amended):

Public institutions have **comprehensively** identified Indigenous Peoples, Local Communities, Afro-descendant Peoples, and equivalent groups – including **those not formally recognized** – such as uncontacted **or voluntarily isolated** peoples, **semi-nomadic or** ~~and~~ transhumant communities, **and other traditional groups** living ~~and/or~~ **in or** using forest resources within the REDD+ accounting area. The identification process has been undertaken in a manner consistent with the principle of self-identification and with recognition of customary institutions.

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 3.1

Validation Scope

The VVB shall confirm that the Participant has:

1. Listed all Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent groups within the REDD+ accounting area, including those not formally recognized in national law.
2. Described the process used for identification, demonstrating:
 - Use of self-identification by groups themselves;
 - Consideration of customary laws, institutions, and representative structures;
 - Inclusion of uncontacted/voluntarily isolated peoples, semi-nomadic/transhumant communities, and traditional forest-dependent groups where present.
3. Referenced data sources used (e.g., national censuses, indigenous registries, anthropological studies, participatory mapping, NGO records).
4. Outlined institutional responsibilities for identification and engagement of IPs & LCs.
5. Explained measures to ensure that no group is omitted, including consultations with representative organizations and independent experts, especially as related to uncontacted/voluntarily isolated peoples that cannot and should not be accessed.

Evidence may include: stakeholder mapping reports, participatory maps, anthropological or legal studies, registry data, consultation records with IPLC organizations, and safeguard assessments.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. All identified groups are still recognized in implementation, and no new groups were overlooked.
2. Stakeholder engagement records confirm that identified groups were consulted or otherwise included in REDD+ implementation.
3. Interviews with stakeholders (community representatives, NGOs, customary leaders) corroborate that communities were recognized in line with their right to self-identification.
4. Grievance mechanisms (Theme 2.4) were available and used to address any disputes over group recognition or representation.
5. Updates were made if additional groups emerged (e.g., newly documented settlements, migratory groups) and integrated into program safeguards.

Evidence may include: updated stakeholder maps, meeting attendance lists, signed letters of representation, stakeholder interviews, grievance logs, and independent monitoring reports.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance:

- Failure to identify one or more significant IPLC groups present in the accounting area;
- Reliance solely on legal recognition while ignoring self-identified or customary groups and otherwise conformance with recognized definitions of Indigenous Peoples and other forest dependent local communities;
- Evidence of systematic exclusion or misidentification of communities;
- Rejection of self-identification claims without due process.

Minor Non-Conformance:

- Identification generally complete, but documentation is partial (e.g., incomplete mapping, missing references to self-identification processes);
- One or more small groups identified late, without substantive harm to their participation or rights;
- Stakeholder mapping updates pending but underway.

Corrective Action for Minor: The Participant must update documentation, finalize mapping, or confirm recognition of all groups by the next verification. Repeated or uncorrected minor gaps escalate to major.

Proposed Amendments to the TREES Templates Theme 3.1

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 3.1 please add:

The Participant shall:

- List all Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent groups present in or using forest resources within the accounting area, including groups not formally recognized under national law;
- Describe the methods used for identification, including reliance on self-identification, engagement with customary institutions, consultation with representative organizations, and reference to anthropological, legal, or demographic studies;
- Confirm inclusion of uncontacted or voluntarily isolated peoples, semi-nomadic or transhumant groups, and other traditional forest-dependent communities where applicable;
- Provide supporting evidence such as participatory maps, stakeholder mapping reports, registry data, and consultation records;
- Explain institutional responsibilities for maintaining and updating the IPLC list and ensuring all relevant groups are consistently included in REDD+ program design and implementation.

Instructions to Participants: Attach a stakeholder identification report or annex, including maps, tables, and documentation of self-identification processes. Clearly note where groups are recognized through customary laws or community institutions, even if not formally registered under national law.

For outcome indicator- see recommendations in section 12.3

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on box above) for Theme 3.1 please add:

For the reporting period, the Participant shall:

- **Confirm that all Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent groups identified in the TRD remain included in REDD+ implementation;**
- **Report updates to the identification list (e.g., newly documented settlements, semi-nomadic groups, transhumant communities) and describe how these groups were integrated into program safeguards;**
- **Provide evidence of ongoing recognition and engagement, such as updated stakeholder maps, consultation records, or community attestations;**
- **Summarize any grievances raised regarding group recognition or representation (link to Theme 2.4) and how these were addressed;**
- **Describe measures taken to ensure the right to self-identification and the recognition of customary institutions continues to guide the process.**

Instructions to Participants: Attach updated stakeholder lists, maps, or registry references. Provide anonymized summaries of grievances or disputes related to group identification, including resolutions. Where applicable, note any changes in customary representation or governance recognized during the reporting period.

Theme 3.2 – Respect and protect traditional knowledge and practices

Rationale

Theme 3.2 safeguards the **traditional knowledge and practices** of Indigenous Peoples, Local Communities, Afro-descendant Peoples, and equivalent groups. Respecting and protecting this knowledge is critical, as REDD+ programs often depend on traditional practices of forest stewardship, conservation, and sustainable use.

The current indicators recognize the need for respect and protection but do not explicitly define the **standard of consent** required when such knowledge is used. Field experience shows that without clarity, “permission” may be interpreted loosely, potentially leading to superficial or coerced agreements.

International norms – including the **Nagoya Protocol (CBD Article 8j)** and **UNDRIP Article 31** – establish that use of traditional knowledge requires **Free, Prior, and Informed Consent (FPIC)** from knowledge holders, and that benefits arising from such use must be **shared equitably**. This ensures traditional knowledge is not misappropriated or exploited without recognition and reciprocity.

The amendments therefore:

- Strengthen the **Structure/Process indicator** to require frameworks that explicitly provide for **FPIC and benefit-sharing** in relation to traditional knowledge, including recognition of **customary laws and intellectual property rights**;
- Amend the **Outcome indicator** to clarify that traditional knowledge was not recorded or used without **FPIC**, and that **equitable benefit-sharing** occurred when knowledge contributed to REDD+ outcomes.

These refinements align TREES with international obligations under the **CBD, Nagoya Protocol, and UNDRIP**, ensuring that REDD+ contributes to both environmental and cultural integrity.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 3.2

Structure and Process Indicator (amended):

Participants have in place a legal framework, policies, or programs, ~~as well as~~ **together with** the necessary procedures and resources, to respect and protect the traditional knowledge and practices of Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent (including uncontacted and transhumant communities) in the implementation of REDD+ activities. **These frameworks shall explicitly require that traditional knowledge is not accessed, recorded, or used without the Free, Prior, and Informed Consent (FPIC) of the knowledge-holders, and that any benefits derived from its use are shared equitably with them, consistent with customary law, intellectual property rights, and relevant international agreements (e.g. CBD, Nagoya Protocol, UNDRIP, ICERD, ICESCR).**

Outcome Indicator (amended):

Public institutions have respected and protected the traditional knowledge and practices of Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent (including those of uncontacted and transhumant communities) in the design and implementation of REDD+ activities, **ensuring that such knowledge was not recorded or used without the knowledge-holders' FPIC and that any benefits derived from its use were shared equitably with them.**

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 3.2

Validation Scope

The VVB shall confirm that the Participant has:

1. Identified relevant traditional knowledge and practices potentially used or affected by REDD+ activities (e.g., traditional fire management, agroforestry, biodiversity monitoring, cultural forest uses).
2. Established legal or policy frameworks to respect and protect traditional knowledge, explicitly requiring Free, Prior, and Informed Consent (FPIC) and equitable benefit-sharing when knowledge is accessed or applied.
3. Outlined procedures for obtaining FPIC, including culturally appropriate methods, use of customary institutions, timelines for community deliberation, and documentation standards.
4. Defined benefit-sharing arrangements where traditional knowledge contributes to REDD+ outcomes (e.g., revenue, recognition, or livelihood benefits for knowledge holders).
5. Designated institutional responsibilities for overseeing compliance with FPIC and benefit-sharing in relation to traditional knowledge.

Evidence may include: REDD+ strategy sections referencing traditional knowledge; FPIC protocols; benefit-sharing plans; customary law recognition provisions; draft agreements or MOUs with communities; and references to CBD/Nagoya obligations.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. No traditional knowledge was used without FPIC. Documentation must show signed agreements, resolutions, or testimonies from knowledge-holders.
2. FPIC processes were implemented in culturally appropriate ways (e.g., use of local languages, respect for customary decision-making bodies, adequate time for deliberation, independent facilitation if needed).
3. Benefits from knowledge use were equitably shared with knowledge-holders, demonstrated through financial records, non-monetary support, or community-level programs.
4. Stakeholders confirm that traditional knowledge was respected, not misappropriated, and that consent was freely given. This is verified through interviews with IPLC representatives, customary leaders, and NGOs.
5. Grievances related to traditional knowledge (if any) were logged and resolved promptly through the GRM (Theme 2.4).

Evidence may include: FPIC agreements; benefit-sharing records; testimonies from knowledge-holders; monitoring reports; grievance logs; and SIS disclosures on knowledge use and benefits delivered.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance:

- Traditional knowledge was recorded, accessed, or used without FPIC;
- FPIC was obtained through coercion, manipulation, or without adequate information/time;
- Benefits derived from knowledge use were withheld or diverted from the knowledge-holders;
- Documented grievances about misappropriation of traditional knowledge remain unresolved.

Minor Non-Conformance:

- Evidence exists that FPIC was obtained and benefits shared, but some documentation is incomplete (e.g., missing meeting minutes, incomplete translation records);
- Small delays in delivering agreed benefits, provided corrective measures are underway and stakeholders confirm no loss of trust or harm to the affected stakeholder;
- Monitoring or reporting gaps (e.g., not disclosing knowledge-related contributions in SIS) that do not undermine actual protection of knowledge.

Corrective Action for Minor: The Participant must close documentation/reporting gaps or complete delayed benefit-sharing by the next verification. Repeated or uncorrected issues escalate to major.

Proposed Amendments to the TREES Templates Theme 3.2

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 3.2 please add:

The Participant shall:

- Describe relevant traditional knowledge and practices of Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent groups that may intersect with REDD+ activities (e.g., forest management, agroforestry, fire control, biodiversity use, or cultural practices);
- Explain the legal and institutional framework for protecting traditional knowledge, including recognition of customary law and relevant international commitments (e.g., CBD Article 8(j), Nagoya Protocol, UNDRIP Article 31);
- Describe FPIC procedures that will be applied before any traditional knowledge is accessed, recorded, or used in REDD+ activities, including how FPIC will be sought, documented, and verified in culturally appropriate ways;
- Explain benefit-sharing arrangements for cases where traditional knowledge contributes to REDD+ outcomes (e.g., payments, recognition, or community-level benefits);
- Identify responsible institutions overseeing protection, FPIC, and benefit-sharing in relation to traditional knowledge.

Instructions to Participants: Attach supporting documentation (FPIC protocols, draft agreements, benefit-sharing plans, recognition of customary law, or community protocols). Provide evidence of consultation with knowledge-holders and describe outreach measures to inform communities of their rights.

For outcome indicator- see recommendations in section 12.3

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on box above) for Theme 3.2 please add:

For the reporting period, the Participant shall:

- Confirm that traditional knowledge was respected and protected, and that no knowledge was accessed, recorded, or used without FPIC;
- Report FPIC processes undertaken where traditional knowledge was used, including evidence such as meeting records, signed agreements, or attestations from knowledge-holders;
- Document benefit-sharing outcomes linked to traditional knowledge use (e.g., payments, recognition, or in-kind benefits delivered to communities);
- Describe measures taken to prevent misappropriation of traditional knowledge (e.g., safeguarding sensitive information, confidentiality agreements);
- Summarize any grievances raised regarding traditional knowledge and how they were resolved (cross-reference Theme 2.4 on access to justice);
- Provide disclosure evidence (e.g., summaries of knowledge-related contributions and benefits published through the SIS).

Instructions to Participants: Provide qualitative and quantitative evidence (agreements, case studies, beneficiary reports, grievance records). Disaggregate reporting where possible (by community, gender, or group) to demonstrate inclusivity.

Theme 3.3 – Respect, protect, and fulfill rights of Indigenous Peoples, Local Communities, and Afro-descendant Peoples, or equivalent

Rationale

Theme 3.3 is one of the most critical safeguards, addressing Cancún Safeguard C's requirement to **respect, protect, and fulfill the rights of Indigenous Peoples and Local Communities (IP and LCs)**. The current TREES text recognizes these rights but does not make explicit three core elements that international best practice requires:

1. **Anchoring in international human rights obligations and respect for customary laws:** Rights protection must extend beyond compliance with national law to include applicable international human rights treaties (e.g., **ICCPR, ICESCR, ICERD, CEDAW, ILO 169**) and agreements, as the **UN Declaration on the Rights of Indigenous Peoples (UNDRIP)**, as well as respect for communities' **own customary laws and institutions**.
2. **FPIC as a general safeguard obligation:** Currently, FPIC is only explicit in cases of involuntary relocation (Theme 2.3) or implied through participation (Theme 4.2). This is insufficient. In alignment with applicable international obligations, FPIC must apply to **all REDD+ activities that may affect rights, lands, territories, resources, livelihoods, or cultural heritage**, ensuring no credits are issued at the expense of IP and LC rights.
3. **Clarity on FPIC implementation standards:** FPIC processes must be undertaken in culturally appropriate ways, using the communities' chosen representatives, in local languages, with sufficient time for deliberation, and free of coercion. Documentation (e.g., signed agreements, meeting records, attestations) must be available for verification.

By making these requirements explicit, TREES 3.0 will:

- Ensure REDD+ activities are carried out **on IP and LCs' own terms**, respecting their own customary norms, practices, and institutions and consistent with global human rights norms;
- Close the gap between "consultation" and "consent," reinforcing FPIC as a **non-negotiable safeguard obligation**;
- Provide VVBs with clear, verifiable benchmarks, thereby strengthening credibility and investor confidence.

In sum, these amendments will make TREES 3.0 a **best-in-class standard**, fully aligned with **UNDRIP Articles 10, 19, and 32**, the **Voluntary Guidelines on the Responsible Governance of Tenure (VGCT)**, and the growing body of safeguard jurisprudence affirming FPIC as a fundamental human right.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 3.3

Structure and Process Indicator (amended):

Participants have in place a legal framework, policies, or programs, as well as the necessary procedures and resources, to respect, protect, and fulfill the human rights of Indigenous Peoples, Local Communities, and Afro-descendant Peoples, or equivalent (including uncontacted and transhumant communities), ~~in conformity with customary law, institutions, and practices~~, throughout the design and implementation of REDD+ activities and REDD+ benefit distribution. **These frameworks shall respect customary laws, institutions, and practices of the peoples concerned, and be consistent with the country's international relevant human rights obligations (including ICCPR, ICESCR, ICERD, CEDAW, ILO 169, and the UN Declaration on the Rights of Indigenous Peoples). Procedures shall require that any REDD+ activity that may affect these communities' rights, lands, resources, territories, livelihoods, or cultural heritage be undertaken**

only with their Free, Prior, and Informed Consent (FPIC) in alignment with applicable and relevant international obligations.

Outcome Indicator (amended):

Public institutions have respected, protected, and fulfilled the rights of Indigenous Peoples, Local Communities, and Afro-descendant Peoples, or equivalent (including uncontacted and transhumant communities), in the design and implementation of REDD+ activities (including carbon rights and REDD+ benefit distribution), **in a manner that respects those peoples' customary laws and institutions and in accordance with the country's international human rights obligations.**

Public institutions have obtained and documented the Free, Prior, and Informed Consent (FPIC) of affected Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent, through their chosen representative institutions, for any REDD+ activities that may affect their rights, lands, resources, territories (whether titled or untitled), traditional livelihoods, or tangible and intangible cultural heritage.

FPIC processes shall be undertaken in a culturally appropriate manner, in the local language(s), through the representatives chosen by the affected community, with adequate time for community deliberation, and shall be free from coercion or manipulation. Documentation shall include signed agreements or other verifiable records of consent (e.g., community resolutions, attestations, or audiovisual records).

