

Key Considerations

REDD+ activities, regardless of their type of funding source, are to be implemented in such a way that is consistent with the UNFCCC REDD+ safeguards[[1]](#footnote-1) (See Box 1). Accordingly, all Jurisdictional REDD+ standards require the implementation of the UNFCCC REDD+ safeguards[[2]](#footnote-2).

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| *Box 1 UNFCCC REDD+ Safeguards[[3]](#footnote-3)*   1. Actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements. 2. Transparent and effective national forest governance structures, taking into account national legislation and sovereignty. 3. Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples. 4. The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities, in actions referred to in paragraphs 70 and 72 of this decision[[4]](#footnote-4); 5. Actions are consistent with the conservation of natural forest and biological diversity, ensuring that action 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. (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.) 6. Actions to address the risks of reversals; and 7. Actions to reduce displacement of emissions.   The UNFCCC REDD+ Safeguards language and associated guidance constitute an international framework of social, environmental and governance principles, under which any REDD+ related activity should be implemented. The wording of the UNFCCC REDD+ Safeguards focus and refer to obligations created by international legal instruments, many of which grant substantive (e.g. the rights of indigenous peoples and local communities) and procedural rights (e.g. right to participate in decision making processes).  Additionally, an integral piece of this framework is UNFCCC REDD+ Safeguard (a), which requires REDD+ activities to, inter alia, complement or be consistent with the relevant international instruments that REDD+ countries have signed, ratified, or otherwise agreed to. These instruments pertain not only to the environment, but also to human rights and indigenous peoples’ rights. Ensuring consistency with these relevant international instruments should not be seen as an additional requirement that REDD+ countries must fulfil to implement REDD+. Instead, it should be seen as a way of implementing existing international obligations to which countries have already committed themselves[[5]](#footnote-5). |

This implies that Jurisdictional REDD+ (J-REDD+) programs should take steps to clarify what the UNFCCC REDD+ safeguards mean in the country context, and determine ‘how’ they will guarantee their application throughout the implementation of REDD+ activities and specific REDD+ actions.

Relevant governance arrangements[[6]](#footnote-6) – such as Policies Laws and Regulations (PLRs)–are considered by jurisdictions as the foundation through which they can guarantee the application of the UNFCCC REDD+ safeguards throughout the implementation of their REDD+ actions. Building on existing governance arrangements allows countries to respond effectively to safeguards commitments in a rigorous yet flexible manner. However, gaps, weaknesses and/or possible inconsistencies in these arrangements are also to be expected and would need to be identified and addressed. Additionally, and more critically, is ensuring there is a clear determination of ‘how’ these governance arrangements apply to the specific scope and nature of the Direct REDD+ actions[[7]](#footnote-7).

This tool is therefore intended to help J-REDD+ programs better understand:

1. The level of conformance of their governance arrangements with the UNFCCC REDD+ safeguards, as set out by obligations created by relevant and ratified international instruments.
2. Identify any gaps, weaknesses and/or possible inconsistencies in these arrangements, and identify recommendations to address them.
3. How these governance arrangements apply to the scope and nature of the Direct REDD+ actions, and what additional clarity is required to guarantee their effective application.

How to use this tool?

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| This tool is divided into two sections:   * **Section A:** presents a questionnaire, which guides users through the technical qualitative assessment of the J-REDD+ program’s relevant governance arrangements to guarantee the application of the UNFCC REDD+ safeguards. * **Section B**: presents a report template, that is to be completed based on the results from Section ‘A’, and will inform the development of the J-REDD+ roadmap (Tool 8). |

Section A - Questionnaire

The questionnaire is structured by each UNFCCC REDD+ safeguard, and broken down into themes for each safeguard.

To complete this questionnaire users should consider the scope of each column as follows:

1. Questions: presents guiding questions for the users.
2. Scoring: the following scoring guide should be applied by users:
   1. **Yes:** The J-REDD+ program incorporates these aspects in conformance with relevant guidance and/or best practices.
   2. **Partially:** The J-REDD+ program partially incorporates this aspect in conformance with relevant guidance and/or best practices. There are some gaps that need to be addressed.
   3.  **No**: The J-REDD+ program does not incorporate this aspect in conformance with relevant guidance and/or best practices.

