

The background of the entire page is a lush tropical forest. The top half shows a view looking up at tall palm trees and other green foliage against a clear blue sky. The middle section is a semi-transparent dark green band containing the title text. The bottom half shows a dense thicket of palm fronds and other tropical plants, with sunlight filtering through the leaves.

Climate  
Law & Policy  
Global Impact Partner

*Booklet*

Understanding the safeguard requirements of  
The REDD+ Environmental Excellence  
Standard (TREES): a Tool for Indigenous  
Peoples and Local Communities

# Acknowledgements

Reports made possible by a grant from The William and Flora Hewlett Foundation to Rainforest Foundation US and Rainforest Foundation Norway for the project entitled “Ensuring the Integrity of Carbon Markets in Financing Nature Based Solutions.” This project aims to provide support for Indigenous Peoples and Local Community leaders and organizations to respond to carbon market developments and engage in jurisdictional REDD+ processes.

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

The Publishers would like to express our thanks and appreciation to the organizations that advised on the development of these materials:

Alianza Mesoamericana de Pueblos y Bosques (AMPB)

Ameridian Peoples Association (APA)

Asociación Interétnica de Desarrollo de la Selva Peruana (AIDSESP)

Global Justice Clinic/New York University

Photography: Rainforest. Credit: Climate Law and Policy

# Table of Contents

Acronyms	3
<i>Introduction</i>	4
Objective of this document	4
<i>I. Background</i>	5
<i>II. Understanding TREES Safeguards requirements</i>	7
What are the Safeguards applied by TREES?	7
How does TREES address land tenure and prevent land grabbing?	10
How does TREES address Benefit-Sharing?	10
How does TREES address grievances and the need for a grievance redress mechanism at the jurisdictional level?	12
<i>III. Understanding TREES relevant reporting requirements?</i>	15
How does TREES require the application of UNFCCC reporting requirements?	15
How can IP and LCs access information reported to ART?	16
<i>Bibliography and other resources</i>	17

# Acronyms

ART	The Architecture for REDD+ Transactions
FPIC	Free, Prior and Informed Consent
HFLD	High Forest Low Deforestation
IPLC	Indigenous Peoples and Local Communities
LEAF	The Lowering Emissions by Accelerating Forest Finance Coalition
SIS	Safeguard Information System
SOI	Summary of Information
TREES	The REDD+ Environmental Excellence Standard
VCM	Voluntary Carbon Market
WFR	Warsaw Framework for REDD+

# *Introduction*

## Objective of this document

The objective of this document is to provide Indigenous Peoples and Local communities (IP and LC) with a clear understanding of the safeguard requirements of The REDD+ Environmental Excellence Standard (TREES), developed by the Architecture for REDD+ Transactions (ART), with the ultimate goal of empowering them to participate effectively in national or subnational government led processes in connection to TREES.

This document is not intended to provide a critical analysis of TREES. Direct quotations from TREES official documentation will be directly cited and quoted in italic, and any other recommendations or analysis is the author's own, based on experience and best practices.

## Structure of this document

As mentioned above, this tool aims to facilitate understanding of the TREES' safeguards requirements for IP and LCs. The document is structured as follows:

**Section 1** presents the background and overview of the ART and TREES.

**Section 2** presents the safeguards requirements of TREES. This section also offers booklets for each Safeguard- which examine the scope and coverage of each safeguard and what IP and LCs should expect from national and subnational government led processes ('Participants') when demonstrating conformance with TREES indicators under each safeguard.

**Section 3** explains TREES safeguard related reporting requirements and offers guidance to IP and LCs on how to engage with national and subnational government led processes on this matter.

This paper has been developed through a mixed-methods approach. A desk-based analysis has been conducted particularly as a source for official information on TREES. A series of webinars have also been conducted with key stakeholders from IP and LC's organizations which have contributed to collecting contextual and views and perspectives on the matter.

## Who should be using this tool?

This tool is primarily addressed to leaders from IP and LC organizations at both national and subnational level who are engaging with Jurisdictional REDD+ programs that are registered with ART.