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 3.3

Validation Scope

The VVB shall confirm that the Participant has:

1. Rights Framework & Anchoring

- Identified applicable international human rights obligations (e.g., ICCPR, ICESCR, ICERD, CEDAW, ILO 169, UNDRIP) and described how these are integrated into REDD+ design and benefit distribution.
- Described how the program will operate in conformity with customary laws, institutions, and practices of the concerned peoples (e.g., recognition of representative bodies, customary decision rules).

2. FPIC Policy & Triggers

- Adopted a policy that requires FPIC for any REDD+ activity that may affect IP and LCs' rights, lands, territories (titled or untitled), resources, livelihoods, or cultural heritage (not limited to relocation).
- Defined clear FPIC triggers, sequencing, and approval gates (no activity initiated until FPIC concluded where required).

3. FPIC Procedure & Minimum Standards

- Established procedures consistent with minimum FPIC standards: use of chosen representatives, local languages, culturally appropriate engagement, adequate time for deliberation, absence of coercion, and documentation requirements (e.g., signed agreements, resolutions, attestations).
- Clarified grievance escalation for rights/FPIC issues (link to Theme 2.4 GRM).

4. Institutional Roles & Resourcing

- Designated responsible institutions/units for rights compliance and FPIC implementation, with adequate budget and capacity (e.g., translators, independent facilitators/observers).

Evidence may include: rights compliance plan; references to international obligations; FPIC policy/protocol; screening/trigger matrix; sample consent templates; TORs for independent observers; budget lines; linkage to GRM/SIS.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. No Rights Infringement

- REDD+ implementation did not infringe IPLC rights; stakeholders retained control/access to lands, territories, resources, livelihoods, and heritage.
- Any restrictions or changes were preceded by FPIC and reflected community-agreed conditions.

2. FPIC Implementation & Evidence

- For each rights-affecting activity, FPIC records exist and meet minimum standards:
 - Evidence of culturally appropriate engagement (language, venue, customary processes).
 - Proof of adequate time for deliberation and absence of coercion.
 - Verifiable consent documentation (e.g., signed agreements, community resolutions, audio/video attestations, third-party observer notes).
- If consent was conditional, the Participant honoured all conditions (check implementation evidence).

3. Customary Institutions & Representation

- Engagement and decision-making occurred through communities' chosen representative institutions; no bypassing or substitution without community mandate.
- Where representation disputes arose, they were handled in line with customary norms and due process.

4. Evolving Context & Updates

- The Participant tracked relevant legal or policy changes (national/international) and updated rights practices accordingly.
- Participants identified potential rights impacts of program activities, put in place measures to avoid and mitigate such measures.
- New or revised activities underwent FPIC where applicable.

5. Complaints & Remedies

- Rights grievances (Theme 2.4) were handled promptly and fairly; remedies provided are viewed as legitimate and effective by complainants.
- No evidence of retaliation or intimidation against community members/representatives.

6. Stakeholder Corroboration

- Interviews with IPLC leaders, women, youth, and civil society confirm free and informed decision-making and consent outcomes; any dissent is transparently recorded and addressed.

Evidence may include: FPIC dossiers per activity; observer/mediator reports; implementation evidence for consent conditions; minutes of assemblies; translations/materials shared; GRM files; remedial action records; stakeholder interview notes; assessments of risks to rights and avoidance and mitigation measures.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance (any one triggers major):

- Evidence that REDD+ proceeded without FPIC for a rights-affecting activity (including but not limited to relocation, land/resource access restrictions, limitations to ERR rights/benefit-sharing decisions affecting community rights).
- FPIC process invalid (e.g., coercion, misinformation, inadequate time, wrong representatives, lack of documentation), or conditions of consent not honoured.
- Infringement of IPLC rights (land/territory/resource/culture/livelihoods) attributable to REDD+ implementation.
- Systematic bypass of customary institutions or rejection of self-determined representation.
- Credible rights/FPIC grievances unresolved or evidence of retaliation against complainants.

Minor Non-Conformance (all must hold):

- Substantive FPIC and rights protection occurred, no rights were harmed, but there are documentation or procedural gaps (e.g., missing translation records, partial minutes, minor delay in final signatures) without prejudice to the validity of community consent.
- Small representational issues resolved promptly through customary processes.
- Minor inconsistencies in reporting/archiving that do not cast doubt on consent/outcomes and are under corrective action.

Corrective Action for Minor: Close documentation gaps; regularize archiving; reinforce FPIC training/translation; document community confirmation. Uncorrected or recurring minor issues escalate to major.

Proposed Amendments to the TREES Templates Theme 3.3

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 3.3 please add:

The Participant shall:

- Describe the legal and institutional framework for protecting the rights of Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent groups, including reference to international obligations (e.g., ICCPR, ICESCR, ICERD, CEDAW, ILO 169, UNDRIP) and customary laws/institutions recognized by the concerned peoples;
- Identify REDD+ activities that may affect IPs & LCs' rights, lands, resources, territories, livelihoods, or tangible/intangible cultural heritage;

- Explain FPIC procedures to be applied for all rights-affecting activities, including triggers, sequencing, and minimum standards (use of chosen representatives, local languages, culturally appropriate processes, adequate time, absence of coercion, full documentation);
- Attach or reference a FPIC protocol (national or program-specific), templates for documenting consent, and institutional roles/responsibilities for implementation and oversight;
- Describe arrangements for grievance handling and remedies linked to FPIC or rights concerns (cross-reference Theme 2.4);
- Provide evidence of outreach and capacity support to ensure that communities understand their rights to give or withhold consent.

Instructions to Participants: Attach supporting documentation such as FPIC policies, legal analyses, consultation plans, draft agreements, and community protocols. Clearly demonstrate how the REDD+ strategy and benefit-sharing plan comply with international human rights obligations and customary institutions.

For outcome indicator- see recommendations in section 12.3

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on boxes above) for Theme 3.3 please add:

For the reporting period, the Participant shall:

- Confirm that rights of IPs & LCs were respected and fulfilled throughout REDD+ implementation, consistent with customary laws/institutions and international human rights obligations;
- Report FPIC processes undertaken for any rights-affecting activities, including:
 - Documentation of community consent (e.g., agreements, resolutions, attestations, observer reports);
 - Evidence that minimum standards were met (representatives chosen by communities, culturally appropriate processes, local languages, adequate time, absence of coercion);
 - Conditions set by communities and how these were implemented;
- Describe any rights-related grievances raised, how they were handled, and remedies provided (cross-reference Theme 2.4 reporting);
- Report on any updates to national or international human rights obligations during the period and how they were integrated into REDD+ safeguards;
- Provide stakeholder feedback from IPs & LCs (including women, youth, vulnerable groups) on whether their rights and consent processes were respected.

Instructions to Participants: Attach FPIC documentation for each relevant activity, anonymized grievance summaries, evidence of remedies, and records of community satisfaction. Disaggregate reporting where possible (e.g., by people, group, or gender).

Theme 4.1 – Respect, protect, and fulfill the right of all relevant stakeholders to participate fully and effectively in the design and implementation of REDD+ activities

Rationale

Theme 4.1 under Cancún Safeguard D requires the full and effective participation of all relevant stakeholders in REDD+ design and implementation. The existing TREES indicator language is already strong, recognizing women, youth, and vulnerable groups as rights-holders in participation.

However, participation must be explicitly reinforced in relation to two core sections of TREES 3.0:

- **Section 3.4.1 (ERR Rights)**, where stakeholders – especially those with land, resource, or carbon claims – must be actively involved in clarifying who holds emission reduction/removal rights, and in resolving overlapping claims.
- **Section 3.4.2 (Benefit Sharing)**, where stakeholders must participate in defining who is eligible, what allocation principles are applied, and how benefit-sharing arrangements are designed and implemented.

Without explicit linkages, stakeholder participation risks being treated as generic consultation, rather than being embedded at these critical decision points.

The amendments therefore:

- Strengthen the **Structure/Process indicator** by explicitly requiring participation in both ERR rights clarification and benefit-sharing arrangements;
- Adjust the **Outcome indicator** to confirm that stakeholders were included effectively in these processes and could influence outcomes.

This ensures TREES 3.0 aligns with UNDRIP Article 18 (among others) and Cancún Safeguard D, while operationalizing safeguards across Sections 3.4.1 and 3.4.2 – preventing disputes, strengthening legitimacy, and building trust.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 4.1

Structure and Process Indicator (amended):

Participants have in place a legal framework, policies, or programs, together as well as the necessary procedures and resources, to respect, protect, and fulfill the right of all relevant stakeholders, including women, youth, and vulnerable groups, to participate fully and effectively (including timely access to information prior to consultations and access to recourse mechanisms to ensure the participation process is respected) in: (i) the design and implementation of REDD+ activities ~~as well as in the decisions about the distribution of REDD+ benefits~~; **(ii) the clarification of Emission Reductions and Removals (ERR) rights as required under Section 3.4.1; and (iii) the development and implementation of benefit-sharing arrangements as required under Section 3.4.2.**

Outcome Indicator (amended):

Public institutions have respected, protected, and fulfilled the right of all relevant stakeholders, including women, youth, and vulnerable groups, to participate fully and effectively in: **(i) the design and implementation of REDD+ activities; (ii) the clarification of Emission Reductions and Removals (ERR) rights under Section 3.4.1; and decisions about the distribution of REDD+ benefits** (iii) the development

and implementation of benefit-sharing arrangements under Section 3.4.2. Evidence demonstrates that participation was inclusive, timely, and allowed stakeholders to influence decisions.

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 4.1

Validation Scope

The VVB shall confirm that the Participant has:

1. Identified all relevant stakeholders (including women, youth, vulnerable groups, Indigenous Peoples, Local Communities, Afro-descendant Peoples, private sector, and subnational governments) expected to be affected by or engaged in REDD+ activities.
2. Established procedures to ensure these stakeholders can participate fully and effectively in:
 - The design and implementation of REDD+ activities;
 - The clarification of ERR rights (Section 3.4.1), including how competing claims will be resolved;
 - The development and implementation of benefit-sharing arrangements (Section 3.4.2).
3. Described participatory mechanisms (e.g., multi-stakeholder committees, consultation processes, representation on benefit-sharing bodies) and measures to ensure inclusivity of marginalized groups.
4. Outlined safeguards for effective participation, including timely access to relevant information (Theme 2.1), adequate resourcing, culturally appropriate engagement, and recourse mechanisms to challenge exclusion.

Evidence may include: stakeholder mapping (differentiating between rights holders and interested parties), stakeholder engagement plans; ERR rights clarification process documents; draft benefit-sharing plans; TORs of multi-stakeholder committees; records of outreach and consultation design.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. Stakeholders were able to participate effectively in REDD+ design and implementation, ERR rights clarification, and benefit-sharing arrangements.
2. Consultation and decision-making records (e.g., meeting minutes, attendance lists, submissions, consensus statements) show participation of all identified stakeholder categories, including marginalized groups.
3. Stakeholders confirm through interviews that they were aware of and able to participate in these processes, and that their views influenced outcomes (e.g., shaping ERR rights agreements or allocation principles in benefit-sharing).
4. ERR rights demonstration (3.4.1) included consultation and agreements with affected rightsholders, consistent with safeguards and FPIC requirements.
5. Benefit-sharing arrangements (3.4.2) were developed with stakeholder input and reflect agreed principles of transparency, equity, and inclusiveness.
6. Ongoing participation mechanisms (e.g., steering committees, local monitoring groups) are functional and accessible to all relevant stakeholders.

Evidence may include: validated stakeholder lists; ERR rights agreements; benefit-sharing plan consultation records; committee minutes; stakeholder interviews; grievance logs relating to participation; public records of decisions.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance:

- Failure to include key stakeholder groups (e.g., IPs & LCs, women, vulnerable groups) in REDD+ design, ERR rights clarification, or benefit-sharing development;
- Evidence that consultations were tokenistic (e.g., stakeholders informed but not allowed to influence decisions);
- ERR rights agreements or benefit-sharing arrangements developed without stakeholder participation or contrary to safeguard requirements;
- Systematic exclusion or intimidation of stakeholders, or disregard for FPIC obligations where applicable.

Minor Non-Conformance:

- Participation generally occurred, but with documentation gaps (e.g., incomplete records of stakeholder inputs);
- Certain marginalized groups had limited participation opportunities, though corrective measures are underway and no material harm occurred;
- Delays or minor procedural flaws in consultations (e.g., late notice, limited translation) that did not fundamentally undermine stakeholders' ability to participate.

Corrective Action for Minor: The Participant must close documentation gaps, strengthen inclusivity measures, or adjust participatory mechanisms by the next verification. Repeated or unaddressed minor issues escalate to major.

Proposed Amendments to the TREES Templates Theme 4.1

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 4.1 please add:

The Participant shall:

- List all relevant stakeholder groups to be engaged in REDD+ activities, including Indigenous Peoples, Local Communities, Afro-descendant Peoples, women, youth, vulnerable groups, private sector actors, and subnational entities;
- Describe mechanisms that guarantee full and effective participation in:
 - (i) the design and implementation of REDD+ activities;
 - (ii) the clarification of Emission Reductions and Removals (ERR) rights (Section 3.4.1), including agreements with other rightsholders; and
 - (iii) the development and implementation of benefit-sharing arrangements (Section 3.4.2);
- Explain procedures to ensure inclusivity, such as culturally appropriate methods, translation, gender-sensitive approaches, youth representation, and targeted outreach to vulnerable groups;
- Describe access to information arrangements (cross-reference Theme 2.1) to guarantee timely and accessible disclosure before consultations (including drafts of emerging ERR and benefit sharing arrangements in full (not just summaries));

- Identify recourse mechanisms available if stakeholders believe participation rights were not respected (cross-reference Theme 2.4);
- Provide supporting evidence (e.g., stakeholder engagement plans, TORs of multi-stakeholder committees, consultation frameworks, or agreements on ERR rights).

Instructions to Participants: Attach a stakeholder engagement plan or equivalent annex, with details of planned consultations, representation in decision-making bodies, and monitoring of participation quality. Clearly demonstrate how stakeholder engagement informs ERR rights clarification and benefit-sharing design.

For outcome indicator- see recommendations in section 12.3

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on box above) for Theme 4.1 please add:

For the reporting period, the Participant shall:

- Confirm that all relevant stakeholders were given opportunities to participate in REDD+ design and implementation, ERR rights clarification (Section 3.4.1), and benefit-sharing arrangements (Section 3.4.2);
- Provide evidence of participation, such as consultation records, meeting minutes, attendance lists, stakeholder submissions, or agreements reached;
- Describe inclusivity outcomes, including participation of women, youth, vulnerable groups, and Indigenous/local governance bodies;
- Report on stakeholder influence, summarizing how inputs were incorporated into ERR rights agreements, REDD+ implementation design, or benefit-sharing allocation criteria;
- Summarize grievances raised about participation (cross-reference Theme 2.4) and how they were resolved;
- Identify challenges and corrective measures taken to strengthen participation quality during the reporting period.

Instructions to Participants: Attach supporting documentation such as consultation summaries, decision records, or updated stakeholder lists. Where applicable, provide disaggregated information by stakeholder group (e.g., gender, youth, vulnerable groups) to demonstrate inclusivity.

Theme 4.2 – Develop adequate participatory procedures for the effective participation of Indigenous Peoples, Local Communities and Afro-descendant Peoples, or equivalent.

Rationale

Theme 4.2 is a focused elaboration of Cancún Safeguard D, addressing the **participation of Indigenous Peoples, Local Communities, and Afro-descendant Peoples** in REDD+ activities. The current indicators emphasize that participation should occur through communities' **own decision-making structures** and using **culturally appropriate procedures**. While strong, the indicators remain implicit on one critical safeguard: **Free, Prior, and Informed Consent (FPIC)**.

International standards – especially **UNDRIP Articles 19 and 32** – require FPIC for any legislative or administrative measures, or projects, that may affect indigenous lands, territories, or resources. Similarly, leading REDD+ and climate finance standards (e.g., **FCPF, VCS JNR**) explicitly mandate FPIC. Without explicit reference, there is a risk that participation could be reduced to mere consultation rather than **genuine consent**.