**Please note the guiding questions reference to the ‘J-REDD+ program’ infer the relevant governance arrangements that are used to guarantee the application of the UNFCCC REDD+ safeguards.**

1. Findings: an opportunity for users to offer information and/or clarifications in relation to their scoring.
2. Means of verification: users should identify any documentation used to support their scoring, including hyperlinks with additional information.

Questionnaire

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| UNFCCC REDD+ Safeguard A | | | |
| THEME A.1 Consistency with the objectives of national forest programs | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. Does the J-REDD+ program define what are the objectives of the national forest programme(s) it will complement or be consistent with?[[8]](#footnote-8) |  |  |  |
| 1. Does the J-REDD+ program define how each REDD+ action will complement or be consistent with the objectives of national forest programmes? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what their mandates and associated procedures are to ensure complementarity or consistency with the objectives of national forest programmes?[[9]](#footnote-9) |  |  |  |
| **THEME A.2** Consistency with the objectives of relevant international conventions and agreements | | | |
| 1. Does the J-REDD+ program define the objectives of ratified relevant international conventions and agreements that it will complement or be consistent with?[[10]](#footnote-10) |  |  |  |
| 1. Does the J-REDD+ program define how each REDD+ action will complement or be consistent with the objectives of ratified relevant international conventions and agreements? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what their mandates and associated procedures are to ensure complementarity or consistency with the objectives of ratified relevant international conventions and agreements? |  |  |  |
| UNFCCC REDD+ Safeguard B | | | |
| **THEME B.1** Access to Information | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. Is the right of access to information recognized and promoted by the J-REDD+ program, and in accordance with ratified international human rights standards?[[11]](#footnote-11) |  |  |  |
| 1. Does the J-REDD+ program define how the right of access to information is recognized and will be applied throughout the implementation of each REDD+ action? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure the right of access to information is recognized and will be applied throughout the implementation of each REDD+ action? |  |  |  |
| **THEME B.2** Accountability | | | |
| 1. Is fiscal transparency[[12]](#footnote-12) recognized and promoted by the J-REDD+ program? |  |  |  |
| 1. Does the J-REDD+ program define how REDD+ revenues will be distributed in a fair and accountable manner (e.g. revenue distribution system)? |  |  |  |
| 1. Does the J-REDD+ program define how corruption will be addressed throughout the implementation of each REDD+ action? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure fiscal transparency and corruption are addressed throughout the implementation of each REDD+ action? |  |  |  |
| **THEME B.3** Land tenure rights | | | |
| 1. Are different types of rights over forest land and forest resources recognized and protected in the J-REDD+ program, and in accordance with ratified international conventions and agreements\*?[[13]](#footnote-13) |  |  |  |
| 1. Does the J-REDD+ program define how the different types of rights are recognized and protected throughout the implementation of each REDD+ action? |  |  |  |
| 1. Does the J-REDD+ program seek to avoid, and where avoidance is not possible, minimize and mitigate physical or economic displacement from land or resource acquisition or restrictions on land or resource use? |  |  |  |
| 1. Does the J-REDD+ program ensure that livelihoods of any displaced persons are enhanced or at least restored through compensation at full replacement costs and other assistance? |  |  |  |
| 1. Does the J-REDD+ program ensure that no involuntary relocation can take place without the free, prior, and informed consent (FPIC) of any indigenous peoples and local communities (or equivalent) concerned? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure the different types of rights are recognized and protected throughout the implementation of each REDD+ action? |  |  |  |
| **THEME B.4** Access to Justice[[14]](#footnote-14) | | | |
| 1. Is the right of access to justice[[15]](#footnote-15) respected and protected in the J-REDD+ program, and in accordance with ratified international conventions and agreements?[[16]](#footnote-16) |  |  |  |
| 1. Does the J-REDD+ program define how the right of access to justice is respected and protected throughout the implementation of each REDD+ action? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure right of access to justice is respected and protected throughout the implementation of each REDD+ action? |  |  |  |
| UNFCCC REDD+ Safeguard C | | | |
| **THEME C.1** Identification of indigenous peoples and local communities, or equivalent | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. Does the J-REDD+ program define or provide clear criteria for the identification or self-identification of indigenous peoples and local communities, or equivalent? |  |  |  |
| 1. Does the J-REDD+ program define how the identification or self-identification of indigenous peoples and local communities, or equivalent will be recognized and protected throughout the implementation of each REDD+ action? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure the identification or self-identification of indigenous peoples and local communities, or equivalent is recognized and protected throughout the implementation of each REDD+ action? |  |  |  |