# *I. Background*

The ART is a global voluntary initiative that seeks to incentivize governments to reduce emissions from deforestation and forest degradation (REDD), as well as restore forests and protect intact forests (+)<sup>1</sup>. It is a standalone initiative, independent from governments or donor countries, with standardized procedures for participations from all countries<sup>2</sup>. On this note, it is important to highlight that ART credits only at the jurisdictional level, to national governments and large subnational jurisdictions – i.e., it will not credit emissions from individual projects or private sector initiatives. The rationale behind this approach is that ART believes it is the only way to provide results at scale, and because it provides incentives to governments of supplier jurisdictions to do what only governments can do: regulate land-use, enforce laws and recognize indigenous peoples land rights<sup>3</sup>. ART’s overarching mission is to promote the environmental and social integrity and ambition of greenhouse gas (GHG) emission reductions and removals (ERRs) from the forest and land use sector to catalyze new, large-scale finance for REDD+ and to recognize forest countries that deliver high-quality REDD+ emission reductions and removals<sup>4</sup>. To do so, the ART initiative developed TREES.

TREES is ART’s standard for the quantification, monitoring, reporting and verification of GHG emission reductions and removals from REDD+ activities<sup>5</sup>. It is a set of rules and requirements that define how results will be measured, checked and verified, and includes scientific and also market criteria to certify the highest integrity of carbon emissions<sup>6</sup>. The standard aims to be consistent with, and build on, the safeguards requirements in the Paris Agreement, the Warsaw Framework for REDD+ (WFR), and the Cancun Safeguards<sup>7</sup>.

Similarly to ART’s approach, TREES was created for the participation of national and large sub-national jurisdictions, with the aim to issue credits only at the jurisdictional level<sup>8</sup>. While Indigenous Territories **are not able to participate directly in ART**, national governments can register a subnational accounting area composed only by Indigenous Territories or Indigenous Territories and subnational jurisdictions (that can be actually indigenous too), or only subnational jurisdictions. The total accounting area presented by the national government should be more than 2.5 million hectares<sup>9</sup>.

<sup>1</sup><https://www.artredd.org>

<sup>2</sup>Ibid, “What sets ART apart”

<sup>3</sup>Ibid

<sup>4</sup><https://www.artredd.org/wp-content/uploads/2021/12/TREES-2.0-August-2021-Clean.pdf>

<sup>5</sup><https://www.artredd.org/trees/>

<sup>6</sup>Ibid

<sup>7</sup>Ibid

<sup>8</sup><https://www.artredd.org/wp-content/uploads/2021/12/TREES-2.0-August-2021-Clean.pdf>, Section 3

<sup>9</sup><https://www.artredd.org/wp-content/uploads/2021/12/ART-HFLD-Primer.pdf>

This said, in the recently updated version of TREES, version 2.0, a new crediting optional approach has been provided “High Forest Low Deforestation” (HFLD)<sup>10</sup> with the goal of providing a pathway for jurisdictions that are protecting large areas of intact forests to keep them still standing<sup>11</sup>. Under this approach recognized IP and LC territories are eligible to aggregate with other recognized IP and LC territories and/or with subnational jurisdictions as part of a national submission to ART to meet the required subnational accounting area scale eligibility threshold (2.5 million hectares of forest)<sup>12</sup>.

Despite many overlapping areas of interest, it is important to underline that ART and the Lowering Emissions through Accelerated Forest Finance (LEAF) have different and separate processes. See Box 1 for clarifications.

*Box 1: What is the difference between LEAF and ART?*

In contrast to ART, which is an emission reduction certification body, LEAF is a unique public private partnership focused on halting tropical deforestation by 2030 by providing the finance needed to enable tropical and subtropical forest governments (national and subnational) to move more rapidly towards ending deforestation, while supporting them in achieving their Nationally Determined Contributions (NDCs) under the Paris Agreement<sup>13</sup>.

The LEAF Coalition was launched on April 2021, by an initial group of governments (US, UK and Norway) and leading companies (including Airbnb, Amazon, Bayer, BCG, GSK, McKinsey, Nestle, Salesforce and Unilever) with the aim to mobilize at least \$1 billion in finance to support eligible forest countries and jurisdictions in making substantial reductions in their emissions from deforestation. Their process is to have calls for proposals through which eligible jurisdictions with tropical and subtropical forests are invited to submit proposals. The submission of proposals to LEAF is a process that is independent from any processes managed by the ART program, and only intended to help the LEAF Coalition understand the degree of readiness for each jurisdiction it may seek to transact with, i.e., they have chosen the ART standard as the certification process that needs to be passed in order for them to purchase credits. The LEAF process is coordinated by an organization called Emergent<sup>14</sup>.

