



global witness

## Review of National Programme Documents submitted to the 5th UN-REDD Policy Board Meeting

Washington DC, November 2010

This assessment examines the National Programme Documents (NPDs) due to be considered at the UN-REDD 5<sup>th</sup> Policy Board meeting in Washington DC (4 – 5 November 2010).<sup>1</sup>

This assessment is divided into two parts:

Annex 1: focuses on the proposals submitted by both the Democratic Republic of the Congo (DRC) and Zambia. Earlier drafts of their proposals were considered at the 4<sup>th</sup> Policy Board meeting, held in Nairobi, Kenya from 17-19 March 2010. Global Witness provided comments on those earlier drafts. Annex 1 analyses the extent to which the updated proposals from DRC and Zambia incorporate Global Witness's previous comments.

Annex 2: examines the proposals submitted by Cambodia, Papua New Guinea, Paraguay, Philippines, and the Solomon Islands, with respect to:

- 1) how the documents address illegality, corruption and law enforcement issues;
- 2) the monitoring system proposed to monitor governance, and environmental and social impacts;
- 3) how fiscal transparency has been addressed; and
- 4) stakeholders' participation in the implementation of the national REDD+ programme.

### Introduction

The seven REDD+ country proposals under consideration by the Policy Board generally recognise the key roles that weak governance, corruption and poor law enforcement play in driving or facilitating deforestation and forest degradation. For the most part, however, the proposals do not include sufficient details on what concrete actions will be undertaken to tackle this problem. Fiscal transparency is also not addressed adequately in the majority of the proposals.

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<sup>1</sup> Cambodia, Democratic Republic of the Congo (submitted in the form of a Readiness Preparation Proposal (R-PP)), Papua New Guinea, Paraguay, Philippines, Solomon Islands, and Zambia.

While most countries have recognised the importance of a system for monitoring governance and social and environmental impacts, little detail is generally given in their proposals about what these systems will look like. Fundamental questions like what exactly will need to be monitored, who oversees the system, who participates in it, and how it will be integrated into a comprehensive monitoring system, and into the broader REDD+ strategy, are, for the most part, not answered, although some countries have taken initial steps.

### **Summary of findings**

#### ***DRC***

- While recognizing the need to improve law enforcement capacity, the proposal fails to provide details on how this will be implemented on the ground.
- The proposal recognizes the need for civil society to play a role in monitoring the implementation of REDD+, although further details need to be clarified.
- Further details are required on how governance, economic, environmental and socio-cultural benefits will be monitored and assessed.
- The proposal does not explicitly address how the monitoring, reporting and verification system will be designed to ensure adequate feedback into planning and implementation.

#### ***Zambia***

- The proposal recognizes the need to undertake a review of existing legislation, but does not address adequately whether that review will necessarily lead to legislative or policy reform.
- Although Zambia recognizes the need to monitor legal reform no details are provided on how this will occur, or on monitoring governance more widely.
- The proposal provides insufficient details on civil society participation in the design and implementation of Zambia's monitoring system.

#### ***Cambodia***

- The proposal recognizes the role inadequate forest law enforcement and weak institutional capacity and policy implementation has played in driving deforestation and forest degradation, with illegal logging increasing in recent years.
- The proposal also recognizes corruption as an obstacle to improvements in the forest sector, but fails to acknowledge the high levels of corruption within the Forestry Administration and Ministry of Agriculture, Forestry and Fisheries.
- Industry, large scale agriculture and local communities are identified as having a role in deforestation and forest degradation, but insufficient attention is given to the role of government itself.
- The proposal suggests pilot activities to assess and improve law enforcement and forest governance, but there are insufficient details on how this might be rolled out across the entire forest sector.

- The proposal recognizes illegal cross border trade in timber, with areas bordering Lao PDR, Viet Nam and Thailand identified as deforestation hotspots. There is recognition of the need to strengthen regional collaboration with bordering countries.
- There is no noticeable reference to the monitoring and assessment of governance. While the proposal does state that the data used to establish its reference levels will be available for open and independent reviews, it does not clearly suggest the need to establish a monitoring system that includes participatory independent monitoring of REDD implementation.
- Feedback from Cambodian civil society has generally been positive on the consultation process undertaken to date in the development of the Cambodian REDD+ roadmap, but there are concerns that the role and mandate of the Consultation Group need to be clarified to ensure it is informed and consulted *prior* to decisions being made by the Task Force (which has no NGO or community representation).

### ***Papua New Guinea***

- The proposal acknowledges that large-scale selective logging, agriculture (both subsistence and commercial) and mining are drivers of deforestation and forest degradation.
- It also acknowledges governance problems in the implementation of forest laws and codes of conduct.
- The proposal indicates that over the last 20 years law reform has been undertaken to increase government control of forest areas, although it does not elaborate on governance problems affecting implementation of these laws, or the role weak law enforcement has played.
- There is no explicit reference to the need to monitor or assess governance, despite recognition of the need to monitor relevant safeguards.
- There is no mention of the importance of regional cooperation with neighbouring countries to tackle weak law enforcement, corruption and illegality.
- The proposal acknowledges existing corruption and recognises the need to improve fiscal transparency.
- There is also recognition of the need to engage with civil society in the development of REDD+, with the immediate focus on building capacity and awareness of stakeholders.

### ***Paraguay***

- The proposal recognizes lack of implementation and enforcement of existing environmental laws as preventing the application of solutions to deforestation and forest degradation.
- It also recognizes the need to harmonize existing laws and where necessary update the existing legal framework.
- While recognising the need for improving institutional capacity to implement REDD+, including identifying the training needs of selected government staff, the proposal does not explicitly address the capacity needs of law enforcement.
- The proposal acknowledges illegal logging and trade in timber and charcoal across the

border to feed the Brazilian market. However, it makes no reference to cooperation between Paraguay law enforcement authorities and its regional neighbours.

- The proposal recognises the importance of monitoring social and environmental benefits, although at this stage only proposes the monitoring of demonstration activities. It also does not explicitly recognise the need to monitor governance.
- Paraguay recognises the need for fiscal transparency building on existing instruments and lessons learned, although the system is still to be designed.
- The proposal recognises the importance and value of stakeholder participation in the design and implementation of REDD+, although it also recognises that, to date, there has been weak implementation of the participation and consultation process, and that there is also a need to further strengthen grassroots/indigenous organizations.

### ***Philippines***

- The proposal places disproportionate responsibility on “forest resource dependent communities” for deforestation and forest degradation, without acknowledging the role of other potential actors.
- There is insufficient focus on the role of illegality or corruption in deforestation, and no proposal to address the issue of weak law enforcement, or to build law enforcement capacity.
- There is recognition of the need to monitor social and environmental impacts, although the proposed monitoring framework is still to be determined following discussion with key stakeholders. There are few details on the role civil society might play in the monitoring system.
- There is recognition of the importance of stakeholder participation in the design and implementation stages of REDD+.

### ***Solomon Islands***

- Details are lacking on the role of weak law enforcement or illegality in driving deforestation and forest degradation. Nor is there any reference to the impact of regional neighbours in driving deforestation or forest degradation.
- Details are also lacking on the identity of the primary actors driving deforestation and forest degradation.
- There is recognition of the need to address numerous capacity gaps before the Solomon Islands will be ready to implement REDD+, and that implementation must necessarily be gradual and incremental.
- The proposal recognizes the need to strengthen enforcement of existing forest laws and refers to a UNDP project (lasting until the end of 2012) to address weak law enforcement.
- There are few details on any monitoring system, although an assessment of current capacity will be undertaken to identify existing gaps, which will include an independent assessment of stakeholder engagement.

