



REDD+ SAFEGUARDS:

PRACTICAL CONSIDERATIONS
FOR DEVELOPING A SUMMARY
OF INFORMATION



Meridian Institute

Connecting People to Solve Problems

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PREFACE

Parties to The United Nations Framework Convention on Climate Change (UNFCCC) have agreed that developing countries should provide a summary of information on how all of the Cancun safeguards are addressed and respected through the implementation of their REDD+ activities. Furthermore, the Warsaw Framework on REDD+ introduced a requirement that countries must provide the most recent summary on safeguards *before* they can receive results-based payments.

The Government of Norway commissioned the Meridian Institute to convene and facilitate a team of internationally recognized experts to develop this independent paper with the aim of providing practical considerations for countries developing their summaries of information. This work was funded by Norway's International Climate and Forest Initiative (NICFI) but is not in support of, or reflecting, Norwegian Government positions. The paper is the sole work of the authors to whom we are very grateful.

Throughout the development of the paper, the authors engaged in multiple efforts to solicit input on its contents and framing from developing and donor countries, civil society, and indigenous peoples' organizations through one-on-one interviews, an on-line consultation, and three in-person group consultations with representatives from countries around the globe.

The Meridian Institute, a nonprofit organization internationally recognized for convening and facilitating neutral and independent dialogues and assessments played an important organizational role as it has for similar REDD+ papers.

We are hopeful that this paper on REDD+ Safeguards can contribute to this important dialogue.



Per F I Pharo

Director, The Government of Norway's
International Climate and Forest Initiative

CONTENTS

Preface	III
Contents	IV
Acknowledgements	V
Abbreviations	VI
PART I Setting the Context	1
1.1 OBJECTIVE AND SCOPE OF THIS PAPER	1
1.2 REDD+ SAFEGUARDS AND THE UNFCCC	2
1.3 PERSPECTIVES, EXPECTATIONS, AND IMPLICATIONS	3
1.3.1 Perspectives and expectations	3
1.3.2 Implications for this paper	5
PART II Contents and Structure	6
2.1 INFORMATION ON HOW SAFEGUARDS HAVE BEEN SPECIFIED	8
2.2 INFORMATION ON HOW SAFEGUARDS HAVE BEEN ADDRESSED	10
2.3 INFORMATION ON HOW SAFEGUARDS HAVE BEEN RESPECTED	12
2.4 COMPLEMENTARY INFORMATION TO STRENGTHEN CREDIBILITY OF SUMMARIES	14
ANNEX I: Relevant UNFCCC Decisions on Safeguards and Information on National Communications	16
ANNEX II: Substantive Content: Illustrative Constituent Elements of the Cancun Safeguards	19
ANNEX III: Glossary of Key Terms	22

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ABBREVIATIONS

CONAFOR	Comisión Nacional Forestal / National Forestry Commission of Mexico
COP	Conference of the Parties
FPIC	Free, prior and informed consent
FREDDI	Financing REDD+ in Indonesia
GCF	Green Climate Fund
GHG	Greenhouse gas
LDCs	Least developed countries
NFMS	National forest monitoring system
NGOs	Nongovernmental organizations
PRISAI	Prinsip Kriteria, Indikator Safeguards Indonesia / Principles, Criteria and Indicators for REDD+ Safeguards in Indonesia
REDD+	Reducing emissions from deforestation; reducing emissions from forest degradation; conservation of forest carbon stocks; sustainable management of forests; enhancement of forest carbon stocks
SIDS	Small Island Developing States
SIS	Safeguard information system
UNFCCC	United Nations Framework Convention on Climate Change
UN-REDD	United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation
VRO	Vietnam REDD+ Office

PART I

SETTING THE CONTEXT

1.1 OBJECTIVE AND SCOPE OF THIS PAPER

This paper has been produced in response to existing agreements under the United Nations Framework Convention on Climate Change (UNFCCC) that request developing countries to periodically submit a summary of information¹ on how safeguards (Box 1) are addressed and respected, throughout the implementation of REDD+ activities, and to receive results-based finance. UNFCCC Conference of the Parties (COP) decisions to date do not offer a template or detailed guidance on the content or structuring of the summary. The objective of this paper, therefore, is to offer practical considerations for countries seeking to provide this summary.

The intended audiences of the paper are stakeholders—within developing country and donor governments with knowledge of REDD+, UNFCCC decisions, and safeguards applicable to REDD+ activities. The paper responds to, and builds on, agreements already made under the UNFCCC, as summarized in section 1.2, by presenting a pragmatic approach for countries to consider when preparing and developing the summary to meet UNFCCC requirements.

The authors recognize that many countries are developing national safeguard information systems (SIS), but note that while such systems may inform and influence the summary, this paper does not discuss the design options and elements of SIS. Rather, it focuses on the specific request by the UNFCCC COP for countries to provide a summary of information on how safeguards were addressed and respected, and considerations for the content and structure of such summaries. The authors recognize that many countries are developing more detailed reporting for national purposes, but this paper is solely focused on provision of the summary, as requested by the UNFCCC. Box 2 outlines the differences and relationship between the SIS and the summary of information.

¹ Throughout the paper, the summary of information on how safeguards are addressed and respected is referred to simply as the “summary”

Box 1: The Cancun Safeguards²

When undertaking [REDD+] activities, the following safeguards should be promoted and supported:

- a) That actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements;
- b) Transparent and effective national forest governance structures, taking into account national legislation and sovereignty;
- c) Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples;
- d) The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities, in [REDD+] actions...;
- e) That actions are consistent with the conservation of natural forests and biological diversity, ensuring that the [REDD+] actions...are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits;
- f) Actions to address the risks of reversals;
- g) Actions to reduce displacement of emissions.

² Decision 1/CP.16, Appendix I, par. 2.

In preparing this paper, the authors considered the wide range of approaches to REDD+, including diverse country circumstances, developing countries’ experiences in developing and starting to implement safeguard information systems, expectations of developed country Parties and donor governments (including those engaged in or intending to make future results-based payments), the knowledge of civil society on safeguard-related issues, and the views and concerns of indigenous peoples’ organisations.

In addition to authors’ experience and knowledge of such views, input was gathered through a series of consultations with developing countries undertaking REDD+ actions, donor governments, members of civil society, and indigenous

Box 2: Safeguards information system vs. summary of information on how safeguards are addressed and respected

The safeguards information system (SIS) and the summary of information are directly related. The SIS is a domestic institutional, information, and technological arrangement or platform, building on existing national information systems that are designed and developed according to each country's national circumstances and contexts. The SIS is intended to serve as a tool for each country to gather, compile, and provide information as to how the safeguards are being addressed and respected while implementing REDD+ activities. In contrast, the summary is the means by which REDD+ countries will communicate internationally to the UNFCCC how they are addressing and respecting the safeguards and, over time, is likely to be a product of the national SIS.

It is expected that the information presented in the summary will contain a subset of information derived from the SIS itself. However, since it may take some time for the SIS to be fully designed, the summary can inform the UNFCCC on the status of addressing and respecting safeguards prior to the establishment and full operationalization of the SIS. The SIS and the summary will be intrinsically linked, so the improvements and changes in the former will influence the quality of the latter.

The summary can be seen as a safeguards narrative, through which each developing country tells its “story” of how the safeguards are being addressed and respected throughout the implementation of REDD+ activities, thus increasing transparency and fulfilling one of the requirements to access to results-based finance.

peoples’ organizations, including over 30 individual interviews (in person or over the telephone), three in-person group consultations (32 people total), formal review by two REDD+ experts, and an online review process that gathered feedback on a first draft from 24 stakeholders.

The authors recognize that REDD+ safeguards implementation is still in its early stages, thus it may be premature to present conceptual recommendations on the content and structure of safeguard information summaries in the absence of empirical experience. Experience gained in promoting and supporting safeguards in the coming years will likely require the REDD+ community to revisit the content and structure of summaries based on practical experience. Meanwhile, it is hoped that this paper can help stimulate further thinking and dialogue on safeguards information and provide useful input to those developing summaries in these early days of REDD+ implementation.

