



# GETTING READY WITH FOREST GOVERNANCE: A REVIEW OF THE FOREST CARBON PARTNERSHIP FACILITY READINESS PREPARATION PROPOSALS AND THE UN-REDD NATIONAL PROGRAMME DOCUMENTS

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## About WRI

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## INTRODUCTION

The World Bank administered Forest Carbon Partnership Facility (FCPF) and the UN Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD Programme) are two leading multilateral efforts currently supporting developing countries to become ready to reduce emissions from deforestation and forest degradation and enhance forest carbon stocks (REDD+). This working paper is the ninth in a series of regular updates reviewing the Readiness Preparation Proposals (R-PPs) submitted by REDD+ Country Participants to the FCPF and the National Programme Documents (NPDs) submitted by UN-REDD Programme countries to the UN-REDD Programme. The analysis is based on a desktop review of each R-PP and NPD in order to understand how countries are considering fundamental issues of forest governance during the readiness phase. We assess whether the documents identify major governance challenges contributing to forest loss, and whether they apply principles of transparency, accountability, participation, and coordination to the development of REDD+ institutions, systems, and plans.

The 8<sup>th</sup> meeting of the UN-REDD Programme Policy Board and the 11<sup>th</sup> meeting of the FCPF Participants Committee will be held in Asunción, Paraguay, from 25-26 March and 28-30 March, respectively. This paper evaluates R-PPs from Guatemala and Mozambique submitted for formal consideration by the FCPF Participants Committee. It also reviews NPDs from Republic of Congo and Sri Lanka, which will be considered for funding by the Policy Board. Analyses of previously submitted R-PPs and NPDs can be accessed online at: <http://www.wri.org/publication/getting-ready>.

## OBJECTIVE FOR REVIEWING R-PPs AND NPDs

The R-PPs and NPDs are only a first step to becoming ready for REDD+; however, these documents are more likely to help countries to become ready if they provide a robust foundation for a comprehensive and systematic approach to tackling critical governance challenges as readiness activities proceed. Therefore, our analysis documents the extent to which governance issues are addressed within each R-PP or NPD, identifies gaps, and makes recommendations for how the analysis of governance issues could be strengthened. This analysis does not purport to assess the quality or appropriateness of the strategies outlined in the R-PPs and NPDs, or

whether they are likely to be successful. The analysis is also not intended to replace assessments undertaken by domestic stakeholders with in-depth knowledge of each country. Rather, it aims to assess—in general terms—the extent to which the strategies outlined in R-PPs and NPDs address key aspects of governance as measured against a consistent set of criteria. We do this to identify gaps and discern broader trends across countries and over time. Our analysis is based solely on the information presented in the R-PPs and NPDs and does not assess the accuracy or credibility of this information.

## THE IMPORTANCE OF FOREST GOVERNANCE TO THE REDD+ READINESS PROCESS

Strengthening forest governance will be an essential component of the activities implemented by countries seeking to achieve significant and lasting emission reductions through REDD+. Poor forest governance is often characterized by weak capacity to manage natural resources, lack of decision-maker accountability to impacted stakeholders, and lack of public access to information about the status and use of forest resources. Potential drivers of deforestation and forest degradation—such as illegal logging, unplanned forest conversion, and conflicts over access to land and resources—are often symptoms of weak forest governance. To develop effective national REDD+ strategies, governments need to better understand these challenges and develop measures to strengthen forest governance in ways that build the trust of domestic and international stakeholders.

Furthermore, when building national REDD+ programs, governments must designate institutions to manage REDD+ activities and develop systems for monitoring, information sharing, and revenue management. Strengthening the capacity of existing institutions to design and implement effective, efficient, and equitable systems through transparent and inclusive decision-making processes will therefore be an important part of the readiness phase. Promoting foundations of good governance will enhance society's capacity to manage the drivers of deforestation, safeguard against adverse social and environmental impacts, and advance broader sustainable development goals.

## METHOD FOR REVIEWING R-PPS AND NPDs

The World Resources Institute's Governance of Forests Initiative (GFI) has developed a [framework of indicators](#) for diagnosing governance challenges and tracking changes in governance over time. Based on these indicators, we have developed a set of core governance considerations that we regard as vital components of any successful national effort to reduce emissions from deforestation and forest degradation. In

particular, we have identified two distinct but related types of governance considerations relevant for REDD+:




*Promoting good governance of REDD+ systems and processes*, including:

- Full and effective stakeholder participation in REDD+ planning and implementation
- Coordination across different sectors and levels of government in REDD+ planning and implementation
- Transparent and accountable systems for managing and distributing REDD+ revenues and benefits
- Transparent monitoring and effective oversight of REDD+ activities by an independent body

*Addressing aspects of governance that are key to managing the drivers of deforestation and forest degradation*, including by:

- Clarifying and securing land and forest tenure
- Building capacity for effective forest management
- Strengthening forest law enforcement
- Addressing other country-specific governance challenges

Although the list above is not exhaustive and may not be equally relevant in all countries, it provides a simple framework to highlight key governance issues for REDD+. In the tables following this introduction, each R-PP or NPD is analyzed relative to the above list of governance considerations, which each include several sub-components. An R-PP or NPD's treatment of the overarching governance consideration is summarized in a brief narrative, and each sub-component is marked green, yellow, or red.

A green mark (  ) indicates that the R-PP or NPD has, in our view, discussed the issue in some detail and/or has provided a process for further investigation of the issue. A yellow mark (  ) indicates that the document has mentioned the issue but not discussed it in detail and has not provided concrete next steps. Finally, a red mark (  ) indicates that the issue has not been identified or discussed in the R-PP or NPD.

It is important to note that the scoring system has been created to evaluate preliminary steps toward readiness preparation, not readiness itself. Therefore, a green mark does not imply readiness, but is rather an indication that, according to the information provided in the R-PP/NPD, the country has considered that governance issue during the early phases of readiness preparation. Additional efforts to address identified issues will be required moving forward. In-country experts may assess that additional clarity is needed based on their knowledge of current issues, and we hope that this analysis will help to facilitate this type of assessment by domestic stakeholders.

## ANNEX 1: OVERVIEW OF THE FCPF AND UN-REDD PROGRAMME

### THE FCPF READINESS MECHANISM

The FCPF became operational in 2008 and provides grants to countries to develop REDD+ strategies. The FCPF has 37 member countries, and more than US\$230 million has been committed or pledged to the Facility. Experiences from the FCPF are helping to shape international understanding about what it means to be “ready” for REDD+. While the FCPF has does not purport to define readiness, key elements of readiness as elaborated in the most recent R-PP template include: (i) Readiness Organization and Consultation (ii) REDD+ Strategy Preparation; (iii) Reference Emission Level/ Forest Reference Level; and a (iv) Monitoring Systems for Forests and Safeguards. These elements are also likely to form the basis for preparing a Readiness Package, which will countries would prepare at the end of their readiness grant.

The Readiness Mechanism contains two phases, through which countries are moving at their own pace:

- (i) During the *Proposal Formulation* phase, REDD+ Country Participants develop an R-PP in consultation with relevant domestic stakeholders that outlines a roadmap of preparation activities necessary for REDD+. The R-PP is reviewed by an independent Technical Advisory Panel (TAP) and by the FCPF Participants Committee (PC), which is composed evenly of members selected by REDD+ Country Participants and by Donor Participants. Based on its review of the R-PP, the PC has the authority to allocate a readiness grant of up to US\$3.6 million. The World Bank must carry out its own due diligence in the country before a grant agreement is signed.
- (ii) During the *Preparation* phase, countries use the readiness grant to carry out the studies and activities described in their R-PPs. Governments will submit a midterm progress report based on a timeframe and requirements to be stated in the grant agreement.

To date, 23 of the 37 FCPF Participant Countries have submitted R-PPs to the Participants Committee for formal review and 3 others have drafted R-PPs for informal consideration and feedback. To date, \$75 million in funding has been allocated to countries for implementation of R-PP activities. Readiness grants have been signed and R-PP implementation is underway in 5 countries.