**Annex 1**  
**Assessment of DRC and Zambia**

**Comments on the updated R-PP from DRC**

<b>1. How does the proposal address the issues of illegality and law enforcement?</b>	
Global Witness's Comments on DRC's R-PP from March	The proposal acknowledges weak law enforcement, corruption and capacity restraints as indirect causes of deforestation. The proposal also proposes undertaking initial studies and consultations and designing projects to consider these issues. While this is encouraging, the steps for improving law enforcement capacity on the ground fail to go far enough considering the realities in the DRC. Further, mechanisms for cooperative enforcement both nationally and regionally need to be built. While cross border cooperation is recognised, the only mechanism offering a practical and legally binding solution, the Lusaka Agreement, is only offered as a possible option.
DRC's response (R-PP July 2010)	<p>Annex 4 (B4) in the revised R-PP tackles the issues of law enforcement and regional cooperation under B2 and states that these issues will be fully addressed through the Thematic Coordination Group system.</p> <p>The proposal has also been slightly amended. At page 58 it provides (emphasis added): The efforts to improve the <b><u>capacity to enforce the law</u></b> are key for the success of the future REDD+ strategy. For instance, stronger measures to <b><u>improve law enforcement</u></b> and address <b><u>illegal cross-border trade</u></b> will have to be suitably designed and implemented. Joining the <b><u>Lusaka Agreement</u></b> could be a good signal to this regard.</p> <p><b><i><u>Comment: The revised proposal does not adequately resolve the issues raised in Global Witness's comments in March. Furthermore, the mandate and capacity of the Thematic Coordination Group system to tackle the issues of law enforcement and regional cooperation is not addressed further within the document.</u></i></b></p>
Global Witness's Comments on DRC's R-PP from March	In the R-PP from March, contradictions are made with how to deal with illegality. The recent 'legal review' of logging titles resulted in the cancellation of 15 million ha of logging concessions. However, it is also proposed that the concession system be expanded by 10 million ha.
DRC's response (R-PP July 2010)	There has been no amendment to the proposal on this issue. It is commented on in Annex 4 (C2) and the DRC have stated that most of Congolese civil society and many international stakeholders consider that maintaining the moratorium on new logging concessions is very important for a successful REDD+ process and a good indicator of the Government's commitment to forest protection and REDD+. However, it is necessary that the international community acknowledge the

	valuable efforts of DRC, notably the respect of such a moratorium since 2002, and that they support the delivery of such commitments.
<b>2. Does the MRV system assess the scope and role for local communities, NGOs, various government agencies or institutes, and the private sector?</b>	
Global Witness's Comments on DRC's R-PP from March	The role of civil society and NGOs in monitoring is discussed but appears to be in measurement and data management rather than in design and implementation.
DRC's response (R-PP July 2010)	<p>The proposal reiterates in Annex 4 (A3) that the report states, on page 22 in the box "Participation of Civil Society", that civil society will play a role in data monitoring and validation. There has been no amendment to this.</p> <p>In Annex 4 (A3), the proposal differentiates between the national MRV system to monitor and report GHGs emissions and removals at the national and sub-national levels, and the MRV system that will be used to assess the implementation of REDD+ policies and measures. The proposal distinguishes between civil society's role in those two MRV systems. In Annex 4 (A3), the proposal states that "it is in the monitoring of the implementation of the REDD+ policies and measures that the civil society should/may play a big role". The proposal states that the monitoring, reporting and verification (MRV) system used to monitor implementation of REDD+, is focusing on transparency so that civil society may have access to any data to understand how the country is proceeding in its implementation. The proposal also states that civil society may play a role in assisting stakeholders who are implementing a REDD+ activity or project in evaluating whether they are respecting the terms of their contract with the Ministry of Environment. Details of this are yet to be defined.</p> <p>Amendments have been made to the text (component 4a) to clarify the role of civil society. In particular, the proposal provides that civil society is to be involved in training, implementing the Satellite Land Monitoring System and verifying certain data and activities in the field.</p> <p>The role of private sector, local communities and indigenous people in field measurements is to be clarified between stakeholders (p. 85).</p>
Global Witness's Comments on DRC's R-PP from March	Civil society is not listed as a key partner in Result 3 of Table 1 (p. 13).
DRC's response (R-PP July 2010)	Despite updating the R-PP, civil society is still not listed as a key partner in Result 3 of Table 1 (p. 13).

	While Annex 4 hinted at the fact that civil society should/may be involved in monitoring the design and implementation of REDD+, this is not explicit in the amendments and remains to be clarified. It remains questionable whether civil society is considered a State 'partner' in MRV.
<b>3. How will key governance factors pertinent to REDD implementation, and social and environmental benefits and impacts, be monitored?</b>	
Global Witness's Comments on DRC's R-PP from March	The proposal contains detailed discussion of non-carbon monitoring and lists a number of examples of what will be monitored in the economic, environmental, socio-cultural and governance aspects associated with implementing REDD. However, the details of how these aspects will be monitored are lacking and the proposed system is unconvincing.
DRC's response (R-PP July 2010)	Annex 4 (B4) states that the plan of readiness to assess and monitor socio-environmental co-benefits and impacts has been substantially strengthened since the earlier R-PP version. However, details have not been given and there appears to be no corresponding amendment in the R-PP.
Global Witness's Comments on DRC's R-PP from March	With respect to non-carbon monitoring (monitoring of economic, environmental, socio-cultural and governance aspects), the proposal states that 'various studies' will be performed. These studies need to recognise the vastly different methodologies needed to provide different types of information.
DRC's response (R-PP July 2010)	There has been no acknowledgement or recognition of the different methodologies required to monitor economic, environmental, socio-cultural and governance aspects.
Global Witness's Comments on DRC's R-PP from March	The methodology and human resources proposed to meet the needs of the governance monitoring system are wholly inadequate and the approach appears to be desk-based and, as such will provide only limited information. A field based approach (such as IFM), backed by adequate resources is needed.
DRC's response (R-PP July 2010)	Annex 4 (B4) states that the monitoring, reporting and verification of governance issues will be developed, and that components 2d and 4b provide appropriate details (however, neither components 2d or 4b have been amended).  Annex 4 (B5) further states that the governance issue is key to ensuring the robustness of the future national REDD+ strategy, and will be addressed through various windows such as the implementation framework (component 2), the SESA (component 2d), the monitoring, reporting and verification system for other benefits and impacts (component 4b), or as a key issue associated with various sector-based

	<p>and enabling options.</p> <p>Governance is also considered a cross-cutting issue to be tackled by a Thematic Coordination Group, facilitated by National REDD Coordination (NC-REDD) with various international NGO partners (including Global Witness).</p> <p>While the monitoring, reporting and verification of governance is discussed within Annex 4, there has been no amendment to the provisions of the proposal and no suggestion of a field based approach to governance monitoring.</p>
Global Witness's Comments on DRC's R-PP from March	Collaboration with UNEP is proposed to monitor ecosystem-based co-benefits. However, the relationship between this programme and the overall monitoring system is not clear.
DRC's response (R-PP July 2010)	There is no elaboration on the relationship between the overall monitoring system and the proposed collaboration with UNEP intended to monitor ecosystem-based co-benefits.
<b>4. Does the monitoring system provide for establishing independent monitoring and review (IM-REDD), involving civil society and other stakeholders and enabling feedback of findings to improve REDD implementation?</b>	
Global Witness's Comments on DRC's R-PP from March	The proposal states that verification of data stemming from the monitoring system could be done by an independent organisation. While this is welcome, it does not amount to independent monitoring, particularly where governance is concerned, as it only refers to assessing data and not assessing the monitoring process itself.
DRC's response (R-PP July 2010)	<p>The provisions concerning data verification in the March proposal (p. 89) have not been amended in the July proposal (p. 93). Nor has this issue not been explicitly addressed in Annex 4.</p> <p>However, the July proposal does recognise that the measurement aspect of MRV and the production of basic data concerning the implementation of REDD+ and its environmental and social impacts, while being provided by the State, will probably be done in cooperation with other partners. From the national to the local level, State agents and probable partners will be responsible for collecting information. Various REDD stakeholders might be mobilized for this process, particularly local communities, indigenous people and the private sector, which are experienced in managing the flow of local and national information to manage their projects or business. The modalities of such partnerships still remain to be discussed and clarified.</p>



	While this is an improvement from the process set out in the R-PP from March, it still does not necessarily amount to independent monitoring.
<b>5. How are the different monitoring needs integrated and does the system feed back into design, implementation and assessment of the REDD strategy</b>	
Global Witness's Comments on DRC's R-PP from March	The proposal plans some integration between the creation of a reference scenario that includes socio-economic information, the monitoring system and the SESA process. However the use of the monitoring system to assess and feedback into pilot projects and REDD implementation activities is not discussed.
DRC's response (R-PP July 2010)	Annex 4 (A1) states that a new box has been included on page 64 titled "A Light, Transparent, Inclusive and Participatory Organisation to Build the National REDD Strategy". This presents the general coordination of work to build the REDD+ strategy, including a deep analysis of every possible option available for the country. A Thematic Coordination Group will coordinate the analysis and exploit lessons from pilot projects, mobilise the required expertise and carry out consultations.  While Annex 4 discusses feedback into pilot studies, it does not explicitly mention how the monitoring, report and verification system will be designed to ensure adequate feedback into planning and implementation.