1.2 REDD+ SAFEGUARDS AND THE UNFCCC

Within the UNFCCC, countries must ensure that REDD+ activities, regardless of the source and type of funding, are implemented in a manner consistent with the safeguards adopted at the 16th Conference of the Parties in Cancun³ (see Box 1 and Annex I). In addition, the COP requested developing countries to develop “a system for providing information on how the safeguards ... are being addressed and respected throughout the implementation of [REDD+] activities.”⁴ Developing countries were also requested, when developing and implementing their national strategies or actions plans,

to address the safeguards, ensuring the full and effective participation of relevant stakeholders.⁵

Most relevant to this paper, Parties to the Convention have also agreed that developing countries undertaking REDD+ activities should provide a summary of information on how all of the safeguards are being addressed and respected throughout the implementation of REDD+ activities.⁶ The summary of information should be provided periodically and be included in national communications, communication channels agreed by the COP⁷, or provided on a voluntary basis, via the web platform on the UNFCCC website.⁸ They also decided that developing country Parties should start providing the summary of information after the start of the implementation of REDD+ activities⁹ and that the frequency of subsequent presentations of the summary of information should be consistent with the provisions for submissions of national communications from non-Annex I Parties.¹⁰

Finally, in relation to finance, in 2013 (Warsaw, COP-19), Parties agreed that developing countries seeking to obtain and receive results-based payments should provide the most recent summary of information on how all of the safeguards have been addressed and respected before they can receive results-based payments.¹¹

Excerpts from COP decisions relevant to REDD+ safeguards and information about the submission of national communications can be found in Annex I of this paper.

3 Decision 1/CP.16, Appendix II, Decision 2/CP.17 paragraph 63

4 Decision 1/CP.16, paragraph 71(d)

5 Decision 1/CP.16, paragraph 72

6 Decision 12/CP.17, paragraph 3

7 Decision 12/CP.17, paragraph 4

8 Decision 12/CP.19, paragraph 3

9 Decision 12/CP.19, paragraph 4

10 Decision 12/CP.19, paragraph 5

11 Decision 9/CP.19, paragraph 4

1.3 PERSPECTIVES, EXPECTATIONS, AND IMPLICATIONS

During consultations for this paper, a number of views and sensitivities were expressed by a broad range of stakeholders about providing summaries of information on safeguards. These views provided crucial perspectives and expectations. Several of the consistent themes heard during numerous consultations are summarized below, and key implications were drawn to provide context for the proposed content and structure of safeguard information summaries presented in Part II.

1.3.1 Perspectives and expectations

Variety of REDD+ approaches. National REDD+ strategies or action plans are currently being developed and are structured differently from country to country (see Box 3). For example, countries may choose to focus on all REDD+ activities (e.g., deforestation, forest degradation, enhancement of carbon stocks), or on just some of them according to national circumstances. Some countries are developing REDD+ specific strategies or action plans, while others are embedding REDD+ into broader low-carbon development or green economic growth strategies. Some countries are taking a programmatic and policy-driven approach, sometimes operationalized at the subnational level. Others are focusing on discrete sets of site-specific activities including, in some cases, registries of REDD+ projects. Many are pursuing a combination of approaches. National REDD+ strategies may also change within a country as activities are implemented, experience gained, and strategies refined over time.

Range of capacities. A broad range of country capacities were noted during the consultations. Country safeguard processes and information systems are at different stages of development; many countries have not yet started to think about the summary, its contents, structure and process of development. Many countries said they did not yet have adequate safeguard systems in place, but seek to develop and improve them progressively and prefer an approach that can accommodate such an evolution over time, and that encourages learning by doing. At the same time, some suggested that while an approach that accommodates incremental progress in providing information on how the REDD+ safeguards are being addressed and respected is desirable, there should not be gaps, in terms of content, in the summary. That is, information should be provided on all seven Cancun safeguards, even if only to communicate that improvements are needed in some areas. It was recognized that the effective implementation of the safeguards will take time, and that perfection is not expected, but rather a “positive direction of travel”, in particular to receive REDD+ results-based payments.

Box 3: Variety of REDD+ approaches¹²

Different contexts and national circumstances result in countries developing unique approaches to REDD+ from national programmatic and REDD+-specific strategies to integrating REDD+ into multisector green growth approaches.

For example, Peru conceives REDD+ as a useful tool to achieve its goal of zero net deforestation and forest degradation by 2021, but not as the overarching strategy that will lead all efforts for this agenda. Although it recognizes that REDD+ will play a key role in addressing the drivers of deforestation and forest degradation, the Government of Peru has stated that other efforts will be needed at the programmatic level. This is why the Ministry of Environment of Peru is developing, and will lead, a National Forest and Climate Change Strategy (including adaptation and mitigation) under the framework of the National Climate Change Strategy. REDD+ will be included in the national agenda as an Action Plan.

In Indonesia, in contrast, REDD+ has been identified as one of the six relevant strategies of the National Action Plan to Reduce Green House Gases (GHG). The Indonesian government adopted its National REDD+ Strategy in 2012, and in a September 2013 presidential regulation created a new government agency dedicated to REDD+. The REDD+ Agency reports directly to the President of Indonesia, and its main objective is to implement the National REDD+ Strategy to meet the country's goal of reducing its GHG emissions 26 percent, or 41 percent with international support, by 2020. The REDD+ Agency is developing a jurisdictional approach to operationalizing the National REDD+ Strategy.

Finally, Ghana has embarked on a REDD+ emission reduction demonstration program prior to finalizing its national REDD+ strategy. It is taking a programmatic approach to slow deforestation and forest degradation and enhance carbon stocks in its cocoa growing region, and includes institutional collaboration, policy reforms, increasing yields and incomes, landscape planning, and risk management. The program is led by the Forestry Commission of Ghana, but intends to inform and possibly create linkages to the country's broader efforts in Low Emissions Development (led by the Ministry of Environment, Science Technology and Innovation).

¹² Source: Information submitted by countries to the Forest Carbon Partnership Facility, or provided by Government officials

Trade-offs. Some countries noted that safeguards comprise a framework of broad objectives, with which REDD+ activities need to be consistent, but safeguards should not become an isolated strategy that is more complex and costly than the REDD+ activities themselves. A number of people acknowledged the trade-off between comprehensiveness versus efficiency and cost effectiveness, and noted that monitoring multiple indicators might demand considerable resources. Others suggested that a perverse incentive could be created if the requirements for such a summary were too rigid, forcing countries to “simply put something on paper” to meet them.

Access to finance. The summary of information is expected to provide confidence to the international community that safeguards have been both addressed and respected and to influence access to REDD+ result-based payments. Some suggested that higher levels of transparency would attract more finance by legitimizing REDD+ results. In addition, expectations are that the information contained in the summary enables relevant decisions to be made regarding such finance, by demonstrating the degree to which the safeguards have been achieved, not just what measures are in place on paper. For example, it is anticipated that the summary will provide a source of information for future results-based finance through the Green Climate Fund¹³ and that a likely assessment of that information would take place given current discussions by the GCF board on safeguards.

Furthermore, expectations are that the summary of information could be used to access various sources of REDD+ results-based finance, given that the COP has agreed such finance may come “from a variety of sources, public and private, bilateral and multilateral, including alternative sources.”¹⁴ There was a clear preference to having a single report, rather than multiple reports for each funding instrument, or at least a single framework. Stakeholders cited concerns that various financing agencies would adopt different reporting requirements and structures, making it difficult for developing countries, which are already challenged by limited human resources and high costs of developing safeguard information systems. A single reporting framework could be used, or tailored, to different reporting needs and, ideally, could integrate reporting to other international agreements and conventions to minimize the burden for developing countries.

Applicability. The scope of safeguards application is a challenge for developing countries. The UNFCCC states that REDD+ activities should be consistent with the Cancun safeguards.¹⁵ However, while UNFCCC decisions may imply

that safeguards requirements for REDD+ strictly apply to forest-related activities that reduce greenhouse gas emissions (or increase their removal from the atmosphere), many suggested that this narrow application could prove difficult to implement and introduces unnecessary complications to isolating REDD+ activities solely for the purposes of safeguards application. Some suggested that the more REDD+ specific safeguards were, the less sustainable they would become. Many developing countries suggested they were developing forest-sector-wide information systems, and/or integrated, landscape approaches for REDD+, which would make it complex to apply safeguards to just a narrow set of emission-reducing actions. Therefore, many are taking a more practical approach in applying the Cancun safeguards, for example, to all forest-sector activities, or even more broadly to all sectors that impact forests and land use. Additionally, there was a lack of clarity among those consulted on whether the safeguards should apply only to the activities that lead to REDD+ results, or if they should also apply to finance received for results-based actions.