### THE UN-REDD PROGRAMME

The UN-REDD Programme was launched in 2008 as a collaboration of the United Nations Development Programme (UNDP), United Nations Environment Programme (UNEP), and the Food and Agriculture Organization (FAO). The UN-REDD Programme’s work leverages the in-country experience of these three organizations to provide support and technical assistance to developing countries as they create national REDD+ strategies. The UN-REDD Programme’s activities also include a Global Programme that focuses on knowledge sharing and development of common approaches and tools for REDD+. Approximately \$118 million has been committed to the UN-REDD Programme to date, of which nearly \$90 million has been allocated to support pilot and partner country National Programmes and the UN-REDD Global Programme.

The UN-REDD Programme has approved over \$59 million to support 14 countries to implement National Programmes. Twenty-eight additional partner countries, many of which are also participants in the FCPF, are participating in knowledge sharing. UN-REDD Programme countries submit NPDs that include an overview of the country’s situation with regard to forest laws and management and identify major outcomes to be achieved using UN-REDD Programme funds. Funds can be requested either for full national programs that span multiple years of implementation, or for initial quick start programs that help countries build initial capacity and make progress toward developing a national REDD+ strategy, typically over a 12–18 month timeframe. Governments submitting NPDs are required to have an ongoing stakeholder consultation process that includes a documented validation meeting before the draft NPD is submitted to UN-REDD for review. The UN-REDD Programme’s review process for NPDs is led by the Programme Secretariat, which assesses the submitted plans and submits approved NPDs to the Programme Policy Board for a final decision and budget allocation.

## ANNEX 2: REVIEW METHODOLOGY

GOVERNANCE OF REDD+	
<i>To what extent does the R-PP promote good governance within REDD+ systems and processes?</i>	
<b>Stakeholder participation in REDD+ planning and implementation</b>	
	<i>Identifies relevant stakeholders for REDD+</i>
	<i>Specifically considers how to engage local stakeholders</i>
	<i>Proposes a transparent process for stakeholder participation</i>
	<i>Proposes a process to ensure accountability for stakeholder input</i>
	<i>Proposes a grievance / dispute resolution mechanism</i>
	<i>Considers how to learn and build from other relevant participatory processes</i>
<b>Government coordination in REDD+ planning and implementation</b>	
	<i>Considers REDD+ in the context of other sector policies, land use plans, and national development plans</i>
	<i>Proposes mechanisms to coordinate REDD+ across sectors</i>
	<i>Proposes mechanisms to coordinate REDD+ across levels of government</i>
<b>Transparent and accountable REDD+ revenue management &amp; benefit sharing</b>	
	<i>Proposes a transparent system to track and coordinate international financing of activities related to REDD+</i>
	<i>Considers measures to promote fiscal transparency and accountability for REDD+ revenue management</i>
	<i>Proposes a participatory process to develop systems for REDD+ revenue distribution, including benefit-sharing</i>
	<i>Reviews lessons from past and/or existing systems for managing and distributing forest revenues</i>
<b>Transparent monitoring and oversight of REDD+</b>	
	<i>Proposes to establish information management systems for REDD+ that guarantee public access to information</i>
	<i>Proposes mechanisms for independent oversight of the implementation of REDD+ activities</i>
	<i>Proposes mechanisms to monitor efforts to address governance challenges</i>
GOVERNANCE CHALLENGES FOR ADDRESSING DEFORESTATION DRIVERS	
<i>To what extent does the R-PP consider key forest governance challenges for achieving REDD+?</i>	
<b>Land and forest tenure</b>	
	<i>Discusses the situation regarding land and forest tenure, including for indigenous peoples</i>
	<i>Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens</i>
	<i>Links identified governance challenges to proposed REDD+ strategy options and implementation framework</i>
<b>Forest management</b>	
	<i>Discusses the ability of forest agencies to plan and implement forest management activities</i>
	<i>Considers the role of non-government stakeholders, including communities, in forest management</i>
	<i>Links identified governance challenges to proposed REDD+ strategy options and implementation framework</i>
<b>Forest law enforcement</b>	
	<i>Discusses the ability of law enforcement bodies to effectively enforce forest laws</i>
	<i>Discusses efforts to combat corruption</i>
	<i>Links identified governance challenges to proposed REDD+ strategy options and implementation framework</i>
<b>Other forest governance issues relevant for REDD+</b>	
	<i>Discusses other forest governance issues that are relevant for REDD+</i>
	<i>Links identified governance challenges to proposed REDD+ strategy and implementation framework</i>

## ANNEX 3: R-PP REVIEW TABLES

## GUATEMALA

(R-PP dated March 2012)

## GOVERNANCE OF REDD+

*To what extent does the R-PP promote good governance within REDD+ systems and processes?***Stakeholder Participation in REDD+ planning and Implementation**

- |   |   |
|---|---|
| + | <i>Identifies relevant stakeholders for REDD+</i>                                   |
| + | <i>Specifically considers how to engage local stakeholders</i>                      |
| + | <i>Proposes a transparent process for stakeholder participation</i>                 |
| + | <i>Proposes a process to ensure accountability for stakeholder input</i>            |
| - | <i>Proposes a grievance / dispute resolution mechanism</i>                          |
| - | <i>Considers how to learn and build from other relevant participatory processes</i> |

The R-PP identifies the Group of Forests, Biodiversity and Climate Change (GBByCC) as the primary platform for multi-stakeholder dialogue on REDD+ at the national level. The GBByCC was formed in 2001 and consists of representatives from government, private sector, civil society and indigenous peoples (p.14). According to the R-PP, efforts are underway to strengthen the GBByCC and to formally integrate it into emerging readiness management structures.

The R-PP provides a preliminary list of relevant stakeholders to be consulted, and states that a more detailed stakeholder identification process will be conducted. The R-PP particularly focuses on the need to consult indigenous peoples and local communities according to the principles of free, prior, and informed consent. The R-PP notes that past efforts to consult indigenous peoples in the context of oil and mining projects have been inadequate, but it does not elaborate on specific challenges or lessons learned from these experiences (p.27). The R-PP proposes to develop a consistent methodology for consulting indigenous peoples and local communities for REDD+ based on their traditional governance structures, and notes that several organizations representing indigenous peoples are being engaged in this effort (p.18).

The R-PP states that transparency and accountability will be key principles of the consultation plan, drawing from Guatemala's Access to Public Information Act (p.45-46). The R-PP notes that a variety of approaches will be used to provide information to stakeholders, including TV, radio, websites, and materials in local languages (p.47). The R-PP acknowledges the importance of documenting stakeholder feedback and proposes that this may be achieved through a communication platform and sharing of "work reports" (p.45). Finally, the R-PP proposes to conduct consultations to design a conflict resolution system (p.43), drawing on past successful experiences with conflict resolution (p.45). It does not describe any of these past experiences or existing mechanisms for conflict resolution.

**Recommendations:**

- Provide an analysis of key lessons learned from past efforts to consult indigenous peoples and local communities
- Describe past and existing experiences with conflict resolution that can inform resolution of REDD+ conflicts

**Government coordination in REDD+ planning and implementation**

- |   |  |
|---|--|
| + | <i>Considers REDD+ in the context of other sector policies, land use plans, and national development plans</i> |
| - | <i>Proposes mechanisms to coordinate REDD+ across sectors</i>  |
| - | <i>Proposes mechanisms to coordinate REDD+ across levels of government</i>                                     |

The R-PP describes several existing coordination mechanisms at the national level, which will be leveraged for REDD+. In particular, the National Institute of Forests (INAB); the National Council of Protected Areas (CONAP); the Ministry of Environment and Natural Resources (MARN); and the Ministry of Agriculture, Livestock and Food (MAGA) formed an Inter-Agency Coordination Group (GCI) in 2011 to coordinate and harmonize policies for sustainable resource management (p.9). The GCI will coordinate REDD+ implementation and oversee activities of the four institutions. The R-PP describes two other coordination bodies that are relevant for REDD+: the Climate Change Intergovernmental Commission (CCIC) and the Socio-Environmental Cabinet (p.20). However, it is difficult to ascertain from the R-PP precisely how these various coordination bodies will interact. It is also unclear which agencies from outside the forest and environment sectors will be prioritized for engagement in REDD+, and how they will be engaged. At the sub-national level, the R-PP states that Regional Working Groups and State

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(-) – The R-PP or NPD has mentioned the issue but not discussed it in detail and has not provided concrete next steps.