### **Comment on the updated Zambia NPD**

<b>1. How does the proposal address the issues of illegality and law enforcement?</b>	
Global Witness's Comments on Zambia's NPD from March	The need for cooperation between enforcement and forest agencies is listed as a potential REDD+ relevant activity in Zambia's March NPD in paragraph 73 under " <i>Forestry-police collaborations</i> ". Global Witness also recommended that legal and policy reforms be implemented.
Zambia's response (in NJP Response Report and NPD, October 2010)	Zambia made no changes to its NPD in response to this comment, but instead has expressed the view that they had already addressed the issue of legislative and policy reforms in Output 3.3 (pg 60) which addresses the legislative structures within Zambia for implementing REDD+. Activities include: <ul style="list-style-type: none"> <li>• Reviewing existing legislation</li> <li>• Identifying aspects which require strengthening</li> <li>• Resolving carbon ownership in different land tenure systems.</li> <li>• Identifying changes to legislation required to channel REDD+ finances.</li> </ul>

	<b><i>Comment: While supporting the proposed review, Global Witness maintains the view that a commitment to reform (and not just a review) is necessary.</i></b>
Global Witness's Comments on Zambia's NPD from March	Global Witness highlighted the lack of consideration of regional enforcement or the Lusaka Agreement Task Force.
Zambia's response (in NJP Response Report and NPD October 2010)	<p>The NPD was amended with the following addition to paragraph 80 (formerly para 73) under "Forestry-police collaborations":</p> <ul style="list-style-type: none"> <li>In particular, cross-border coordination of the wood trade and enforcement of logging legislation needs attention and action from both law enforcers and REDD+ practitioners. This process can be assisted by the Lusaka Agreement Task Force of which Zambia is a Party State.</li> </ul> <p><b><i>Comment: the amendment has not addressed the point made by Global Witness. Cross-border cooperation is needed with law enforcement agencies in neighbouring countries, not "cross-border coordination of the wood trade".</i></b></p>
<b>2. Does the MRV system assess the scope and role for local communities, NGOs, various government agencies or institutions, and the private sector?</b>	
Global Witness's Comments on Zambia's NPD from March	The March NPD recognised the need for stakeholder participation, with the importance of participation by key stakeholders mentioned repeatedly. However, there is little detail presented about how this will be done during the implementation process.
Zambia's response (in NJP Response Report and NPD October 2010)	There has been no amendment to the NPD but Zambia has responded by stating that UN-REDD, through the FAO, will help to set up the national monitoring system, and communities will be active in REDD+ activities at the local and sub-national level. The response report states that implementation of the national monitoring system is expected to be centralised but will be interlinked with sub-national activities. The mechanism by which stakeholders will participate, however, is still unclear.
Global Witness's Comments on Zambia's NPD from March	Global Witness was specifically concerned with how stakeholder feedback will inform the design of the MRV and benefit-sharing system, for example, and the overall REDD+ strategy.
Zambia's response (in NJP Response Report and NPD October 2010)	<p>Zambia asserts in its response report that feedback will come from the communities, through stakeholder workshops, for incorporation into the national implementation plan. They maintain that implementation of REDD+ will eventually lead to benefit-sharing at the national level.</p> <p><b><i>Comment: Zambia concedes that no decision/indication has been given as to how the national benefit-sharing system will be applied to sub</i></b></p>

	<b><i>national initiatives.</i></b>
Global Witness's Comments on Zambia's NPD from March	The discussion of the MRV system in the NPD is focused mainly on designing a carbon MRV system and does not explicitly describe a role for NGOs or local communities. This is currently left to be elaborated on as part of Outcome 2.
Zambia's response (in NJP Response Report and NPD October 2010)	There has been no amendment to the NPD although Zambia asserts that because no decision/indication has been given as to how the national benefit-sharing system will be applied, the precise role of NGOs, other than 'awareness raising', cannot be described explicitly at this time. The references to stakeholder participation in Outcome 2 remain the same.
Global Witness's Comments on Zambia's NPD from March	Global Witness raised the issue that the REDD Technical Committee, which is housed in the Forestry Department, is an inter-ministerial body with limited NGO representation.
Zambia's response (in NJP Response Report and NPD October 2010)	The response report has not indicated whether or not the issue of limited NGO representation within the REDD Technical Committee will be dealt with or not.  <b><i><u>Comment: This remains an outstanding issue to be addressed.</u></i></b>
<b>3. How will key governance factors pertinent to REDD implementation, and social and environmental benefits and impacts, be monitored?</b>	
Global Witness's Comments on Zambia's NPD from March	There is no discussion of monitoring governance.
Zambia's response (in NJP Response Report and NPD October 2010)	Zambia has provided a response indicating that the NPD has been amended and the following added to the Terms of Reference in Annex 9 for the Monitoring & Evaluation Officer in the REDD+ Coordination Unit: <ul style="list-style-type: none"> <li>• "Leading the development of the monitoring framework to monitor the wider governance of the REDD+ process".</li> </ul> <b><i><u>Comment: In reviewing Annex 9 to the actual NPD, however, there appears to be no change in the Terms of Reference, and it remains as previously drafted in the March NPD. This appears to be an oversight.</u></i></b>
Global Witness's Comments on Zambia's NPD from March	The Monitoring, Evaluation and Reporting framework (Table 6, p.74) includes implementation of legal reforms as something to be monitored but does not elaborate on how this will be done.
Zambia's response (in NJP Response Report and NPD October 2010)	Table 6 has been amended and states that responsibility for monitoring of legal reforms will be conducted by the Ministry of Tourism, Environment and Natural Resources (MTENR), the Ministry of Justice (MoJ) and the National Assembly of Zambia. Responsibility for reporting lies with the MTENR, specifically the REDD+ Coordination Unit (RCU) and the MoJ.

	<b><i>Comment: There is no further elaboration on how the monitoring of legal reforms will be conducted.</i></b>
Global Witness’s Comments on Zambia’s NPD from March	While the NPD acknowledges that the REDD+ monitoring should address more than carbon in keeping with the recommendations of the UN-REDD Framework Document there is no further discussion of the topic.
Zambia’s response (in NJP Response Report and NPD October 2010)	<p>The NPD has been amended with the Terms of Reference in Annex 9 purported to state that the M &amp; E Officer shall;</p> <ul style="list-style-type: none"> <li>• “Monitor the social and environmental impacts and benefits of the REDD+ process”.</li> </ul> <p><b><i>Comment: This provision does not appear to have been added to the Terms of Reference in Annex 9 of the amended NPD compared to those in the March NPD.</i></b></p> <p>Although this provision has not been added to the terms of reference in Annex 9, the following activity has, however, been added to Output 3.2.3 (pg 59):</p> <ul style="list-style-type: none"> <li>• Develop a monitoring framework for key governance factors and social and environmental impacts pertinent to REDD+ implementation.</li> <li>• The response report asserts that the framework will particularly respond to the need to monitor and report on the safeguards of the international REDD+ mechanism, and is expected to include transparent and effective national governance structures, stakeholder participation and other social and environmental benefits. The monitoring framework will, to the extent possible, rely on the existing country-led frameworks, including the monitoring framework of the 6<sup>th</sup> National Development Plan, the Governance Secretariat governance survey and M&amp;E framework, Afrobarometer and the African Peer Review Mechanism. A participatory review and verification of the monitoring framework will be built into the stakeholder engagement process.</li> <li>• In addition, the response report states that MRV methodology includes a component of national forest monitoring, which includes the monitoring of other benefits and impacts. The report also states that there is information flow between the Integrated Land Use Assessment (ILUA) and UN-REDD MRV in order to set up a sustainable system for monitoring GHG emissions and also other benefits and impacts. The report states that the mutual compatibility of both programmes; namely the ILUA and UN-REDD, is clearly indicated.</li> </ul>

<b>4. Does the monitoring system provide for establishing independent monitoring and review (IM-REDD), involving civil society and other stakeholders and enabling feedback of findings to improve REDD implementation?</b>	
Global Witness's Comments on Zambia's NPD from March	There is no discussion of a system for independent monitoring.
Zambia's response (in NJP Response Report and NPD October 2010)	The response states that the monitoring framework of the NPD was not finalized at the time of the submission, and will be developed further and will include, for example, indicators for civil society engagement.  <b><i>Comment: There is no clear mention of whether the monitoring framework in the NPD will include independent monitoring.</i></b>
<b>5. How are the different monitoring needs integrated and does the system feed back into design, implementation and assessment of the REDD strategy</b>	
Global Witness's Comments on Zambia's NPD from March	There is little detail about how the monitoring system will be integrated and how it will feed back into the development of REDD+ policies
Zambia's response (in NJP Response Report and NPD October 2010)	The response again states that the monitoring framework of the NPD was not finalized at the time of submission, and will be developed further.  <b><i>Comment: There remains little indication of the how the monitoring system is expected to be integrated and there is no clear mention of a feedback mechanism</i></b>
<b>6. What formal reviews of the proposals are available? What do they say about governance and monitoring? Were the standards for the monitoring component met (R-PPs)</b>	
Global Witness's Comments on Zambia's NPD from March	The Secretariat calls for civil society to be an essential part of 'independent MRV processes'.
Zambia's response (in NJP Response Report and NPD October 2010)	The response again confirms that the monitoring framework of the NPD was not finalized at the time of the submission, and will be developed further. Zambia needs to recognize the important role that civil society plays as part of the independent MRV process.
Global Witness's Comments on Zambia's NPD from March	The 'managing and addressing relevant governance issues' should be incorporated into the risk management section and should include a mention of 'independent MRV with civil society participation.
Zambia's response (in NJP Response Report and NPD October 2010)	Zambia did not respond to this comment. There is no reference to 'managing and addressing relevant governance issues' in the Monitoring and Risk Management section and, likewise, no mention of independent MRV with civil society participation.