The amendments therefore:

1. Explicitly reference **FPIC** as a condition for participation in any REDD+ activity that may affect IPs & LCs' rights, lands, territories, livelihoods, or cultural heritage.
2. Clarify that FPIC must be obtained **through the communities' own representative institutions**, in **local languages**, with **adequate time for deliberation**, and free from coercion.
3. Extend the participation scope to include not just REDD+ design and benefit-sharing, but also **ERR rights clarification (Section 3.4.1)**, ensuring IPs & LCs influence foundational decisions about carbon rights.

In summary, the proposed amendments below make explicit that **meaningful participation = participation + consent**, a critical safeguard distinction. This ensures TREES 3.0 sets a high bar consistent with **Cancún Safeguards (c) and (d)**, UNDRIP, and international best practice– providing clarity to Participants and verifiability for VVBs.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 4.2

Structure and Process Indicator (amended):

Participants have in place a legal framework, policies, or programs, as well as the necessary procedures and resources, to guarantee that the participation of Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent in ~~the design and implementation of REDD+ activities or equivalent in the design and implementation of REDD+ activities as well as in the decisions about the distribution of REDD+ benefits~~ **including the design and implementation of REDD+ actions, the clarification of Emission Reductions and Removals (ERR) rights (Section 3.4.1), and decisions about benefit-sharing (Section 3.4.2)** – occurs through their ~~respective own~~ decision-making structures and processes, ~~ensuring adequate conditions for their participation and using~~ culturally appropriate procedures. **Such participation shall include obtaining their Free, Prior, and Informed Consent (FPIC) for any activities that may affect their rights, lands, territories, resources, traditional livelihoods, or tangible/intangible cultural heritage.**

Outcome Indicator (amended):

Public institutions have guaranteed that the participation of Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent in ~~the design and implementation of REDD+ activities~~ **implementation – including in the design and implementation of REDD+ actions, clarification of ERR rights, and decisions on the distribution of benefits** – occurred through their ~~respective own~~ decision-making structures and **culturally appropriate** processes, ~~ensuring adequate conditions for their participation and using culturally appropriate procedures.~~ **FPIC was obtained for any activities that may affect their rights, lands, territories (whether titled or untitled), resources, traditional livelihoods, or tangible/intangible cultural heritage. FPIC processes were undertaken in a culturally appropriate manner, in local languages, through representatives chosen by the communities themselves, with adequate time for deliberation, free from coercion, and fully documented (e.g., signed agreements, resolutions, or verifiable records).**

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 4.2

Validation Scope

The VVB shall confirm that the Participant has:

1. Participation Framework & Scope

- Described legal/policy frameworks and program procedures that guarantee IPLC participation through their own decision-making structures and culturally appropriate processes.
- Explicitly extended participation to:
 - (i) REDD+ design and implementation;
 - (ii) ERR rights clarification (Section 3.4.1); and
 - (iii) Benefit-sharing design and implementation (Section 3.4.2).

2. FPIC Policy & Minimum Standards

- Adopted a policy requiring FPIC for any activity that may affect IPLC rights, lands, territories (titled or untitled), resources, livelihoods, or cultural heritage.
- Defined minimum FPIC standards: use of communities' chosen representatives; local languages; culturally appropriate methods; adequate time for deliberation; absence of coercion/manipulation; and documentation (e.g., signed agreements/resolutions, attestations, audiovisual records, or third-party observer notes).

3. Operational Procedures

- Established participation procedures (e.g., multi-level consultations, assemblies, representation on decision bodies) that detail how inputs influence decisions, how dissent is handled, and how participation interfaces with ERR rights agreements and benefit-sharing arrangements.
- Clarified resourcing (translation, facilitation, travel, independent support) to enable effective participation, including women and vulnerable groups.

4. Linkages to Access to Information & Remedies

- Cross-referenced Theme 2.1 (timely, accessible disclosure prior to consultations) and Theme 2.4 (GRM for participation/FPIC complaints and remedies).

Evidence may include: participation/FPIC policy; FPIC protocol and trigger matrix; consultation plan and timelines; representation rules; budget lines for participation support; TORs of multi-stakeholder/indigenous bodies; references to Sections 3.4.1 and 3.4.2.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. Effective Participation Occurred

- Records (minutes, attendance, submissions, decisions) show ILPC participation through their own institutions in:
 - (i) REDD+ design/implementation; (ii) ERR rights clarification/agreements;
 - (iii) Benefit-sharing criteria, eligibility, and allocation decisions.

2. FPIC Implemented Where Required

- For each rights-affecting activity, FPIC dossiers are complete and meet minimum standards: culturally appropriate processes; local language materials; adequate

time; no coercion; verifiable consent documentation; and, where relevant, independent observer reports.

- Where consent was conditional, all community conditions were implemented and evidenced.

3. Inclusion & Resourcing

- Participation was inclusive (women, youth, vulnerable groups) with resourcing provided (translation, facilitation, travel). Stakeholders confirm they could influence outcomes (e.g., changes made to project design, ERR rights agreements, or benefit-sharing rules based on inputs).

4. Consistency with Disclosure & Remedies

- Information pertinent to participation was disclosed timely and accessibly (Theme 2.1).
- Participation/FPIC grievances (Theme 2.4) were handled promptly and fairly, with remedies that affected parties consider legitimate; no retaliation is evident.

5. Adaptive Management

- If new activities arose or scope changed, FPIC was re-triggered where applicable; processes evolved with community feedback and lessons learned.

Evidence may include: FPIC/consultation files; signed consents/resolutions; observer/mediator notes; translated materials; change logs showing how inputs altered decisions; grievance logs and remedies; stakeholder interviews across genders/age groups.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance (any one triggers major):

- A rights-affecting activity proceeded without FPIC, or FPIC was invalid (coercion, misinformation, inadequate time, improper representation, or absence of verifiable documentation).
- Systematic bypass of IPs & LCs' chosen representative institutions or culturally inappropriate engagement that undermined decision-making.
- Participation was absent or purely tokenistic in ERR rights clarification (3.4.1) or benefit-sharing (3.4.2) development/implementation.
- Credible participation/FPIC grievances unresolved, or evidence of retaliation against complainants/representatives.

Minor Non-Conformance (all must hold):

- Participation and FPIC occurred substantively and no rights were harmed, but documentation/procedural gaps exist (e.g., incomplete minutes, late translations, minor delays) without prejudice to consent validity.
- Some inclusivity shortfalls (e.g., under-representation of women/youth) with corrective measures underway and no material impact on decisions.
- Minor alignment issues between consultation records and decision outputs that are being corrected (e.g., improved traceability of "how inputs were used").

Corrective Action for Minor: Close documentation gaps; reinforce inclusivity/translation; regularize archiving; clarify decision trails; complete any delayed formalization (e.g., filing of signed consents). Repeat or uncorrected minor issues escalate to major.

Proposed Amendments to the TREES Templates Theme 4.2

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 4.2 please add:

The Participant shall:

- **Describe the legal and institutional framework for the participation of Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent groups in REDD+ decision-making, including reference to customary laws and representative institutions;**
- **Explain procedures ensuring that participation occurs through communities' own decision-making structures and with culturally appropriate processes (e.g., use of local languages, traditional assemblies, customary protocols);**
- **Confirm that FPIC will be obtained for any REDD+ activity that may affect IPs & LCs' rights, lands, territories, resources, traditional livelihoods, or cultural heritage, including:**
 - **(i) REDD+ activity design and implementation;**
 - **(ii) clarification of ERR rights (Section 3.4.1); and**
 - **(iii) development and implementation of benefit-sharing arrangements (Section 3.4.2);**
- **Outline FPIC procedures and minimum standards, including timelines, documentation methods (signed agreements, resolutions, attestations), and use of independent observers where applicable;**
- **Identify responsible institutions and resources allocated to support participation (e.g., translation services, facilitation, travel support);**
- **Describe linkages to information disclosure (Theme 2.1) and grievance redress (Theme 2.4).**

Instructions to Participants: Attach FPIC protocols, community consultation frameworks, TORs for participatory bodies, and draft documentation templates. Provide evidence of engagement with representative organizations in developing these procedures.

For outcome indicator- see recommendations in section 12.3

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on box above) for Theme 4.2 please add:

For the reporting period, the Participant shall:

- **Confirm that Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent participated through their chosen institutions and customary processes in REDD+ activities, ERR rights clarification, and benefit-sharing arrangements;**
- **Provide evidence of FPIC obtained for any rights-affecting activities, including documentation such as agreements, resolutions, attestations, observer reports, and evidence of culturally appropriate processes (local language materials, adequate deliberation time, absence of coercion);**
- **Summarize conditions set by communities as part of FPIC and report on how these conditions were implemented;**

- Report on inclusivity, describing how women, youth, and vulnerable groups were involved in community-level decision-making processes;
- Summarize grievances or disputes raised in relation to participation or FPIC (cross-reference Theme 2.4) and how they were resolved;
- Describe adaptive measures taken to strengthen culturally appropriate participation and FPIC processes based on stakeholder feedback.

Instructions to Participants: Attach FPIC dossiers, consultation minutes, signed agreements, and independent observer reports where available. Provide disaggregated reporting by community and group to demonstrate inclusivity and compliance with FPIC standards.

Theme 5.1 – Non-conversion of natural forests and other natural ecosystems.

Rationale

Theme 5.1 addresses the core environmental safeguard under Cancún Safeguard E: REDD+ must not lead to the conversion of natural forests and ecosystems. The current TREES 3.0 language is already strong, but an editorial adjustment is needed to **remove any ambiguity about causality**.

By requiring that REDD+ activities “**did not cause any conversion of natural forests or other natural ecosystems**”, the safeguard is framed as an **absolute zero-conversion requirement**. This ensures that REDD+ cannot be used directly or indirectly to replace natural forests with plantations, agriculture, or other land uses. It also provides clarity to Participants and VVBs that even partial or indirect conversion (e.g., through enabling policies or activities) is disallowed.

The proposed refinements:

- Aligns TREES with **international best practices**, such as the New York Declaration on Forests and the Convention on Biological Diversity’s no-net-loss targets.
- Ensures that REDD+ contributes to **forest conservation and biodiversity objectives** while avoiding perverse incentives for deforestation followed by replanting.
- Helps VVBs apply a **clear, binary test**: any evidence that REDD+ caused conversion of natural forests/ecosystems constitutes non-conformance.

The structure/process indicator remains largely sufficient, as it already requires definitions, mapping, and frameworks to prevent conversion. The main adjustment is to the outcome indicator for clarity and enforceability.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 5.1

Structure and Process Indicator (amended):

Participants have in place a legal framework, policies, or programs, as well as the necessary procedures and resources, to define the term “natural forests” and “other natural ecosystems” (**distinct from plantations**) ~~distinguishing them from plantations~~, map ~~the~~ **their** spatial distribution of natural forests and other natural ecosystems, and prevent REDD+ activities from resulting in ~~the any~~ conversion of natural forests or other natural ecosystems.

Outcome Indicator (amended):

Public institutions have designed and implemented REDD+ activities ~~without the~~ such that they did not cause any conversion of natural forests and other natural ecosystems to plantations or other land uses.

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 5.1

Validation Scope

The VVB shall confirm that the Participant has:

1. Defined “natural forests” and “other natural ecosystems” in line with TREES requirement and guidance and clearly distinguished them from plantations or other land uses.
2. Mapped the spatial distribution of natural forests and ecosystems within the accounting area using reliable, up-to-date datasets (e.g., national forest inventories, satellite imagery, land-use maps).
3. Established legal, policy, or programmatic measures prohibiting conversion of natural forests/ecosystems in REDD+ activities.
4. Outlined procedures for preventing conversion, including land-use screening, environmental safeguards in project design, and oversight by responsible institutions.
5. Linked the express prohibition of conversion to safeguard reporting, agreements to transfer ERR rights and benefit-sharing arrangements (as applicable), ensuring stakeholders are aware of any limitations on resource use and can monitor this commitment.

Evidence may include: legal texts, policy documents, REDD+ strategy references, land-use maps, deforestation moratoria, environmental screening procedures, and institutional mandates.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. No conversion of natural forests or ecosystems occurred as a result of REDD+ activities. (Assessed via remote sensing analysis, land-use change data, and field inspections.)
2. All REDD+ activities were screened against land-use maps and safeguards to confirm they took place outside natural forests/ecosystems or involved only restoration/enrichment planting consistent with conservation goals.
3. No indirect conversion occurred through enabling policies, incentives, or activities (e.g., REDD+ funds used to expand plantations that displaced natural forests).
4. Stakeholder interviews confirm that REDD+ activities did not lead to loss of natural forests/ecosystems, directly or indirectly.
5. Grievance records (Theme 2.4) are checked for allegations of forest conversion; any such cases must be reviewed and resolved.
6. Consistency is demonstrated between monitoring data, safeguards reports, and national deforestation statistics.

Evidence may include: satellite imagery analyses, monitoring reports, field audit notes, grievance logs, land-use permits, environmental impact assessments, and stakeholder testimonies.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance:

- Evidence that REDD+ activities directly or indirectly caused conversion of natural forests or ecosystems into plantations or other land uses;
- Absence of clear definitions or maps of natural forests/ecosystems;

- Use of REDD+ finance or activities that facilitated or incentivized conversion.

Minor Non-Conformance:

- Definitions and maps exist but contain minor gaps (e.g., missing small ecosystems, outdated datasets) without evidence of conversion;
- Slight delays in updating land-use maps or disclosure of monitoring results, provided safeguards remained effective;
- Inconsistencies in reporting (e.g., discrepancies between SIS disclosure and monitoring reports) that do not indicate actual conversion.

Corrective Action for Minor: The Participant must update maps, correct reporting inconsistencies, or improve monitoring/disclosure by the next verification. Uncorrected or recurring minor issues escalate to major.

Proposed Amendments to the TREES Templates Theme 5.1

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 5.1 please add:

The Participant shall:

- Provide a clear definition of “natural forests” and “other natural ecosystems” consistent with TREES requirements, and distinguish them from plantations or other land uses;
- Map the spatial distribution of natural forests and ecosystems within the accounting area, using reliable and up-to-date datasets (e.g., forest inventories, satellite imagery, land-use maps);
- Describe legal and policy frameworks that prohibit conversion of natural forests and ecosystems, including relevant national laws, moratoria, or conservation decrees;
- Explain institutional responsibilities and procedures for preventing conversion (e.g., environmental screening, land-use zoning, safeguards checks before REDD+ activities);
- Describe monitoring and enforcement mechanisms, including how conversion risks will be detected, reported, and addressed.

Instructions to Participants: Attach supporting documents (e.g., maps, legal texts, monitoring protocols). Clearly explain how safeguards ensure that no REDD+ activity results in conversion of natural forests or ecosystems.

For outcome indicator- see recommendations in section 12.3

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on box above) for Theme 5.1 please add:

For the reporting period, the Participant shall:

- **Confirm that no REDD+ activities caused conversion of natural forests or other natural ecosystems to plantations or other land uses;**
- **Provide monitoring evidence (e.g., satellite imagery, deforestation alerts, ground verification, environmental assessments) demonstrating that natural forests and ecosystems remain intact;**
- **Summarize activities implemented (e.g., restoration, enrichment planting, agroforestry) and explain how these complied with non-conversion requirements;**
- **Report on any grievances or allegations related to conversion (cross-reference Theme 2.4) and their resolution;**
- **Identify any challenges in monitoring/enforcement and measures taken to strengthen compliance;**
- **Disclose relevant data (e.g., deforestation statistics, monitoring results) through the Safeguard Information System (SIS) or equivalent platform.**

Instructions to Participants: Attach monitoring reports, maps, or independent verification results. Where possible, provide before/after satellite images and evidence of any corrective measures. Confirm that no REDD+ proceeds were used in activities leading to conversion.

Theme 5.2 – Protect natural forests and other natural ecosystems, biological diversity, and ecosystem services and enhance environmental benefits.

Rationale

Theme 5.2 under Cancún Safeguard E ensures that REDD+ actions both avoid harm and enhance environmental benefits. **While the existing TREES 3.0 text combines these requirements; it risks being interpreted as a single goal – suggesting that biodiversity loss could be offset by benefits elsewhere. This is inconsistent with safeguard best practice.**

The amendment clarifies that two separate and non-negotiable conditions must be met:

1. REDD+ activities must avoid any adverse impacts on natural forests, biodiversity, and ecosystem services;
2. REDD+ activities must also enhance environmental benefits, wherever possible.