(-) – The issue has not been identified or discussed in the R-PP or NPD.



## GUATEMALA

(R-PP dated March 2012)

Development Councils will be used to facilitate local dialogue, although the R-PP notes that working groups do not yet exist in all regions (p.12). It is unclear from the R-PP what specific roles these entities will play in implementation.

The R-PP recognizes the importance of harmonizing policies across sectors to achieve the objectives of REDD+, and lists several sector policies that will be subject to deeper analysis (p.54). The R-PP proposes several REDD+ strategy options with a multi-sector focus, including harmonizing policy frameworks of sectors related to land use such as mining, infrastructure, agribusiness, rural development and poverty reduction (p.65). The R-PP states that key actors from these sectors participate in the Socio-environmental Cabinet, which will play a high-level role in oversight of REDD+ activities (p.13, 20). However, it is not clear from the R-PP how the GCI would seek to engage these actors in policy reform processes.

**Recommendations:**

- Clarify the relative roles and responsibilities of the GCI, CCIC, and Socio-Environmental Cabinet
- Explain how actors from outside the forest and environmental sector will be engaged on an operational level in decision-making and implementation for REDD+

**Transparent and accountable REDD+ revenue management & benefit sharing**

- *Proposes a transparent system to track and coordinate international financing of activities related to REDD+*

+ *Considers measures to promote fiscal transparency and accountability for REDD+ revenue management*

+ *Proposes a participatory process to develop systems for REDD+ revenue distribution, including benefit-sharing*

+ *Reviews lessons from past and/or existing systems for managing and distributing forest revenues*

The R-PP proposes to leverage existing forest sector programs and conduct national and regional consultations to develop fair and effective benefit distribution mechanisms for REDD+ (p.43). The R-PP describes existing incentive programs such as the Forest Incentive Program (PINFOR), the Incentive Program for Small Landowners of Forest or Agro Forest Land (PINPEP), and the Pilot Program for Direct Forest Support (PPAFD) (p.59). The R-PP describes these programs as successful and having generated experiences and lessons relevant for REDD+ benefit sharing, including lessons related to participation, decision-making, cost effectiveness, and equity. The R-PP proposes a study to analyze these experiences (p.64).

The R-PP does not indicate what type of financial instrument might be used to manage incoming REDD+ finance, although it does mention several existing funds used to finance environmental conservation activities. However, the scale of finance has been limited (p.80). The R-PP suggests that international REDD+ funds may be subject to auditing by the Accounts Auditor-General. The R-PP also notes that the National Public Investment System (SNIP) is responsible for monitoring public investment, which may provide additional oversight to public expenditures for REDD+. Additional measures to ensure fiscal transparency are not proposed. Finally, the R-PP does not outline a process to develop financial management arrangements for REDD+.

**Recommendations:**

- Propose potential instruments to track, coordinate, and manage international financing for REDD+
- Consider additional measures to promote transparency for REDD+ revenue management

**Transparent monitoring and oversight of REDD+**

+ *Proposes to establish information management systems for REDD+ that guarantee public access to information*

+ *Proposes mechanisms for independent oversight of the implementation of REDD+ activities*

- *Proposes mechanisms to monitor efforts to address governance challenges*

The R-PP considers preliminary options for information management, oversight, and monitoring. It describes transparency as a key principle of monitoring, reporting and verification systems, and further notes that Guatemala's Access to Publication Information Act guarantees the right to request or access information and ensures transparency of public authorities (p.144). The R-PP describes several recent efforts to comply with the Act, such as the National Transparency Web Platform.

According to the R-PP, REDD+ implementation will be monitored and regular reports will be made available to the GBBYCC; however, the R-PP does not specify what entity will be responsible for the described monitoring approach (p.168). The R-PP outlines a process to develop systems and methodologies for monitoring social and environmental safeguards, but it does not specify whether aspects of governance will also be monitored (p.141).

**Recommendations:**

- Clarify roles and responsibilities for monitoring and oversight of REDD+ implementation

(+) – The R-PP or NPD has, in our view, discussed the issue in some detail and/or has provided a process for further investigation of the issue.

(+) – The R-PP or NPD has mentioned the issue but not discussed it in detail and has not provided concrete next steps.

(-) – The issue has not been identified or discussed in the R-PP or NPD.

## GUATEMALA

(R-PP dated March 2012)

- Propose a process for identifying key governance elements to be monitored as part of Component 4b

**GOVERNANCE CHALLENGES FOR ADDRESSING DEFORESTATION DRIVERS***To what extent does the R-PP consider key forest governance challenges for achieving REDD+?***Land and forest tenure**

 Discusses the situation regarding land and forest tenure, including for indigenous peoples

 Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens

 Links identified governance challenges to proposed REDD+ strategy options and implementation framework

The R-PP describes land distribution as a structural driver of deforestation in Guatemala that creates tensions and inequalities. The R-PP does not describe the legal framework for tenure comprehensively or in detail. It states that forest lands are largely state-owned with some administration responsibilities shared with communities, civil society, or the private sector (p.54). According to the R-PP, there are over 1.5 million hectares of communal lands that are home to indigenous peoples and mestizos, but it does not clearly specify whether these rights have been formally recognized and registered (p.54). The R-PP also notes that recent reforms to property regimes have had negative impacts on “equality and social relations,” including discrimination against indigenous peoples that has limited their participation in forest management (p.54). However, the R-PP does not explain the nature of these reforms or assess the reasons for their failure. The R-PP notes the importance of respecting indigenous peoples traditions, including legal recognition of their lands, territories and resources, but it does not propose clear strategy options to ensure these rights are respected in practice (p.86). Proposed readiness activities include a study of land use conflict and efforts to improve territorial management.

**Recommendations:**

- Provide a thorough analysis of the legal framework for tenure, including the legal status of communal lands
- Include an analysis of systems to resolve tenure conflicts in the proposed study on land use conflict
- Propose a participatory process to identify potential strategies for improving tenure security and addressing inequalities

**Forest Management**

 Discusses the ability of forest agencies to plan and implement forest management activities

 Considers the role of non-government stakeholders, including communities, in forest management

 Links identified governance challenges to proposed REDD+ strategy options and implementation framework

The R-PP describes forest management roles and responsibilities in Guatemala, but does not identify any overarching challenges or weaknesses from forest management that are likely to impact REDD+. Recently, there have been efforts to move from command and control forest regulation towards incentive programs and other mechanisms to promote community and private sector involvement in forest activities (p.57). INAB and CONAP are responsible for forest management in state forests and protected areas, respectively (p.9); however, the R-PP does not discuss the capacity of these institutions to perform their responsibilities.


According to the R-PP, communities and companies play a substantial role in forest management in Guatemala. Forest concessions are awarded to communities or companies through a public tender, and 12 of the 14 existing forest management units have been awarded to community based organizations (p.58). The R-PP also describes numerous government programs aimed at improving sustainable forest management. Programs such as PINFOR, PINPEP and PPAFD create incentive payments to land owners or land users to participate in forest conservation, agroforestry, forest management and reforestation activities (p.58-59). The R-PP describes these programs as having success in protecting forests and creating jobs (p.59). Strategy options proposed in the R-PP attempt to build on experience from these existing programs, and also develop new initiatives to promote alternative livelihoods and community forestry (p.67)


**Recommendation:**


- Discuss the capacity of INAB and CONAP to carry out their responsibilities for forest and protected area management


**Forest Law Enforcement**

 Discusses the ability of law enforcement bodies to effectively enforce forest laws

 Discusses efforts to combat corruption

 – The R-PP or NPD has, in our view, discussed the issue in some detail and/or has provided a process for further investigation of the issue.