**Annex 2**  
**Assessment of the national programme documents from  
Cambodia, Papua New Guinea, Paraguay, Philippines, and the Solomon Islands**

<b>Cambodia</b>
<b>Illegality, Corruption and Law Enforcement</b>
<i>Does the proposal adequately describe the role of weak law enforcement, illegality and corruption in driving deforestation and forest degradation?</i>
<p>The role of inadequate forest law enforcement, low institutional capacity and weak policy implementation are listed as indirect drivers of deforestation and forest degradation within the forest sector (table 1, pg. 15). Key factors contributing to the pressures affecting forests include increasing national and regional demand for timber and inadequate law enforcement. Illegal logging is one of the greatest threats to forests (pg. 18). Table 2A (pg. 23) lists illegal activities as a challenge facing Cambodia’s successful implementation its National Forestry Programme (NFP).</p> <p>The proposal recognises that corruption and favouritism (“clientelism”) are listed as obstacles confronting forestry, despite technological fixes promoted by donors (pg. 17).</p> <p>In the proposal Cambodia recognises past failures in law enforcement, illegality and corruption as drivers of deforestation and forest degradation. In particular, Cambodia recognised that in the 1990s, the country was faced with destructive legal and illegal logging and over-capacity of saw mill facilities. This problem of over-harvesting, combined with weak enforcement and monitoring, jeopardised attempts towards sustainable management. As a result, a logging moratorium was introduced in January 2002. Most of the production forestry concession agreements were ultimately cancelled by 2006, with remaining logging concessions currently at a halt (pg. 14).</p> <p>The proposal notes that uncontrolled logging still occurs, with roundwood production in Cambodia increasing in recent years to supply the region’s manufacturing centres. Official figures submitted to FAO by the Royal Government of Cambodia (RGC) suggest very low roundwood production, which do not reflect the scale of illegal logging which continues at unknown levels despite the logging moratorium (pg. 17).</p> <p>While it is significant that the proposal recognises the existence of illegal logging and corruption, it does not acknowledge evidence concerning the scale of high level corruption within Cambodia’s Forestry Administration and Ministry of Agriculture, Forestry and Fisheries which is itself driving illegal logging and mis-management of the forest.<sup>2</sup></p>

<sup>2</sup> *Cambodia’s Family Trees*, Global Witness, June 2007.

*Does the proposal identify the primary actors involved in deforestation and forest degradation?*

The proposal identifies a number of actors involved in deforestation/forest degradation. In particular, the proposal recognises actors located in neighbouring countries as engaged in illegal logging. Areas bordering Lao PDR, Viet Nam and Thailand are recognised as deforestation hotspots.

Migrants from other provinces are also seen as actors in deforestation. Migrants tend to clear land for themselves and may also open forest land to sell on. It is felt that migrants have less interest in forest sustainability and are more concerned in quick financial gain. Many migrants occupy land illegally and move on rapidly. This undermines issues of land tenure and can destabilise land use planning.

There is also uncontrolled logging serving the region's manufacturing centres, suggesting the involvement of industry, particular the timber manufacturing sector. The proposal acknowledges that logging concessions have been granted in forested areas contrary to the forestry law and forestry regulations.

Local communities also have a role in deforestation, with agriculture, expansion of settlements and infrastructure development putting pressures on forests. The edges of rice-growing zones and areas with good quality soils are particularly identified as deforestation hotspots. Wood fuel is also a primary energy source for most rural and some urban households.

The proposal also suggests that social norms contribute to deforestation because forest land that is not currently under management is traditionally seen as an open-access resource that can be claimed by whoever clears the forest.

The proposal also identifies large scale agriculture as a cause of deforestation, with forests being converted for production of rubber, sugar cane and biofuel crops. Land privatisation and granting of economic land for agriculture has been closely related to deforestation.

Demand for wood fuel (wood or charcoal) is seen as a potential future cause of forest degradation. It is the increasingly high levels of commercial demand and the lack of alternative energy sources which is of concern. Currently a high proportion of commercial wood fuel comes from the clearance of old rubber plantations. Despite the high numbers of rubber plantations, the depletion of old plantations is likely to result in scarcity of rubberwood and may result in industry turning to natural forest for their fuel needs.

Not surprisingly, the proposal does not reflect the extent to which the government itself, as regulator of forest management, is a key actor in deforestation/forest degradation. The government's failure to legislate and enforce the law is a key issue. Further, the policies of other government ministries (beyond MAFF) are also driving deforestation. For example,

land and mining concessions are allocated in forested areas, sometimes in protected areas. The role of the government agencies responsible for issuing such concessions needs to be better recognised as actors responsible for causing deforestation.

*What measures are proposed to address weak law enforcement?*

The proposal states that unless additional attention is given to law enforcement and governance capacity, increased development will lead to increased encroachment into forests (pg. 18). Strengthening implementation of forestry policy and improving forest law enforcement and governance have been priority issues since 1998 (pg. 17).

The proposal states that a key factor determining the future success of forest law enforcement and governance efforts include the degree of responsibility allocated to the Forest Crime Monitoring Unit.

Following the suspension of logging concessions, the RGC has begun to implement a new vision for Cambodia's forest sector, based on the Rectangular Strategy. The Rectangular Strategy describes four growth areas that are prioritized by the RGC, one of which is forestry reform including law enforcement (pg. 19). The efforts made by the RGC include the National Strategic Development Plan (NSDP), the National Forest Programme (NFP) and several new laws and policies (pg. 19). The principle forest management strategies of the RGC are the NFP for the Permanent Forest Estate (pg. 8).

In 2008 and 2009, the Forestry Administration (FA), together with other stakeholders in the forest sector developed the National Forest Programme (NFP) as a strategic framework, designed to guide the implementation of the policy reforms mandated by the Rectangular Strategy and the NSDP (pg. 21). The NFP prioritises six programmatic areas of which, programme 3 is the Forest Law Enforcement and Governance Programme, including law enforcement and forest crime monitoring and reporting (pg 21). Table 2A (pg. 23) elaborates on the Forest Law Enforcement and Governance Programme (Programme 3) and breaks it into 5 sub-programmes which include:

1. Legal and Administrative Reform;
2. Law Enforcement and Forest Crime Monitoring and Reporting; and,
3. Rapid Response on Forest Crime Information (pg. 23).

The proposal states that the development of Cambodia's REDD+ strategy, which includes law enforcement, will build on previous experiences and existing forest management strategies, such as the NFP, rather than initiating new policies, legal structures or governance arrangements. The proposal states that whilst the legal framework for management of forest resources is clear, the national coordination and regulation framework with respect to REDD+ is not yet fully defined. Nevertheless, the general framework can be determined based on the existing management and regulatory jurisdictions of relevant Government ministries and institutions. Additional processes will need to be established during the national REDD+ Readiness process to clarify the decision-



making authority of various State institutions and create appropriate regulatory procedures and guidelines where needed (pg. 34).

The proposal states that Cambodia's REDD+ Strategy should be based on:

1. Support for effective management of Cambodia's forests, in accordance with existing laws and policies. Additional implementation strategies such as the management of timber and wood energy may be investigated.
2. The development of REDD+ should support the implementation of NFP including Programme 3 (Forest Law Enforcement and Governance) including developing linkages with the EU Forest Law Enforcement and Governance (FLEGT) programme (pg. 80).

The proposal addresses measures hoped to redress weak law enforcement to the extent they are already part of the Rectangular Strategy and the NFP.

The proposal does not appear to suggest measures which will adequately address corruption and weak law enforcement. The solutions offered appear to be a technocratic fix for a problem which is actually political, and is described as such in the introduction section. While law enforcement depends on adequate legal and administrative reform, for example, it also depends on addressing corruption and governance issues within the regulatory agencies. This needs to be better recognised.

Additionally, the proposal fails to mention the role non-state actors might have in law enforcement. For example, the proposal does not address steps that might be taken to improve coordination of law enforcement with local community based natural resource management groups (such as Community Forestry groups).

*Is there an assessment of institutional capacity to strengthen law enforcement?*

The proposal states that a key factor in determining the future success of forest law enforcement and governance is the capacity provided to implement direct action (pg.17). However, the proposal does not directly address the institutional capacity to strengthen law enforcement. Instead, it focuses on the more general capacity to implement the NFP, only a part of which is law enforcement and governance.

Table 2A highlights low capacity and insufficient knowledge as a barrier to the sustainable implementation of the NFP. Raising the capacity of institutions to enable the implementation of the NFP is one of the criteria under Objective 6 of the NFP.