Through LEAF, jurisdictions receive payments for validated and verified credits. This means that they have to undergo an independent third-party validation and verification process led by ART to ensure that they meet the TREES standard requirements. If a jurisdiction is unable to meet the TREES requirements, they will not receive any payments from the LEAF Coalition.

<sup>10</sup>Ibid, and also <https://www.artredd.org/wp-content/uploads/2021/12/TREES-2.0-August-2021-Clean.pdf>, Section 5.2

<sup>11</sup><https://www.artredd.org/wp-content/uploads/2021/12/ART-HFLD-Primer.pdf>

<sup>12</sup><https://www.artredd.org/wp-content/uploads/2021/12/ART-IP-in-ART-Primer.pdf>

<sup>13</sup><https://www.leafcoalition.org/home>

<sup>14</sup><https://emergentclimate.com/>

## II. Understanding TREES Safeguard requirements

### What are the Safeguards applied by TREES?

In alignment with UNFCCC requirements, TREES requires Participants (national and subnational governments) to demonstrate that the implementation of REDD+ actions is conformant with the Cancun Safeguards, ensuring activities do no harm<sup>15</sup>. To demonstrate such conformance, in [TREES's section 12](#), the Cancun safeguards are broken down into 16 thematic topics (See Figure 1) and under each theme, there are three types of indicators:

- **Structural Indicators:** *demonstrate that relevant governance arrangements (e.g., policies, laws, and institutional arrangements) are in place in the country or applicable jurisdiction(s) to ensure that design and implementation of REDD+ actions is done in line with relevant safeguards theme. These arrangements may be part of the national or subnational legal framework or may be REDD+ specific arrangements<sup>16</sup>.*
- **Process Indicators:** *demonstrate that appropriate processes, procedures or mechanisms are in place to enact and enforce the arrangements outlined in the Structural indicator<sup>17</sup>.*
- **Outcome Indicators:** *demonstrate implementation outcomes for each theme are being monitored. For the outcome indicator for all themes, Participants will need to identify and describe the selected monitoring parameters including how a successful outcome is defined, monitoring methods to be used and a summary of collected data. If the data analysis does not indicate a successful outcome, a description of how the governance arrangements or supporting processes, procedures or mechanisms (structure or process indicators) will be modified should be included<sup>18</sup>.*

For an in-depth examination of each of the scope of TREES safeguards and in alignment with the Cancun Safeguards, please refer to each of the Safeguard's booklets that are part of this tool.

<sup>15</sup><https://www.artredd.org/wp-content/uploads/2021/12/TREES-ESG-Safeguards-Guidance-Document-Aug-2021.pdf>

<sup>16</sup>Ibid

<sup>17</sup>Ibid

<sup>18</sup>Ibid

Figure 1. TREES Safeguards- in alignment with the Cancun Safeguards

<i>SAFEGUARDS</i>	
<b>A</b>	<b>Theme 1.1</b> Consistency with the objectives of national forest programs <b>Theme 1.2</b> Consistency with the objectives of relevant international conventions and agreements
<b>B</b>	<b>Theme 2.1</b> Respect, protect and fulfill the right of access to information <b>Theme 2.2</b> Promote transparency and prevention of corruption, including the promotion of anti-corruption measures. <b>Theme 2.3</b> Respect, protect and fulfill land tenure rights. <b>Theme 2.4</b> Respect, protect, and fulfill access to justice.
<b>C</b>	<b>Theme 3.1</b> Identify indigenous peoples and local communities, or equivalent <b>Theme 3.2</b> Respect and protect traditional knowledge <b>Theme 3.3</b> Respect, protect and fulfill the rights of indigenous and/or local communities, or equivalent.
<b>D</b>	<b>Theme 4.1</b> Respect, protect, and fulfill the right of all relevant stakeholders to participate fully and effectively in the design and implementation of REDD+ actions. <b>Theme 4.2</b> Promote adequate participatory procedures for the meaningful participation of indigenous peoples and local communities, or equivalent.
<b>E</b>	<b>Theme 5.1</b> Non-conversion of natural forests. <b>Theme 5.2</b> Protect natural forests, biological diversity, and ecosystem services. <b>Theme 5.3</b> Enhancement of social and environmental benefits.
<b>F</b>	<b>Theme 6.1</b> The risk of reversals is integrated in the design, prioritization, implementation, and periodic assessments of REDD+ policies and measures.
<b>G</b>	<b>Theme 7.1</b> The risk of displacement of emissions is integrated in the design, prioritization, implementation, and periodic assessments of REDD+ policies and measures.