 – The R-PP or NPD has mentioned the issue but not discussed it in detail and has not provided concrete next steps.

 – The issue has not been identified or discussed in the R-PP or NPD.

## GUATEMALA

(R-PP dated March 2012)

**Links identified governance challenges to proposed REDD+ strategy options and implementation framework**

The R-PP notes that “lawlessness” prevails in Guatemala, but it does not elaborate on this statement in significant detail (p.65). The R-PP identifies several law enforcement weaknesses that contribute to illegality in the forest sector, such as corruption, lack of forest monitoring, lack of resources, and “poor implementation of justice” (p.52, 66). The R-PP states that that local government has had some success in combating illegal logging, but it does not explain what the successful measures entailed or how REDD+ programs could scale them up (p.58). The R-PP also notes that a strategy to combat illegal logging has been developed but lacks resources for implementation (p.66). Suggested REDD+ strategy options for strengthening law enforcement include updating legislation on environmental crime, improving operating budgets, and strengthening monitoring capacity (p.66, 72).

**Recommendations:**

- Provide a more detailed discussion of the underlying factors contributing to a state of “lawlessness”
- Provide additional information on the key actors involved in forest law enforcement and prosecution of forest crimes
- Include a discussion on how corruption contributes to illegal forest sector activities and how it could be addressed as part of REDD+ implementation

**Other Forest Governance Issues Relevant for REDD+**

*Discusses other forest governance issues that are relevant for REDD+*

**Links identified governance challenges to proposed REDD+ strategy and implementation framework**

Governance reform is identified as an important part of developing a REDD+ implementation framework (p.56), but the R-PP does not attempt to define governance or identify specific governance challenges. The discussion of governance reforms in the implementation framework includes developing a viable MRV system and national registry, promoting transparency, and considering institutional and legal matters (p.80). The implementation framework budget lists “implementation of governance reforms” as an activity, but there is no elaboration of what specifically will be funded (p.82). An action plan to analyze drivers of deforestation includes a component to identify the impact of laws on forest governance, but there is no attempt to systematically identify governance-related drivers and potential solutions.

**Recommendation:**

- Propose a participatory process for identifying governance challenges for REDD+ and developing potential solutions

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(-) – The R-PP or NPD has mentioned the issue but not discussed it in detail and has not provided concrete next steps.

(-) – The issue has not been identified or discussed in the R-PP or NPD.



## MOZAMBIQUE

(R-PP dated March 2012)

## GOVERNANCE OF REDD+

*To what extent does the R-PP promote good governance within REDD+ systems and processes?***Stakeholder Participation in REDD+ planning and Implementation**

+	<i>Identifies relevant stakeholders for REDD+</i>
	<i>Specifically considers how to engage local stakeholders</i>
	<i>Proposes a transparent process for stakeholder participation</i>
-	<i>Proposes a process to ensure accountability for stakeholder input</i>
	<i>Proposes a grievance / dispute resolution mechanism</i>
	<i>Considers how to learn and build from other relevant participatory processes</i>

The R-PP identifies major stakeholder groups for REDD+ consultation, including government agencies, parliamentarians, the private sector, communities, academia, and NGOs. The R-PP identifies several general lessons from past participation processes, such as providing clear information to local stakeholders and allocating sufficient time, but it does not provide a more in critical reflection on these experiences (p.34). The R-PP also does not identify or propose to establish a specific multi-stakeholder platform at the national level, which could be integrated into the proposed readiness management structure. The R-PP states that there will be thematic working groups with multi-stakeholder representation, but it does not provide any details on how membership will be determined or what the roles and responsibilities of the thematic groups will be (p.23). The R-PP does identify several sub-national NGO forums that could be used for “bringing community voices to the REDD+ process”, but overall the R-PP does not offer many concrete strategies or proposals for engaging communities other than conducting workshops. Thus, it is somewhat unclear from the R-PP whether multiple stakeholders will have a formal and consistent voice in decision-making, beyond being consulted.

The consultation plan put forward by the R-PP is primarily focused on information dissemination and awareness raising, and it identifies several potential modes of communication (e.g., radio, television, posters and pamphlets) (p.52). However, the R-PP does not outline formal structures or concrete methods for integrating stakeholder feedback into REDD+ decision-making, although it does express general commitment to principles such as transparency and accountability (p.36). The R-PP identifies several types of conflicts that may arise under REDD+ and proposes an evaluation of existing conflict management mechanisms in order to design a REDD+ conflict management guide and a framework for prevention and management of conflicts (p.54, 111).

**Recommendations:**

- Propose specific strategies and principles for effectively engaging local communities
- Clarify how the consultation plan will promote transparent access to information and incorporate stakeholder feedback into REDD+ decision-making

**Government coordination in REDD+ planning and implementation**

	<i>Considers REDD+ in the context of other sector policies, land use plans, and national development plans</i>
	<i>Proposes mechanisms to coordinate REDD+ across sectors</i>
+	<i>Proposes mechanisms to coordinate REDD+ across levels of government</i>

The R-PP stresses the importance of inter-ministerial coordination but acknowledges this is a major ongoing challenge. It identifies a large number of ministries and agencies that should be engaged on REDD+, and states that the National Council for Sustainable Development (CONDES) is the most logical body to engage and coordinate these entities for REDD+ (p.20). However, it also acknowledges that CONDES has struggled to achieve effective participation and coordination of these entities in the past, particularly engagement of other land use sectors. The R-PP does not offer any new strategies to overcome these coordination challenges. At the sub-national level, the R-PP suggests that coordination bodies such as provincial and district councils and the Participatory Natural Resources Management Council (COGEP) can play a role in REDD+, but it also notes the need to strengthen the capacity of sub-national institutions to participate in REDD+ (p.29). The REDD+ Technical Unit (UT-REDD+) oversees day-to-day implementation of REDD+ and will also establish links with sub-national structures (p.23). The R-PP proposes to develop local operational units to facilitate REDD+ implementation and to examine different options for establishing sub-national units (p.29).

The R-PP acknowledges the need to integrate REDD+ with other sector development plans, noting that agriculture, mining and

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## MOZAMBIQUE

(R-PP dated March 2012)

infrastructure development contribute to deforestation and land conflicts (p.43, 61). Policies such as the Strategic Plan for Development of the Agrarian Sector are aimed at expanding agriculture and infrastructure, and the R-PP notes that implementation of the Plan will require forest clearing. Furthermore, according to the R-PP large areas of the country have been allocated for mining or new investments in agriculture and biofuels (p.72). The R-PP proposes activities to assess sectoral policies, identify land use trade-offs and facilitate cross-sectoral dialogue (p.87), and also notes that the ongoing agro-ecological zoning process can be used to identify land for REDD+ allocation (p.82). The likelihood that these proposed activities will be implemented effectively will strongly depend on the effectiveness of the proposed coordination mechanisms outlined above.

**Recommendation:**

- Provide additional detail on how sectors with significant land use impacts such as mining and infrastructure will be encouraged to fully participate in the REDD+ process

**Transparent and accountable REDD+ revenue management & benefit sharing**

*Proposes a transparent system to track and coordinate international financing of activities related to REDD+*

*+ Considers measures to promote fiscal transparency and accountability for REDD+ revenue management*

*Proposes a participatory process to develop systems for REDD+ revenue distribution, including benefit-sharing*

*+ Reviews lessons from past and/or existing systems for managing and distributing forest revenues*

The R-PP identifies MICOA as the agency responsible for managing FCPF funding through the Environment Fund (FUNAB). The UT-REDD+, operating under the authority of MICOA, will be responsible for establishing systems for financial management and equitable distribution of benefits (p.17, 106). The R-PP states that financial audits and regular sharing of financial and budget reports with provincial and district consultative councils will promote transparency and accountability of revenue management (p.17, 109).