Further, the proposal states that Cambodia's REDD+ Strategy should support capacity Building and Research (Programme 5), including development of the managerial and technical capacity of FA staff and other stakeholders. Outcome 3 of the Results Framework is also to improve Capacity to manage REDD+ at sub-national levels, including law enforcement and forest governance as a pilot project activities. While using pilot activities to address "law enforcement and forest governance" is important, this should be rolled out

across the forest sector.

While there is recognition of the need to strengthen the capacity of institutions, there is no actual assessment of current capacity needs.

*Does the proposal recognise the importance of regional cooperation in tackling these issues?*

The proposal highlights that key factors contributing to the pressures affecting protected areas include increasing national and regional demand for timber and inadequate law enforcement (pg. 18). A number of key factors from outside the forestry sector are also identified as drivers of deforestation, including regional pressures.

Table 2A (pg. 23) lists weak collaboration as a challenge facing Cambodia's successful implementation its National Forestry Programme (NFP). The proposal states that Cambodia is a member of a number of different global and regional organizations, which provides an important resource to learn lessons from other countries about the development of REDD+ processes as well as providing opportunities for further capacity building and regional coordination (pg. 50), and it highlights a number of FAO regional projects to which Cambodia is Party (pg. 52).

Strengthening regional collaboration with bordering countries has been identified as a possible REDD+ strategy that could be investigated further during the REDD+ Readiness phase (pg. 83 and pg.91).

Manufacturing capacity in Cambodia is low, with most illegal timber exported for processing in either Vietnam or Thailand. Strengthening regional cooperation amongst law enforcement should, therefore, be prioritised to stop illegal timber exports along the border areas. This should also include the need to coordinate between the Forestry Administration, Military and Border Officials.

**Monitoring System**

*How does the proposal suggest that governance be monitored and assessed?*

There is no noticeable reference to the monitoring and assessment of governance. This is a weakness in the proposal. Country-specific governance indicators derived from generic framework parameters should be at the centre of a practical assessment and monitoring framework, which includes participatory independent monitoring and indicators specifically related to addressing corruption and clientelism within the forest sector.

*How is it proposed that the environmental and social impacts of proposed actions be monitored and assessed?*

The current legal framework in Cambodia provides that REDD+ arrangements in natural forest areas might require the undertaking of an Environmental and Social Impact Assessment (ESIA) as prescribed by the relevant provisions found in the Law on Environmental Protection and Natural Resources Management (1996), Sub-Decree on Environmental Impact Assessment Process (1999), the Forestry Law (2002), and the NPA Law (2008).

Under the Forestry Law in 2002, those responsible for preparing ESIA's and the Ministry of Environment (MoE) (being the Government agency with responsibility for reviewing, approving and monitoring ESIA's), must look at the potential social and environmental impacts of proposed projects or activities and how these impacts will be mitigated.

A full-scale ESIA review and pre-feasibility study is required if there is a determination by the MoE that the activity or project would have a serious negative impact on natural resources, ecosystems, *health or public welfare*. Full-scale ESIA reviews are to be continuously monitored by the MoE during the activity or project construction, implementation and closure.

The Sub-Decree on Environmental Impact Assessment Process contains no useful guidance with regards to the ESIA process in Cambodia other than stating that the Department of Monitoring and Environmental Impact Assessment shall be responsible for reviewing, monitoring and taking action to have the project owners comply with the environmental management plan during the periods of construction, operation and closure of projects and shall also be responsible for developing further guidelines for preparing an ESIA report. No additional guidelines for preparing an ESIA report appear to have been prepared.

The Forestry Law does not add much regarding whether REDD+ implementation arrangements require an ESIA, and states that an ESIA shall be prepared for *any major forest ecosystem related activity that may cause adverse impact on society and environment*. The Department of Forestry and Wildlife produced a guideline manual for conducting an ESIA in relation to forest concessions. This manual clearly states that such ESIA's are to be reviewed and monitored by the MoE in accordance with the law.

Article 44 of the Protected Areas Law (2008) states the following:

*To minimize adverse impacts on the environment and to ensure that management objectives of protected areas are satisfied, an ESIA shall be required on all proposals and investment for development within or adjacent to protected area boundary by the Ministry of Environment with the collaboration from relevant ministries and institutions. (emphasis in the original text)*

ESIA's for REDD+ related implementation activities could be required based on the provisions

found in the existing legal framework, though there is no clear statement saying that they are. What is urgently needed in Cambodia is a comprehensive review and update in order to remove any areas of confusion relating to the ESIA process (pg. 40).

The failure to protect local environments or the rights of people (and their livelihoods) through Cambodia's inadequate environmental and social safeguards, and the lack of enforcement, has been well documented by Global Witness and others. Measures to address these failures are not being described in specific enough detail in the proposal.

*Does the proposal address the need to establish a monitoring system that includes independent monitoring, assessment and review of REDD implementation?*

The proposal does not clearly suggest the need to establish a monitoring system that includes independent monitoring, assessment and review of REDD implementation.

The proposal does, however, state that the data used to establish its reference levels will be available for open and independent reviews. Transparency will also allow the assumptions and methodologies used to assess the reference levels to be clearly explained to facilitate replication and assessment by users of the reported information and by other relevant stakeholders. The transparency of the reference levels is recognised to be fundamental to the success of the process for the communication and consideration of REDD+ process in Cambodia (pg. 67).

#### **Fiscal Transparency**

*Does the proposal address the need to assess and improve levels of fiscal transparency?*

The proposal confirms that Cambodia is a member of the Interim REDD+ Partnership. The REDD+ partnership aims to promote transparency around financing and existing and new international initiatives to achieve REDD+ (pg. 50). Fiscal transparency requires proactive action on the part of Royal Government of Cambodia, and it is insufficient to rely upon the REDD+ Partnership to fulfil this obligation. In particular, the REDD+ Partnership is not responsible for ensuring fiscal transparency between a government's domestic institutions. Global Witness and Cambodian civil society organisations have raised concern about the general lack of natural resource revenue transparency and accountability in Cambodia. Cambodia was ranked in the bottom 20% in terms of budget transparency by the Open Budget Initiative's global survey launched in September 2010.

Under REDD+ Readiness Activities and the REDD+ Readiness Plan Proposal ('the Roadmap'), Decision 699 of the Council of Ministers requires that revenues from REDD for the pilot projects are managed through the TWGF&E bank account, ensuring transparency and oversight, and designates the FA as the Government agency responsible for arranging carbon sales (pg. 68). Further details are required, however, on efforts to ensure fiscal transparency beyond these pilot projects.

The proposal should also provide further details on the steps it proposes to ensure fiscal transparency for the equitable sharing of benefits between all the stakeholders involved.

### **Stakeholder Participation**

*Does the proposal address the need for stakeholder participation in the design and implementation stages?*

The Cambodia REDD+ Roadmap states that stakeholders will be consulted with through implementation of the Roadmap, and local stakeholders will be engaged in the process. It states that stakeholder engagement is very important if REDD+ is to be accepted and achieve broad support. Stakeholders include Government institutions and agencies; non-governmental organisations; civil society and indigenous groups; the private sector; knowledge institutions; development partners; and, international networks including each of Cambodia's neighbours.

The principles for the process of stakeholder participation in the REDD+ Roadmap state that: The process should be transparent; the process should be inclusive engaging all relevant stakeholders with sufficient support provided to more vulnerable groups; the process should maintain fair representation of different groups; the process should allow for groups to be held to account; the process should be iterative; the process should ensure the availability of information; the process should build on existing processes and structures; the process should be timely; and, the process should be adequately resourced (Cambodia REDD+ Roadmap, pg. 34).

Feedback provided from Cambodian civil society indicates that to date, even though NGOs and communities are only to be represented in the Consultation Group and not the Task Force, they have been happy with the consultation process undertaken to develop the Roadmap. This consultation process has been effective in rebuilding trust between the government, communities and civil society organisations following the poor consultation conducted for the development of the National Forestry Programme (NFP). However, the terms of reference for the Consultation Group defining the role of NGOs and communities and the Group's authority need to be clarified. The Roadmap provides that the Consultation Group should only be informed of the outcomes and progress of REDD readiness whereas civil society considers it should be informed and consulted before decisions are made by the Task Force. Moreover, the addition of the Consultation Group in the Management structure (section 1) is not reflected in Section 2 on Stakeholder Consultation and Participation. These two sections in the current draft are still inconsistent (see, for example, pages 36-37: Next steps). Lastly, NGO and civil society/community representative seats should be counted and treated separately, i.e. providing two different voices in the Consultation Group.<sup>3</sup>

<sup>3</sup> Comments from NGO Forum on Cambodia, 2 November 2010

Global Witness considers it essential that the commitments made by the Cambodian government to continue engaging with local communities, civil society organisations and other stakeholders during the implementation of the Roadmap continue to be met. This proposal should ensure it strengthens these provisions, for example by ensuring that budgets allocated by donors to the government for broad and ongoing consultations and further engagement are not cut, or re-assigned.