## Key Takeaways for IP and LCs in relation to the safeguard requirements:

- TREES does not prescribe specific approaches that must be used to ensure safeguards are upheld. This said, *TREES structure indicators do require that Participant's legal framework must be aligned with any ratified international conventions/agreements and/or domestic, and if applicable, subnational legal frameworks*<sup>19</sup>. In practice, this means that each Participant cannot just rely on their existing legal framework but must ensure that any gaps/shortcomings between their legal framework and the international commitments they are bound to are addressed and evidenced.
- TREES indicators allow for progressive reporting by Participants on how the safeguards have been addressed and respected throughout REDD+ implementation. *At the beginning of the first crediting period, Participants must demonstrate conformance with Cancun Safeguards by reporting against all structure and process indicators. In addition, Participants must either demonstrate conformance with the outcome indicators or present a plan for achieving conformance with the outcome indicators by the end of five years from the time the Participant joined ART*<sup>20</sup>. Experience has shown that allowing for this progressive approach ensures Participants are able to adapt their indicators to the real-time implementation of their safeguards plans on the ground and do so in a participatory manner. This does not mean that Participants can adopt a stepwise process for conforming with TREES' safeguards, but rather they must adhere to and uphold these safeguards throughout the implementation of their REDD+ actions.
- TREES does not prescribe any procedures that Participants must undertake, such as environmental and social risk assessments and the adoption of associated management plans, all of which can help better understand the specific risks to IP and LCs. However, if these procedures have been undertaken through REDD+ readiness processes (e.g. the Forest Carbon Partnership Facility (FCPF) readiness fund) IP and LCs should seek to use the relevant multi-stakeholder arrangements (e.g. platforms, working groups, etc.) and outcomes (e.g. management plans). Information gathered through these processes can be useful to inform government led processes on their progress in demonstrating conformance with TREES indicators.

<sup>19</sup><https://www.artredd.org/wp-content/uploads/2021/12/TREES-ESG-Safeguards-Guidance-Document-Aug-2021.pdf>, Section 4

<sup>20</sup>Idem, Box 1

## How does TREES address land tenure and prevent land grabbing?

TREES requires Participants to address land tenure and prevent land grabbing through the following measures:

1. **TREES safeguard theme 2.3 (Respect, protect, and fulfil land tenure rights)** and its associated indicators prevent land grabbing by requiring that Participants demonstrate that no involuntary relocation of IP and LCs took place without Free, Prior, and Informed Consent (FPIC)<sup>21</sup>. Even though TREES provides no detailed process or guidance concerning FPIC, indicators require that it be carried out in conformity with relevant ratified international conventions, agreements, and/or the domestic and, if applicable, subnational legal framework<sup>22</sup>. Participants are expected to clearly define how the FPIC process takes place and document its implementation and outcomes in reporting safeguards outcome indicator 4.2 and potentially other safeguards indicators such as 4.1. See Booklet B for details.
2. TREES protects land tenure rights by clearly stating that “*no credits will be issued unless the Participant can demonstrate ownership of the credit or the right to benefit from payments for the emission reduction or removal (ERRs)*”<sup>23</sup>. For example, in the case where rights to the ERRs are granted to IP and LCs within the accounting area, the government would need to have an agreement with the IP and LCs to receive the RBP on their behalf for the ERRs or to have full rights to the credits which would allow for the transfer of title.