The R-PP describes strengths and weaknesses of the current revenue-sharing scheme that allocates 20 percent of timber harvest and wildlife fees to local communities (p.80). The R-PP notes that revenue sharing has had some positive results such investing funds in setting up community bank accounts, disseminating laws at the local level, and establishing community management institutions (p.81). However, in some cases eligible communities do not receive promised funds due to corruption, or the funds have been minimal (p.82). The R-PP proposes to develop benefit sharing options for REDD+ by reviewing existing benefit sharing mechanisms between the state and communities and exploring potential to expand revenue sharing schemes to mining and other sector activities (p.87).

**Recommendation:**

- Clarify how low community input will be solicited as part of the proposed study on benefit sharing mechanisms

**Transparent monitoring and oversight of REDD+**

*+ Proposes to establish information management systems for REDD+ that guarantee public access to information*

*Proposes mechanisms for independent oversight of the implementation of REDD+ activities*

*+ Proposes mechanisms to monitor efforts to address governance challenges*

The R-PP states a strong commitment to developing a national monitoring system including a National REDD+ Information Platform to provide public access to information on three pillars: strategy and legislation, administration and accounting, and MRV and reference levels (p.24). According to the R-PP, the platform will organize and publish information on a range of issues including carbon, assessment of positive and negative impacts of REDD+ implementation, social and environmental safeguards and the status of governance (p.137). The R-PP states a commitment to creating a transparent, accurate and verifiable data collection system, noting that verification by independent institutions will help improve systems of information management and data collection, although existing barriers for information collection and management are not identified (p.146). However, the R-PP does not identify any specific institutions that could provide independent verification of information or oversight of REDD+ activities.

The R-PP notes the need to define indicators for monitoring REDD+ performance, and proposes preliminary indicators for monitoring policy and governance elements (p.149). Suggestions for policy and governance elements to monitor include development of laws and policies for REDD+, transparency, accountability and equity in application of REDD+ policies, information in the public domain, and number of conflicts over use of resources (p.149).

**Recommendation:**




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## MOZAMBIQUE

(R-PP dated March 2012)

- Identify potential institutions that could be responsible for independent verification and oversight of REDD+ implementation

**GOVERNANCE CHALLENGES FOR ADDRESSING DEFORESTATION DRIVERS***To what extent does the R-PP consider key forest governance challenges for achieving REDD+?***Land and forest tenure**

-  Discusses the situation regarding land and forest tenure, including for indigenous peoples
-  Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens
-  Links identified governance challenges to proposed REDD+ strategy options and implementation framework

The R-PP presents a relatively detailed discussion of forest tenure in law and practice. The R-PP notes that the legal framework for forest tenure in Mozambique recognizes customary rights to land and that communities can formally register their rights through boundary demarcation and acquisition of land use certificates (DUAT). However, the R-PP also acknowledges that many communities have limited resources and capacity to register their land (p.79, 90). Furthermore, the R-PP notes that land administration capacity at the local level is weak, which creates challenges for land registration and publication of the land database (p.80). The R-PP notes that the legal framework allows lands to be allocated to third parties following a consultation process with impacted communities (p.80), but states that these consultation processes are often not implemented according to the law, resulting in conflicts between communities and commercial investors (p.80, 148). The R-PP states that in 2010, 548 land related conflicts were reported and 475 were settled (p.84). A Land Forum has been established as a platform for dialogue on land rights and adjudication processes (p.84); the R-PP notes that the DNTF and local tribunals can also play a role in managing land allocation conflicts (p.111).

The R-PP proposes to map land rights—including ownership, registered and unregistered rights, and land conflicts—in order to assess implications for REDD+ goals (p.86), but it does not propose a broader process to address tenure issues for REDD+. The R-PP does not suggest any potential strategy options to improve management of land conflicts, strengthen land administration capacity, or support communities to register their rights.

**Recommendation:**

- Propose REDD+ strategy options to address tenure challenges identified in the R-PP

**Forest Management**

-  Discusses the ability of forest agencies to plan and implement forest management activities
-  Considers the role of non-government stakeholders, including communities, in forest management
-  Links identified governance challenges to proposed REDD+ strategy options and implementation framework




The R-PP's discussion of forest management focuses on commercial timber harvesting activities. The R-PP states that the National Directorate of Land and Forests has oversight responsibilities for production forest and will play an important role in REDD+ implementation, but it does not describe the capacity or operations of this institution in detail (p.15). The R-PP states that communities participate in community based natural resource management (CBNRM) and notes that REDD+ should build on these efforts, but it provides little information about the current status or effectiveness of CBNRM in Mozambique (p.28).

According to the R-PP, forest management activities are largely carried out by operators with annual harvesting permits or forest concessions. The R-PP notes that unsustainable logging practices that exceed licensed quotas often lead to selective logging of high value species and ultimately to forest clearing for other land uses (p.66). The R-PP lists factors contributing to poor forest management, including lack of management plans and insufficient incentives for long-term management. The R-PP states that the 2012 Forestry and Wildlife Law will extend license periods, require management plans for licenses, and update existing forest fees (p.79). The R-PP proposes potential strategy options to address forest management challenges such as piloting incentive programs for forest certification, supporting license operators to shift towards long-term concession management, and developing community timber concessions (p.92)

**Recommendation:**

- Provide a more thorough discussion of the role and capacities of public authorities and local communities in forest management

**Forest Law Enforcement**

-  – The R-PP or NPD has, in our view, discussed the issue in some detail and/or has provided a process for further investigation of the issue.
-  – The R-PP or NPD has mentioned the issue but not discussed it in detail and has not provided concrete next steps.
-  – The issue has not been identified or discussed in the R-PP or NPD.

## MOZAMBIQUE

(R-PP dated March 2012)

+	<i>Discusses the ability of law enforcement bodies to effectively enforce forest laws</i>
	<i>Discusses efforts to combat corruption</i>
+	<i>Links identified governance challenges to proposed REDD+ strategy options and implementation framework</i>
<p>The R-PP provides detailed examples of illegal practices and barriers to effective law enforcement in Mozambique. Illegal logging is described in the R-PP as “rampant,” with over 1,300 fines issued for illegal logging in 2010 (p.65). Illegal activities are often carried out by operators with annual licensing permits issued by provincial authorities or by concessionaires who fail to comply with legal provisions for concession operation (p.44, 66). The R-PP identifies numerous factors contributing to illegal activities such as corruption, lack of resources, and insufficient law enforcement personnel. For example, according to the R-PP each forest law enforcement officer is responsible for controlling nearly 83,000 ha of forest, limiting monitoring activities to sporadic concession visits or transit checkpoints at roads and ports (p.65). The R-PP proposes several strategies to address law enforcement weaknesses, such as improving information systems to aid law enforcement in identifying illegal logs, improving monitoring of forest harvesting practices, capacity building for customs officials and other law enforcement personnel, exploring options for participatory law enforcement using community scouts, and engaging an independent forest monitor (p.92, 94). The R-PP notes that an anti-corruption policy and strategy has been developed, although it does not discuss the implementation or effectiveness of the strategy (p.81).</p> <p><b>Recommendation:</b></p> <ul style="list-style-type: none"> <li>• Provide additional detail on efforts to address corruption in the forest sector</li> </ul>	
<b>Other Forest Governance Issues Relevant for REDD+</b>	
+	<i>Discusses other forest governance issues that are relevant for REDD+</i>
	<i>Links identified governance challenges to proposed REDD+ strategy and implementation framework</i>
<p>The R-PP specifically states that forest sector governance and ensuring that REDD+ is transparent and inclusive are key thematic areas to be discussed as part of stakeholder consultations (p.53). The R-PP employs a World Bank framework to examine governance issues including the current status of participation, transparency and accountability mechanisms in Mozambique (p.84). The R-PP describes existing mechanisms in place to promote good governance and states that Mozambique has implemented progressive legislation that promotes social and environmental goals; however, the R-PP also notes that the government faces significant challenges to successfully implementing these policies (p.83). The R-PP proposes to conduct more detailed analysis of governance challenges, including links between drivers of deforestation and governance, as part of R-PP implementation (p.83, 87).</p> <p><b>Recommendation:</b></p> <ul style="list-style-type: none"> <li>• Propose conducting a capacity needs assessment to analyze barriers to policy implementation</li> </ul>	