## Papua New Guinea

### Illegality, Corruption and Law Enforcement

*Does the proposal adequately describe the role of weak law enforcement, illegality and corruption in driving deforestation and forest degradation?*

There is no specific mention in the NPD of weak law enforcement, illegality or corruption as drivers of deforestation and forest degradation. However, the report does state that:

- Implementation of the forest laws and associated codes of conduct has been difficult because of governance problems resulting from relationships between industry, politicians, and officials, thereby reducing the transparency in the sector (p. 10).
- Logging companies pay royalties to landowners. Landowners are usually represented by a landowner company or an agent whose job is look after the owners' collective interests. There are, however, problems. In many cases, with royalty payments received by company representatives or agents but never fully paid to the appropriate landowners, or reduced by illegal deductions made by the companies or agents (p. 7).

It is likely that reduced royalty payments to landowners as well as poor relationships between the forestry industry, politicians and officials may result in landowners becoming disenfranchised and negatively impacting on the effective implementation of REDD+. The proposal fails to identify or discuss two major assessments of the logging industry in PNG that provide valuable insights into the country's forest sector governance challenges: 1) a comprehensive review of the logging industry commissioned by the government of PNG with support from the World Bank and carried out between 2000 and 2005<sup>4</sup>; and 2) an ITTO diagnostic mission carried out in 2007.<sup>5</sup> Both identify legal non-compliance and unsustainable operations as a major problem in the forest sector.

<sup>4</sup> For a summary, see Forest Trends, 2006. Logging, Legality, and Livelihoods in Papua New Guinea: Synthesis of Official Assessments of the Large-scale Logging Industry, Volume I. Available at: [http://www.forest-trends.org/publication\\_details.php?publicationID=105](http://www.forest-trends.org/publication_details.php?publicationID=105)

<sup>5</sup> ITTO, 4 April 2007. Achieving the ITTO Objective 2000 and Sustainable Forest Management in Papua New Guinea: Report on a Diagnostic Missions. Present at the 42<sup>nd</sup> Session of the ITTC, 7 – 12 May 2007. Available at: [http://www.itto.int/mission\\_reports/](http://www.itto.int/mission_reports/)

<i>Does the proposal identify the primary actors involved in deforestation and forest degradation?</i>
<p>The proposal makes limited comments on the drivers of deforestation and forest degradation, although it does recognise large-scale selective logging and subsistence and commercial agriculture and, to a lesser extent, mining and forest fires (p. 7).</p> <p>It is also proposed to undertake an assessment of past drivers, with the support of the UN-REDD NJP. (p.37).</p>
<i>What measures are proposed to address weak law enforcement?</i>
<p>The proposal indicates that over the last 20 years, forest related laws have evolved toward increasing government control of forest areas in order to enhance sustainability and overall sector efficiency. The proposal lists 12 laws and policies developed over the last 2 decades which are aimed at the regulation of the forestry sector (p. 10). It does not discuss the effectiveness or level of implementation of these laws, regulations and guidelines.</p> <p>Further details, however, need to be provided on the role weak law enforcement has played as a driver of deforestation and forest degradation.</p>
<i>Is there an assessment of institutional capacity to strengthen law enforcement?</i>
<p>The proposal states that governance problems resulting from relationships between the industry politicians and officials reduce transparency and provide difficulties in implementing new laws and associated codes of conduct (p. 10).</p> <p>However, there is no elaboration on the underlying causes or what measures will be taken to address this problem.</p>
<i>Does the proposal recognise the importance of regional cooperation in tackling these issues?</i>
<p>There is no mention of the importance of regional cooperation in tackling issues of weak law enforcement, corruption and illegality, aside from a brief mention of the EU initiating discussions with PNG’s stakeholders in order to inform them of the possibility of implementing a Forest Law, Governance and Trade (FLEGT) mechanism (p. 33).</p>
<b>Monitoring System</b>
<i>How does the proposal suggest that governance be monitored and assessed?</i>
<p>There is no specific reference to the monitoring and assessment of governance. However, in Table 5; ‘Joint Programme Monitoring Framework’ (JPMF) under ‘expected results’ the proposal states that the following is a desired outcome:</p>

- PNG possessing an operational MRV system that enables the country to manage its financial resources effectively and allows PNG participation in international REDD+ systems plus systems to protect its environmental resources and contribute to sustainable livelihood practices of rural communities.
- An indication of this will be that consultations have taken place involving community based organisations, landowners, the private sector and government to discuss REDD+ implementation (p. 47).

This contains a potential avenue for the monitoring and assessment of governance, since this would be necessary to reach the abovementioned desired outcomes. However, there is still no explicit recognition of the need to monitor and assess governance.

*How is it proposed that the environmental and social impacts of proposed actions be monitored and assessed?*

The proposal states (p. 24) that REDD+ project guidelines and safeguard criteria have been developed by the REDD+ TWG and are under review by the National Climate Change Committee. They include social and environmental safeguards to ensure REDD+ falls into the broader development objectives of PNG and takes into account social and environmental benefits beyond GHG abatement. However, the methodology by which the environmental and social impacts and benefits will be monitored has not been elaborated.

*Does the proposal address the need to establish a monitoring system that includes independent monitoring, assessment and review of REDD implementation?*

The proposal states under the heading of MRV Control Service (p. 32) that the National Climate Change Committee will commission regular audits, to be carried out by an independent third party, to monitor progress in system development and to verify the results of the REDD+ activities. This will ensure that policies, measures and activities implemented for REDD+ respect relevant safeguards and are compliant with PNG's development plans (p. 32). Beyond the periodic audits, there is no discussion of a system of independent monitoring.

### **Fiscal Transparency**

*Does the proposal address the need to assess and improve levels of fiscal transparency?*

The proposal states that there are problems of fiscal transparency associated with royalty payments reaching land owners (p. 7) and governance problems stemming from the relationships between industry, politicians and officials (p. 10).

In Table 6: RISK LOG: UN-REDD Programme for PNG; the proposal states under the heading of financial risks that:

- Non-compliance in areas of REDD+ will impact on transparent and equitable



disbursement mechanisms to land owners. To address this issue they propose to establish independent equitable and verifiable payment distribution mechanisms, monitored by both a National Multi-stakeholder Board as well as donors.

The proposal also states that REDD+ project guidelines and safeguard criteria have been developed by the REDD+ Technical Working Group and are under review by the National Climate Change Committee. They include fiduciary safeguards to ensure REDD+ falls into the broader development objectives of PNG and takes into account benefits beyond GHG abatement (p. 24).

### **Stakeholder Participation**

*Does the proposal address the need for stakeholder participation in the design and implementation stages?*

The proposal states that PNG has developed a draft **Climate-Compatible Development Strategy (CCDS)** which aims to set out the strategic direction for PNG's action against climate change domestically, with a strong focus on REDD+. The main elements of the draft CCDS are currently undergoing a consultation process involving multi-stakeholder consultation and it has been endorsed by the National Executive Council (NEC). The CCDS is envisaged to be released in its final form in time for COP 16 in Cancun (pages 4 & 21).

In the meantime, PNG is also pursuing an Interim Action Plan which outlines immediate priorities for the next 6 – 12 months. This includes stakeholder awareness building and capacity development (p. 22.) Outcome 5 of the Results Framework states that the NJP is to build awareness and capacity among all domestic stakeholders, particularly at the provincial and community level to understand and support the Government of PNG's efforts and progress to establish a REDD+ framework in PNG. This component is seen as critical for the success of REDD readiness activities (p. 37).

According to NEC decision 54/2010 the Office of Climate Change and Development (OCCD) is to engage and involve all stakeholders to build a common vision and pathway on action to tackle climate change (p.14). Further, one of the immediate tasks for the OCCD is to conduct a national and provincial consultation on climate-compatible development, engaging a broad range of stakeholders including government, civil society, private sector, and local communities (p.15).

Stakeholder consultation workshop reports are also seen as a mean of verifying whether or not PNG has an operational MRV system that enables it to manage its forest resources effectively and allows PNG's participations in international REDD+ systems (p. 47).

## Paraguay

### **Illegality, Corruption and Law Enforcement**

*Does the proposal adequately describe the role of weak law enforcement, illegality and corruption in driving deforestation and forest degradation?*

The proposal briefly refers to the role of weak law enforcement in driving deforestation and forest degradation, specifying the following factors: lack of application of and compliance with environmental and forest management regulations, lack of incentives for compliance, and inadequate monitoring and control mechanisms by the enforcement authorities (p. 10). The proposal does not specifically address the issue of corruption.

Paraguay acknowledges weaknesses and insufficiencies in its regulatory and institutional frameworks due to the fact that many environmental laws do not have respective rules and procedures for implementation. Likewise, Paraguay acknowledges weak implementation of international environmental and forest agreements. There is also a insufficient coordination and harmonization among the existing domestic laws, and lack of clarity in the implementation of the legal framework regarding the use of forest products by indigenous communities (p. 12).