This removes ambiguity, reinforces the “do no harm” principle, and prevents trade-offs that could justify biodiversity loss.

The changes also:

- **Replace “natural forest areas and natural ecosystems” with “natural forests and other natural ecosystems”** for consistency with Theme 5.1;
- **Align TREES with global frameworks** such as the CBD’s Aichi Targets and the Kunming-Montreal Global Biodiversity Framework, which emphasize both halting biodiversity loss and enhancing ecosystem services;
- **Encourage robust environmental and social impact assessments (ESIA/EIA)** and monitoring of positive indicators (e.g., species richness, water regulation, pollination, soil health).

For VVBs, this wording provides a clearer benchmark: REDD+ activities must show zero net harm and demonstrable enhancements to environmental values.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 5.2

Structure and Process Indicator (amended):

Participants have in place a legal framework, policies, or programs, as well as the necessary procedures and resources, to **ensure that REDD+ activities are designed and implemented** to avoid any adverse impacts on natural forests and other natural ecosystems, biodiversity, and ecosystem services ~~in the design and implementation of REDD+ activities and to enhance their environmental benefits, while also~~ **enhancing environmental benefits. This shall include conducting environmental assessments, adopting mitigation measures, and monitoring improvements in biodiversity and ecosystem services.**

Outcome Indicator (amended):

Public institutions have designed and implemented REDD+ activities ~~without~~ **in such a way that they did not cause any** adverse impacts on natural forests and **other** natural ecosystems, biodiversity, and ecosystem services, ~~and demonstrably enhancing~~ **enhanced environmental benefits. Evidence shall include monitoring data and case examples showing improvements in biodiversity and ecosystem service indicators.**

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 5.2**Validation Scope**

The VVB shall confirm that the Participant has:

1. Defined procedures (legal/policy frameworks, program requirements) to ensure REDD+ activities avoid adverse impacts on natural forests, biodiversity, and ecosystem services, and to require enhancement of environmental benefits.
2. Demonstrated capacity (institutional roles, resources, technical procedures) to conduct environmental and social impact assessments (EIA/ESIA) or equivalent risk screenings for REDD+ activities.
3. Established monitoring systems to track both potential risks and expected environmental co-benefits (e.g., biodiversity indicators, ecosystem service metrics).
4. Outlined mitigation and enhancement measures, including avoidance of sensitive areas, protection of endangered species, ecosystem restoration activities, and co-benefit tracking frameworks.
5. Linked environmental protection and enhancement commitments to national biodiversity and climate frameworks (e.g., CBD targets, NBSAPs, national adaptation/mitigation plans).

Evidence may include: REDD+ strategy sections; environmental safeguard frameworks; EIA regulations and reports; biodiversity or ecosystem monitoring plans; national biodiversity policy references.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. No adverse impacts occurred on natural forests, biodiversity, or ecosystem services as a result of REDD+ activities. (Verified via monitoring reports, independent datasets (e.g., remote sensing, species surveys), site visits, and stakeholder interviews.)
2. Mitigation measures were applied where risks were identified in validation (e.g., protected species safeguards, activity redesign to avoid critical habitats).

3. Environmental benefits were enhanced, demonstrated by quantitative or qualitative evidence (e.g., increased forest cover quality, improved habitat connectivity, species recovery, ecosystem service improvements such as water regulation or soil health).
4. Monitoring data and disclosure are consistent with reported outcomes (cross-check SIS reporting, safeguard reports, and monitoring results).
5. Stakeholder corroboration (communities, NGOs, local experts) supports claims that REDD+ implementation avoided environmental harm and produced net benefits.
6. Grievance records (Theme 2.4) were reviewed for allegations of adverse impacts; any such claims were investigated and remedied.

Evidence may include: biodiversity monitoring reports; ecosystem service studies; habitat maps; EIA/ESIA reports; field audit notes; grievance logs; independent observer/NGO reports.

Findings (Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance:

- Evidence that REDD+ activities caused significant adverse impacts on natural forests, biodiversity, or ecosystem services (e.g., habitat destruction, species decline, water/soil degradation);
- Failure to implement required environmental assessments, mitigation measures, or monitoring systems;
- False or misleading reporting on environmental impacts/benefits.

Minor Non-Conformance:

- Mitigation and monitoring systems exist and no harm occurred, but documentation is incomplete (e.g., missing sections of biodiversity data, delayed publication of monitoring results);
- Environmental benefits were delivered but reporting is partial (e.g., enhancements achieved but not fully documented or disaggregated);
- Slight delays in implementing planned restoration/enhancement activities that are underway and do not risk net negative outcomes.

Corrective Action for Minor: The Participant must close documentation/reporting gaps, update monitoring/enhancement evidence, or implement delayed measures before the next verification. Recurring or uncorrected minor issues escalate to major.

Proposed Amendments to the TREES Templates Theme 5.2

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 5.2 please add:

The Participant shall:

- Describe the legal and institutional framework in place to prevent adverse impacts on natural forests, biodiversity, and ecosystem services during REDD+ design and implementation;
- Define procedures for environmental assessment, such as EIAs/ESIAs or safeguard screenings, to identify and mitigate potential risks prior to implementation;

- Identify planned environmental enhancement measures, including biodiversity conservation, restoration, and ecosystem service improvements, aligned with national and international commitments (e.g., CBD, national biodiversity strategies, NDCs);
- Describe monitoring systems that will be used to track environmental impacts and benefits (e.g., biodiversity indicators, ecosystem service metrics, habitat connectivity);
- Explain institutional responsibilities and resources allocated to implement, monitor, and enforce environmental safeguards and enhancement measures.

Instructions to Participants: Attach supporting documents (EIA guidelines, biodiversity or ecosystem monitoring plans, legal/policy references, and program-specific safeguards). Provide maps, baseline data, or indicators where available to demonstrate readiness to track outcomes.

For outcome indicator- see same approach as noted in TMR below.

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on box above) for Theme 5.2 please add:

For the reporting period, the Participant shall:

- Confirm that no REDD+ activities caused adverse impacts on natural forests, biodiversity, or ecosystem services;
- Provide evidence (monitoring data, EIA/ESIA results, biodiversity surveys, ecosystem service assessments, stakeholder feedback) demonstrating the absence of harm;
- Report on environmental enhancement outcomes, such as improvements in biodiversity indicators (species richness, habitat quality), ecosystem services (water regulation, soil fertility, pollination), or restoration activities (e.g., hectares restored, connectivity improved);
- Summarize mitigation measures applied to address identified risks and the effectiveness of those measures;
- Describe monitoring and disclosure practices, including how environmental outcomes were reported via the SIS;
- Report on any grievances related to environmental impacts (cross-reference Theme 2.4) and describe how they were addressed.

Instructions to Participants: Provide both qualitative and quantitative evidence. Attach maps, monitoring reports, case studies, or independent verification data. Where possible, provide disaggregated results by ecosystem type or geographic area.

Theme 5.3 – Enhancement of Social Benefits

Rationale

Theme 5.3 of TREES 3.0 reflects Cancún Safeguard E's requirement that REDD+ activities **enhance social and environmental benefits**. The current indicators require that women, youth, and vulnerable groups benefit

from REDD+ actions and the distribution of benefits, but they stop short of requiring **inclusivity and equity** in the design and implementation of benefit-sharing.

Field experience shows that benefits can concentrate among elites unless safeguards require that:

- **Benefits are distributed inclusively and equitably**, with deliberate attention to marginalized groups;
- **Social benefits are intentional outcomes**, such as poverty reduction, job creation, and improved land tenure security, not incidental byproducts;
- **ERR rights clarification (Section 3.4.1) and benefit-sharing arrangements (Section 3.4.2)** explicitly embed equity principles, since these are the processes where exclusion or inequity most often occur.

The amendments therefore:

- Strengthen the **Structure/Process indicator** to require frameworks and procedures that ensure benefits are **inclusive and equitable**, with explicit integration into ERR rights clarification and benefit-sharing arrangements;
- Revise the **Outcome indicator** to confirm that REDD+ implementation **demonstrably enhanced social benefits** in ways that are inclusive and equitable, with evidence that marginalized groups actually benefited.

This wording clarifies that REDD+ programs must not just “increase benefits,” but must **reduce inequalities, improve local well-being, and ensure vulnerable groups share fairly** in the benefits of climate finance, consistent with **SDG 5 (Gender Equality)** and **SDG 10 (Reduced Inequalities)**.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 5.3

Structure and Process Indicator (amended):

Participants have in place a legal framework, policies, or programs, as well as the necessary procedures and resources, to ~~enhance the social benefits of~~ **ensure that** REDD+ activities and the distribution of REDD+ benefits **enhance social benefits in an inclusive and equitable manner** ~~and ensure that women, youth and vulnerable groups can also benefit from the REDD+ activities and the distribution of REDD+ benefits.~~ **These arrangements shall guarantee that women, youth, and vulnerable groups benefit meaningfully from REDD+, and that social benefits such as poverty reduction, livelihood security, and empowerment are integrated as intentional outcomes. The framework shall explicitly apply to both the clarification of Emission Reductions and Removals (ERR) rights (Section 3.4.1) and the design and implementation of benefit-sharing arrangements (Section 3.4.2).**

Outcome Indicator (amended)

Public institutions have designed and implemented ~~the REDD+ activities and the distribution of REDD+ benefits~~ benefit-sharing arrangements to enhance social benefits **in an inclusive and equitable manner, and ensure** ~~ensuring~~ that women, youth, and vulnerable groups also ~~benefit~~ **benefited** ~~from the REDD+ activities, the clarification of ERR rights (Section 3.4.1), and the distribution of REDD+ benefits (Section 3.4.2).~~ **Evidence shall demonstrate that social benefits were not only increased, but distributed fairly across stakeholder groups without reinforcing existing inequalities.**

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 5.3

Validation Scope

The VVB shall confirm that the Participant has:

1. Identified social benefits expected from REDD+ activities, including poverty reduction, livelihood security, improved land tenure, empowerment of marginalized groups, or other locally relevant co-benefits.
2. Established a framework to ensure social benefits are enhanced in an inclusive and equitable manner, not limited to aggregate increases but also addressing distributional fairness.
3. Integrated inclusivity and equity principles into both:
 - ERR rights clarification (Section 3.4.1): showing how rights-holders (including IPs & LCs, women, and vulnerable groups) are recognized and included in decisions affecting carbon rights;
 - Benefit-sharing arrangements (Section 3.4.2): demonstrating transparent, fair allocation criteria with clear provisions for marginalized groups.
4. Defined monitoring systems and indicators for tracking delivery of social benefits (e.g., number and type of beneficiaries, gender/youth-disaggregated data, community-level outcomes).
5. Described institutional responsibilities and resources to implement and oversee social benefit enhancement.

Evidence may include: relevant terms of benefit-sharing plan and ERR rights agreements, social assessment reports, safeguard frameworks, monitoring indicators, stakeholder engagement plans.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. Social benefits were enhanced, demonstrated by monitoring data and stakeholder testimony.
2. Benefits were distributed inclusively and equitably, ensuring women, youth, vulnerable groups, and IPs & LCs received tangible benefits in practice.
3. ERR rights clarification (3.4.1) was conducted in a way that acknowledged and secured rights-holders' interests, particularly vulnerable groups.
4. Benefit-sharing arrangements (3.4.2) were implemented transparently and equitably, and allocations aligned with agreed principles and criteria.
5. Monitoring data are disaggregated (by group, gender, vulnerability, geography) to demonstrate inclusivity of benefits.
6. Stakeholder feedback confirms that benefits were meaningful, fair, and accessible to diverse groups, and not captured by elites.
7. Grievances related to benefits (Theme 2.4) were logged and addressed promptly, with remedies judged effective by complainants.

Evidence may include: benefit distribution reports, financial records, disaggregated monitoring data, ERR rights transfer agreements, stakeholder interviews, grievance logs, community case studies.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance:

- Evidence that benefits were distributed in a discriminatory or exclusionary manner (e.g., systematically excluding women, vulnerable groups, or IPs & LCs);

- ERR rights clarification or benefit-sharing arrangements implemented without inclusion of affected rights-holders (including women, youth and vulnerable groups);
- Elite capture or diversion of benefits, confirmed by financial records or stakeholder testimony;
- Failure to implement any monitoring of social benefits.

Minor Non-Conformance:

- Benefits were generally inclusive and equitable, but documentation is incomplete (e.g., missing disaggregated data or partial reporting of benefits);
- Some procedural gaps in ERR rights clarification or benefit-sharing consultations, without evidence of material exclusion and harm;
- Delays in delivering some benefits to target groups, provided corrective actions are in place and no evidence of harm.

Corrective Action for Minor: The Participant must provide missing documentation, strengthen monitoring and disaggregation, or ensure timely delivery of pending benefits by the next verification. Uncorrected or repeated minor issues escalate to major.

Proposed Amendments to the TREES Templates Theme 5.3

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the structure and process indicator (see amendments on box above) for Theme 5.3 please add:

The Participant shall:

- Describe the legal and institutional framework for enhancing social benefits of REDD+ activities and benefit distribution;
- Identify expected social benefits (e.g., poverty reduction, livelihood security, land tenure strengthening, job creation, empowerment of women and youth, reduced inequalities);
- Explain how inclusivity and equity principles will be applied in both:
 - (i) the clarification of Emission Reductions and Removals (ERR) rights (Section 3.4.1), to ensure that all legitimate rights-holders, including women, youth, vulnerable groups, and IPs & LCs, are recognized and protected; and
 - (ii) the design and implementation of benefit-sharing arrangements (Section 3.4.2), to ensure fair and transparent allocation of benefits across stakeholder groups;
- Describe monitoring systems and indicators that will track delivery of social benefits, including disaggregation by gender, age, vulnerable status, and geography;
- Outline institutional responsibilities and resources for ensuring that social benefits are realized and distributed inclusively and equitably.

Instructions to Participants: Attach the benefit-sharing plan, ERR rights agreements (if applicable), social assessments, or equivalent documents. Clearly demonstrate how equity and inclusivity will be embedded in both ERR rights clarification and benefit-sharing arrangements.

For outcome indicator- see recommendations in section 12.3

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

Under the outcome indicator (see amendments on box above) for Theme 5.3 please add:

- Describe the legal and institutional framework for enhancing social benefits of REDD+ activities and benefit distribution;
- Identify expected social benefits (e.g., poverty reduction, livelihood security, land tenure strengthening, job creation, empowerment of women and youth, reduced inequalities);
- Explain how inclusivity and equity principles will be applied in both:
 - (i) the clarification of Emission Reductions and Removals (ERR) rights (Section 3.4.1), to ensure that all legitimate rights-holders, including women, youth, vulnerable groups, and IPs & LCs, are recognized and protected; and
 - (ii) the design and implementation of benefit-sharing arrangements (Section 3.4.2), to ensure fair and transparent allocation of benefits across stakeholder groups;
- Describe monitoring systems and indicators that will track delivery of social benefits, including disaggregation by gender, age, vulnerable status, and geography;
- Outline institutional responsibilities and resources for ensuring that social benefits are realized and distributed inclusively and equitably.

Instructions to Participants: Attach the benefit-sharing plan, ERR rights agreements (if applicable), social assessments, or equivalent documents. Clearly demonstrate how equity and inclusivity will be embedded in both ERR rights clarification and benefit-sharing arrangements.

Theme 6.1 – The risk of reversals is integrated in the design, prioritization, implementation, and periodic assessments of REDD+ policies and measures

Rationale

Cancún Safeguard F requires that REDD+ activities **address the risk of reversals** (i.e., the risk that emission reductions or removals may not be permanent). TREES 3.0 currently notes that Safeguard F is covered elsewhere (in Section 7 on reversals), and therefore omits structure and outcome indicators under Section 12.

While Section 7 contains robust technical provisions (e.g., reversal buffer accounts, monitoring obligations, and reversal management plans), the **absence of explicit linkage in the safeguards section** risks creating the impression that Safeguard F is not addressed as part of the Cancun safeguard framework.