## How does TREES address Benefit-Sharing?

TREES does not specifically require the adoption of a benefit sharing plan (BSP), but its safeguard theme 2.2 (and associated outcome indicator) does specifically require that *the distribution of REDD+ benefits related to the implementation of the REDD+ results-based actions have been carried out in a fair, transparent, and accountable manner, as per relevant ratified international conventions, agreements, and/or domestic and if applicable, subnational, legal framework*<sup>24</sup>.

<sup>21</sup><https://www.artredd.org/wp-content/uploads/2021/12/TREES-ESG-Safeguards-Guidance-Document-Aug-2021.pdf>, p. 14

<sup>22</sup>Ibid, p. 15

<sup>23</sup><https://www.artredd.org/faqs/#safeguards>

<sup>24</sup><https://www.artredd.org/wp-content/uploads/2021/12/TREES-ESG-Safeguards-Guidance-Document-Aug-2021.pdf> p. 13

Hence, Participants would need to demonstrate that REDD+ benefits have been distributed in a *fair, transparent and accountable manner*<sup>25</sup>. In cases where there are no existing processes and/or mechanisms for benefit distribution<sup>26</sup>, Participants will need to formulate BSPs. IP and LCs should advocate for these to comply with relevant international conventions and agreements, domestic legal frameworks and international best practices<sup>27</sup>, which generally consider that benefit sharing plans should:

- **Outline a meaningful participatory process for developing the BSP.** The plan should clearly outline how stakeholders will be engaged in the process of developing the BSP, with the aim of ensuring their meaningful engagement. This should build on a robust and transparent stakeholder mapping exercise to correctly identify the relevant stakeholders.
- **Identify their legal basis.** The plan should consider a mapping of the legal basis, to help ensure the BSP is designed through existing structures, albeit not, strictly speaking, tailored to REDD+. In accordance with emerging best practices, when these existing structures are well-functioning, countries should consider regulating benefit sharing within the framework of these existing structures, which can make it easier for concerned actors to participate in REDD+ than to build an entirely new structure.
- **Identify the beneficiaries.** Beneficiaries are understood as a group of stakeholders (people involved in or affected by REDD+ Program implementation) to receive Monetary and/or Non-Monetary Benefits resulting from the REDD+ Program. Beneficiaries may include but are not limited to, communities, civil society, and the private sector, including any nested REDD+ projects. Governments, as Program Entities and parties to the Emission Reduction Payment Agreement (ERPA), may be considered beneficiaries, and retain a certain amount of ERPA Payments to cover their costs for implementing and/or managing the REDD+ Program.
- **Identify the types of benefits.** The plan should identify the form/types of benefits that are expected to be offered in correlation to the relevant REDD+ actions, which include Monetary and/or Non-Monetary Benefits.

<sup>25</sup>Ibid

<sup>26</sup>In accordance with emerging best practices, when existing structures are well-functioning, governments should consider regulating benefit sharing within the framework of these existing structures, which can make it easier for concerned actors to participate in REDD+ than to build an entirely new system. Examples of such relevant mechanisms include, but are not limited to, existing PES schemes, conservation funds, jurisdictional results-based finance programs (including bilateral programs), reforestation funds, and others.

<sup>27</sup>For example, [https://wwfint.awsassets.panda.org/downloads/wwf\\_assessment\\_report\\_redd\\_programs\\_v4.pdf](https://wwfint.awsassets.panda.org/downloads/wwf_assessment_report_redd_programs_v4.pdf) or [https://www.nature.org/content/dam/tnc/nature/en/documents/tnc\\_benefit%20sharing\\_web.pdf](https://www.nature.org/content/dam/tnc/nature/en/documents/tnc_benefit%20sharing_web.pdf) or [https://www.cifor.org/publications/pdf\\_files/Books/REDD-Benefit-Sharing.pdf](https://www.cifor.org/publications/pdf_files/Books/REDD-Benefit-Sharing.pdf)

- **Identify the mechanism/process for the distribution of benefits.** The plan should outline the way in which Monetary and Non-Monetary Benefits are to be shared with Beneficiaries, including both their proportion and the mechanism used.
- **Identify the necessary institutional arrangements.** The plan should also identify the institution(s) responsible for the BSP.
- **Identify the monitoring provisions for the implementation of the BSP.** The plan should also identify the necessary monitoring provisions for the BSP.