The proposal also acknowledges that these policy/legal barriers are affecting possible solutions to the underlying causes of deforestation and forest degradation (p. 12).

*Does the proposal identify the primary actors involved in deforestation and forest degradation?*

In addition to the illegal trade in timber, fuel-wood and charcoal, the proposal also identifies the prevalence of illegal logging and smuggling to feed the Brazilian market as a cause of deforestation and forest degradation (p. 9). Charcoal production in particular, is identified as a problem, with an unquantified but important amount illegally exported to Brazil (p. 9).

Land reform policies are identified as a key cause of forest degradation, since they were biased towards agriculture and cultivation of pastures for livestock, affecting 12 million ha of forested area, with increased worldwide demand and favourable prices of commodities in recent years contributing to the problem. This was identified as a key driver of deforestation especially in the Chaco forest (p. 8).

Inequitable land distribution policies have also resulted in elite capture of property rights resulting in indigenous peoples being displaced forcibly, or being put in vulnerable positions thereby needing to degrade the forest and lease their lands to big agricultural and livestock producers.

Moreover, industry is also named as a key driver of deforestation and degradation, facilitated by the lack of adequate land zoning. The Eastern Region in particular is rich valuable forest species and is the main supplier of raw material for export products and energy sources. The Chaco forests have been traditionally exploited for hardwood to produce tannin for industrial applications and to produce essential oils, and more recently other species for construction, posts and fences, wood and charcoal (p. 10).

*What measures are proposed to address weak law enforcement?*

The proposal recognises the need to prioritise initiatives to update, harmonize and identify gaps in the existing legal framework (p. 10).

The Results Framework within Outcome 1 provides for improving institutional and technical capacity of Government and Civil Society organisations to manage REDD activities in Paraguay. In particular, Output 1.1 provides that Paraguay intends to improve consistency with national policies, assess the training needs of selected government staff for implementation of the REDD plan. If done properly, this assessment could be used to tackle the issue of weak law enforcement.

*Is there an assessment of institutional capacity to strengthen law enforcement?*

The proposal contains an assessment of institutional and capacity barriers to the UN-REDD process, although this assessment does not make explicit reference to the institutional capacity to strengthen law enforcement. Instead it merely acknowledges the existence of general limited capacity of institutions and human resources at national; departmental and municipal levels (p. 13). Further details should be provided regarding specific institutional capacity needs to strengthen law enforcement.

*Does the proposal recognise the importance of regional cooperation in tackling these issues?*

There is no discussion of potential cooperation between Paraguay and its regional neighbours on the issue of deforestation caused by weak law enforcement, illegality and corruption. Regional cooperation would need to be addressed, especially given the acknowledgement of illegal trade in charcoal and timber to Brazil.

**Monitoring System**

*How does the proposal suggest that governance be monitored and assessed?*

The proposal recognises that the lack of adequate monitoring and control mechanisms by enforcement authorities is preventing them from properly addressing deforestation and forest degradation (p. 10).

The proposal also recognises that prior to the implementation of REDD, the Government

and others should carry out a highly participatory process of transparent and open discussions to reach written agreements on a number of things, including joint monitoring and implementation modalities. Monitoring should involve all parties and involve monitoring safeguards to promote and protect the rights and interests of the peoples and communities and others, including the compliance of the legislation and internal customs of the affected peoples and communities (p. 15). The proposal does not explicitly recognise the need to monitor governance more generally, which should also be addressed.

*How is it proposed that the environmental and social impacts of proposed actions be monitored and assessed?*

The proposal appears to recognise the importance of monitoring social and environmental impacts and benefits of the REDD Plan. However, the process through which these environmental and socio-economic issues will be monitored and assessed is not elaborated on in detail. Paraguay has proposed using demonstration activities to help assess social, economic and environmental issues regarding the design and implementation of REDD projects (p. 23).

*Does the proposal address the need to establish a monitoring system that includes independent monitoring, assessment and review of REDD implementation?*

The proposal does not specifically address the need for independent assessment and review of REDD implementation. There is, however, recognition of the need for an evaluation of the efforts to implement the UN-REDD programme, with the proposal providing for the UN-REDD Technical Secretariat to establish an Evaluation Plan which ensures all activities supported by UN-REDD are evaluated, to assess the relevance and effectiveness of the intervention, and measure the development impact of the results achieved (p. 42).

### **Fiscal Transparency**

*Does the proposal address the need to assess and improve levels of fiscal transparency?*

The document contains many references to the need for transparent management of funds and financial transfers. In particular, it proposes a detailed mechanism for transparent distribution and management of the funds or services to be received by the community as a result of their participation in, and consent to, the proposed REDD Activity (p. 16).

The proposal outlines several payment mechanisms that have already been established on paper within the Paraguayan forestry and environmental legal frameworks (Forest Fund, Environmental Fund, and Protected Areas Fund), although these funds have not been implemented due to lack of detailed design and operational mechanisms for implementation, and lack of financial sustainability strategies. (Outcome 1, Output 1.4)

The document states that a system of payments and benefit sharing, suitable to REDD

needs, will be designed building upon existing instruments, potential synergies and the lessons learned, and with high level of engagement of forest dependent populations (p. 32).

**Stakeholder Participation**

*Does the proposal address the need for stakeholder participation in the design and implementation stages?*

The proposal repeatedly recognises the need for stakeholder participation in its design and implementation stages, with the lack of participation by rural communities and especially indigenous peoples being identified as an institutional/capacity barrier to resolving deforestation and degradation. The proposal recognises that processes to improve participation and consultation have not been implemented properly, along with insufficient strengthening of grassroots/indigenous organizations.

The proposal recognises the need to strengthen stakeholder participation to ensure ownership by all concerned stakeholders: large and medium sized producers, rural communities and peasants, and the full engagement of the indigenous peoples taking into account their cosmo-vision (p.17). This is to be achieved with support from current national and international legislation.

**The Philippines**

**Illegality, Corruption and Law Enforcement**

*Does the proposal adequately describe the role of weak law enforcement, illegality and corruption in driving deforestation and forest degradation?*

Other than mentioning the role of ‘inadequate forest protection’ as a driver of forest depletion, the initial proposal does not cite weak law enforcement, illegality or corruption as drivers of deforestation and forest degradation (pg. 4).

The proposal recognises the combined effects of indiscriminate logging, inadequate forest protection, expansion of upland agriculture, fires, pests and diseases, and unplanned land conversion as the main causes of forest depletion (pg. 4).

*Does the proposal identify the primary actors involved in deforestation and forest degradation?*

The proposal also identifies “Forest resource dependent communities” as primary actors involved in deforestation and forest degradation. In particular it identifies their main source of livelihood as farming, supplemented by forest-based accessing of wood fuel, either for domestic energy needs; for the market (firewood and charcoal); or, for timber poaching as lucrative source of income under the control of entrenched financiers. Further, various

forms of swidden agriculture, especially in logged-over areas, are widely practiced, causing unregulated forestland conversion to small-scale farms or monoculture plantations (pg. 5).

The proposal does not provide detailed analysis of other potential actors involved in deforestation or forest degradation, such as large-scale logging, agricultural or mining operations.

The proposal however recognises the need to undertake further work to identify the drivers of deforestation and forest degradation. In particular, Output 3.2 recognises that to conduct effective MRV and monitoring of REDD+ performance requires determining the drivers of deforestation and forest degradation and monitoring those drivers both at national and provincial levels (pg. 17).

*What measures are proposed to address weak law enforcement?*

There are no measures specifically identified to address the issue of weak law enforcement. However, the proposal does promote capacity building in Output 1.4 to ensure key stakeholders are able to effectively play their respective roles and contribute to the delivery of the expected results under a REDD+ regime, their competencies are to be enhanced through activities such as training, learning by doing and other appropriate forms of knowledge generation and skills enhancement on the various aspects of REDD+ implementation (pg. 16).

It is unclear whether those involved in law enforcement are considered to be 'key stakeholders' who might benefit from this capacity building proposal.

*Is there an assessment of institutional capacity to strengthen law enforcement?*

There is no specific reference to strengthening institutional capacity of law enforcement. However, as stated above Output 1.4 promotes capacity building of "key stakeholders", although it is unclear if this includes the capacity of law enforcement (pg. 16).

*Does the proposal recognise the importance of regional cooperation in tackling these issues?*

The proposal discusses regional cooperation related to REDD+ Readiness as a result of initiatives by development partners (GTZ, ADB, JICA, AusAID, UNDP, FAO, UNEP/GEF and ICRAF).

The proposal does not, however, discuss what impact regional neighbours may have on the levels of deforestation or how regional cooperation could help tackle some of the drivers of deforestation and forest degradation.