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## ANNEX 4: NPD REVIEW TABLES

REPUBLIC OF CONGO<sup>1</sup> (RoC)

(NPD dated February 2012)

## GOVERNANCE OF REDD+

*To what extent does the R-PP promote good governance within REDD+ systems and processes?***Stakeholder Participation in REDD+ planning and Implementation**

	<i>Identifies relevant stakeholders for REDD+</i>
+	<i>Specifically considers how to engage local stakeholders</i>
	<i>Proposes a transparent process for stakeholder participation</i>
-	<i>Proposes a process to ensure accountability for stakeholder input</i>
	<i>Proposes a grievance / dispute resolution mechanism</i>
-	<i>Considers how to learn and build from other relevant participatory processes</i>

The NPD describes several mechanisms for stakeholder engagement in REDD+, but does not contain a detailed identification or analysis of relevant stakeholders. It describes the recently formed Consultation Framework for Congo civil society organizations and Indigenous People for REDD+ (CACO-REDD+) as the primary structure for civil society communication, coordination, and engagement at the national level (p.31). Civil society groups, indigenous peoples, and the private sector will also be represented at the highest level of strategic decision making for REDD+ via the National REDD+ Committee (CONA-REDD+) (p.27). Both the CACO-REDD+ and the CONA-REDD+ consider gender equity when determining membership. However, the NPD does not explain how the CACO-REDD+ will be linked to the broader REDD readiness management structure (including the CONA-REDD+), which is depicted in a diagram on page 27.

At the sub-national level, the NPD states that REDD+ Departmental Committees (CODEPA-REDD+) will facilitate engagement of local stakeholders and support “REDD+ decentralization” (p.32). In this regard, the NPD places significant emphasis on information, education, and communication activities. For example, the RoC government will develop communication materials and radio broadcasts in local languages (p.31-32). However, the NPD does not give a clear sense of how perspectives and feedback of local stakeholders will be collected, analyzed, and integrated into strategic decision-making and implementation.

The NPD states that disputes between REDD+ stakeholders at the national level will be resolved by CONA-REDD+, which is a multi-stakeholder body that makes decisions by consensus and is distinct from the entity responsible for day-to-day management of REDD+ activities. Disputes between local stakeholders will be resolved at the department level by CODEPA-REDD+. It is not clear from the NPD how CODEPA-REDD+ will make decisions in this regard, or whether the decision-making authority will be adequately independent and impartial.

**Recommendations:**

- Clarify the relationship between CACO-REDD+ and the broader REDD readiness management structure (for example, via the organizational diagram on page 27)
- Provide more detailed strategies and principles for engaging stakeholders and ensuring that feedback is taken into account
- Provide more details on the dispute resolution process at the department level by CODEPA-REDD+

**Government coordination in REDD+ planning and implementation**

	<i>Considers REDD+ in the context of other sector policies, land use plans, and national development plans</i>
	<i>Proposes mechanisms to coordinate REDD+ across sectors</i>
	<i>Proposes mechanisms to coordinate REDD+ across levels of government</i>

According to the NPD, the National REDD+ Committee is tasked with strategic decision-making and oversight of REDD+ activities, but the NPD does not describe the composition of the committee or its platforms. Thus, it is unclear whether and how actors from other key sectors will be involved in national readiness management arrangements. More broadly, the NPD states that REDD+ shares a common vision of fighting poverty and promoting sustainable forest management with other sector policies and plans such as the National Rural Development Scheme, National Land Use Planning, and the Poverty Reduction Strategy Paper (p.37). The NPD briefly mentions the need to harmonize agriculture policies with REDD+, and proposes to develop a National Land Management Plan (PNAT) through a participatory process as a REDD+ strategy option. This plan would seek to define land use for

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REPUBLIC OF CONGO<sup>i</sup> (RoC)

(NPD dated February 2012)

different sector priorities including forest production, forest protection, agriculture, mining and infrastructure (p.47).

The NPD emphasizes the need to coordinate REDD+ consultation and implementation at the sub-national level through REDD+ Departmental committees (CODEPA-REDD+) (p.28). The NPD notes that these committees will work in conjunction with decentralized management of RoC's administrative departments. The committees are not yet operational, and the NPD does not include a discussion of capacity needs or timeline to establish these committees. Furthermore, the NPD does not propose any specific mechanisms for coordinating activities at the department level with activities at the national level.

**Recommendations:**

- Clarify how actors from key land use sectors will participate in readiness management arrangements
- Assess the feasibility of harmonizing land use, including an analysis of potential conflicts with other sector policies

**Transparent and accountable REDD+ revenue management & benefit sharing**

- *Proposes a transparent system to track and coordinate international financing of activities related to REDD+*

- *Considers measures to promote fiscal transparency and accountability for REDD+ revenue management*

*Proposes a participatory process to develop systems for REDD+ revenue distribution, including benefit-sharing*

- *Reviews lessons from past and/or existing systems for managing and distributing forest revenues*

Financial governance is described as a priority for developing the REDD+ implementation framework, but few specifics are provided. The NPD proposes to undertake analysis and consultations to develop options for setting up a national REDD+ fund, as well as exploring options for tax and economic incentives for REDD+ (p.60). There is no discussion of existing fiscal management capacity, concrete measures to promote good governance of REDD+ finance, or past experience with economic incentives and revenue-sharing programs.

**Recommendations:**

- Discuss current capacity to manage and distribute REDD+ revenues in a transparent and accountable manner
- Review lessons from past efforts to develop forest sector economic incentives or revenue-sharing programs

**Transparent monitoring and oversight of REDD+**

*Proposes to establish information management systems for REDD+ that guarantee public access to information*

*Proposes mechanisms for independent oversight of the implementation of REDD+ activities*

*Proposes mechanisms to monitor efforts to address governance challenges*

Key outputs of the UNREDD funded activities in RoC will include a National REDD+ Registry to track projects and initiatives and a national monitoring system. The NPD frequently cites transparency and coordination as key principles to govern these systems. The NPD proposes to develop systems to manage and disseminate information, including an online portal to facilitate public access. However, the NPD does not describe how public access to information will be guaranteed beyond the development of the online platform or discuss barriers to information access that are likely to exist for remote populations such as indigenous peoples and local communities.

The NPD notes that information systems will include a component on supervision that is designed to cover monitoring of policies and measures beyond carbon aspects (p.68). According to the NPD, the national monitoring system will also include a component on monitoring governance of REDD+ implementation at the national level, particularly readiness management arrangements and the REDD+ implementation framework (p.77). However, the NPD does not include a more detailed description of what governance attributes should be monitored.

The schedule and budget for the NPD includes an activity to support an independent REDD+ Observatory that will provide independent and participatory verification of the monitoring system (p.78). Details of the Observatory have not yet been developed, such as how independence will be ensured or how it will link to existing monitoring mechanisms in RoC such as the independent forest observer.

**Recommendations:**

- Describe how the proposed information system will promote stakeholder access to information
- Clarify the role of the REDD+ Observatory and its relationship to other independent forest monitoring initiatives
- Propose a participatory process to identify governance issues to be monitored as part of REDD+ implementation

**GOVERNANCE CHALLENGES FOR ADDRESSING DEFORESTATION DRIVERS**

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REPUBLIC OF CONGO<sup>i</sup> (RoC)

(NPD dated February 2012)

*To what extent does the R-PP consider key forest governance challenges for achieving REDD+?***Land and forest tenure***Discusses the situation regarding land and forest tenure, including for indigenous peoples**- Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens**+ Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The NPD identifies land tenure as an important issue for successful REDD+ implementation, but it provides little information on how tenure problems will be analyzed and addressed. According to the NPD, the majority of forest land is state-owned, and although legal provisions exist for private land ownership and customary land titles, the financial and technical requirements of land titling pose a barrier for indigenous peoples and local communities (p.34). Furthermore, the permanent forest domain belonging to the state has not been clearly defined, which creates conflicts between government forest managers, local communities and other users of forest resources (p.36). Improving security of land tenure is listed as a potential REDD+ strategy option, including by developing a national land use plan and facilitating access to customary land titles (p.47).