Participation. Some stakeholders suggested a need to ensure the full participation of civil society and indigenous peoples—in particular, those directly affected by REDD+ policies and initiatives—in the development of the summary. This is because the implementation of the Cancun safeguards is not just the responsibility of governments, but also of nonstate actors, including, among others, indigenous peoples and local communities, who (if a REDD+ program has ensured the full and effective participation of stakeholders) have been involved in the design, implementation, and monitoring and evaluation of REDD+. Although participation of all relevant stakeholders in the development of the summary is currently not a requirement of the UNFCCC, it should be noted that ensuring full and effective participation is a safeguard in itself and applicable to REDD+ activities.¹⁶

Value-added. Providing information on safeguards has value beyond meeting UNFCCC requirements and accessing results-based payments. Different countries suggested that providing a public summary of information to the UNFCCC on how safeguards have been addressed and respected has multiple values, including:

- Demonstrating to international and domestic (at all levels national to local) constituencies, that the safeguards are being met and thus strengthening the credibility of REDD+
- Helping to attract long-term investment and payments for performance
- Creating a domestic process, when preparing the summary, that contributes to:

13 Decision 1/CP.18 paragraph 40,49 and 65

14 Decision 9/CP.19, paragraph 1

15 Decision 2/CP. 17 paragraph 63

16 Decision 1/CP.16, Appendix I, par. 2, letter (d).

- informing national policymaking
- ensuring that national legal requirements are being met
- supporting self-assessment processes of progress in governance effectiveness in forestry and land use sectors, and contributing to adaptive management within these sectors
- strengthening and improving country approaches to safeguards
- enhancing social and environmental (or “non-carbon”) benefits

For many actors involved in financing REDD+, the benefits of a summary are:

- Ensuring transparency regarding whether and how the safeguards have been addressed and respected
- Helping to avoid reputational risks associated with funding and enhance the credibility of their investments in REDD+
- For those considering results-based finance, providing critical information on the sustainability of the results, in terms of *ex post* emissions reductions and enhance removals
- Incentivizing sound program design
- Providing learning potential of how safeguards can be addressed and respected, both within and among countries

Challenges. While seeing value in providing a summary on safeguards, developing countries cited several difficulties in meeting the UNFCCC requirement. These included:

- The multiple safeguard processes operating in parallel within a country, including domestic requirements, such as environmental impact assessments, requirements for countries participating in bilateral and multilateral REDD+ initiatives, donor imposed requirements, subnational systems, etc. It is a challenge to harmonize these multiple processes and, for example, select common indicators, or create coherence among different platforms and structures created for meeting various multilateral/bilateral requirements
- The cost and human resources required to collect information on multiple elements and from multiple stakeholders and feed it into a national information system
- The need for cross-sectoral, multistakeholder (government, private sector, civil society, indigenous peoples) and inter-institutional coordination to gather all the relevant information, as well as obtain broad consensus, which has high transaction costs

- The limited amount of guidance provided for how to develop the summary, and lack of precedents for the summary

1.3.2 Implications for this paper

Flexible. To be applicable to all Parties, the content and structure of the summary needs to be flexible enough to accommodate a wide range of national circumstances of, and REDD+ approaches chosen by, developing countries pursuing REDD+ activities.

Simple but complete. While the summary should be comprehensive (covering each of the Cancun safeguards), the content and structure should be simple and straightforward. The summary should not be an exhaustive analysis, but contain what is necessary to demonstrate that each of the Cancun safeguards have been addressed and respected. Completeness may provide a greater chance that the summary could be used for multiple purposes.

Multipurpose. The summary may seek to meet various objectives, such as domestic assessment of safeguard implementation, contributing to evidence-based policymaking and adaptive planning, sharing experiences and lessons with other countries, and providing confidence to the international community and those providing results-based payments. The various objectives of the summary need to be identified by developing countries and could be articulated in the summaries themselves.

Adaptable. A broad range of national capacities and progress on REDD+ suggests a need for a stepwise approach to producing safeguards information. UNFCCC decisions suggest that developing countries are to report on safeguards *throughout the implementation of REDD+ activities*. Therefore, information could be provided in a stepwise manner. Countries should provide information appropriate to their stage of REDD+ implementation (e.g., through the phases of REDD+). Such a stepwise approach with periodic submission of summaries could create a narrative that provides the “positive direction of travel” in safeguards implementation that many potential financiers of REDD+ results seek.

Scope. Given possible differing interpretations of the scope of where safeguards apply, this paper focuses on the actions that may lead to REDD+ results. In other words, “REDD+ activities” are interpreted to be those policies and measures that are included in a country’s national REDD+ strategy or equivalent, and that aim to contribute to achieving REDD+ as defined by Decision 1/CP.16 paragraph 70.

PART II

CONTENTS AND STRUCTURE

This section offers a content and structure that developing-country Parties might consider when preparing their summary. As noted, this approach was informed by perspectives and expectations provided by key stakeholder constituencies. As described in Part I, any approach to the content and structure of the summaries will have to be flexible, simple but complete, serve multiple purposes, and be adaptable, allowing for a stepwise approach. Because many of the key concepts and terms used in this section are abstract and may not be intuitive on first reading, several are explained in a glossary (Annex III).

Developing country Parties are to provide a summary of information on *how* they have “addressed” and “respected” the seven Cancun safeguards throughout the implementation of their REDD+ activities.¹⁷ In order to achieve this, the following substantive content should be provided for each and every Cancun safeguard (see Figure 1 and Annex III):

- 1) **Specifying safeguards:**¹⁸ How have each of the seven Cancun safeguards been understood by the developing country, that is, what do the Cancun safeguards mean to each country in its particular circumstances and context? The safeguards agreed by the Parties in Cancun can only be operationalized once each country has unpacked the safeguards into their “constituent elements” (see Annex III) in accordance with the country’s context and, specifically, in relation to the REDD+ activities comprising national strategies or action plans. (See Annex II for a generic break down of the Cancun safeguards, into their constituent elements).
- 2) **Addressing safeguards:** How have the Cancun safeguards been *addressed* when implementing REDD+ activities? This component relates to the (existing or new) governance arrangements (e.g., policies, institutions, information systems) in place to ensure that REDD+ activities are implemented in accordance with the country-specific application of the Cancun safeguards.

- 3) **Respecting safeguards:** How have the Cancun safeguards been “respected” when implementing REDD+ activities? What safeguards have been achieved during implementation of REDD+ policies and measures? Put another way, how effective has a country’s governance arrangements been in implementing the country-specific application of Cancun safeguards. Information on respecting safeguards could include summaries of grievances and their resolutions (or not); analyses of constraints to implementation, and subsequent plans to strengthen identified weakness to improve safeguards implementation, as well as environmental and social outcomes of REDD+ activity implementation.

In addition to these three core components of the summary, a fourth optional component of complementary information could be considered:

- 4) **Complementary information:** A country could provide additional information in support of the three core components (specifying, addressing, and respecting) to strengthen the credibility of the information presented in the summary. This complementary component could include information on the processes of developing national safeguard frameworks, safeguard information systems, and/or the summary of information itself, as well as further sources of more detailed information available through the country’s safeguards or other information system(s).

Each of these information summary components is discussed briefly in the next section. Illustrative case studies are provided with the purpose of presenting real world examples to clarify the concept behind each core component. These cases are not presented as best-practice examples, but rather to aid the readers’ understanding of what is meant by “specifying,” “addressing,” and “respecting” the Cancun safeguards. Finally, to help clarify concepts further, and provide practical assistance to all interested stakeholder constituencies, some indicative questions are provided for each component, which could be adapted by each country to meet their summary information needs.

Information for each component could be provided in narrative form, broken down safeguard by safeguard, or presented as substantive yet concise answers to a number of key questions. Developing country Parties could seek to complement narrative text, or answers to questions, with tables, charts, figures, graphics, or specific examples to better communicate information in the summary.

¹⁷ UNFCCC Decision 12/CP.17 paragraph 3

¹⁸ Consistent with section II of Decision 17/CP.8, which indicates that developing country Parties are encouraged to provide information on national context and circumstances

Figure 1: Key components of a safeguards summary of information



Notes: Components in solid-outlined sections are considered core, essential elements of a safeguards information summary; components in dash-outlined section are optional but considered by all constituencies consulted to be highly desirable

2.1 INFORMATION ON HOW SAFEGUARDS HAVE BEEN SPECIFIED

Parties to the UNFCCC agreed to a set of seven broad safeguards; the lack of detail implies flexibility for the safeguards to be implemented in the context of individual countries. Consequently, the application of the Cancun safeguards will vary from country to country and will ultimately determine the content that each country provides on each safeguard in its summary. Providing this information can assist the international community in reading the summary and, in particular, provide a better understanding of how safeguards are being addressed and respected.

Information on how the Cancun safeguards have been applied to the specific circumstances of each developing country would be expected to encompass:

- Description of the country context and circumstances used to specify, or unpack, the Cancun safeguards. This description should include information on how various factors influenced the application of the Cancun safeguards in each country-specific context. Such factors include, among other things, the scope of safeguard application (limited to REDD+ or beyond), the scope of REDD+ activities and their potential risks and benefits, and the purpose of safeguards set by the country (i.e. voluntary adoption of safeguards beyond those agreed in Cancun).
- Identification of the constituent elements encompassed by each Cancun safeguard (a to g) as determined by the developing-country Party. In many countries, the unpacking of the Cancun safeguards into constituent elements appropriate to the country's circumstances and specific context is referred to as a "country safeguards framework."