## How does TREES address grievances and the need for a grievance redress mechanism at the jurisdictional level?

The set-up of a dedicated REDD+ grievance mechanism is also not prescribed by TREES, but TREES safeguard theme 2.4. requires that *Participants have in place procedures for guaranteeing non-discriminatory and non cost-prohibitive access to dispute resolution mechanisms at all relevant levels, and these are anchored in relevant international conventions/agreements and/or domestic and if applicable, sub-national, legal framework*<sup>28</sup>. Therefore, Participants are expected to have mechanisms and/or procedures for guaranteeing non-discriminatory and non-cost prohibitive access to dispute resolution mechanisms where REDD+ actions are implemented. These mechanisms and/or procedures are expected to be aligned with relevant international agreements or conventions and domestic legal frameworks in a way that guarantees the right of access to justice in the context of REDD+ activities. In this sense, IP and LCs should consider and advocate that the available grievance redress mechanisms incorporate the following principles set out by international best practices<sup>29</sup>:

- Legitimate:** enabling trust from the stakeholder groups for whose use they are intended and being accountable for the fair conduct of grievance processes. Accountability for ensuring that the parties to a grievance process cannot interfere with its fair conduct is typically one important factor in building stakeholder trust.
- Accessible:** being known to all stakeholder groups for whose use they are intended and providing adequate assistance for those who may face barriers to access. Barriers to access may include a lack of awareness of the mechanism, language, literacy, costs, physical location, and fears of reprisal.

<sup>28</sup><https://www.artredd.org/wp-content/uploads/2021/12/TREES-ESG-Safeguards-Guidance-Documents-Aug-2021.pdf> p.15

<sup>29</sup>For example, [https://knowledgehub.transparency.org/assets/uploads/kproducts/ti\\_document\\_-\\_guide\\_complaint\\_mechanisms\\_final.pdf](https://knowledgehub.transparency.org/assets/uploads/kproducts/ti_document_-_guide_complaint_mechanisms_final.pdf) or <https://irm.greenclimate.fund/resources/other> or [https://climateactiontransparency.org/wp-content/uploads/2020/10/Stakeholder-Participation-Guide\\_ch9.pdf](https://climateactiontransparency.org/wp-content/uploads/2020/10/Stakeholder-Participation-Guide_ch9.pdf)

- c) **Predictable:** providing a clear and known procedure with an indicative timeframe for each stage, and clarity on the types of process and outcome available and means of monitoring implementation. For a mechanism to be trusted and used, it should provide public information about the procedure it offers.
- d) **Equitable:** seeking to ensure that aggrieved parties have reasonable access to sources of information, advice, and expertise necessary to engage in a grievance process on fair, informed and respectful terms. Where imbalances are not redressed, perceived inequity can undermine both the perception of a fair process and the mechanism's ability to arrive at durable solutions.
- e) **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. Providing transparency about the mechanism's performance to wider stakeholders, through statistics, case studies or more detailed information about the handling of certain cases, can be important to demonstrate its legitimacy and fairness, and retain broad trust. At the same time, confidentiality of the dialogue between parties and of individuals' identities should be provided where necessary.
- f) **Rights compatible:** these processes are generally more successful when all parties agree that outcomes are consistent with applicable national and internationally recognized rights. Grievances are frequently not framed in terms of rights and many do not initially raise human rights or other rights concerns. Regardless, where outcomes have implications for rights, care should be taken that they are consistent with applicable nationally and internationally recognized standards and that they do not restrict access to other redress mechanisms.
- g) **Enabling continuous learning:** drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms. Regular analysis of the frequency, patterns, and causes of grievances; strategies and processes used for grievance resolution; and the effectiveness of those strategies and processes, can enable the institution administering the grievance redress mechanism to improve policies, procedures, and practices to improve performance and prevent future harm.

Additionally, IP and LCs should be aware that they can submit complaints directly to ART if they want to object to a decision made by ART representatives, or over the application of the ART program requirements- See Box 1.