| **THEME C.2.** Traditional Knowledge | | | |
| 1. Is traditional knowledge of indigenous peoples, and of local communities, recognized and protected in the J-REDD+ program, and in accordance with ratified international conventions and agreements?[[17]](#footnote-17) |  |  |  |
| 1. Does the J-REDD+ program define how traditional knowledge of indigenous peoples and local communities, or equivalent will be recognized and protected throughout the implementation of each REDD+ action? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure the traditional knowledge of indigenous peoples and local communities, or equivalent is recognized and protected throughout the implementation of each REDD+ action? |  |  |  |
| **THEME C.3** Rights of indigenous peoples and/or local communities, or equivalent | | | |
| 1. Are the rights of indigenous peoples, and of local communities, recognized and protected in the J-REDD+ program, and in accordance with ratified international conventions and agreements?[[18]](#footnote-18) |  |  |  |
| 1. Does the J-REDD+ program define how the rights of indigenous peoples and local communities, or equivalent will be recognized and protected throughout the implementation of each REDD+ action? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure the rights of indigenous peoples and local communities, or equivalent is recognized and protected throughout the implementation of each REDD+ action? |  |  |  |
| UNFCCC REDD+ Safeguard D | | | |
| **THEME D.1** Right of all relevant stakeholders to participate fully and effectively in the design and implementation of REDD+ actions | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. Is the right to participate fully and effectively[[19]](#footnote-19) recognized and protected in the J-REDD+ program, and in accordance with ratified international conventions and agreements?[[20]](#footnote-20) |  |  |  |
| 1. Does the J-REDD+ program define how the right to participate fully and effectively will be recognized and protected throughout the implementation of each REDD+ action? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure the right to participate fully and effectively is recognized and protected throughout the implementation of each REDD+ action? |  |  |  |
| **THEME D.2** Meaningful participation of indigenous peoples and local communities, or equivalent | | | |
| 1. Is the right of indigenous peoples, and of local communities, to meaningfully participate recognized and protected in the J-REDD+ program, and in accordance with ratified international conventions and agreements?[[21]](#footnote-21) |  |  |  |
| 1. Does the J-REDD+ program define how the right of indigenous peoples, and of local communities, to meaningfully participate will be recognized and protected throughout the implementation of each REDD+ action? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure the right of indigenous peoples, and of local communities, to meaningfully participate is recognized and protected throughout the implementation of each REDD+ action? |  |  |  |
| UNFCCC REDD+ Safeguard E | | | |
| **THEME E.1** Non-conversion of natural forests and other natural ecosystems | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. Does the J-REDD+ program distinguish natural forests from plantations, and prohibit the conversion of natural forests and other natural ecosystems? |  |  |  |
| 1. Does the J-REDD+ program define how each REDD+ action will ensure the non-conversion of natural forests and other natural ecosystems? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure the non-conversion of natural forests and other natural ecosystems? |  |  |  |
| **THEME E.2** Protection and conservation of natural forests and their ecosystem services | | | |
| 1. Does the J-REDD+ program protect and conserve natural forest areas and natural ecosystems, biodiversity, and ecosystem services? |  |  |  |
| 1. Does the J-REDD+ program define how each REDD+ action will protect and conserve natural forest areas and natural ecosystems, biodiversity, and ecosystem services? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure the protection and conservation of natural forest areas and natural ecosystems, biodiversity, and ecosystem services? |  |  |  |
| **THEME E.3** Enhancement of social and environmental benefits | | | |
| 1. Is the enhancement of ecological, biological, climatic, and socio-cultural benefits recognized and promoted by the J-REDD+ program? |  |  |  |
| 1. Does the J-REDD+ program define how each REDD+ action will enhance ecological, biological, climatic, and socio-cultural benefits? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure the enhancement of ecological, biological, climatic, and socio-cultural benefits? |  |  |  |
| UNFCCC REDD+ Safeguard F | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. Is the risk of reversals integrated in the design, implementation and periodic assessments of the J-REDD+ program? |  |  |  |
| 1. Does the J-REDD+ program define how each REDD+ action addresses the risks of reversals? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure the risks of reversals are addressed? |  |  |  |
| UNFCCC REDD+ SAFEGUARD G | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. Is the risk of displacement of emissions integrated in the design, implementation and periodic assessments of the J-REDD+ program? |  |  |  |
| 1. Does the J-REDD+ program define how each REDD+ action addresses the risks of displacement of emissions? |  |  |  |
| 1. Does the J-REDD+ program identify the public institutions that are involved in the design and implementation of each REDD+ action, and what are their mandates and associated procedures in place to ensure the risks of displacement of emissions are addressed? |  |  |  |