**Recommendations:**

- Include a more comprehensive analysis of the legal framework for tenure and existing conditions on-the-ground
- Discuss how tenure conflicts might be addressed as part of the REDD+ strategy

**Forest Management***Discusses the ability of forest agencies to plan and implement forest management activities**Considers the role of non-government stakeholders, including communities, in forest management**+ Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The NPD provides an overview of recent efforts to improve forest management in RoC, e.g., through the FLEGT Voluntary Partnership Agreement (VPA), certification schemes, and improving the coverage and management of protected areas. According to the NPD, the FLEGT process identified numerous forest sector challenges that should be addressed as part of a REDD+ program, notably lack of forest administration capacity and the need to strengthen involvement of local populations in forest management decision-making. According to the NPD, over 4 million hectares of concessions have been developed since 2001, but the NPD does not discuss the role of the private sector in forest management activities in detail.

Proposed REDD+ strategy options include promoting more sustainable forest management by expanding the network of protected areas and strengthening the capacity of local communities to participate in the management and conservation of protected areas. The NPD specifically notes that creation of additional protected areas must comply with principles of free, prior, and informed consent (p.35). Furthermore, the NPD states that an analysis of national and international experiences with community forest management will be conducted to identify strategies to build local forest management capacity and delegate management responsibilities (p.50). Other potential options include exploring options for compulsory forest certification, improving techniques of timber extraction and processing, and promoting reforestation (p.50-51).

**Recommendations:**

- Provide more detail on the role of the private sector in forest management
- Describe forest administration capacity challenges and potential solutions in greater detail

**Forest Law Enforcement***Discusses the ability of law enforcement bodies to effectively enforce forest laws**- Discusses efforts to combat corruption**+ Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The NPD identifies a host of challenges and needed reforms for tackling illegal forest activities in RoC. Illegal logging practices include failure of timber extractors to respect permits for allowed logging, overexploitation that prevents natural forest regeneration, and logging of protected species (p.49). The NPD notes a need for improved monitoring of the illegal wood trade and support for timber tracking systems, building on approaches being put in place to comply with the FLEGT VPA (p.49). The NPD proposes REDD+ strategy options such as analyzing opportunities to create independent control structures within the forest administration, strengthening capacity of forest officers on law enforcement procedures, and building capacity to use timber tracking systems

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REPUBLIC OF CONGO<sup>i</sup> (RoC)

(NPD dated February 2012)

(p.49). The NPD states that support for monitoring of illegal logging should also come from the Forest Sector's independent observer, NGOs and local communities, although it does not elaborate on the capacity of these groups to engage in forest law enforcement.

**Recommendations:**

- Provide more information on capacity and effectiveness forest law enforcement institutions
- Clarify the role and mandate of the forest sector's Independent Observer and how it can play a role in REDD+
- Discuss whether corruption plays a role in illegal forest activities and how corruption weaknesses might be addressed

**Other Forest Governance Issues Relevant for REDD+**

*Discusses other forest governance issues that are relevant for REDD+*

*Links identified governance challenges to proposed REDD+ strategy and implementation framework*

The NPD states that a major focus of UN-REDD Programme support to RoC's readiness activities will be analysis of governance challenges. The specific governance challenges that should be addressed as part of a REDD+ program are not identified in the NPD, but several studies are proposed. These include a study on the political economy of REDD+ and potentially conducting a Participatory Governance Assessment (p.46). The NPD also proposes a feasibility study on implementation of proposed strategy options that will include political, social and institutional aspects (p.56).

**Recommendations:**

- Provide additional detail on the specific governance challenges that are likely to impact REDD+ implementation in RoC
- Include an explicit governance dimension to the proposed feasibility study on implementation of REDD+ strategy options

<sup>i</sup> The Republic of Congo's NPD stated that the proposal was based on the country's R-PP, which was approved by the FCPF in September 2011 and attached to the NPD as a reference document. However, this review focuses solely on evaluating the information provided in the Republic of Congo's NPD.

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## SRI LANKA

(NPD dated February 2012)

## GOVERNANCE OF REDD+

*To what extent does the R-PP promote good governance within REDD+ systems and processes?***Stakeholder Participation in REDD+ planning and Implementation**

- + *Identifies relevant stakeholders for REDD+*
- + *Specifically considers how to engage local stakeholders*
- + *Proposes a transparent process for stakeholder participation*
- + *Proposes a process to ensure accountability for stakeholder input*
- + *Proposes a grievance / dispute resolution mechanism*
- + *Considers how to learn and build from other relevant participatory processes*

The NPD describes a strong commitment to building on lessons from past initiatives and using principles of Free, Prior and Informed Consent (FPIC) when engaging indigenous peoples and local communities. The NPD drew on previous stakeholder mapping exercises as a launching point for identifying and engaging REDD+ stakeholders, noting that past experiences highlighted the importance of building capacity and promoting public trust (p.43). Local stakeholders such as indigenous peoples and community-based organizations will be engaged through a variety of mechanisms, including as representatives on the UN-REDD Programme Executive Board (PEB) that oversees implementation of the National Programme and through the development of a Civil Society and Indigenous Peoples forum (p.29).

A Communication and Consultation Strategy and Plan (CCSP) will be developed to guide REDD+ consultations. Key outputs of this plan include annual review of CCSP implementation, targeted awareness raising and dialogue, and development of a REDD+ website and media platform. The NPD also establishes several accountability mechanisms, such as a baseline and awareness impact monitoring system that will assess the effectiveness of consultations and promote two-way communication between the CSO/IP forum and the Task Force in charge of consultation (p.42). The NPD proposes to develop a grievance mechanism, potentially by adapting existing formal and informal grievance mechanisms to REDD+ (p.46).

**Recommendations:**

- Include a detailed timeline and line item budget for developing and implementing the CCSP
- Provide additional detail on how the consultation plan will ensure that stakeholders have timely access to information about REDD+ implementation

**Government coordination in REDD+ planning and implementation**

- + *Considers REDD+ in the context of other sector policies, land use plans, and national development plans*
- + *Proposes mechanisms to coordinate REDD+ across sectors*
- + *Proposes mechanisms to coordinate REDD+ across levels of government*

The NPD emphasizes the importance of integrating REDD+ with sector policies and improving coordination, and outlines substantial challenges to achieving these goals. The NPD states that cross-sector coordination on environmental issues is typically poor, and that past efforts to improve coordination have been unsuccessful (p.23-24). Constraints include lack of resources, low institutional capacity, and a “large number of ministries and line agencies with conservation and land use responsibilities” (p.22). Although the NPD proposes to establish several new national coordinating entities such as the REDD+ Programme Management Coordination Committee (RPMCC) and the PEB, it is not clear whether or how these entities will overcome current constraints. For example, the Climate Change Secretariat (CCS) is responsible for liaising with sectoral agencies at the national and sub-national levels, but it is described by the NPD as understaffed and typically relying on consultants (p.20). At the local level, district forest officers coordinate with other institutions via district coordinating committees and district agriculture committees (p.25-26). District forest officers are identified as potential local REDD+ focal points to coordinate local REDD+ activities.

The NPD states that Sri Lanka’s existing national development framework is already compatible with the objectives of REDD+, but that policies and plans affecting forests are not sufficiently integrated at the regional and field level (p.56). The NPD identifies potentially competing land use priorities, such as demands for food production and rural development, but does not provide additional detail on sector policies likely to impact forest loss. An analysis of potential conflicts between development activities and

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## SRI LANKA

(NPD dated February 2012)

REDD+ is proposed as part of Output 4.1 (p.61).