*Box 1- How to complain to ART?*<sup>30</sup>

When a IP and LC wants to object to a decision made by ART representatives or the application of the ART program requirements, the following confidential complaint procedure will apply:

- Send a written complaint via email to [redd@winrock.org](mailto:red@winrock.org). The complaint must detail the following:
- Description of the complaint with specific reference to TREES requirements, as applicable;
- Supporting documentation provided for consideration by ART in the complaint resolution process; and
- Complainant name, contact details, and organization.
- The ART Secretariat shall assign a representative to research and further investigate the complaint. The representative assigned to handle the complaint shall not have been involved with the issue that is the subject of the formal complaint.
- The Secretariat will provide a written response via email to the complainant detailing the Secretariat's decision on the matter.

If an IP and LC wants to appeal any decision or outcome reached in the above procedure, the following confidential appeals procedure will apply:

- Send a written appeal via email to [redd@winrock.org](mailto:red@winrock.org). The appeal must detail the following:
- Description of the appeal with specific reference to TREES requirements, as applicable;
- Supporting documentation provided for consideration by ART in the appeal resolution process, including previous communication on the complaint and all relevant details of the previously implemented complaint procedure; and
- Appellant name, contact details, and organization.

The Secretariat will convene a committee of representatives to review and discuss the matter. The committee will include a member of Winrock Senior Management or Board, a member of the ART Board of Directors, and one external expert selected by the appellant and approved by the Secretariat, all of whom will have equal votes. The committee may also include additional technical and/or subject matter expert or experts as necessary, who will not be able to vote. The committee members selected will depend on the subject matter and nature of the appeal. The appellant will be contacted if any additional information is needed, or clarification is required.

The decision reached by the committee shall be communicated via written response to the Participant or stakeholder. Any decision reached by the committee shall be final.

<sup>30</sup><https://www.artredd.org/wp-content/uploads/2023/05/ART-Complaints-Guidance-May-2023-Final.pdf>

### *III. Understanding TREES relevant reporting requirements*

#### How does TREES require the application of UNFCCC reporting requirements?

In correlation to UNFCCC relevant requirements, TREES requires Participants must have submitted **the most recent Summary of Information (SOI)**<sup>31</sup> to the UNFCCC for any year where RBPs under TREES are sought<sup>32</sup>.

If the Participant is a subnational government, it must have submitted to the appropriate national government entity, a safeguards report at the respective scale that is consistent with national reporting to the UNFCCC for any year where RBPs under TREES are sought<sup>33</sup>.

TREES also requires that all Participants must **have a safeguard information system (SIS) in place**<sup>34</sup>. TREES's section 3.1.2, mentions that *Participants must have either a digital or analogue system for providing information on safeguards, and that if the Participant is a subnational government, it must have safeguards tracking and/or monitoring tools that are consistent with national tracking or tools, in particular with the national system for providing information on safeguards when available*<sup>35</sup>.

This said, TREES does not offer any further guidance for the design/set-up of the safeguard information system, nor does it clarify what it means to have a SIS “in place” for validation and verification purposes. Experience has shown that having an operational SIS is essential to ensuring all stakeholders’ meaningful participation in gathering/analyzing safeguard-related information (as per UNFCCC guidance)<sup>36</sup>, and to provide quality assurance of such information<sup>37</sup>.

In this sense, it would be recommended that IP and LCs should advocate that a SIS is adequately set-up in each jurisdiction, and used to strengthen the quality, reliability and credibility of information used to demonstrate conformance with TREES safeguards indicators, particularly when it comes to demonstrating how the information was assessed and either internally or externally verified. This means that the SIS should be easily accessible, with detailed information on how to submit feedback and information.

<sup>31</sup>UNFCCC Decision 9/CP.17, Paragraph 4; Decision 2/CP.17, op cit, Paragraph 63 and 64; Decision 12/CP.17 paragraph 3 and 4.

<sup>32</sup><https://www.artredd.org/wp-content/uploads/2021/12/TREES-ESG-Safeguards-Guidance-Document-Aug-2021.pdf>, Box 1

<sup>33</sup>Ibid, Section 5

<sup>34</sup>Ibid

<sup>35</sup><https://www.artredd.org/wp-content/uploads/2021/12/TREES-2.0-August-2021-Clean.pdf> - p.22

<sup>36</sup>UNFCCC Decision 2/CP.17 paragraph 63

<sup>37</sup>García, M., Rey, D., Rivera L., Korwin, S., and Ribet, U. [2017] Strategic and Design Considerations for Designing a Safeguard Information System, A Self-assessment Tool. CLP and SNV, London, United Kingdom.