Section B: Template Report for the Qualitative Assessment

To complete this template report, users (with the support of a selected expert international organization) should consider the answers provided in ‘Section A’ above. In completing this template, users will need to consider the scope of each column as follows:

* Column 2 (Shortcomings or Gaps Identified): for users to identify and summarize the key shortcomings or gaps (issues of non-conformance) identified in correlation to each of the safeguards, that is, when the scoring identified was ‘Partially’ or ‘No’ in ‘Section A’.
* Column 3 (Recommendations): for users to identify actions/recommendations to be taken to address these key shortcomings or gaps. These may include the adoption/strengthening of guidelines, procedures, institutional arrangements, etc. Zoom in on the company's sustainability performance within the reporting period, including progress toward goals and targets.

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| --- | --- | --- |
| Safeguard | Shortcomings/Gaps Identified | Recommendations |
| A |  |  |
| B |  |  |
| C |  |  |
| D |  |  |
| E |  |  |
| F |  |  |
| G |  |  |

1. “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” UNFCCC Decision 2/CP.17 paragraph 63 [↑](#footnote-ref-1)
2. These include the Architecture for REDD+ Transactions (ART) and The REDD+ Environmental Excellence Standard (TREES), (2) the Verified Carbon Standard (VCS) and its Jurisdictional and Nested REDD+ (JNR), (3) the Forest Carbon Partnership Facility (FCPF) Carbon Fund Methodological Framework (MF) and, (4) the REDD.Plus registry and exchange for REDD+ results. [↑](#footnote-ref-2)
3. UNFCCC, Decision 1/CP.16, Appendix 1, paragraph 2. [↑](#footnote-ref-3)
4. Paragraph 70 states that: The Conference of the Parties “Encourages developing country Parties to contribute to mitigation actions in the forest sector by undertaking the following activities, as deemed appropriate by each Party and in accordance with their respective capabilities and national circumstances: (a) Reducing emissions from deforestation; (b) Reducing emissions from forest degradation; (c) Conservation of forest carbon stocks; (d) Sustainable management of forests; (e) Enhancement of forest carbon stocks.” And paragraph 72 states that the COP: “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.” UNFCCC, Decision 1/CP.16, paragraphs 70, 72 [↑](#footnote-ref-4)
5. Rey, D., Roberts, J., Korwin, S., Rivera, L., and Ribet, U. (2013) A Guide to Understanding and Implementing the UNFCCC REDD+ Safeguards. ClientEarth, London, United Kingdom. [↑](#footnote-ref-5)
6. This tool defines Governance arrangements as 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. [↑](#footnote-ref-6)
7. **Direct REDD+ actions** are understood to be those that seek to achieve results in terms of emissions reductions and/or enhanced removals. Examples include reforestation, fire prevention or energy switching programmes. Enabling REDD+ actions: aim to create an appropriate environment for effective and efficient interventions, often targeting indirect drivers or barriers to the ‘plus’ activities. **Enabling REDD+ actions** may include capacity building, land-use planning, clarification of tenure frameworks and measures aimed at improving governance, such as transparency in resource and land allocation. While essential to the success of REDD+, their carbon potential may be difficult or impossible to quantify. [↑](#footnote-ref-7)
8. Note: objectives of national forest programmes may pertain not only to the environment, but also to sustainable development and indigenous peoples rights. [↑](#footnote-ref-8)
9. Note: procedures may include dedicated institutional arrangements, such as Government Coordination Bodies and Committees. [↑](#footnote-ref-9)
10. Note: ratified relevant international conventions and agreements may pertain not only to the environment, but also to human rights. [↑](#footnote-ref-10)