**Recommendations:**

- Clarify roles and responsibilities between existing and proposed REDD+ institutional arrangements, taking into account ways to reduce overlaps and complexity
- Discuss how district focal points and committees will liaise with national institutions responsible for REDD+ oversight and implementation
- Include an organizational diagram that clarifies relationships between key REDD+ institutions

**Transparent and accountable REDD+ revenue management & benefit sharing**

*Proposes a transparent system to track and coordinate international financing of activities related to REDD+*

*Considers measures to promote fiscal transparency and accountability for REDD+ revenue management*

*+ Proposes a participatory process to develop systems for REDD+ revenue distribution, including benefit-sharing*

*+ Reviews lessons from past and/or existing systems for managing and distributing forest revenues*

The NPD states that the RPMCC will be responsible for tracking and managing incoming international finance during the readiness preparation phase. In particular, there will be an “information clearing house” for development financing resources in order to enhance coordination between activities (p.79). The NPD also sets out a process to design financial instruments for the REDD+ implementation phase, particularly an authority to transact carbon credits. The Department of National Planning and the Ministry of Finance and Planning will contribute to this process. The NPD states that independence is an important principle to guide the financial instrument, and states that Sri Lanka has vast experience carrying out environmental projects with good financial accountability (p.79). The NPD states intentions to draw on lessons learned from this experience, but it does not describe any of the key lessons or any of the existing methods for ensuring sound financial management.

With regard to benefit sharing, the NPD states that a Task Force on financial flows and benefit sharing and a Technical Working Group will explore options for revenue management and distribution. Their analysis will include a review of existing benefit sharing mechanisms (briefly identified on p.54), options for distributing REDD+ funds to NGO and private sector actors, models for reducing transaction costs for local actors, and options for a performance-based payment and benefit sharing system (p.80). The NPD also proposes to conduct a stakeholder consultation to validate benefit sharing approaches identified by the Working Group (p.85).

**Recommendation:**

- Provide additional details on the proposed “information clearing house” for development financing and how this will result in enhanced coordination of development activities related to REDD+.
- Elaborate on past lessons learned and existing capacity for transparent and accountable revenue management and distribution

**Transparent monitoring and oversight of REDD+**

*+ Proposes to establish information management systems for REDD+ that guarantee public access to information*

*Proposes mechanisms for independent oversight of the implementation of REDD+ activities*

*+ Proposes mechanisms to monitor efforts to address governance challenges*

The NPD proposes to create a central database and archiving system, which will be a key tool for organizing and sharing information about REDD+ implementation. To ensure that the information system is both usable and effective, an assessment will be carried out to identify the best approaches to providing information to various stakeholders (p.106). The database will include information on monitoring of social, environmental and governance indicators. Examples of governance aspects to be monitored include transparency and accountability, corruption, rule of law and access to justice, and inclusive decision-making (p.106). A governance assessment will also be carried out in a participatory manner to identify priorities for addressing governance challenges and establishing systems for providing information on governance indicators (p.107). While the NPD lists several entities that are responsible for oversight of the National REDD+ Programme, including the RPMCC and the PEB, it is not clear whether these entities can provide independent oversight since they have responsibilities for the day-to-day coordination and implementation of REDD+ activities.

**Recommendation:**

- Propose an independent oversight body to promote accountability in REDD+ readiness and implementation

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## GOVERNANCE CHALLENGES FOR ADDRESSING DEFORESTATION DRIVERS

*To what extent does the R-PP consider key forest governance challenges for achieving REDD+?***Land and forest tenure***Discusses the situation regarding land and forest tenure, including for indigenous peoples**- Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens**Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The NPD emphasizes the importance of resolving land tenure issues before engaging rural communities in REDD+, based on concerns raised during early stakeholder consultations, and proposes some preliminary actions to address tenure issues. The NPD states that the majority of land is under state ownership, but does not provide a systematic overview of the legal framework for land tenure. Much of the land under state ownership is described as “vested with the Land Reform Commission,” but it does not elaborate on the mandate and role of this Commission (p.52). Some state lands have been leased for participatory projects or alienated via land grants, including to indigenous *Veddah* communities. It is not clear from the NPD what legal rights are conferred by these land grants. For example, the NPD notes that land grant recipients do not yet have clear title but they are “in all effects owners of the land” (p.77). Numerous informal and customary systems exist, and the NPD acknowledges that the unclear relationships between customary and statutory lands and formal and informal tenure systems represent serious barriers to REDD+ implementation (p.78). The NPD proposes some efforts to address these problems through activities such as an assessment of current tenure systems, analysis of current tenure laws and policies, stakeholder consultation to discuss land use strategies and clarification of land ownership in alienated lands to enable REDD+ activities (p.85).

**Recommendation:**

- Provide a more thorough discussion of different tenure systems in Sri Lanka, including the legal framework, on the ground situation and potential barriers to legal recognition of customary and informal tenure systems

**Forest Management***+ Discusses the ability of forest agencies to plan and implement forest management activities**+ Considers the role of non-government stakeholders, including communities, in forest management**+ Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The majority of Sri Lanka's forests and forest plantations are managed by state entities including the Forest Department, the State Timber Corporation and the DWLF, which is responsible for protected areas and conservation of forests. Capacity building needs for forest officers include knowledge enhancement and improved facilities for field operations and communication (p.55). Suggested strategy options for addressing forest management challenges include conducting a capacity needs assessment and support for management planning for forest reserves (p.66).

The NPD describes in detail capacity challenges to promoting stakeholder participation in forest management. Ongoing efforts to engage local people in forest management and conservation have been difficult to sustain past the life cycle of projects (p.53). Past efforts include development of community-based organizations, micro-credit financing schemes for communities in conservation buffer zones, and plantation schemes (p.53). The NPD proposes integrating community participation into forest management as “part of regular departmental programmes” to address the problem of sustaining participation over time (p.66). Activities may include a review of past community participation projects to identify factors that contributed to success or failure (p.66). Private sector involvement in forest management is currently limited, although some recent developments include reforestation initiatives and commercial forest plantations. Private sector engagement in REDD+ and forest management may be encouraged through education and partnership building initiatives (p.66).

**Forest Law Enforcement***+ Discusses the ability of law enforcement bodies to effectively enforce forest laws**- Discusses efforts to combat corruption**Links identified governance challenges to proposed REDD+ strategy options and implementation framework*

The NPD describes several illegal forest activities that undermine forest law enforcement and will need to be addressed for successful REDD+ implementation. Illegal logging, illegal mining, and non-compliance with non-timber forest product extraction

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permit quotas are all described as specific instances of illegal activity that contribute to forest loss (p.57). Judicial procedures are also cited as an underlying cause of illegal activity due to lack of adequate penalties to deter illegal operators (p.58). Capacity to monitor extraction permits and other illegal activities is low due to lack of vehicles, funds and equipment (p.58). The NPD proposes a study to evaluate measures to improve law enforcement and suggests some capacity building measures for Forest Department field staff, but it does not identify any potential strategy options to reduce illegal activity or improve monitoring capacity of law enforcement staff.




**Recommendation:**

- Identify strategy options designed to address weaknesses in judicial processes and law enforcement capacity

**Other Forest Governance Issues Relevant for REDD+**

- |   |   |
|---|---|
| + | <i>Discusses other forest governance issues that are relevant for REDD+</i>                           |
| + | <i>Links identified governance challenges to proposed REDD+ strategy and implementation framework</i> |

The NPD repeatedly emphasizes the links between governance weaknesses and forest loss, and the need to strengthen governance as part of REDD+ readiness. It identifies current forest governance challenges including limited coordination across institutions, non-participatory decision-making, ambiguous land tenure, and lack of accountability and transparency in the forest sector (p.107). A governance assessment is proposed—potentially using the UN-REDD Programme’s Participatory Governance Assessment Approach—to develop policy recommendations based on multi-stakeholder dialogue (p.107). Proposed REDD+ strategy options include efforts to improve governance by strengthening coordination mechanisms, harmonizing forest policies with land use and other development strategies, improving forest sector consultations, and strengthening institutions (p.68, 74).

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