Some developing country Parties¹⁹ are structuring their country safeguards frameworks as "principles" (often similar to, or consistent with, the Cancun safeguards), "criteria" (constituent elements of each principle), and "indicators" (specific information used to show how implementation is achieved and changes over time). These developing-country Parties may choose to share information about the principles and criteria of their country safeguards frameworks in the summary. In Indonesia, two safeguard frameworks, with complementary objectives, were developed around the principles, criteria, and indicators structure (Box 4).

For countries that have not determined a country safeguards framework, Annex II of this paper provides indicative examples of the constituent elements of the Cancun safeguards, which countries may choose to consider when unpacking these safeguards in their unique contexts and circumstances.

The value of including information on how a country has specified the application of the Cancun safeguards in the summary is that it provides context and framing, in accordance with national circumstances, context, and respective capabilities, for the subsequent core components on addressing and respecting the safeguards. This is aligned with UNFCCC guidance and decisions.²⁰

¹⁹ Particularly in Asia, where at least five countries (Cambodia, Indonesia, Myanmar, Nepal and Philippines) have embarked on development of principle, criteria, and indicator frameworks

²⁰ Decision 1/CP.16 paragraph 71, and Decision 12/ CP.17 paragraphs 2 and 4



Box 4: Indonesia's specification of the Cancun safeguards through a country safeguard framework²¹

The development of REDD+ country safeguard frameworks in Indonesia is proceeding through two main initiatives that both started in early 2011 and are running in parallel. The REDD+ Agency has developed Principles, Criteria and Indicators for REDD+ Safeguards in Indonesia (Prinsip Kriteria, Indikator Safeguards Indonesia [PRISAI]). Through a multi-stakeholder process - involving civil society, local and national government agencies, private sector representatives, pilot project developers, finance institutions, indigenous peoples, and local communities, research institutions, and international nongovernmental organizations - the seven Cancun safeguards were interpreted into a number of country context-specific environmental and social principles, criteria, and detailed indicators.

A comprehensive assessment of the relevant national policies, laws, and regulations, as well as an institutional assessment (see 'addressing', Section 2.2), were conducted during the development of PRISAI. Stakeholder consultations on draft principles, criteria, and indicators, employed a variety of methods such as public meetings, focus group discussions with key stakeholders, emails to technical experts, and informal coffee shop discussion exchanges. PRISAI has been field tested at the provincial level in Berau, Central Kalimantan, and Jambi and guidelines for implementation are being developed. PRISAI's primary function is *ex-ante* screening REDD+ project designs against normative standards for funding through the national REDD+ fund.

Concurrently, the Ministry of Forestry has developed a National Safeguards Information System (SIS) based on existing safeguards systems, which also comprises principles, criteria, and indicators to structure information used in reporting nationally and internationally (i.e. to the UNFCCC) on how safeguards are being addressed and respected at the national level. The process for developing the principles, criteria and indicators of the Indonesian SIS was based on an initial assessment of key elements of the existing legal framework (see 'addressing', Section 2.2), which informed a multi-stakeholder consultation process using methods similar to those employed in PRISAI's development – national and provincial workshops, focus group discussions, web publication, and access to drafts through other media. Unlike PRISAI, the SIS was not designed to validate the performance of any project or program against a set of normative standards, but serves as a national information platform, with provincial platforms under development that will aggregate information and then feed it up to the national level. Piloting SIS at the provincial level is occurring in Jambi, Central Kalimantan, and East Kalimantan. Currently, an SIS web platform database is under development, which has also been piloted in Jambi and East Kalimantan. This system and web platform has opened new venues for all stakeholders, including indigenous peoples and local communities, to participate in REDD+. The REDD+ Agency is now exploring opportunities to merge PRISAI and SIS into a single coherent country safeguard framework.

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 21 Sources for this box include: CSE (Centre for Standardization and Environment). (2013). *Principles, Criteria and Indicators for a System for Providing Information on REDD+ Safeguards Implementation (SIS-REDD+) in Indonesia*. Centre for Standardization and Environment, Ministry of Forestry and Forests and Climate Change Programme, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), Jakarta; IRMA (Indonesia REDD+ Management Agency). (2013). *Principles, Criteria, and Indicators for REDD+ Safeguards in Indonesia – PRISAI*. Indonesia REDD+ Management Agency (IRMA), Jakarta; Nur, M. (2013). *Safeguards and safeguards information system for REDD+: National experiences and plans*. Presentation to the conference *REDD+ Safeguards: Fundamental; not an add on*. Institute for Global Environmental Strategies (IGES), 4-5 December 2013, Tokyo; Steni, B. (2013). *Principles, Criteria and Indicator for REDD+ Safeguards Indonesia – PRISAI*. Presentation to the conference *REDD+ Safeguards: Fundamental; not an add-on*. Institute for Global Environmental Strategies (IGES), 4-5 December 2013, Tokyo; Republic of Indonesia. (2014). *Updated mid-term progress report of the Republic of Indonesia and request for additional funding from the Forest Carbon Partnership Facility*. Republic of Indonesia, Jakarta.

Information on how the Cancun safeguards have been specifically applied in countries is likely to be relatively static over time, that is, a country's information on how the Cancun safeguards have been specified in their particular context is unlikely to change significantly from one summary to the next. Significant changes in a country's cultural, economic, environmental, political, social, or technological circumstances might warrant a reinterpretation of the Cancun safeguards and an update in subsequent summaries. Similarly, as a country's capacity develops, a more nuanced elaboration of international safeguards commitments to meet a country's specific circumstances may necessitate a revision of country safeguards frameworks.

Indicative questions on country specific application of safeguards that could assist in the development of summaries of information:

- What particular circumstances and context were considered as the basis to specify the Cancun safeguards?
- How have various factors influenced the specification of the Cancun safeguards to the country's context? For example, the scope of REDD+ activities articulated in the national strategy or action plan, the potential environmental and social risks and benefits of these activities, the scope of safeguards application – just REDD+ activities (required) or wider (optional), the national legal framework that regulates rights and obligations associated with the safeguards.
- What is the adopted country “safeguards framework” that specifies the application of the Cancun safeguards (i.e. what are the constituent elements of each of the Cancun safeguards) given the country's particular circumstances and context?
- What was the process for developing the country safeguards framework (e.g., were any assessments and consultations carried out)?

2.2 INFORMATION ON HOW SAFEGUARDS HAVE BEEN ADDRESSED

Information in relation to how safeguards are addressed is associated with what developing country Parties have, and plan to have, in place to guarantee the implementation of the safeguards. Consequently, information on how safeguards are addressed will vary from country to country, but would generally pertain to developing-country Parties' existing (and new) governance arrangements, all of which would seek to guarantee the implementation of the safeguards. Governance arrangements will predominantly be formal (i.e. statutory), but may also include informal (i.e. customary) aspects of developing countries' relevant:

- Legal framework: laws, policies,²² regulations, plans, and programs relevant to the implementation of the country's safeguards framework that recognize, protect and promote the objectives embedded in the safeguards, and that are used to ensure that safeguards are adhered to when implementing REDD+ activities.
- Institutional framework: institutions and institutional arrangements relevant to the implementation of the country's safeguards framework,²³ which would demonstrate who, within government and among non-state actors, is assigned with functional responsibilities for the implementation of the safeguards (as recognized, protected, and promoted by the relevant legal framework).
- Information systems: used to provide information on the implementation of the relevant legal framework that recognizes, protects, and promotes the objectives embedded in the safeguards.
- Grievance redress mechanisms: used to settle disputes in relation to the relevant legal framework that recognize, protect, and promote the objectives embedded in the safeguards.
- Noncompliance mechanisms: used to address any failure to implement the requirements or respect the rights set forth in the relevant legal framework that recognize, protect, and promote the objectives embedded in the safeguards.

Information on “addressing” the Cancun safeguards could therefore entail a description of relevant governance arrangements, as outlined above. In addition, such arrangements could be mapped to each of the seven Cancun safeguards. The value of including information on how the safeguards have been addressed in the summary is that it can assist countries in communicating what they have in place to ensure the REDD+ activities are implemented in accordance with the Cancun safeguards. This is aligned with UNFCCC guidance and decisions.²⁴

Box 5 illustrates how two countries – Mexico and Vietnam – have taken initial steps to determine how they will address (i.e. what they have in place, or need to put in place, to meet) the Cancun safeguards when implementing REDD+ activities. The steps they are taking include assessments of their existing governance arrangements, starting with an assessment of their national legal frameworks in relation to safeguards specified by the country.