To close this gap, a short but explicit note should:

- Reaffirm that Safeguard F is fully integrated into TREES via **Section 7’s technical requirements**;
- Require Participants to **demonstrate, in their safeguards reporting, how reversal risks were identified, mitigated, and monitored**, in order to show consistency with Cancun Safeguard F;
- Clarify that adherence to Section 7 measures (buffer pools, legal arrangements, long-term forest management obligations) is the mechanism through which Safeguard F is “addressed and respected.”

This addition strengthens transparency and completeness of Section 12, ensuring **all Cancun safeguards are explicitly covered** in TREES safeguards reporting.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 6.1

Process Indicator (amended):

Public institutions have identified and integrated measures to address and monitor the risk of reversals in the design, prioritization, implementation, and periodic assessments of REDD+ activities, **including mitigation strategies, monitoring protocols, and actions for addressing any reversal events in accordance with Section 7 requirements.**

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 6.1

Validation Scope

The VVB shall confirm that the Participant has:

1. Described the legal and institutional framework supporting permanence of emission reductions and removals, including relevant land-use, forest management, and climate policies.
2. Identified potential sources of reversal risk (e.g., fire, pests, illegal logging, policy changes, land-use conflicts, market shifts).
3. Outlined mitigation measures consistent with TREES Section 7, such as:
 - Reversal buffer contributions;
 - Long-term land-use/forest management commitments;
 - Fire and pest management systems;
 - Monitoring and enforcement mechanisms.
4. Defined monitoring protocols for assessing reversal risk and triggering corrective action.
5. Established institutional roles and resources for reversal monitoring and management.

Evidence may include: reversal risk assessments, reversal management plans, buffer pool documentation, fire/pest management plans, enforcement mandates, and monitoring protocols.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. Reversal risk measures were implemented as described at validation (e.g., fire control systems operational, buffer pool contributions made).
2. No unaddressed reversal events occurred; if reversals were detected, buffer pool adjustments and corrective actions were taken consistent with Section 7.
3. Reversal monitoring data (e.g., remote sensing, field inspections, fire/pest reports) were collected and disclosed transparently.
4. Institutional responsibilities were fulfilled, and reversal risk management was coordinated with relevant agencies.
5. Stakeholder feedback corroborates that reversal risk measures (e.g., fire brigades, enforcement) are functioning on the ground.
6. Evidence may include: monitoring reports, remote sensing data, buffer account statements, fire/pest control logs, stakeholder interviews, and grievance records.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

- **Major Non-Conformance:**
 - Failure to establish or implement reversal risk measures;
 - Significant reversal event occurred without corrective action or buffer pool adjustment;
 - No monitoring or disclosure of reversal risks;
 - Evidence of systemic governance gaps that compromise permanence.
- **Minor Non-Conformance:**
 - Reversal risk measures in place, but documentation incomplete (e.g., missing detail in monitoring reports);
 - Small delays in updating reversal risk assessments or buffer pool contributions, without evidence of unmitigated reversals;
 - Procedural shortcomings in coordination or disclosure that did not materially affect permanence.

Corrective Action for Minor: The Participant must close documentation gaps, update monitoring/reporting, or adjust systems before the next verification. Uncorrected or repeated minor issues escalate to major.

Proposed Amendments to the TREES Templates Theme 6.1

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the process indicator (see amendments on box above) for Theme 6.1 please add:

The Participant shall:

- Identify main sources of reversal risk in the accounting area (e.g., fire, pests, illegal logging, land-use change, governance risks);
- Describe legal and institutional frameworks that ensure permanence of emission reductions and removals;
- Provide a reversal management plan consistent with Section 7, including monitoring protocols, mitigation strategies, and corrective action procedures;
- Explain contributions to the buffer pool and other safeguards against non-permanence;
- Describe institutional roles, budgets, and resources allocated to manage reversal risks;
- Attach supporting evidence such as risk assessments, forest/fire management strategies, or reversal monitoring frameworks.

Instructions to Participants: Please attach reversal risk analyses, buffer pool documentation, and monitoring protocols. Clearly describe how reversal measures align with Section 7 and demonstrate consistency with Cancún Safeguard F.

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

For the reporting period, the Participant shall:

- Confirm implementation of reversal risk management measures (e.g., fire prevention, pest control, enforcement of land-use rules);
- Provide evidence of buffer pool contributions and adjustments;
- Report any reversal events (type, scale, location) and describe corrective actions taken, including buffer pool deductions or remedial measures;
- Summarize monitoring results (e.g., fire incidence, deforestation alerts, ecosystem health indicators) and disclose through the SIS;
- Describe stakeholder involvement in reversal risk management (e.g., local fire brigades, community monitoring);
- Summarize grievances or concerns related to reversals (cross-reference Theme 2.4) and how they were addressed.

Instructions to Participants: Attach monitoring reports, reversal event records, buffer pool account statements, and evidence of corrective actions. Provide maps or satellite imagery where relevant.

Theme 7.1 – The risk of displacement of emissions is integrated in the design, prioritization, implementation, and periodic assessments of REDD+ policies and measures.

Rationale

Cancún Safeguard G requires that REDD+ activities address the risk of displacement of emissions (often referred to as “leakage”). TREES 3.0 notes that no specific indicators appear under Section 12 because leakage is addressed in other technical sections (notably Section 7 on displacement).

However, leaving only that statement risks giving the impression that Safeguard G is not explicitly covered in safeguards reporting. To avoid this, a clarifying note should:

- **Reaffirm that Safeguard G is fully integrated into TREES via Section 7’s requirements** on monitoring, managing, and minimizing leakage;
- **Require Participants to demonstrate in safeguards reporting how they have applied measures to address displacement risks** (e.g., leakage monitoring, regional coordination, policy measures to avoid activity-shifting);
- **Reference relevant UNFCCC guidance** (e.g., Warsaw Framework, Decision 17/CP.21) that results-based payments require addressing displacement;
- **Encourage continuous strengthening of displacement measures** over time.

This makes clear that all Cancun safeguards (A–G) are addressed and respected within TREES 3.0, with Safeguard G operationalized through technical rules but still requiring safeguards reporting.

Proposed Amendment Section 12.4.1 TREES 3.0- Theme 7.1

Process Indicator (amended):

Public institutions have identified and integrated measures to address and monitor the risk of displacement of emissions in the design, prioritization, implementation, and periodic assessments of REDD+ activities, **including measures to strengthen national and subnational policy alignment, reduce activity-shifting, and improve land-use governance, in accordance with Section 7 of TREES.**

Proposed Amendment VVS for Section 12.4.1 TREES 3.0 Theme 7.1

Validation Scope

The VVB shall confirm that the Participant has:

1. Identified potential sources of displacement (e.g., shifting of deforestation or degradation to other areas, agricultural expansion, illegal logging displaced to neighbouring jurisdictions).
2. Established legal/policy frameworks and programs to prevent and minimize leakage, consistent with Section 7 of TREES and relevant UNFCCC guidance.
3. Outlined monitoring systems for detecting displacement, including use of remote sensing, land-use data, and cross-jurisdictional monitoring.
4. Defined mitigation strategies (e.g., landscape-level planning, coordination with subnational jurisdictions, sustainable livelihood programs to reduce activity-shifting).
5. Designated institutional responsibilities and resources for ongoing leakage monitoring and response.

Evidence may include: leakage risk assessments, monitoring protocols, policy frameworks, interagency agreements, or national/subnational coordination strategies.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. Identified potential sources of displacement (e.g., shifting of deforestation or degradation to other areas, agricultural expansion, illegal logging displaced to neighbouring jurisdictions).
2. Established legal/policy frameworks and programs to prevent and minimize leakage, consistent with Section 7 of TREES and relevant UNFCCC guidance.
3. Outlined monitoring systems for detecting displacement, including use of remote sensing, land-use data, and cross-jurisdictional monitoring.
4. Defined mitigation strategies (e.g., landscape-level planning, coordination with subnational jurisdictions, sustainable livelihood programs to reduce activity-shifting).
5. Designated institutional responsibilities and resources for ongoing leakage monitoring and response.

Evidence may include: leakage risk assessments, monitoring protocols, policy frameworks, interagency agreements, or national/subnational coordination strategies.

Findings (Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance:

- No monitoring of displacement risks;
- Evidence of significant leakage attributable to REDD+ activities, without corrective action;
- Absence of legal/policy frameworks or institutional capacity to address leakage;
- Systematic under-reporting or misrepresentation of leakage impacts.

Minor Non-Conformance:

- Monitoring in place, no major leakage occurred, but documentation incomplete (e.g., missing maps, delayed disclosure);
- Small-scale leakage observed but corrective measures applied promptly and effectively;
- Minor inconsistencies between monitoring data and safeguards reporting, not material to overall outcomes.

Corrective Action for Minor: Participant must update leakage documentation, close data/reporting gaps, or demonstrate mitigation of minor leakage before the next verification. Uncorrected or repeated minor issues escalate to major.

Proposed Amendments to the TREES Templates Theme 7.1

1. TREES Registration Document (TRD) Template

Section 7 – Safeguards

Under the process indicator (see amendments on box above) for Theme 7.1 please add:

The Participant shall:

- Identify potential sources of emissions displacement within and beyond the accounting area;
- Describe legal and policy frameworks to prevent and minimize displacement risks, referencing Section 7 of TREES;
- Provide a leakage monitoring plan, including methods, frequency, and indicators to detect displacement;
- Outline mitigation strategies, including policy measures, livelihood programs, or subnational/national coordination mechanisms;
- Describe institutional roles and resources allocated to manage displacement risks;
- Attach supporting evidence (risk assessments, monitoring protocols, inter-ministerial or cross-jurisdictional agreements).

Instructions to Participants: Attach leakage risk assessments, monitoring and mitigation plans, and evidence of coordination with relevant agencies or subnational governments. Clearly explain how displacement risks will be monitored and minimized.

2. TREES Monitoring Report (TMR) Template

Section 7- Safeguards

For the reporting period, the Participant shall:

- Confirm that displacement risk monitoring was implemented, and report results (e.g., deforestation alerts outside program areas, land-use change trends);
- Provide evidence of monitoring data and analysis (maps, spatial data, leakage assessments);
- Report on any leakage events detected, their causes, and corrective actions taken;
- Summarize policy or program measures strengthened to prevent future leakage (e.g., livelihood programs, coordination with agriculture/forestry agencies);

- Describe stakeholder feedback or grievances related to leakage (cross-reference Theme 2.4) and how these were addressed;
- Confirm disclosure of leakage monitoring results through the SIS or equivalent platform.

Instructions to Participants: Provide quantitative and qualitative evidence, including monitoring datasets, spatial analyses, corrective action reports, and stakeholder engagement outcomes. Include before/after maps or time-series data where possible.

Dedicated guidance for TREES Section 12

Section 12 of the ART TREES 3.0 Standard addresses environmental social and governance **safeguards**, a critical pillar of credible REDD+ programs. To ensure these safeguards are effectively implemented, we recommend that ART **formally adopt and mandate a 2025 Safeguard Implementation Guidance** as a required companion document.

This guidance would function as a **Safeguards Implementation Manual**, providing detailed, practical instructions for meeting Section 12 requirements.

By making this guidance an official part of the TREES framework, ART would ensure that all Participant jurisdictions follow the same roadmap for addressing and respecting the Cancún safeguards under TREES. Formal adoption would demonstrate that safeguard implementation is not optional or secondary, but integral to TREES – on par with carbon accounting.

The annexed *Safeguard Implementation Guidance for ART TREES 3.0* (“Safeguard Guidance”)¹ provides a strong basis to work with stakeholders to elaborate such guidance for adoption and application by ART. The proposed guidance would be organized around the seven Cancún safeguard themes (A–G), it would:

- Clarify the objectives of each safeguard;
- Set benchmarks and expectations for structure/process and outcome indicators;
- Provide examples of implementation measures and documentation; and
- Integrate international best practice (e.g., IFC Performance Standards, UNDP SES).

The primary benefit of formal guidance is to jurisdictions themselves. Many governments and subnational entities struggle with how to operationalize broad safeguard principles in practice. A required guidance document would:

- **Provide a clear blueprint** for designing safeguard measures in line with international standards, but tailored to national and subnational contexts.
- **Support forward planning** by linking safeguards directly to the TREES program cycle. For example, in the TRD, jurisdictions must demonstrate conformance with structure/process indicators and define desired outcomes and monitoring plans for REDD+ actions in the crediting period. The annexed Safeguard Guidance is a robust starting point for development and adoption of a guidance document to be adopted by ART. A final guidance document can help Participants set realistic metrics and monitoring approaches at the outset, avoiding costly retrofits later.
- **Ensure safeguards are embedded from the start**, rather than treated as an afterthought. By prompting jurisdictions to define desired results and establish monitoring systems upfront, the guidance turns safeguards into an integral part of program design and execution.
- **Reduce uncertainty and transaction costs**, by clarifying what evidence is needed to demonstrate conformance. This allows jurisdictions to collect the right information at the right time, avoiding duplication of effort and unnecessary reporting burdens.
- **Enable stepwise compliance**, as TREES requires. Jurisdictions can show how they are addressing safeguards progressively – from design, to implementation, to monitoring – making validation and verification smoother and more predictable.

Formalizing the recommended guidance also enhances the credibility of jurisdictional REDD+ programs. By aligning safeguards with Cancún requirements and international standards, jurisdictions can demonstrate that

¹ The annexed “Safeguard Guidance” document was fully authored by the CL&P. Kawari Fund welcomes the opportunity to join other stakeholders in seeing it as a starting point to review, comment, and collaboratively draft such guidance which we agree should be adopted and approved by ART.

emission reductions are not only real and verifiable but also achieved with social and environmental integrity. This strengthens stakeholder confidence at multiple levels:

- Indigenous Peoples and Local Communities gain assurance that their rights and knowledge are respected.
- National stakeholders see consistency between REDD+ implementation and broader development and environmental commitments.
- International partners – including donor governments, NGOs, and market actors – have greater trust in the integrity of ART-issued credits.

Once adopted, we recommend ART commit to **periodic review and update** of the its finalized safeguard guidance. Lessons learned from implementation should be incorporated, and updates should be co-developed with Indigenous Peoples, Local Communities, civil society, women’s groups, and youth representatives. This inclusive process ensures the guidance remains practical, culturally appropriate, and legitimate in the eyes of those most directly affected by REDD+ actions.

II. Carbon Rights and Benefit Sharing

Context

A clear definition of carbon rights and fair benefit-sharing arrangements is fundamental to the social integrity of REDD+. Together, these provisions determine **who holds ownership of emission reductions and removals (ERRs)** – and therefore the credits – and **how the resulting financial benefits are distributed**, particularly to Indigenous Peoples, Local Communities, Afro-descendant Peoples, and other rights-holders who play a central role in conserving forests.

In addition to determining credit ownership and financial flows, clarity on carbon rights and benefit sharing reduces the risk of conflict, elite capture, and corruption, while strengthening both social legitimacy and market confidence. Without explicit recognition of customary rights and clear guidance on how statutory and customary tenure interact, there is a danger that communities who play a central role in forest stewardship will be excluded from benefits.

Clarity and fairness in these areas are essential to:

- Build trust among stakeholders;
- Secure meaningful participation in REDD+ programs; and
- Uphold the rights and interests of those most directly responsible for achieving and sustaining REDD+ outcomes.

TREES 3.0 introduces important provisions on carbon rights and benefit-sharing that are explicitly aligned with the UNFCCC Cancún Safeguards, including:

- **Safeguard C** – respect for land tenure and the rights of IPs & LCs;
- **Safeguard B** – transparent and effective governance;
- **Safeguard D** – full and effective stakeholder participation; and
- **Safeguard E** – enhancement of social and environmental benefits.

Additionally, as countries move toward jurisdictional crediting, many already host **nested REDD+ projects and IPLC-led carbon initiatives** within their accounting areas. Ensuring that these projects are **fairly and transparently integrated** into jurisdictional programs is critical to avoiding double counting and protecting the rights and interests of early actors. Clear protocols for nesting – covering both recognition of ERR rights (Section 3.4.1) and fair allocation of benefits (Section 3.4.2) – are therefore an essential part of strengthening TREES' treatment of carbon rights and benefit-sharing.