11. International human rights standards set out that the right of access to information encompasses as a minimum the following aspects: The public can gain access to existing information upon request, and the government has a duty to actively collect and disseminate information. [↑](#footnote-ref-11)
12. Fiscal transparency informs citizens how REDD+ revenues are spent and is a critical element of effective public financial management. Transparency provides citizens a window into government budgets and those citizens, in turn, hold governments accountable. [↑](#footnote-ref-12)
13. International conventions and agreements set out the recognition and protection of statutory ownership, customary ownership, and use rights. [↑](#footnote-ref-13)
14. Please note Tool 5 examines the quality of relevant grievance redress mechanisms in detail. [↑](#footnote-ref-14)
15. Although confusion remains as to the precise nature of access to justice, it is often understood as a form of grievance mechanism against violations of the full range of human rights including economic, social, cultural and environmental rights, whether they are substantive or procedural. [↑](#footnote-ref-15)
16. International conventions and agreements set out that the right of access to justice encompasses as a minimum the following aspects:

    * Accessible: non-discriminatory and non-cost prohibitive access
    * Predictable: providing a clear and known procedure with an indicative timeframe for each stage
    * Transparent: keeping parties to a grievance informed about its progress and providing sufficient information about the mechanism’s performance to build confidence in its effectiveness and meet any public interest at stake.

    [↑](#footnote-ref-16)
17. ‘Knowledge’ of indigenous peoples and local communities in international law is often referred to within the context of intangible cultural heritage, or specific traditional knowledge passed down from generation to generation. As a result, indigenous knowledge in international human rights law ranges from the protection and recognition of indigenous oral traditions to traditional indigenous knowledge relevant to genetic resources for food and agriculture. [↑](#footnote-ref-17)
18. These encompass human rights as recognized under applicable law, including but not limited to their rights to self-determination, non-discrimination, to their lands, resources and territories, traditional livelihoods and cultures. [↑](#footnote-ref-18)
19. Although confusion remains as to the precise nature of access to justice, it is often understood as a form of grievance mechanism against violations of the full range of human rights including economic, social, cultural and environmental rights, whether they are substantive or procedural. [↑](#footnote-ref-19)
20. International conventions and agreements set out that the right to participate fully and effectively encompasses as a minimum the following aspects:

    - Requires distribution of information in a culturally appropriate manner

    - Requires distribution of information in a timely manner- prior to consultations

    - Requires the implementation of a meaningful participatory process

    - Requires providing stakeholders with access to re- course mechanisms regarding participation in decision making [↑](#footnote-ref-20)
21. In international law the meaningful participation of indigenous peoples, and of local communities encompasses a participation that is timely and culturally appropriate, while respecting traditional decision-making and governance systems in indigenous lands and territories. Due to their vulnerability, international law creates an additional procedural requirement that under certain conditions, and in relation to decisions, legislation or administrative actions that may affect indigenous peoples, their Free, Prior, and Informed Consent (FPIC) must be obtained. [↑](#footnote-ref-21)