22 Including national interpretations and implementation of existing international policy commitments, and reporting requirements, other than those of UNFCCC

23 Refers to institutions and institutional arrangements mandated with responsibility for overseeing the implementation of the relevant legal framework, together with operation of information systems, grievance redress and non-compliance mechanisms. Includes information on the formal (statutory) and informal (customary) institutional procedures and capacities to put these governance elements into practice.

24 Decision 17/CP.8 (Annex, Section IV) and Decision 1/CP.16 paragraph 69

Box 5: Mexico and Vietnam employ governance arrangements to address safeguards²⁵

Mexico - In 2013, the National Forestry Commission of Mexico (CONAFOR) undertook a detailed and comprehensive gap analysis of its legal framework as a first step to ascertaining what governance arrangements were already in place to address the Cancun safeguards. The main objective of the analysis was to specifically determine what the Cancun safeguards meant in the country's context and to determine what aspects of the legal framework could be used to support their operationalization (i.e. ensure safeguards are addressed).

The legal gap analysis covered over 65 national policies, laws, regulations, plans, and programs, as well as international legal commitments, and assessed the safeguard-relevant aspects of the Mexican legal framework both on paper and in practice (through interviews with relevant stakeholders). The analysis demonstrated that the existing legal framework robustly addresses the Cancun safeguards in the specific country context of Mexico. Gaps were identified and recommendations were provided for addressing those gaps. Mexico is currently undertaking assessments of its institutional framework, information systems, grievance redress mechanisms, and noncompliance mechanisms to determine how these governance arrangements could be used address the Cancun safeguards.

Vietnam - In the same year, Vietnam's REDD+ Office (VRO) also commissioned a detailed and comprehensive legal gap analysis. Having reviewed various options to operationalize the Cancun safeguards, together with existing REDD+ readiness initiatives and safeguard frameworks in the country, the VRO elected to initiate Vietnam's country approach to safeguards through a legal gap analysis. The objective was to identify elements of Vietnam's legal framework that demonstrated consistency with the Cancun safeguards and could be used to address them, but could also be used to meet other international safeguard frameworks.

The legal analysis covered a similar number of national policies, laws, regulations, plans, and program, as well as international legal commitments as in Mexico. However, unlike Mexico, the Vietnamese assessment was carried out only on paper, and did not assess the legal framework's implementation in practice. In general, the analysis demonstrated that Vietnam's legal framework also largely addressed the Cancun safeguards and could be used to support their effective implementation. The legal gap analysis also identified and provided recommendations for addressing key gaps in the legal framework, specifically with respect to rights and vulnerabilities of ethnic minority peoples, as well as risks of conversion of natural forests, reversals, and displacement of emissions. With support of the UN-REDD Programme, Vietnam is now preparing to conduct an assessment of its institutional framework, as well as (formal and informal) grievance redress mechanisms, as the next steps in addressing (i.e. demonstrating what governance arrangements are in place to meet) the Cancun safeguards.

25 Sources: Rey, D., Rivera, L., Ribet, U. & Korwin, S. (2013) *Recomendaciones para el Diseño de un Sistema Nacional de Salvaguardas para REDD+ en México*. Alianza México para la Reducción de Emisiones por Deforestación y Degradación, México Distrito Federal; Rey, D. & Swan, S.R. (2014) *A Country-led Safeguards Approach: Guidelines for National REDD+ Programmes*. SNV Netherlands Development Organisation, REDD+ Programme, Ho Chi Minh City; Rey et al. (2014) Rey, D., Hoang Ly Anh, Doan Diem, Le Ha Phuong and Swan, & S.R. (2014) *Safeguards Roadmap (v2.0) for Vietnam's National REDD+ Action Plan: a contribution to a country-led safeguards approach*. SNV Netherlands Development Organisation, REDD+ Programme, Ho Chi Minh City; UN-REDD (personal communication).

As with each country's specific safeguard framework (see Section 2.1), information on how the safeguards are being addressed might be expected to be relatively constant from one summary to the next, that is, a country's governance arrangements are likely to change at a rate slower than the frequency of summary submissions. Passing of new safeguard-relevant policies, laws, and regulations, together with any significant modifications of institutional arrangements, information systems, or any other relevant governance components of a country, could be updated and reflected in subsequent summaries.

Indicative questions on addressing safeguards that could assist development of summaries of information:

- What, in the country's relevant legal framework (statutory and customary policies, laws, regulations, plans, and programs), is in place to ensure the country's safeguards framework is adhered to when implementing REDD+ activities?
- To what international agreements or conventions, relevant to country's safeguards framework, is the country a Party?

- What institutions and institutional arrangements (within government and among nonstate actors) are assigned with functional responsibilities for ensuring the implementation of the country's safeguards framework (i.e. who are the institutions or institutional arrangements in charge of implementing the legal framework relevant to the safeguards), and what are the processes through which they operate?
- What information systems (or SIS if already developed) will be used to gather and share information regarding the implementation of the country's safeguards framework (i.e. which information systems are assigned to gather and share information regarding the implementation of the legal framework relevant to the safeguards)?
- What grievance redress mechanisms will be used to deal with complaints and disputes associated with the country's safeguards framework when conducting REDD+ activities (i.e. those mechanisms that deal with grievances concerning the implementation of the legal framework relevant to the safeguards, and those specially created in the context of REDD+)?
- What noncompliance mechanisms (administrative or judicial) will be used to deal with any failure to address and respect the country's safeguards framework when conducting REDD+ activities (i.e. those mechanisms that are to be used to correct and/or penalise incomplete or failed compliance with the legal framework relevant to the safeguards)?
- What are the gaps and weaknesses in the existing legal and institutional frameworks, information systems, grievance redress, and noncompliance mechanisms that the country plans to remedy?
- Domestic processes (including identification of stakeholders and their roles in the processes) of reviewing and evaluating how the country's safeguards framework has been respected
- Any complaints, grievances or disputes raised in relation to application of the Cancun safeguards and how they were resolved;
- Analyses of constraints to implementation and subsequent plans to strengthen identified weakness, including capacity, financial and technical needs, to improve implementation²⁶
- Outcomes of safeguard implementation, particularly for Cancun safeguard (e), which goes beyond orthodox safeguard "do no harm" functions to calling for "doing good positive outcomes" in terms of nonconversion of natural forests and enhancement of social and environmental benefits.

The value of including information on how the safeguards have been respected in the summary is that it offers an opportunity to document progress regarding the implementation of the Cancun safeguards; assess future needs, goals and plans to improve this implementation and develop measures to achieve those goals. This also presents an opportunity to identify and request the necessary support needed to overcome identified challenges and implement capacity building plans to achieve the successful implementation of the Cancun safeguards. This is aligned with UNFCCC guidance and decisions.²⁷

Box 6 presents Guyana's reporting of how safeguards frameworks have been respected (i.e. implemented). Guyana submits annual progress reports to Norway, documenting degrees of implementation against bilaterally agreed indicators for enabling activities for REDD+, which were established before the Cancun safeguards in 2010. As such, Guyana's reporting is not an example of respecting Cancun safeguard implementation *per se* (no country has done so yet), but it is the most relevant available example of reporting how safeguard-like conditionalities on REDD+ have been respected through implementation of existing governance arrangements, together with planning for the incremental improvement of these governance arrangements (i.e. addressing) and their implementation (i.e. respecting).

2.3 INFORMATION ON HOW SAFEGUARDS HAVE BEEN RESPECTED

Information in relation to how safeguards are respected is associated with, and expected to be provided in relation to, how effective a country's governance arrangements have been in safeguarding the implementation of REDD+ activities. This information should demonstrate the extent to which each of the Cancun safeguards have been achieved when implementing REDD+ activities, including any actions, taken or planned, to improve implementation measures over time. Information on how Cancun safeguards have been respected would be expected to encompass descriptions of:

- Analyses of the effectiveness of the country's governance arrangements in relation to country's safeguards framework

26 Consistency with section VI of Decision 17/CP.8, which outlines developing country Parties are encouraged to provide information in relation to constraints and gaps, and related financial, technical and capacity needs.

27 Article 12, paragraph 4 of the Convention; Decision 1/CP.16, paragraph 69, 71 and 76; Decision 17/CP.8, Section VI and paragraph 40.

Unlike the other two core components of the summaries – specifying (Section 2.1) and addressing (Section 2.2) – which might be expected to be relatively static over time, information on how the safeguards are being respected should be dynamic and document incremental and significant progress on how the safeguards are being achieved from one summary to the next. (Recall the “positive direction of travel” comment in terms of safeguards implementation, expected by both donor and developing-country Parties as capacities in the latter improve through learning by doing [see Section 1.3]).