The objective of this section is to provide **recommendations for strengthening these two social integrity issues – carbon rights and benefit-sharing** – to ensure that TREES 3.0 achieves best practice and consistency with international norms. The analysis identifies **key gaps** in the current requirements and offers **specific recommendations for amendments** to:

- The TREES 3.0 standard text (Sections 3.4.1 and 3.4.2);
- The Validation and Verification Standard (VVS); and
- The Registration Document (TRD) and Monitoring Report (TMR) templates.

Together, these recommendations form a coherent package to reinforce social integrity in ART, ensuring that TREES credits are underpinned by **clear rights, equitable benefits, and robust verification**.

Section 3.4.1- Carbon Rights

Section 3.4.1 of TREES requires Participants to demonstrate their rights to emission reductions and removals (ERRs) before credit issuance. This section is central to the social integrity of ART, since carbon rights determine **who owns the credits** and who must share in the resulting benefits.

While the TREES 3.0 draft provides a strong baseline, gaps remain:

- It does not specify what counts as **acceptable evidence** of carbon rights;
- It does not require a **comprehensive tenure assessment** (statutory + customary);
- It does not explicitly state that **FPIC applies where IP and LC rights are affected**;
- It does not explicitly mandate **public disclosure of ERR rights agreements**;
- It does not expressly address how **unresolved disputes** affect eligibility for credit issuance;
- It does not codify protection of **beneficial interests** where the State holds legal title.

Without these clarifications, application may be inconsistent across jurisdictions, and VVBs may lack a consistent verification benchmark.

Strengthening Section 3.4.1 with clearer requirements – including explicit recognition of statutory and customary rights, FPIC, acceptable forms of evidence, tenure mapping, dispute resolution, and beneficial interest clauses – will:

- **Provide clarity** for Participants;
- Ensure VVBs **apply uniform standards**;
- **Protect the rights** of IPs & LCs and other stakeholders;
- **Build market confidence** that ART credits are legally and ethically sound.

Proposed Amendment Section 3.4.1

Amended paragraph 1

~~Before~~ **Prior** to the issuance of credits, the Participant shall ~~provide a demonstration of~~ **demonstrate** its **legal** rights to ~~the all~~ ERRs generated ~~from within~~ the TREES accounting area. **This demonstration shall be based on existing constitutional, statutory, regulatory, customary, or contractual provisions, and shall include evidence that both statutory and customary tenure rights have been recognized and addressed. frameworks, laws or administrative orders.** The Participant shall provide verifiable documentation of all such rights, identify all legal and customary rights-holders, and explain how any overlapping or contested claims have been resolved in accordance with Cancún Safeguards and Section 12 of TREES. ~~This explanation shall include how such carbon rights and/or intangible property interests are established, the legal basis for creating such rights and interests, and how claims to such rights from private parties, Indigenous Peoples, Local Communities, Afro-descendant Peoples, other stakeholders or subnational entities will be resolved (consistent with applicable UNFCCC Cancun Safeguards and Section 12).~~

Nesting (new clause)

Where nested REDD+ projects or IPLC/ community initiatives exist within the accounting area, the Participant shall demonstrate how their ERR rights are recognized and integrated into the jurisdictional framework in accordance with TREES safeguards, including FPIC, to prevent double counting and ensure fair treatment of rightsholders.

~~It may not be necessary for the Participant to establish or enact new legislation or a legal framework to address carbon rights. However, the Participant must explain how under existing legal and policy frameworks carbon rights and/or related intangible property interests are established and addressed are~~ **recognized under existing legal and policy frameworks and consistent with Applicable Law, and the legal basis for their creation and enforcement.**

Acceptable Evidence (new sub-clause)

Acceptable evidence of ERR rights may include:

- Statutory provisions or regulations explicitly addressing carbon rights;
- Court rulings or legal opinions confirming ownership or title;
- Official land title or registry records;
- Formal agreements or Memoranda of Understanding (MOUs) with IPs & LCs, private landowners, or project proponents;
- Records of customary tenure mapping;
- Recognition by competent authorities;
- Evidence of dispute resolution outcomes for overlapping claims.

Tenure Mapping (new clause)

The Participant shall conduct and provide a comprehensive assessment of land and carbon tenure within the accounting area, identifying all statutory and customary owners, land/resource users, and indigenous territories. The results of this assessment, including maps and a list of all recognized and potential rightsholders, shall be shared with affected stakeholders, validated by them, and made publicly available.

When other ERR right-holders are present in the accounting area, the Participant shall describe and provide evidence of agreements concluded prior to credit issuance for the transfer of ERR rights between them and the Participant. **Such agreements shall be reached in conformance with TREES safeguards, including FPIC where applicable, and described in the TREES Registration Document and Monitoring Reports.** ~~The Participant shall demonstrate that the agreements were reached in conformance with TREES safeguards and describe this in the relevant sections of their TREES Registration Document and TREES Monitoring Reports.~~

FPIC Clause (new clause + clarification)

Where the transfer of ERR rights involves Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent stakeholders, FPIC shall be obtained and documented in accordance with Section 12 safeguards.

Public Disclosure (new clause)

The Participant shall define and disclose a full copy of the ERR rights agreements in the TREES Registration Document. The transfer of ERR rights agreements shall be considered a TREES document under subsection 2.4 and published by ART. The complete ERR rights agreements, and a publicly accessible summary in appropriate languages and formats, shall be made available on the Participant's official REDD+ information platform or equivalent website (including any conditions or terms related to impacts and limitations on ownership, use, access and control (i.e. limits to grazing practices, subsistence activities with forest resources)).

Beneficial Interests (new clause)

Where legal title to ERRs rests with the government, the Participant shall demonstrate that the beneficial interests of IPs & LCs and other rightsholders are acknowledged and secured through benefit-sharing measures or agreements consistent with Section 3.4.2.

Participants may provide demonstration of rights to the ERRs during verification or at a later date, within the same crediting period or during the following crediting period. **However**, TREES credits will only be issued for the number of ERRs for which the Validation and Verification Body has verified that the Participant can demonstrate rights **regardless of how the credits will be used.**

Proposed Amendment Definitions- linked to section 3.4.1

Glossary Definition (new)

ERR rights (carbon rights): The legal or customary entitlement to claim ownership of, and/or receive benefits from, quantified emission reductions or removals generated within a defined area. This includes both the ownership of such reductions/removals and the beneficial interest in their use, transfer, or monetization.

Proposed Amendment VVS for Section 3.4.1

Validation Scope

The VVB shall confirm that the Participant has:

1. Identified and documented statutory and customary tenure systems relevant to ERRs;
2. Provided acceptable evidence of rights (see list above in amendments to section 3.4.1);
3. Conducted a comprehensive tenure assessment, validated with stakeholders and disclosed publicly;
4. Described how overlapping or contested claims were resolved in line with safeguards;
5. Applied FPIC procedures where IPs & LCs or equivalent stakeholders are rightsholders;
6. Provided agreements with other ERR rightsholders consistent with safeguards;
7. Publicly disclosed the full ERR rights agreements and an accessible summary (including any conditions or terms related to impacts and limitations on ownership, use, access and control (i.e. limits to grazing practices, subsistence activities with forest resources));
8. Demonstrated that beneficial interests are secured through Section 3.4.2 arrangements;
9. The VVB shall confirm whether any nested projects or IPLC/community initiatives exist within the accounting area. Where such projects/initiatives are present, the VVB shall verify that ERR rights agreements exist, reached in conformance with TREES safeguards (including FPIC where applicable), and that these agreements prevent double counting of ERRs.

Verification Scope

The VVB shall verify, during each monitoring period, that:

1. Rights claimed by the Participant remain valid and uncontested;
2. Tenure assessment results are updated and disclosed if there are changes;
3. Agreements with rightsholders are honoured and FPIC evidence is available;
4. Benefit-sharing commitments linked to ERR rights transfers are implemented;
5. No credits are issued for ERRs where claims remain unresolved or disputed;
6. The VVB shall verify that agreements with nested projects/IPs & LCs remain valid and implemented, and that ERRs from these initiatives were properly accounted for in jurisdictional results.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance (any one of these is sufficient):

- Failure to demonstrate legal rights to ERRs prior to credit issuance;
- No comprehensive tenure assessment conducted or evidence that significant statutory/customary rights-holders were omitted;
- Unresolved overlapping or contested claims that materially affect ownership of ERRs;

- FPIC not obtained where required for ERR rights transfer agreements with IPs & LCs or other rightsholders;
- Agreements with ERR rightsholders absent or not reached in conformance with safeguards;
- Evidence of misrepresentation of rights or fraudulent claims to ERRs;
- Evidence that nested projects/IPLC initiatives were integrated without FPIC, or excluded from ERR rights/benefit-sharing agreements;
- Evidence of double counting of ERRs between jurisdiction and project level.

Minor Non-Conformance (all must hold):

- ERR rights are broadly demonstrated and uncontested, but documentation incomplete (e.g., missing registry citations, limited detail on customary recognition);
- Minor mapping or tenure assessment gaps that do not affect overall validity;
- Slight delays in public disclosure of tenure assessments or agreements, without evidence of harm;
- Procedural shortcomings in validation of tenure information with stakeholders, but corrective action is underway.

Corrective Action for Minor: Documentation gaps or disclosure delays must be resolved by the next verification. Repeated or uncorrected issues escalate to major.

Proposed Amendments to the TREES Templates Section 3.4.1

1. TREES Registration Document (TRD) Template

Section 6- ERR Rights Demonstration

The Participant shall:

- Describe the legal basis for ERR rights under constitutional, statutory, customary, or contractual provisions;
- Provide acceptable evidence of ERR rights;
- Attach a comprehensive tenure assessment and maps of statutory and customary rights-holders;
- Describe how overlapping claims were resolved, with supporting documentation;
- Provide agreements with other ERR rightsholders, including FPIC evidence where applicable;
- Describe how beneficial interests of IPs & LCs and rightsholders are secured through benefit-sharing arrangements (cross-reference Section 3.4.2);
- Identify any nested projects or IPLC/community initiatives in the accounting area and describe how their ERR rights are recognized, transferred, or integrated, including evidence of FPIC where applicable.

2. TREES Monitoring Report (TMR) Template

Section 6- ERR Rights Implementation

For the reporting period, the Participant shall:

- Confirm that ERR rights remain valid and uncontested;
- Report any changes in statutory or customary tenure, including updates to maps and stakeholder validation;
- Provide evidence of agreements with ERR rightsholders and confirm that FPIC commitments were upheld;

- Describe the processes used to develop and approve the ERR agreements, including how participation and FPIC were ensured;
- Attach or reference the full ERR agreements (considered a TREES document under Section 2.4) and a publicly accessible summary in appropriate languages and formats;
- Explain disclosure arrangements (e.g., SIS platform, government REDD+ website) to ensure public access;
- Summarize any disputes raised, how they were resolved, and whether corrective actions were required;
- Report on benefit-sharing outcomes linked to ERR rights transfers;
- Confirm the continued validity and implementation of agreements with nested projects/IPs & LCs. Report any disputes raised and how they were resolved.

Section 3.4.2- Benefit Sharing

Rationale

Section 3.4.2 of TREES requires Participants to describe their benefit-sharing arrangements. This provision is foundational for the **social legitimacy and integrity** of ART, since benefit-sharing determines how carbon finance is distributed and whether IPs & LCs, and other stakeholders are equitably rewarded for their role in protecting forests.

The current TREES text, however, has several **gaps**:

- It requires an **ex-ante description** of benefit-sharing arrangements, but not systematic monitoring of actual disbursements.
- It does not explicitly mandate **public disclosure** of benefit-sharing plans or implementation results.
- It does not codify **equity principles** (e.g., proportionality to contributions, prioritization of IPs & LCs, gender inclusion, protection against elite capture).
- It lacks explicit requirements for integrating **nested projects** or IPLC-led initiatives into jurisdictional arrangements.

Without stronger requirements, there is a risk of:

- **Elite capture or mismanagement** of carbon revenues;
- **Exclusion** of IPs & LCs, women, youth, or vulnerable groups;
- **Reduced buyer confidence** in whether climate finance is reaching the ground.

Strengthening Section 3.4.2 to include transparency, monitoring, and equity safeguards will:

- Ensure REDD+ benefits are not only promised but **proven and verified**;
- Provide VVBs with clear benchmarks to audit benefit-sharing;
- Reinforce market trust in TREES credits as high-integrity, rights-respecting assets.

Proposed Amendment Section 3.4.2

The Participant shall provide a description of the benefit sharing arrangements that govern the distribution of proceeds and benefits derived from TREES Credits. This description shall **be provided in the TREES Registration Document** and include:

- The stakeholder groups eligible to receive benefits, including, where applicable, Indigenous Peoples, Local Communities, Afro-descendant Peoples, and other rights holders;
- The principles and criteria guiding how benefits are allocated, **which must give due consideration to: (a) the relative contributions of stakeholders to emission reductions and removals; (b) pre-existing statutory and customary rights, particularly those of IPs & LCs;**

and (c) the equitable inclusion of women, youth, and vulnerable or marginalized groups in both decision-making and benefit receipt;

- The processes used to develop and implement the benefit sharing arrangements, ensuring full and effective participation and FPIC where applicable; and
- The BSP shall also specify how nested projects and IPLC/community initiatives are incorporated into the jurisdictional benefit-sharing framework, ensuring that these actors receive a share of benefits equivalent to, or greater than, what they would have obtained absent integration.

Public Disclosure (new clause)

The Participant shall define and disclose a full copy of the BSP in the TREES Registration Document. The BSP shall be considered a TREES document under subsection 2.4 and published by ART. The complete BSP, and a publicly accessible summary in appropriate languages and formats, shall be made available on the Participant's official REDD+ information platform or equivalent website (including any conditions or terms related limitations on ownership, use, access and control (i.e. limits to grazing practices, subsistence activities with forest resources) in exchange for benefits received) .

~~In addition to describing the arrangements, the Participant shall demonstrate how the process used to develop and implement benefit sharing arrangements is consistent with TREES safeguards and report on this in the safeguard sections of the TREES Registration Document and~~

In each TREES Monitoring Report, the Participant shall report on the dedicated section on Benefit Sharing Implementation, detailing particularly:

- ~~• Safeguard B (transparent and effective governance);~~
- ~~• Safeguard C (respect for the knowledge and rights of Indigenous Peoples and Local Communities);~~
- ~~• Safeguard D (full and effective participation of relevant stakeholders); and~~
- ~~• Safeguard E (protection and conservation of natural forests and their ecosystem services, and enhancement of other social and environmental benefits)~~
- Total revenues generated from TREES credits during the reporting period;
- The terms of transactions with credit purchasers and amounts received;
- Expenses deducted prior to distribution;
- The amounts and/or percentages of revenues allocated to each beneficiary category (e.g., IPs & LCs, local governments, landowners, national administrative costs, forest management activities);
- A qualitative description of non-monetary benefits delivered;
- Examples of projects or activities funded to evidence impacts.

This information shall be disaggregated by beneficiary type, gender, and geography to the extent possible and reported in formats accessible to stakeholders

Participants are encouraged to consider allocating a significant portion of TREES proceeds to IPs & LCs and other local stakeholders critical to REDD+ implementation, consistent with international commitments such as the Glasgow Leaders' Declaration on Forests and Land Use.

Proposed Amendment VVS for Section 3.4.2

Validation Scope

The VVB shall confirm that the Participant has:

1. Developed a BSP describing eligible groups, allocation principles, and implementation processes;
2. Demonstrated that the BSP was developed with full and effective stakeholder participation and FPIC where applicable;
3. Defined allocation criteria reflecting equity principles: contributions, rights, and inclusion of marginalized groups;
4. Publicly disclosed the full BSP and accessible summary (including any conditions or terms related limitations on ownership, use, access and control (i.e. limits to grazing practices, subsistence activities with forest resources) in exchange for benefits received);
5. The VVB shall confirm that the Benefit-Sharing Plan (BSP) specifies how nested projects and IPLC/community initiatives are treated, and that they are guaranteed an allocation of benefits equivalent to, or greater than, what they would have obtained absent integration.