## How can IP and LCs access information submitted to ART?

According to Section 15.2, the ART Secretariat *shall presume TREES Participant information is available for public scrutiny, and demonstration to the contrary shall be incumbent on the TREES Participant*<sup>38</sup>.

Accordingly, IP and LCs should advocate that national and subnational governments make the relevant TREES information available to stakeholders prior to its submission to ART, or advocate that the information included in such reports, is consulted through relevant processes, such as consultations of the SOIs or national reports prepared under the SIS.

IP and LCs can also access all approved and final TREES documents<sup>39</sup> through the [ART Registry](#). IP and LCs should be aware they can also subscribe to the [ART listserv](#) to receive notification of the availability of new and relevant Participant documentation as it becomes publicly available, and that they can submit comments to ART regarding these submissions. Comments submitted within 30 days of notice will be directed to the Participants to be addressed and will also be provided to the VVB at the beginning of Validation and Verification. It is worth noting that comments may still be accepted at any time during the process as long as they can still be meaningfully included in the process; and comments can be submitted in any language<sup>40</sup>.

<sup>38</sup><https://www.artredd.org/wp-content/uploads/2021/12/TREES-2.0-August-2021-Clean.pdf> - Section 15.2

<sup>39</sup>Program documents include TREES Monitoring Report, TREES Registration Document, TREES Concept Note.

<sup>40</sup>For more information on this, or to submit information, further details can be found here: <https://www.artredd.org/verification/>

# *Bibliography and other resources*

## ART resources

- [The TREES standard](#)
- [Indigenous people in ART Primer](#)
- [TREES validation and verification standard](#)
- [ART Registry](#)
- [ART Webinars and Presentations](#)
- [Video- overview of ART TREES](#)
- [Video- ART/TREES training for IPLCs](#)

## External resources<sup>41</sup>

- [Eligibility requirements of REDD+ financing](#)
- [Commentary: Reflections on ART-TREES, Jurisdictional REDD+ and Nature-Based Solutions](#)
- [ART TREES assessment by NBS Brazil Alliance](#)
- [Literature Review Of Best Practices For Redd+ Social Safeguards by Conservation International](#)
- [Making REDD+ work: A case study of Colombia, the Democratic Republic of Congo and Ghana by Vivid Economics](#)
- García, M., Rey, D., Rivera L., Korwin, S., and Ribet, U. [2017] Strategic and Design Considerations for Designing a Safeguard Information System, A Self-assessment Tool. CLP and SNV, London, United Kingdom.
- [https://knowledgehub.transparency.org/assets/uploads/kproducts/ti\\_document\\_-\\_guide\\_complaint\\_mechanisms\\_final.pdf](https://knowledgehub.transparency.org/assets/uploads/kproducts/ti_document_-_guide_complaint_mechanisms_final.pdf)
- <https://irm.greenclimate.fund/resources/other>
- <https://climateactiontransparency.org/wp-content/uploads/2020/10/Stakeholder-Participation-Guide-ch9.pdf>
- <https://www.leafcoalition.org/home>
- <https://emergentclimate.com/>
- [https://wwfint.awsassets.panda.org/downloads/wwf\\_assessment\\_report\\_redd\\_programs\\_v4.pdf](https://wwfint.awsassets.panda.org/downloads/wwf_assessment_report_redd_programs_v4.pdf)
- [https://www.nature.org/content/dam/tnc/nature/en/documents/tnc\\_benefit%20sharing\\_web.pdf](https://www.nature.org/content/dam/tnc/nature/en/documents/tnc_benefit%20sharing_web.pdf)
- [https://www.cifor.org/publications/pdf\\_files/Books/REDD-Benefit-Sharing.pdf](https://www.cifor.org/publications/pdf_files/Books/REDD-Benefit-Sharing.pdf)
- FCPF, Guidelines on Stakeholder Engagement in REDD+ Readiness With a Focus on the Participation of Indigenous Peoples and Other Forest-Dependent Communities, April 2012
- 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.

<sup>41</sup>The author is not responsible for the veracity of the content of these resources, but has sought to provide the reader with a wide range of opinions, thoughts and perspectives.