Indicative questions on respecting safeguards that could assist in the development of summaries of information:

- What has been the effectiveness of the country’s legal and institutional frameworks, together with the information systems, grievance redress mechanisms, and noncompliance mechanisms in ensuring the implementation of the country’s safeguards framework?
- What lessons have been learned from the implementation of the country’s safeguards framework and how are these experiences informing improved implementation (e.g., information on actions plans or self-assessments that seek to improve implementation of the country’s safeguards framework)?
- What are the constraints to the country’s safeguards framework implementation and what plans are being put in place, and into action, to strengthen identified weakness and gaps?
- What resources (human, financial, technical, or technological) are needed to implement the identified measures that seek to address obstacles and remaining challenges in implementing the country’s safeguards framework?
- What complaints, grievances, or disputes have been raised in relation to application of the country’s safeguards framework and how were they resolved?
- What domestic processes have been conducted (including identification of stakeholders and their roles in these processes) to review and or evaluate information presented in the summaries?
- What tangible changes on the ground (i.e. environmental and social outcomes, risks mitigated or benefits enhanced, attributable to REDD+ activity implementation) have been achieved?

Box 6: Guyana reports on how safeguard elements are being respected²⁸

In 2009, the Governments of Guyana and Norway established an interim REDD+ agreement to support Guyana’s efforts to implement its Low Carbon Development Strategy. Under a memorandum of understanding signed between the two governments, a supporting joint concept note established five indicators for enabling activities: (1) strategic framework, (2) continuous multistakeholder consultation process, (3) governance, (4) rights of indigenous people and other forest communities, and (5) integrated land-use planning and management. Progress on enabling activities, encompassing policies, safeguards, and actions to ensure that REDD+ contributes to the achievement of the goals in the memorandum of understanding, has been reported against the five indicators on an annual basis.

In the most recent report (July 2012 to June 2013), progress on 18 targeted actions was assessed through gathering and reviewing documentary evidence and through stakeholder interviews. A draft version of the report was available online for a two-week public comment period. The structure of the progress report included, among other things: (1) self-assessment of progress against actions during the reporting period, (2) progress beyond the reporting period and phased actions plans to meet longer term goals for each of the five indicators, (3) summaries of the themes raised by stakeholders and their recommendations, and (4) overarching conclusions.

The progress report presents action plans for each of the indicators that were created by working with relevant ministries and agencies and taking into account feedback from the stakeholder interviews. The action plans aim to bring Guyana’s performance against the five indicators on track toward meeting goals set for the coming reporting periods. An independent third-party audit of Guyana’s performance under the enabling activity indicators was also conducted as a discrete process from the bilateral reporting to Norway.

²⁸ Sources: Government of Guyana and Government of Norway (2012), Joint Concept Note, Georgetown and Oslo; Government of Guyana (2013), Draft REDD+ Enabling Activities Report: Annual Performance July 1 2012 – June 15 2013, Georgetown.

2.4 COMPLEMENTARY INFORMATION TO STRENGTHEN CREDIBILITY OF SUMMARIES

To improve transparency and credibility, the summary could identify, and refer to, locations where all stakeholders can access further detailed information on how the safeguards have been specified, addressed, and respected. Developing-country Parties could consider the use of appendices, complemented with links to electronic resources and references, to provide this detailed supporting information.

Suggested complementary information that countries may choose to consider including and/or citing in their summaries or as part of appendixes include:

- a) **Information concerning the preparation of the summary.** Developing-country Parties may choose to provide information on the process used to prepare the summary, including information on stakeholders—government and nongovernmental—involved.

The value of including information on the process to develop the summary is that it offers an opportunity to strengthen the confidence of the international community, including those providing results-based finance,

Indicative questions that could assist in providing this information:

- Which stakeholders have been involved in the selection and review of the information presented in the summary?
- How has the SIS, and other relevant information systems, been used to inform the development of the summary (and vice versa)?
- Which was the process undertaken for preparing the summary?

- b) **Information concerning safeguard information system design and development process.** Developing country Parties may choose to provide information on the process to develop their SIS, particularly information on how different stakeholders were involved in the identification of relevant national information systems; institutional

responsibilities for information collection, collation, and management; structuring information through the country safeguards framework; and suitable platforms and information technologies to disseminate information.

The value of including information on SIS design and development is that it provides foreign and domestic constituencies' background understanding of the sources of information used to inform the summary. Information on stakeholder involvement in SIS design, development and implementation will contribute to demonstrating transparency.

Indicative questions that could assist in providing this information:

- Which stakeholders have been involved in the design, development and implementation of the SIS?
- Have participatory or community forest monitoring approaches been employed for generating and managing information? If so, to what extent?
- Which process was undertaken to develop and operate the SIS?

- c) **Information concerning broader country safeguards processes.** Developing country Parties may choose to provide information about relevant country safeguard-related processes, such as country safeguards framework development, subnational arrangements for the application of safeguards, and definitions related to land tenure and benefit sharing (if not considered under country- safeguards framework).

The value of including this component in the summary of information is that it offers an opportunity to integrate all other relevant information into the summary, which can further strengthen confidence that all REDD+ activities in the country are being implemented in accordance with the Cancun safeguards.

Indicative questions that could assist in providing this information:

- What overall steps has the country taken to respond to its safeguard-related commitments (e.g., what is the overall country safeguards approach or response, beyond defining a country safeguards framework)?

- If applicable, what are the arrangements for the application of the country safeguard framework at the subnational level?
- What activities have taken place related to land tenure and relevant to REDD+ activities?
- What benefit-sharing arrangements have been made that are relevant to the REDD+ activities?

d) **Information concerning subnational application of the safeguards.** Large federal countries, countries with devolved governance systems for forests and land-use planning, or countries that choose to operationalize national REDD+ strategies through subnational planning or a registry of site-specific projects, are likely to take subnational measures to address and respect the safeguards. These countries could choose to present information about their subnational approaches.

The value of including information about subnational implementation in the summary is that it can capture the variability in specifying, addressing, and respecting the safeguards across different regions or territories (within countries where subnational implementation is especially relevant), by providing illustrative case studies of achievements, challenges, and plans for improvements in addressing and respecting the safeguards in the context of practical implementation.

It should be noted that subnational information is optional, and should not replace a national-level summary of how safeguards have been specified, addressed and respected. Subnational information could be incorporated under each core component of the summary.

Indicative questions that could assist in providing this information:

- Are subnational safeguards frameworks being developed or operating in the country? If so, how have they specified elements of the Cancun safeguards relevant to the circumstances and context of the region, territory, or jurisdiction?
- Are any subnational governance arrangements in place to ensure the Cancun safeguards are addressed?
- If applicable, what has been the effectiveness of the subnational legal and institutional frameworks, together with the information systems, grievance redress mechanisms, and noncompliance mechanisms, in ensuring the safeguards are respected?

- If applicable, what has been achieved at the subnational level in terms of environmental and social outcomes, risks mitigated and benefits enhanced that can be attributed to REDD+ activity implementation?

e) **Further sources of information.** Developing-country Parties may choose to provide information on the material used as a basis for the summary (e.g., sources of information such as their own SIS). Website addresses, publications, databases and national reports submitted to other related platforms, conventions, forums and organizations could all be included to direct the reader to source materials and strengthen transparency of information. Countries may wish to refer to where information can be found about their national or subnational principles-criteria-indicator frameworks as a key source of detailed information.

The value of including this component in the summary of information is that it offers an opportunity to present a robust and concise summary that identifies where detailed and supporting information can be accessed by all relevant stakeholders. This is aligned with UNFCCC guidance and decisions.²⁹

Indicative questions that could assist in providing supplemental information:

- What materials or sources of information were used to prepare the summary of information, and how/where can they be accessed?
- If applicable, where can information be found about the country's national or subnational principles-criteria-indicator frameworks?
- If applicable, where can information be found about safeguard relevant assessments, evaluations, or audits commissioned or required by REDD+ financing modalities (such as bilateral arrangements; multilateral funds, existing voluntary market for projects)?
- What further sources of information could be presented to document and access elaborated information of the summary's main content?

²⁹ Decision 12/CP.17 paragraph 2 letter (b) that requires the SIS to provide information that is accessible to all relevant stakeholders and updated on a regular basis.