Verification Scope

The VVB shall verify, during each monitoring period, that:

- BSP implementation occurred as described, with financial allocations disbursed as planned.
- Reported benefit distribution matches financial records and beneficiary testimony.
- Allocations reached IPs & LCs, women, youth, and vulnerable groups in line with the BSP.
- Non-monetary benefits (e.g., capacity building, tenure strengthening) were delivered.
- Monitoring data were disaggregated by geography, gender, and vulnerability.
- BSP results were publicly disclosed;
- The VVB shall verify, through financial records and beneficiary sampling, that nested projects/IPLC initiatives received the benefits specified in the BSP.

Findings (See Safeguard Guidance (Annex I), Section 3.6.3.4)

Major Non-Conformance (any one of these is sufficient):

- No Benefit-Sharing Plan (BSP) exists or BSP not disclosed as required;
- Systematic exclusion of IPs & LCs, women, youth, or vulnerable groups from benefit-sharing eligibility or decision-making;
- Misrepresentation or evidence of diversion/elite capture of benefits;
- Failure to report or disclose benefit-sharing implementation in the TMR;
- Financial records or beneficiary testimonies show that benefits were not delivered as reported;
- FPIC not obtained where required for agreements relating to ERR rights transfers into BSP arrangements;
- Evidence that nested projects/IPLC initiatives were integrated without FPIC, or excluded from ERR rights/benefit-sharing agreements.

Minor Non-Conformance (all must hold):

- BSP exists, disclosed, and implemented broadly in line with requirements;
- Benefits were delivered but reporting incomplete (e.g., disaggregation missing, delayed publication, partial accounting of revenues/expenses);
- Minor procedural issues (e.g., limited outreach on BSP publication, insufficient detail in non-monetary benefits reporting) but no evidence of inequity or diversion;
- Small delays in distribution that are being corrected and do not materially undermine stakeholder trust.

Corrective Action for Minor: Participant must update reporting, provide missing disaggregated data, or strengthen monitoring/disclosure before the next verification. Repeated or uncorrected minor issues escalate to major.

Proposed Amendments to the TREES Templates Section 3.4.2

1. TREES Registration Document (TRD) Template

New Section 7- BSP Demonstration

The Participant shall:

- Describe the BSP governing the distribution of proceeds and benefits derived from TREES credits;
- Identify eligible stakeholder groups, including Indigenous Peoples, Local Communities, Afro-descendant Peoples, women, youth, vulnerable groups, and other rights-holders;
- Set out allocation principles and criteria, giving due consideration to:
 - relative contributions to emission reductions/removals;
 - pre-existing statutory and customary rights, particularly those of IPs & LCs; and
 - equitable inclusion of women, youth, and vulnerable or marginalized groups in decision-making and benefit receipt;
- Describe the processes used to develop and approve the BSP, including how participation and FPIC were ensured;
- Attach or reference the full BSP (considered a TREES document under Section 2.4) and a publicly accessible summary in appropriate languages and formats;
- Explain disclosure arrangements (e.g., SIS platform, government REDD+ website) to ensure public access;
- Describe institutional responsibilities for implementing and monitoring the BSP, and mechanisms to update it as needed;
- Confirm linkages to grievance redress (Theme 2.4) for disputes relating to benefit-sharing;
- Explain how nested projects/IPLC initiatives are incorporated into the BSP, including allocation rules or agreements ensuring they are no worse off than under standalone crediting. Attach supporting documentation (agreements, MOUs, or decrees).

Instructions to Participants: Provide the BSP in full and attach a summary. Include supporting evidence of participatory development, FPIC (where applicable), and disclosure. Ensure that the BSP is consistent with Sections 3.4.1 and 12 (safeguards)

2. TREES Monitoring Report (TMR) Template

New Section 7- BSP Implementation

For the reporting period, the Participant shall:

- Report total revenues generated from TREES credits, including purchaser terms, amounts received, and expenses deducted prior to distribution;
- Provide a breakdown of allocations (amounts/percentages) by beneficiary category (e.g., IPs & LCs, local governments, landowners, women's groups, national administrative costs, forest management);
- Report on equity outcomes, showing disaggregation by geography, gender, youth, and vulnerable group status to the extent possible;
- Describe non-monetary benefits (capacity building, tenure strengthening, conservation support, livelihood initiatives) and provide case examples of their impacts;
- Summarize how IPs & LCs and other stakeholders were engaged in monitoring benefit-sharing implementation;
- Describe challenges and corrective measures taken to ensure inclusivity, equity, and transparency;
- Provide disclosure evidence (e.g., SIS links, public reports) showing BSP implementation was published in accessible languages and formats;

- Summarize any grievances (cross-reference Theme 2.4) related to benefit-sharing and how they were resolved.
- Provide evidence of benefits allocated to nested projects/IPLC initiatives, including amounts/percentages and disaggregated reporting (by geography, group, etc.). Confirm these were received as agreed through beneficiary interviews or third-party attestations.

Instructions to Participants: Attach financial statements, disaggregated benefit tables, case studies, and SIS disclosure screenshots. Provide both quantitative and qualitative evidence to demonstrate that benefits were delivered fairly, transparently, and inclusively.

III. Stakeholder Engagement and the Safeguard Information System (SIS)

Context

Under the UNFCCC, a **Safeguard Information System (SIS)** is one of the four pillars of REDD+. An SIS is essentially a domestic system for providing information on how the **Cancún safeguards** (the seven social and environmental safeguards agreed under UNFCCC) are being addressed and respected during REDD+ implementation. At COP17 in Durban, Parties agreed that an SIS should have certain key characteristics – it should be *country-driven, transparent, accessible to stakeholders, flexible to improve over time, comprehensive* (covering all safeguards), and *built upon existing systems*. In other words, the SIS is meant to ensure that REDD+ programs “do no harm” and promote benefits by upholding transparency, stakeholder participation, and other safeguard principles in practice.

Within **TREES** these SIS requirements are echoed as eligibility criteria. TREES 3.0 requires Participants to have an SIS, but provides **no guidance** on what it means to have one “in place” or how VVBs should validate and verify it. Without clearer criteria, there is a risk of inconsistent application and uncertainty for both Participants and VVBs.

A strong SIS should:

- Be **transparent** (publicly available and updated regularly);
- Be **complete** (cover all Cancún safeguards, A–G);
- Ensure **stakeholder participation** (in design, review, and dissemination); and
- Be **linked to grievance mechanisms** (providing channels for feedback and accountability).

At the same time, TREES requires robust **stakeholder engagement** (Section 2.6), but this is framed mainly around ART Secretariat notifications and public comment. There is an opportunity to **leverage SIS as the main channel for domestic stakeholder engagement**, ensuring information flows both ways and that IPs & LCs and civil society are active participants in safeguards oversight.

Strengthening SIS and stakeholder engagement provisions in TREES will:

- Provide clarity and standardization for Participants and VVBs;
- Ensure compliance with UNFCCC expectations;
- Build trust among local and international stakeholders; and
- Reinforce ART’s position as a high-integrity REDD+ crediting standard

This section therefore presents recommendations for strengthening SIS and stakeholder engagement through targeted amendments to the TREES 3.0 standard text (notably Sections 2.6 and 3.1.2), to the Validation and Verification Standard (VVS), and to the Registration Document (TRD) and Monitoring Report (TMR) templates. Together, these proposed changes create a coherent framework to operationalize UNFCCC expectations within TREES and ensure robust, verifiable safeguards reporting.

Section 3.1.2 -National Reporting Requirements (SIS)

Rationale

While TREES requires Participants to have a SIS, it does not currently clarify what it means to have an SIS “in place” for validation and verification purposes. This creates uncertainty for jurisdictions and VVBs alike: what counts as sufficient evidence of a functional SIS, and how should VVBs assess it?

To address this, we recommend that ART develop additional guidance – for example, a dedicated guidance note or an update to the TREES standard – outlining the expected design features and evidence of a credible SIS. The attached Annex II -*Guidance Note: Developing a High-Quality SIS* offers a useful reference, as it translates UNFCCC principles into practical steps that jurisdictions can follow. ART’s guidance could distil these points and UNFCCC decisions into a TREES-specific benchmark, standardizing expectations and reducing confusion among Participants and VVBs.

A credible SIS should meet four key criteria:

- **Transparency:** Information is publicly available and updated regularly (at least every two years). VVBs should be able to verify this by accessing the SIS platform or reviewing published reports.
- **Completeness:** The SIS covers all Cancún safeguards (A–G), with information mapped against each TREES safeguard theme to ensure no safeguard is overlooked.
- **Stakeholder participation:** Stakeholders – including IPs & LCs, civil society, women, youth, and vulnerable groups – are actively engaged in SIS design and reporting. Information must be presented in user-friendly formats, local languages, and through channels that reach remote communities.
- **Grievance linkage:** The SIS is connected to the jurisdiction’s grievance redress mechanism, clearly directing stakeholders on how to submit concerns and how those grievances are resolved.

By defining these criteria, ART would be operationalizing UNFCCC SIS principles within TREES, giving Participants a clear target and VVBs a concrete checklist for validation and verification. This could be supported by a simple SIS reporting template in the Registration Document (TRD), requiring Participants to provide, for example, the URL or copy of their SIS report, dates of last update, a summary of how each safeguard is covered, evidence of public disclosure, and documentation of stakeholder engagement.

Importantly, this guidance should not penalize countries that are still building capacity. ART could adopt a phased approach or allow time-bound improvement plans, similar to practices in MRV. If an SIS exists but requires strengthening, ART could still approve crediting provided the Participant commits to defined improvements within a set timeframe.

In this way, ART would ensure that every TREES Participant has at least a basic, functioning SIS aligned with UNFCCC requirements, while also encouraging continuous improvement.

This section therefore presents recommendations to strengthen SIS requirements in TREES, including targeted amendments to the standard text (notably Section 3.1.2), the Validation and Verification Standard (VVS), and the TRD/TMR templates. Together, these changes would make SIS a more consistent, transparent, and participatory element of safeguards reporting under TREES.

Proposed Amendment Section 3.1.2

Add after requirements on the SIS:

Participants shall provide evidence that the SIS is publicly accessible, regularly updated, and covers all Cancún safeguards (A–G). The SIS shall demonstrate stakeholder participation in its design and reporting, and shall be linked to feedback and grievance mechanisms, providing stakeholders with clear channels to submit inputs or concerns.

Proposed Amendment VVS for Section 3.1.2

Validation Scope

The VVB shall confirm that the Participant has an SIS in place that is:

- Publicly accessible (e.g., website, published reports);
- Up-to-date (information updated at least every two years);
- Comprehensive (covering all Cancún safeguards);
- Developed with stakeholder participation (documented consultations, multi-stakeholder review bodies, processes for stakeholder contributions to reporting);
- Linked to grievance and feedback mechanisms.

Verification Scope

The VVB shall verify, during each monitoring period, that:

- Verify that the SIS has been updated during the monitoring period and remains accessible;
- Check evidence of stakeholder engagement in SIS reporting (e.g., meeting minutes, consultation records, processes for stakeholder contributions to monitoring and reporting);
- Confirm that feedback/grievances submitted through the SIS or linked mechanisms were logged and addressed;
- Verify disclosure of safeguard information in formats/languages accessible to IPs & LCs and other stakeholders.

Findings (Safeguard Guidance (Annex I), Section 3.6.3.4)

- Major non-conformance: No SIS in place; SIS not public; safeguards A-G not covered; no stakeholder participation or grievance linkage.
- Minor non-conformance: SIS in place and public, but updates delayed; partial coverage of safeguards; incomplete documentation of stakeholder engagement; limited dissemination to local communities.

Proposed Amendments to the TREES Templates Section 3.1.2

1. TREES Registration Document (TRD) Template

New Section on SIS

The Participant shall:

- Describe the SIS (digital platform or reporting system) used to provide information on safeguards;
- Provide the SIS URL or attach the most recent safeguard report;
- Confirm how often the SIS is updated and provide dates of last update;
- Explain how the SIS covers all Cancún safeguards (A-G);
- Describe stakeholder participation in SIS development/review;
- Explain how SIS information is disseminated to IPs & LCs, local communities, and other stakeholders (e.g., local languages, summaries, workshops);
- Confirm how the SIS is linked to grievance mechanisms.

2. TREES Monitoring Report (TMR) Template

New Section on SIS

For the reporting period, the Participant shall:

- Confirm SIS was updated and provide the date of latest update;
- Report on how SIS information was disclosed (e.g., website uploads, printed reports, local dissemination);

- Provide evidence of stakeholder participation in reviewing SIS information;
- Summarize any stakeholder feedback or grievances submitted through SIS or linked channels, and describe how they were addressed;
- Provide documentation (e.g., screenshots, meeting notes, grievance logs).

Section 2.6- Stakeholder Engagement

Rationale

Stakeholder engagement is a central pillar of the Cancún safeguards, particularly Safeguard D on full and effective participation and Safeguard B on transparent governance. TREES 3.0 currently addresses stakeholder engagement mainly in terms of ART-level notifications (listservs, comment periods) and public comment opportunities through the Secretariat. While this ensures transparency at the international level, the **jurisdictional level engagement processes** – where REDD+ activities are designed, ERR rights clarified, and benefit-sharing plans developed – require further strengthening.

In particular, TREES does not currently specify how participants should:

- Leverage the **Safeguard Information System (SIS)** as a two-way channel for stakeholder engagement and feedback;
- Ensure **inclusive participation** of IPs & LCs, women, youth, and vulnerable groups in decisions related to ERR rights (Section 3.4.1) and benefit-sharing (Section 3.4.2);
- Institutionalize participation through **multi-stakeholder bodies** that review safeguard reporting and BSP implementation; and
- Disseminate information in **locally appropriate formats and languages**, ensuring access for communities that may not have internet access or familiarity with technical documentation.

By clarifying these requirements, ART would reinforce that stakeholder engagement under TREES is not just procedural (comments to the Secretariat), but substantive – ensuring that IPs & LCs and civil society are **active participants in safeguards monitoring and REDD+ governance**. This strengthens TREES alignment with UNFCCC decisions and increases market and community trust.

This section therefore presents recommendations to amend Section 2.6 of TREES, strengthen VVS guidance, and update TRD/TMR templates to operationalize robust stakeholder engagement, integrated with SIS and linked to ERR rights and benefit sharing.

Proposed Amendment Section 2.6

Add new clause after 2.6.2

2.6.3 Domestic Stakeholder Engagement

Participants shall subject both the TREES Registration Document (TRD) and each TREES Monitoring Report (TMR) to domestic public consultation prior to final submission. These consultations shall be documented, including summaries of stakeholder feedback, how comments were addressed, and evidence of dissemination in appropriate languages and formats. The results shall be annexed to the TRD or TMR.

Proposed Amendment VVS for Section 2.6

Validation Scope

VVB shall confirm that the TRD was disclosed domestically, consulted upon with IPs & LCs, civil society, and vulnerable groups, and that feedback was annexed.

Verification Scope

VVB shall confirm that the TRD was disclosed domestically, consulted upon with IPs & LCs, civil society, and vulnerable groups, and that feedback was annexed.

Findings (Safeguard Guidance (Annex I), Section 3.6.3.4)

- **Major Non-conformance:** TRD or TMR submitted without documented domestic consultation.
- **Minor Non-conformance:** Consultation occurred but was incomplete (e.g., limited outreach or poor documentation) without evidence of systematic exclusion.

Proposed Amendments to the TREES Templates Section 2.6

1. TREES Registration Document (TRD) Template

New Section on Stakeholder Engagement (section 17?)

The Participant shall provide a summary of domestic consultations on the TRD, including:

- **Methods used to disseminate the draft TRD (languages, channels);**
- **Stakeholder groups engaged;**
- **Number and types of comments received;**
- **How comments were addressed in the final TRD.**

2. TREES Monitoring Report (TMR) Template

New Section on Stakeholder Engagement (section 17?)