## **Monitoring System**

*How does the proposal suggest that governance be monitored and assessed?*

The initial proposal in Output 2.1 “*Approach on REDD+ social and environmental safeguards developed*” under Outcome 2 of the Results Framework states that a monitoring framework will be discussed among key stakeholders, which is to address measures to monitor social (governance) safeguards (pg. 17).

*How is it proposed that the environmental and social impacts of proposed actions be monitored and assessed?*

The proposal recognises the need to monitor environmental and social impacts in Output 2.1. In particular, the proposal states that REDD+ implementation must do no social or environmental harm and must create multiple benefits to forest-dependent groups such as Indigenous Peoples and local communities. It recognises the need to undertake a review of existing regulations and environmental protection, including national legislation on benefit sharing and safeguards and regulations under the UNFCCC on climate change to determine gaps and limitations. This will then be used to prepare of criteria, indicators and protocols for safeguards.

It is also proposed to initiate a discussion among key stakeholders on the establishment of the monitoring framework, including monitoring environmental safeguards (such as conservation of biodiversity) (pg. 17). While this would suggest the key stakeholders would have input in the design of the monitoring system it is unclear if they are also anticipated to have any role as independent monitors.

*Does the proposal address the need to establish a monitoring system that includes independent monitoring, assessment and review of REDD implementation?*

Output 3.2 sets out the details of the proposed monitoring system. In particular, it provides that effective MRV and monitoring of REDD+ performance requires i) determining drivers of deforestation and forest degradation and MRV techniques to monitor drivers both at national and provincial levels; ii) establishing operational protocols for the designated national agency (DNA) that is compliant with international standards and guidelines; and iii) capacitating DNA towards designing a national MRV system, associated institutional development and training programme. The Department of Environment and Natural Resources (DENR) is to be the DNA, with other associated academic and research institutions at the forefront in this activity (pg. 17). There are no further details on the role civil society might play in this monitoring system.

<b>Fiscal Transparency</b>
<i>Does the proposal address the need to assess and improve levels of fiscal transparency?</i>
<p>The proposal does not expressly mention any difficulties with levels of fiscal transparency, although it does provide that all funds should be managed as consistently as possible. To this end, the UNDG’s Harmonized Approach to Cash Transfers (HACT) is to apply to all funds transferred to national implementing partners, regardless of which UN Agency is making the transfer.</p>
<b>Stakeholder Participation</b>
<i>Does the proposal address the need for stakeholder participation in the design and implementation stages?</i>
<p>The proposal recognises the need for stakeholder participation in the design and implementation stages. To this end, an objective of the proposal is to “<i>increase the capacity of key stakeholders, managers &amp; support groups in forestland, protected areas and ancestral domains to implement REDD+ projects and activities</i>” (pg. 16).</p> <p>Outcome 1 of the proposal (<i>REDD Readiness supported by effective, inclusive and participatory approach</i>) is largely concerned with stakeholder participation and their capacity to participate (pg. 16), including contributing to defining the national REDD+ programme based on an adopted Philippine National REDD Plus Strategy. This is to be done through:</p> <ol style="list-style-type: none"> <li>a. <i>Output 1.1:</i> Build strong commitment to REDD+ from key stakeholders at the national and local level gained.</li> <li>b. <i>Output 1.2:</i> Enhance the awareness of key stakeholders on REDD+</li> <li>c. <i>Output 1.3:</i> Establish multi-stakeholder coordinative mechanism for REDD+</li> <li>d. <i>Output 1.4:</i> Develop national REDD+ capacity programme for key stakeholders (pg. 16).</li> </ol>

<b>The Solomon Islands</b>
<b>Illegality, Corruption and Law Enforcement</b>
<i>Does the proposal adequately describe the role of weak law enforcement, illegality and corruption in driving deforestation and forest degradation?</i>
<p>The proposal does not explicitly describe the role of weak law enforcement or illegality in driving deforestation and forest degradation. However, it does mention that there are key governance issues preventing the sustainable management of forest reserves, including:</p> <ul style="list-style-type: none"> <li>• Outdated and incomplete legislation which is inadequate to govern a vastly expanding industry.</li> </ul>



- Uneven application of the rule of law, resulting in companies rarely facing fines, suspension or licence hearings despite poor, sometimes illegal, logging practices.
- Incomplete enforcement results in smuggling and misclassification of products which results in revenue loss and over-exploitation (p. 7).

The proposal recognises that weak formal governance structures and a combination of law enforcement factors results in ‘elite capture’ of a disproportionate share of total revenues (p. 7). It does not, however, necessarily link this to deforestation.

*Does the proposal identify the primary actors involved in deforestation and forest degradation?*

The proposal does not specifically name or allude to the identity of the primary actors involved in deforestation or forest degradation. However, the report does state that:

- The drivers of deforestation are largely the conversion of natural forest to industrial plantations, especially oil palm; mining development and operations, and infrastructure development (p. 7).
- It further states that the Ministry of Agriculture and Livestock has plans to expand the current area specified for oil palm plantation from 6,000 ha to 40,000 ha by 2014 (p. 7).

*What measures are proposed to address weak law enforcement?*

The report states that the Solomon Islands needs to address numerous capacity gaps in becoming ready to implement REDD+. Given the realities of forest governance in the Solomon Islands, progress towards REDD+ readiness will necessarily be gradual and incremental. It is therefore appropriate to envisage rather modest REDD+ readiness during an initial programme, allowing more rapid progress subsequently under a full programme (p. 14).

The report cites the recently launched UNDP project “*Strengthening Environmental Management and Reducing the Impact of Climate Change in Solomon Islands*” as a measure which should address weak law enforcement. This project scheduled to last until the end of 2012 has the objective of assisting the government in capacity development for environmental management, including improved law enforcement (p. 12).

The report also stresses that the strengthening of enforcement of existing forest laws will constitute a significant component of the national REDD+ strategy (p. 14).

*Is there an assessment of institutional capacity to strengthen law enforcement?*

There is no assessment of the specific institutional capacity needs to strengthen law enforcement. However, the overall objective of the Solomon Island’s UN-REDD programme is ‘to establish the necessary institutional and individual capacities required to develop full

REDD+ readiness' (p. 18), which would presumably include the capacity to strengthen law enforcement.

*Does the proposal recognise the importance of regional cooperation in tackling these issues?*

There is no reference within the proposal to the impact that regional neighbours may have on the levels of deforestation within the Solomon Islands. Furthermore, there is no recognition of how regional cooperation could help tackle some of the drivers of deforestation and forest degradation.

### **Monitoring System**

*How does the proposal suggest that governance be monitored and assessed?*

With respect to monitoring and assessing governance Output 1.3: "A REDD+ readiness roadmap" states that:

- A roadmap establishes key results in improvement of forest governance for REDD+; documents current and planned activities contributing to those results; identifies gaps; assigns responsibility to different partners; and establishes responsibility for monitoring and oversight of the process (p. 18).

While it isn't an explicit reference to governance monitoring and assessment, it does propose that the roadmap should establish responsibility for monitoring and oversight of the process. An element of which is governance.

*How is it proposed that the environmental and social impacts of proposed actions be monitored and assessed?*

Although there is no specific reference to monitoring the environmental and social impacts of proposed actions there is a proposal to undertake a thorough assessment of current capacity, thus identifying the gaps that need to be addressed through a subsequent full programme and in collaboration with other development partners (Output 3.1: "REL and MRV capacity assessment", p. 19).

Since one of the gaps still needing to be addressed is the monitoring of the environmental and social impacts, this may be identified in the proposed assessment.

*Does the proposal address the need to establish a monitoring system that includes independent monitoring, assessment and review of REDD+ implementation?*

There is no specific reference to establishing an independent monitoring system for assessment of REDD+ implementation. There will however, be an independent assessment of stakeholder involvement.

The Joint Programme Monitoring Framework (in Table 2, p. 27) states that the means of verifying whether REDD+ stakeholders have a comprehensive understanding of the potential benefits and risks associated with REDD+ (Outcome 2) will be an independent assessment and evaluation. There are, however, no further details on how or by whom this independent assessment will be conducted.

#### **Fiscal Transparency**

*Does the proposal address the need to assess and improve levels of fiscal transparency?*

The proposal supports all funds being managed as consistently as possible, with the UNDG's Harmonized Approach to Cash Transfers to apply to all funds transferred to national implementing partners, regardless of which UN Agency makes the transfer (p. 26).

#### **Stakeholder Participation**

*Does the proposal address the need for stakeholder participation in the design and implementation stages?*

The national REDD+ working group is to meet regularly to oversee the process of REDD+ readiness. The working group includes broad and balanced representation of all stakeholder groups, including government agencies, customary land owner groups, NGOs and the private sector (p. 18).

The stakeholder participation is to be founded on a comprehensive understanding of the rights and obligations of REDD+ stakeholders (p. 18).

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