ANNEX I: RELEVANT UNFCCC DECISIONS ON SAFEGUARDS AND INFORMATION ON NATIONAL COMMUNICATIONS

Excerpts from COP Decisions relevant to REDD+ Safeguards

Decision 1/CP.16 (Cancun, 2010)

69. *Affirms* that the implementation of the activities referred to in paragraph 70 below should be carried out in accordance with annex I to this decision, and that the safeguards referred to in paragraph 2 of annex I to this decision should be promoted and supported;

71. *Requests* developing country Parties aiming to undertake the activities referred to in paragraph 70 above, in the context of the provision of adequate and predictable support, including financial resources and technical and technological support to developing country Parties, in accordance with national circumstances and respective capabilities, to develop the following elements:

- d) A system for providing information on how the safeguards referred to in appendix I to this decision are being addressed and respected throughout the implementation of the activities referred to in paragraph 70 above, while respecting sovereignty;

72. *Also requests* developing country Parties, when developing and implementing their national strategies or action plans, to address, inter alia, the drivers of deforestation and forest degradation, land tenure issues, forest governance issues, gender considerations and the safeguards identified in paragraph 2 of appendix I to this decision, ensuring the full and effective participation of relevant stakeholders, inter alia indigenous peoples and local communities;

76. *Urges* Parties, in particular developed country Parties, to support, through multilateral and bilateral channels, the development of national strategies or action plans, policies and measures and capacity-building, followed by the implementation of national policies and measures and national strategies or action plans that could involve further capacity-building, technology development and

transfer and results-based demonstration activities, including consideration of the safeguards referred to in paragraph 2 of appendix I to this decision, taking into account the relevant provisions on finance including those relating to reporting on support;

Appendix 1

2. When undertaking the activities referred to in paragraph 70 of this decision, the following safeguards should be promoted and supported:

- a) That actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements;
- b) Transparent and effective national forest governance structures, taking into account national legislation and sovereignty;
- c) Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples;
- d) The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities, in the actions referred to in paragraphs 70 and 72 of this decision;
- e) That actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions referred to in paragraph 70 of this decision are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits;¹
- f) Actions to address the risks of reversals;

- g) Actions to reduce displacement of emissions.

Note: 1. Taking into account the need for sustainable livelihoods of indigenous peoples and local communities and their interdependence on forests in most countries, reflected in the United Nations Declaration on the Rights of Indigenous Peoples, as well as the International Mother Earth Day.

Decision 2/CP.17 (Durban, 2011)

63. Agrees that, regardless of the source or type of financing, the activities referred to in decision 1/CP.16, paragraph 70, should be consistent with the relevant provisions included in decision 1/CP.16, including the safeguards in its appendix I, in accordance with relevant decisions of the Conference of the Parties;

Decision 12/CP.17 (Durban, 2011)

Preamble: *Noting* that guidance on systems for providing information on how safeguards referred to in appendix I to decision 1/CP.16 are addressed and respected should be consistent with national sovereignty, national legislation and national circumstances,

I. Guidance on systems for providing information on how safeguards are addressed and respected

1. *Notes* that the implementation of the safeguards referred to in appendix I to decision 1/CP.16, and information on how these safeguards are being addressed and respected, should support national strategies or action plans and be included in, where appropriate, all phases of implementation referred to in decision 1/CP.16, paragraph 73, of the activities referred to in paragraph 70 of the same decision;

2. *Agrees* that systems for providing information on how the safeguards referred to in appendix I to decision 1/CP.16 are addressed and respected should, taking into account national circumstances and respective capabilities, and recognizing national sovereignty and legislation, and relevant international obligations and agreements, and respecting gender considerations:

- a) Be consistent with the guidance identified in decision 1/CP.16, appendix I, paragraph 1;
- b) Provide transparent and consistent information that is accessible by all relevant stakeholders and updated on a regular basis;
- c) Be transparent and flexible to allow for improvements over time;
- d) Provide information on how all of the safeguards referred to in appendix I to decision 1/CP.16 are being addressed and respected;
- e) Be country-driven and implemented at the national level;
- f) Build upon existing systems, as appropriate.

3. *Agrees also* that developing country Parties undertaking the activities referred to in decision 1/CP.16, paragraph 70, should provide a summary of information on how all of the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected throughout the implementation of the activities;

4. *Decides* that the summary of information referred to in paragraph 3 above should be provided periodically and be included in national communications, consistent with relevant decisions of the Conference of the Parties on guidelines on national communications from Parties not included in Annex I to the Convention, or communication channels agreed by the Conference of the Parties;

5. *Requests* the Subsidiary Body for Scientific and Technological Advice, at its thirty-sixth session, to consider the timing of the first presentation and the frequency of subsequent presentations of the summary of information referred to in paragraph 3 above, with a view to recommending a decision on this matter for adoption by the Conference of the Parties at its eighteenth session;

6. *Also requests* the Subsidiary Body for Scientific and Technological Advice, at its thirty-sixth session, to consider the need for further guidance to ensure transparency, consistency, comprehensiveness and effectiveness when informing on how all safeguards are addressed and respected and, if appropriate, to consider additional guidance, and to report to the Conference of the Parties at its eighteenth session;

Decision 9/CP.19 (Warsaw, 2013)

4. *Agrees* that developing countries seeking to obtain and receive results-based payments in accordance with decision 2/CP.17, paragraph 64, should provide the most recent summary of information on how all of the safeguards referred to in decision 1/CP.16, appendix I, paragraph 2, have been addressed and respected before they can receive results-based payments;

11. *Decides* that the information hub will contain, as reported through the appropriate channels under the Convention:

- c) The summary of information on how all of the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected, as referred to in decisions -/CP.199 and 12/CP.17, chapter I;

Decision 12/CP.19 (Warsaw, 2013)

The timing and the frequency of presentations of the summary of information on how all the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected

The Conference of the Parties,

Recalling decisions 17/CP.8, 1/CP.16, 2/CP.17 and 12/CP.17,

Also recalling, in particular, decision 12/CP.17, paragraph 5,

1. *Reiterates* that according to decision 12/CP.17, paragraph 3, developing country Parties undertaking the activities referred to in decision 1/CP.16, paragraph 70, should provide a summary of information on how all of the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected throughout the implementation of the activities;
2. *Also reiterates* that according to decision 12/CP.17, paragraph 4, the summary of information referred to in paragraph 1 above should be provided periodically and be included in national communications, or communication channels agreed by the Conference of the Parties;
3. *Agrees* that the summary of information referred to in paragraph 1 above could also be provided, on a voluntary basis, via the web platform on the UNFCCC website;
4. *Decides* that developing country Parties should start providing the summary of information referred to in paragraph 1 above in their national communication or communication channel, including via the web platform of the UNFCCC, taking into account paragraph 3 above, after the start of the implementation of activities referred to in decision 1/CP.16, paragraph 70;
5. *Also decides* that the frequency of subsequent presentations of the summary of information as referred to in paragraph 2 above should be consistent with the provisions for submissions of national communications from Parties not included in Annex I to the Convention and, on a voluntary basis, via the web platform on the UNFCCC website.

Information on National Communications

Excerpt from the UNFCCC website³⁰

All Parties must report on the steps they are taking or envisage undertaking to implement the Convention (Articles 4.1 and 12). In accordance with the principle of “common but differentiated responsibilities” enshrined in the Convention, the required contents of these national communications and the timetable for their submission are different for Annex I and non-Annex I Parties. Each non-Annex I Party shall submit its initial communication within three years of the entry into force of the Convention for that Party, or of the availability of financial resources (except for the least developed countries, who may do so at their discretion). Further, the Conference of the Parties (COP), at its seventeenth session, decided that non-Annex I Parties, consistent with their capabilities and the level of support provided for reporting, should submit their first biennial update report by December 2014; the least developed country (LDCs) Parties and small island developing States (SIDS) may submit biennial update reports at their discretion.

Guidelines for the preparation of initial national communications from non-Annex I Parties were adopted at COP 2 in Geneva in 1996. At COP 8 (New Delhi, 2002) Parties adopted new guidelines for the preparation of national communications from non-Annex I Parties. The preparation of second and, where appropriate third and initial national communications are based on these new guidelines. The COP, at its seventeenth session, adopted UNFCCC biennial update reporting guidelines for Parties not included in Annex I to the Convention (Decision 2/CP.17, paragraphs 39-42 and Annex III of Decision 2/CP.17).

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 30 The UNFCCC website has a page describing National Communications and Biennial Update Reports from Non-Annex I Parties, at: http://unfccc.int/national_reports/non-annex_i_natcom/items/2716.php

ANNEX II: SUBSTANTIVE CONTENT: ILLUSTRATIVE CONSTITUENT ELEMENTS OF THE CANCUN SAFEGUARDS

(Adapted from Rey et al., 2013³¹)

For countries that have not determined a country safeguards framework, this section provides indicative and illustrative examples, based on international best practice interpretations of the constituent elements of the Cancun safeguards, which countries may choose to consider when specifying the application of these safeguards in their particular country context and circumstances. Ultimately, how countries unpack the Cancun safeguards will determine the content to be provided under each safeguard in their summary of information.

For each Cancun safeguard we provide a brief summary background and list the indicative and illustrative examples, of the constituent elements of the Cancun safeguards.