For the reporting period, the Participant shall provide a summary of domestic consultations on the draft TMR, including:

- **Dissemination channels and languages used;**
- **Stakeholder groups consulted**
- **Comments received;**
- **Responses and changes made prior to submission.**

IV. Grievance Redress Mechanism

Context and Rationale

An effective grievance redress mechanism (GRM) is fundamental to the integrity of REDD+ programs. International best practice requires that non-judicial grievance mechanisms, such as ART's, meet principles of **legitimacy, accessibility, predictability, equitability, transparency, cultural appropriateness, rights-compatibility, impartiality, independence, confidentiality, anti-retaliation, and continuous learning.**

While Section 16 of TREES 3.0 establishes a complaints and appeals process, a close analysis reveals that it falls short of these standards. Key shortcomings include:

- **Limited transparency:** Outcomes are not publicly disclosed, undermining accountability.
- **Restricted accessibility:** Only narrowly defined complainants can file, and only in English by email, excluding many legitimate stakeholders.
- **Narrow scope:** The mechanism only reviews whether ART followed its procedures, not the substance of ART's decisions or Participant/VVB safeguard compliance.
- **Lack of predictable timelines:** Apart from an initial eligibility screening, there are no firm deadlines for investigations or appeals.
- **Weak impartiality:** Reviewers are hand-picked by ART from a non-transparent roster, the ART Board appears to retain oversight of outcomes, and the ART Secretariat exercises discretion as to whether it will act upon findings. This all raises independence concerns.
- **Insufficient protections:** While confidentiality is addressed via NDAs, there are no explicit anti-retaliation guarantees or whistleblower protections.
- **No cultural appropriateness:** Complaints can only be submitted in formal written English, via email, with no support for local languages or oral testimony.
- **Unclear remedies:** The mechanism does not explicitly provide redress for affected stakeholders; it is not clear what redress is available, the role the Reviewer and ART Board have in defining and approving those remedies, and outcomes are limited to "corrective and preventive actions" at ART's discretion.

Given ART's significant role in the carbon market and the impact its decisions can have on communities, civil society, and market confidence, its grievance mechanism must go beyond a procedural "check-box" exercise. It must be seen as legitimate, accessible, and capable of delivering meaningful remedies when stakeholders experience actual or imminent harm.

Section 16

This section therefore provides targeted recommendations for amending Section 16 of TREES to align it with international best practice and for non-judicial grievance mechanisms, strengthening ART's accountability and the credibility of TREES credits.

Proposed Amendment Section 16

16.1 SCOPE

The TREES Complaints and Appeals procedure is for reporting instances in which **ART's actions, omissions, decisions, or requirements- including those of oversight of Participants and the VVBs operating under ART approval** ~~the processes required by ART~~ have not been followed, **or have otherwise resulted in actual or imminent material harm to stakeholders.** ~~resulting in harm to stakeholders living and/or using forest resources in the REDD+ accounting area.~~ **This includes failures**

to apply ART's standards consistently or substantively, or instances where safeguard-related commitments under TREES are not upheld.

The procedure is open to any stakeholder (for the purposes of this Section, 'stakeholder' excludes the Participant) materially affected by ART's actions, omissions, decisions, or requirements, or oversight of Participants and VVBs, including but not limited to: individuals and groups living in or using forest resources in the REDD+ accounting area; Indigenous Peoples and local communities; Afro-descendant Peoples; civil society organizations; and other legitimate representatives acting with the consent of affected individuals or communities.

~~The TREES Complaints and Appeals procedure is not for grievances related to the design and/or implementation of a Participating jurisdiction's REDD+ Program or for complaints regarding the conduct or decisions of the Validation and Verification Body.~~

Complaints regarding a Participant's REDD+ program, including participatory processes, distribution of benefits, activities or communities included in the program, access to information, FPIC or any topic related to the design and implementation of the REDD+ program and TREES safeguards should be directed to the appropriate dispute resolution mechanism in the jurisdiction. **Where such mechanisms are not effective, complainants may escalate the matter to ART, which shall review whether the Participant has satisfied its obligations under TREES and, if not, require corrective action.**

~~As required by Section 12, non-discriminatory and non-cost prohibitive dispute resolution mechanisms must be in place and these mechanisms must provide effective recourse and remedies in the case of a violation of rights, grievance, dispute or claim related to the implementation of REDD+ activities.~~

~~If the Complainant does not feel the dispute resolution mechanisms are effective, they should report this concern to the Validation and Verification Body during the validation and verification process or to ART as part of the public comment process as described in Section 2.6.2.~~

Complaints on the conduct or decisions of the Validation and Verification Body can be reported to ART or to the Validation and Verification Body through its complaint process. If reported to ART, ART will forward the complaint to the VVB and, if appropriate, to the appropriate IAF accreditation member to be addressed through their process. ART will also take the complaint **and its treatment** into account as part of our Validation and Verification Body oversight process, but this will not be addressed through the TREES Complaint and Appeal process.

16.2 COMPLAINTS

Eligibility

Complaints must meet the following requirements to be considered eligible:

- ~~● Complainants must be one or more individuals who live and/or use forest resources in the REDD+ accounting area.~~
- ~~● Complainant must demonstrate harm or imminent pending harm from ART's failure to follow its processes.~~
- ~~● If a Complainant is a representative organization, it must include the names of the individual or individuals being harmed and their consent to be represented by the organization.~~
- ~~● The complaint must represent a new issue not associated with a previous complaint.~~
- **The complainant is any materially affected stakeholder, including but not limited to: individuals, groups, Indigenous Peoples, Local Communities, Afro-descendant Peoples, civil society organizations, NGOs, private sector actors, or other representatives acting with**

the consent of affected individuals, communities, or according to customary representation practices.

- The complainant demonstrates actual or imminent material harm linked to ART's actions, omissions, decisions, requirements, or oversight of Participants and VVBs.

Complaints may be submitted individually, jointly, or through representative organizations.

Repeat complaints may be admitted if new evidence emerges or if previous resolutions were not implemented effectively.

Accessibility

Complaints may be submitted in writing, orally, or electronically through multiple channels (e.g., web form, postal mail, community focal points, or email to redde@winrock.org)

Submissions shall be accepted in any relevant language.

ART shall proactively inform stakeholders of the existence of this procedure in multiple languages and culturally appropriate formats.

~~To submit a complaint, the Complainant sends a written complaint via email to redde@winrock.org.~~

Content of Complaint

Complaints should, to the extent possible, identify the specific provision of ART's standard or guidelines, at issue. However, complaints shall not be rejected solely for lack of technical references. ART shall provide support to complainants in framing their concerns against TREES provisions.

The complaint must detail the following:

1. Description of the ~~eligible~~ complaint ~~with specific~~ including reference to ~~TREES requirements that were not followed, ART actions, omissions, decisions, requirements, or oversight of Participants and VVBs (If known) that is related to the harm alleged;~~
2. Complainant name, contact details, and organization **(unless anonymous submission is chosen);**
3. Description of the actual or imminent harm to the Complainant **or affected stakeholders;** and
4. Supporting documentation, **if available** ~~provided for consideration by the reviewer in the complaint resolution process.~~

Confidentiality and Anti-Retaliation

~~In instances where a Complainant wishes to~~ may remain anonymous, **including to ART from the ART Participant or other external stakeholders,** by submitting through a secure third-party channel.

~~ART shall make appropriate accommodation providing that the identity of the Complainant must be made known to ART and to the reviewer.~~

ART shall maintain an explicit no-retaliation policy: if any complainant suffers retaliation for using the mechanism, ART will take appropriate action, including sanctions against Participants or VVBs.

Independence

The ART Secretariat will maintain a list of qualified individuals not employed by ART or Winrock who may be called upon to review any complaint received. ART will select a reviewer based on availability and the nature of the complaint.

Reviewers shall be selected from a transparent, pre-approved roster of independent experts, which shall include experts on relevant topics from civil society and Indigenous Peoples, local communities and Afro-descendants.

Reviewers shall be appointed in rotation or through an independent oversight committee, not solely by the ART Secretariat.

Process and Timelines

If a complaint is received, the ART Secretariat will acknowledge receipt to the Complainant **within 5 business days**, and then appoint an external reviewer **within 10 days** to evaluate whether the complaint meets the eligibility criteria.

Eligibility shall be decided within 20 business days of reviewer appointment.

Investigations shall be completed within 90 days of eligibility confirmation, unless extended with justification and periodic updates to complainants. If irreparable harm can occur in the interim, the reviewer can recommend a temporary corrective action without prejudice to the final findings.

~~The reviewer will notify the complainant of the eligibility decision within 20 business days of being appointed.~~

~~If the complaint is eligible, a qualified reviewer will investigate the complaint.~~

Investigations and Outcomes

The investigation may include interviews with relevant stakeholders, a review of documents and information, and/or consultation with external experts as needed. ~~All involved stakeholders, including ART, the VVB, the reviewer, and the Complainant and named individuals, will be required to sign Non-Disclosure Agreements limited to the term of the complaint review process to ensure the review process remains objective and uninfluenced by outside parties.~~

The reviewer's final report, including conclusions and recommended remedies, shall be binding unless a clear procedural error is identified on appeal.

ART shall publish summaries of all complaints, decisions, and remedies in an online registry, updated annually, with appropriate confidentiality protections where prior anonymity was requested.

Remedies may include: corrective action by ART or Participants; suspension of credit issuance; re-consultations with affected communities; restitution or compensation where appropriate; public apologies, or other necessary measures to restore rights, mitigate harm, or otherwise make the aggrieved party whole. Lessons learned from complaints shall feed into continuous improvement of the TREES program.

~~The reviewer will submit a report summarizing the investigation and their conclusion to the ERT Board. Following the ERT Board review, the reviewer will share a copy of the report with the ART Secretariat and the Complainant.~~

~~If appropriate, the ART Secretariat will develop corrective and preventive actions to address the~~

findings of the reviewer.

16.3 APPEALS

Parties may file an appeal within 30 days of receiving a decision if there is evidence of:

- Errors of fact, law, or procedure;
- Bias or lack of impartiality by the reviewer; or
- Failure to consider material evidence.

If within 30 days of the receipt of the reviewer's Complaint Report, the Complainant obtains evidence not previously considered during the Complaint process that would reasonably be expected to have impacted the decision, the Complainant may file an appeal including the evidence that was not considered. An appeal may not be filed only to dispute the outcome and must be filed by the same organization and affected individuals that filed the Complaint.

Appeals must be filed by the same organization or affected individuals that were party to the original complaint. Appeals may be submitted through the same accessible channels as complaints and in any relevant language.

To file an appeal, the Complainant sends a written appeal via email to reddd@winrock.org. The appeal must provide a detailed description of the appeal with specific reference to evidence that was not considered during the complaint review process.

Appeals shall be reviewed by a different independent reviewer or panel than the one who heard the original complaint.

In instances where a Complainant wishes to remain anonymous from the ART Participant or other external stakeholders, ART shall make appropriate accommodation providing that the identity of the Complainant must be made known to ART and to the reviewer.

Appeals shall follow the same predictable timelines as initial complaints:

- Acknowledgement within 5 business days;
- Eligibility decision within 20 business days;
- Final decision within 90 days of eligibility confirmation, unless extended with justification.

The final appeal decision shall be published (anonymized where necessary) and binding. Subsequent appeals on the same matter shall not be accepted.

If an appeal is received, the ART Secretariat will acknowledge receipt to the Complainant and then appoint an external reviewer based on availability and the nature of the complaint. The reviewer will evaluate whether the appeal meets the eligibility criteria and will notify the complainant of the eligibility decision within 20 business days of being appointed. The reviewer for the appeal will be a different individual than reviewed the complaint.

If the appeal is eligible, a qualified reviewer will investigate the appeal. The investigation may include interviews with relevant stakeholders, a review of documents and information, and/or consultation with external experts as needed. All involved stakeholders, including ART, the VVB, the reviewer, and the Complainant and named individuals, will be required to sign Non-Disclosure Agreements limited to the term of the appeal review process to ensure the review process remains objective and uninfluenced by outside parties. The reviewer will submit a report summarizing the investigation and their conclusion to the ERT Board. Following the ERT Board review, the reviewer will share a copy of the report with the ART Secretariat and the Complainant.

If appropriate, the ART Secretariat will develop corrective and preventive actions to address the findings of the reviewer.

The conclusion of the appeal reviewer will be considered final and subsequent appeals will not be accepted.

Conclusions

In closing, we commend ART for proactively updating the TREES standard at this pivotal juncture and for integrating lessons learned from the first years of jurisdictional REDD+ implementation. Our detailed recommendations above aim to **strengthen the social integrity and credibility** of TREES 3.0 so that it can fully deliver on its promise: high-quality emission reductions **paired with robust safeguards and equitable benefits**. By embracing the proposed clarifications – from tightening safeguard requirements and explicitly mandating FPIC, to strengthening its GRM, sharpening its treatment of carbon rights and transparency in benefit-sharing – ART can ensure that jurisdictional REDD+ programs **do more than reduce carbon**: they uphold communities’ rights, foster trust with stakeholders, increase demand through improved market integrity, and enhance co-benefits for people and nature.

Our submission underscores five priority areas for strengthening **social integrity** in TREES 3.0:

- **Safeguards (Section 12):** Clear, actionable requirements that make safeguards operational throughout program design and implementation, supported by dedicated Safeguard Implementation Guidance to bridge the gap between principles and practice.
- **ERR Rights (Section 3.4.1):** Stronger provisions requiring comprehensive tenure assessments, express recognition of customary rights, the application of FPIC and disclosure requirements to ERR agreements where rights-holders are affected, to ensure credits rest on a solid foundation of legal and social legitimacy.
- **Benefit Sharing (Section 3.4.2):** Transparent, equitable arrangements, publicly disclosed and verifiable, that guarantee climate finance reaches Indigenous Peoples, local communities, and other forest stewards in a fair and inclusive manner.
- **Stakeholder Engagement and SIS (Sections 2.6, 3.1.2):** Enhanced requirements for meaningful participation and robust, transparent safeguard information systems that function as active channels for accountability and stakeholder oversight.
- **Grievance Redress (Section 16):** A strengthened, independent, and accessible mechanism capable of providing timely and legitimate remedies to affected stakeholders, reinforcing trust and accountability in the ART system.

If adopted, our proposed enhancements will help **align TREES 3.0 with international best practices, the international duties and obligations of Participants** (UNFCCC Cancún safeguards, UNDRIP, ICCPR, and others), giving jurisdictions a clear roadmap to deliver emission reductions **without social trade-offs**. In practice, this means REDD+ programs under ART will be better equipped to protect indigenous rights, prevent land conflicts, combat corruption, and promote inclusive decision-making – all while achieving climate goals and contributing to the growth of a high integrity carbon market that crowds in public and private finance. The ultimate outcome will be a REDD+ credit that is **beyond reproach in integrity**, satisfying both carbon market requirements and the expectations of communities, NGOs, and buyers for strong social and environmental outcomes.

Finally, we wish to comment on ART’s **Beyond Carbon Benefits (BCB)** initiative in the context of TREES 3.0. We welcome the intent of the new BCB certification to recognize and reward the positive social, cultural, and biodiversity impacts of REDD+ programs. However, we emphasize the importance of **sequencing**: the core TREES standard revisions should be finalized and implemented **before rolling out the optional BCB modules**. In our view, a robust TREES 3.0 – with strengthened safeguards, rights protections, and benefit-sharing mechanisms – is the necessary foundation upon which any “beyond carbon” claims must rest. By completing the TREES 3.0 updates first, ART will ensure that jurisdictions focus on **getting the basics right (social and environmental integrity) through satisfaction of TREES**, and only then move to transparently report *additional* co-benefits. This sequencing will avoid confusion, inadvertent duplication of requirements, prevent dilution of attention from critical core issues, and ultimately make the BCB certification more credible and valuable once it is layered onto a strong base.

We appreciate the opportunity to contribute to this. We firmly believe the draft TREES 3.0 is moving in the right direction, we support these enhancements to safeguard and benefit-sharing provisions, and agree that ART should hold all programs to the highest standards of integrity and transparency. We are encouraged by ART's receptiveness to stakeholder input and its commitment to continuous improvement. By adopting the recommendations in this submission – and by timing new initiatives like BCB appropriately – ART can solidify its leadership in high-integrity jurisdictional REDD+. We look forward to seeing these revisions reflected in the final TREES 3.0 standard and stand ready to support their implementation.