Cancun Safeguard (a)

To address and respect Safeguard (a), countries are expected to ensure that their REDD+ activities are consistent with their national forest programmes as well as relevant international conventions and agreements. This means that countries implementing REDD+ activities will need to clearly identify applicable and relevant international conventions and agreements and national forest programmes, and analyse to what extent the proposed REDD+ activities complement or are consistent with them.

The indicative and illustrative constituent elements of this safeguard are:

31 Rey, D., Roberts, J., Korwin, S., Rivera, & Ribet, U. (2013) A Guide to Understanding and Implementing the UNFCCC, ClientEarth, London, United Kingdom. Available from: <http://www.clientearth.org/reports/a-guide-to-understanding-and-implementing-unfccc-redd+-safeguards.pdf>

- Consistency with objectives of national forest programmes and/or plans to combat deforestation and forest degradation
- Consistency with objectives of relevant international conventions and agreements

Cancun Safeguard (b)

Safeguard (b) focuses on national forest governance structures, particularly with regards to 'transparency' and 'effectiveness'. Transparent governance structures are associated with a right of access to information, especially to vulnerable groups such as indigenous peoples and local communities.

Characteristics of effective governance structures generally include: laws and regulations relating to forest governance and sustainable use of forests, and enforcement of those laws; integration of social and environmental considerations, including human rights, in decision-making, public participation in decision making and related processes; clear rights of ownership and possession (land tenure) including for traditional and customary ownership; and fair and equitable benefit sharing arrangements. It is also associated with access to judicial or administrative procedures that can provide effective remedy for infringements of rights, and to resolve disputes, especially for indigenous peoples.

The indicative and illustrative constituent elements of this safeguard are:

- Transparent National Forest Governance Structures
 - access to information
 - accountability

- Effective national forest governance structures
 - land tenure
 - equitable distribution of benefits
 - gender equality
 - enforcement of the rule of law
 - institutional framework
 - adequate access to justice
 - integration of social, economic and environmental considerations
 - cross-sectoral coordination

Cancun Safeguard (c)

Safeguard (c) focuses on the recognition and respect of the rights of indigenous peoples and local communities. In this way, REDD+ activities must be executed in accordance with relevant national and international laws and national circumstances—regarding both indigenous peoples and local communities. These rights are expected to apply both to the individual and the group as a whole, and include, but are not restricted to: the respect for traditional knowledge; the respect and protection of rights regarding land tenure; self-determination; non-discrimination; benefit-sharing; participation; and Free, Prior and Informed Consent (FPIC).

The indicative and illustrative constituent elements of this safeguard are:

- Definition/determination of indigenous peoples and local communities
- Definition/determination of traditional knowledge
- Recognition and implementation of rights in accordance with international law
 - non-discrimination
 - self-determination
 - rights associated with culture
 - collective land tenure

Cancun Safeguard (d)

The interpretation of ‘full and effective participation’ is generally associated to the recognition and implementation of procedural rights (also known as access rights) such as access to information, participation, and justice in relation to decision-making processes. Due to the different identities, cultures, languages and institutions of indigenous peoples and local communities, ensuring their full and effective participation is in some cases associated with special procedure or measures, including Free, Prior and Informed Consent (FPIC).

The indicative and illustrative constituent elements of this safeguard are:

- Regulation of full and effective participation
- Enabling environment for an effective participation
 - identification of relevant stakeholders
 - access to information for decision making
 - participatory mechanisms
 - access to justice/conflict resolution mechanisms in decision making
 - free, prior and informed consent/consultation

Cancun Safeguard (e)

The overarching objective behind Safeguard (e) is that REDD+ actions must be ‘consistent with the conservation of natural forests and biological diversity.’ Specifically, REDD+ activities must not be used for the conversion of natural forests and the protection of natural forests and their ecosystem services should be incentivised. It is generally understood that actions should seek to contribute to the conservation of natural forest and biological diversity, which include: identification, mapping and monitoring of natural forests and biodiversity; regulation of biodiversity; support for conservation research; awareness raising; and integration of biodiversity concerns into other national sectors. Of particular importance for incentivising conservation, REDD+ activities should also seek to promote the enhancement of environmental and social benefits, such as environmental services and livelihoods.

The indicative and illustrative constituent elements of this safeguard are:

- Conversion of natural forests
 - identification of natural forest, biological diversity and ecosystem services
 - regulation of conversion of natural forests
- Protection and conservation of natural forests and biodiversity
 - identification or mapping of natural forests and biodiversity
 - measures to protect biodiversity and natural forests
 - conservation research and awareness-raising
 - integration of biodiversity in cross-sectoral policies

Cancun Safeguards (f) & (g)

Safeguards (f) and (g) require countries to take action to ‘address the risks of reversals’, and to take actions to ‘reduce displacement of emissions’. These safeguards seek to ensure that emission reductions or removals are durable and real, i.e. the net benefit of an action will remain fixed for a long period (i.e. not be reversed, sometimes referred to as “permanence”), or that the activity has not shifted location—for example, an agent of deforestation moves to another location, but still causes the same amount of emissions (i.e. displaces the emissions, also referred to as “leakage”). Both of these concerns are sometimes managed through accounting rules.

Additionally, the social and environmental measures used to implement the other UNFCCC REDD+ Safeguards can be extremely relevant to Safeguards (f) and (g), in terms of reducing displacement, and the risks that forest emission reductions and removals are not lasting. Examples may include land tenure clarity, promotion of alternative livelihoods, sustainable use and management of forests, responsible planning, including REDD+ activities and/or objectives in development plans at national and subnational level, building awareness and strengthening institutional governance and regulatory frameworks, cross-sectoral coordination and integration, as well as ensuring participation and equitable sharing of sustainable benefits of REDD+.

The indicative and illustrative constituent elements of safeguard (f) are:

- displacement risk analysis
- specific actions taken to reduce displacement
- displacement detected and reported through NFMS

The indicative and illustrative constituent elements of safeguard (g) are:

- reversals risk analysis
- specific actions taken to avoid or reduce the risk of reversals
- reversals detected and reported through NFMS



ANNEX III: GLOSSARY OF KEY TERMS

Addressing safeguards – identifying, and providing information on, *what* a country has (or plans to put) in place, in terms of its *governance arrangements*, which would seek to guarantee the implementation of the safeguards.

Constituent elements – substantive *content* (or ‘criteria’) that breakdown, or unpack, the broad objectives of intent (or ‘principles’) that constitute Cancun safeguards in a particular country context, and in relation to the REDD+ activities comprising the national strategy or action plan.

Country safeguards framework – national specification of how the Cancun safeguards relate to the particular context and circumstances of the country, achieved through identifying and elaborating their *constituent elements*.

Governance arrangements – the collective frameworks and mechanisms a country has (or plans to put) in place to make decisions and implement actions relevant to safeguards; comprises the following main components - *legal framework*, *institutional framework*, *information systems*, *grievance redress mechanisms* and *non-compliance mechanisms*.

Grievance redress mechanisms – the formal and informal means of settling (through negotiation, mediation or arbitration) complaints or disputes of groups and individuals whose rights may be affected through the implementation of REDD+ activities.

Information systems – institutional and technological arrangements for collecting, verifying, managing, analysing, reviewing, reporting and applying information concerning the implementation of the legal framework, which will be used to gather and share information relevant to how the safeguards are being respected.

Institutional framework – the (formal and informal) institutions, their mandates, procedures and capacities for implementing a country’s *legal framework*, serving to define *who* will be responsible for ensuring safeguards are adhered to when implementing REDD+ activities.

Legal framework – the national policies, laws, and regulations, in addition to operational plans and programmes to implement the legal framework, that serve to *define how* safeguards are to be adhered to when implementing REDD+ activities in any given country.

Non-compliance mechanisms – administrative or judicial penalties or corrective measures, defined by the *legal framework*, that serve to deal with any failure to address and respect safeguards when implementing REDD+ activities.

Respecting safeguards – identifying, and providing information on, *how* a country has implemented (or plans to implement) its *governance arrangements*, and what were the implementation outcomes of the *country’s safeguards framework*.

Specifying safeguards – identifying, and providing information on, a safeguard-by-safeguard breakdown, or unpacking, of the Cancun safeguards into country-specific *constituent elements*.

About Meridian Institute

Meridian Institute is a not-for-profit organization whose mission is to help people solve problems, make informed decisions, and find solutions to some of society's most complex and controversial issues. Meridian's mission is accomplished through applying collaborative problem-solving approaches including facilitation, mediation, and other strategic consultation services. Meridian works at the local, national, and international levels and focuses on a wide range of issues related to natural resources and environment, science and technology, agriculture and food security, sustainability, global stability, and health. For more information, please visit www.merid.org

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REDD+ SAFEGUARDS:

PRACTICAL CONSIDERATIONS
FOR DEVELOPING A SUMMARY
OF INFORMATION

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