



Guidelines on Stakeholder Engagement in REDD+ Readiness With a Focus on the Participation of Indigenous Peoples and Other Forest-Dependent Communities

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These Guidelines are designed to support effective stakeholder engagement in the context of REDD+ readiness for the Forest Carbon Partnership Facility and the UN-REDD Programme, with an emphasis on the participation of Indigenous Peoples and other Forest-Dependent Communities. The Guidelines contain 1) Relevant policies on indigenous peoples and other forest-dependent communities; 2) Principles and guidance for effective stakeholder engagement; and 3) Practical “how-to” steps on planning and implementing effective consultations.

Introduction

1. The Forest Carbon Partnership Facility (FCPF) and the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD Programme) assist developing countries in their efforts to reduce emissions from deforestation and forest degradation (REDD+)¹ by building national capacity for REDD+ activities, and testing a program of performance-based incentive payments in certain pilot countries. The two programs are supporting a REDD+ readiness mechanism to assist countries to put in place a number of building blocks (measurement, reporting and verification systems; reference scenarios; a REDD+ strategy and national management arrangements for REDD+) that will enable them to participate in future systems of positive incentives for REDD+.
2. REDD+ has the potential to deliver several benefits to indigenous peoples and other forest-dependent communities, including the sustainable management of biodiversity, the provision of alternative livelihoods, equitable sharing of revenues generated from emissions reductions, etc. However, if not done appropriately, it also presents risks to rights, livelihoods, culture, biodiversity, etc. For REDD+ programs to succeed, these risks have to be identified, reduced and mitigated, and stakeholders have to be involved at the project/program formulation as well as the preparation and implementation stages in order to ensure that REDD+ programs respect indigenous peoples' rights and comply with relevant international obligations.
3. Stakeholders are defined as those groups that have a stake/interest/right in the forest and those that will be affected either negatively or positively by REDD+ activities. They include relevant government agencies, formal and informal forest users, private sector entities, indigenous peoples and other forest-dependent communities.
4. These Guidelines focus on a particular category of stakeholders, who are often legal and/or customary rights holders: indigenous peoples and other forest-dependent communities. These stakeholders are often not engaged in public decision-making processes, yet they both contribute to forest protection and depend on forests for their social and economic livelihoods as well as for cultural and spiritual well-being. As such they are often more vulnerable than other stakeholders in the context

¹ REDD+ means reducing emissions from deforestation and forest degradation, sustainable management of forests, and conservation and enhancement of forest carbon stocks in developing countries.

of formulation and implementation of REDD+ activities. Hence a clear commitment will have to be made to ensure that their rights are fully respected throughout the REDD+ program cycle. At the same time, indigenous peoples and other forest-dependent communities have a special role to play in REDD+ given their traditional knowledge of and relationship to the forest and their presence on the ground.

Relevant FCPF and UN-REDD Programme Policies on Indigenous Peoples and Other Forest-Dependent Communities

5. Both the FCPF and UN-REDD Programme recognize the importance and special status of indigenous peoples in terms of their historical and cultural connection to forests and are committed to applying specific policies to safeguard their rights and interests. The UN Framework Convention on Climate Change (UNFCCC) Cancun Decision 1/CP.16 includes several safeguards that “should be promoted and supported”. Two of these safeguards provide, respectively, for (i) the “respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples” and (ii) for “the full and effective participation of relevant stakeholders, in particular, indigenous peoples and local communities” in REDD+. Both the UN-REDD Programme and the FCPF also recognize as part of their policies and procedures that for REDD+ to be implemented, participating countries should comply with applicable international obligations, treaties and national laws.

6. In the context of the UN-REDD Programme, stakeholder engagement practices should adhere to the requirements outlined in Annex 1. Additionally, countries are expected to adhere to standards outlined in key relevant international instruments², and to uphold the principle of free, prior and informed consent (FPIC) as stated in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).³ It is critical for UN-REDD Programme countries to ensure that:

- a. Activities follow a human rights-based approach and adhere to the UNDRIP, UN Development Group Guidelines on Indigenous Peoples’ Issues, and International Labour Organization (ILO) Convention No. 169;
- b. FPIC is adhered to. FPIC is essential to ensure the full and effective participation of indigenous peoples in program activities and policy and decision-making processes. FPIC should be sought in accordance with the UN-REDD Programme Guidelines on FPIC (see

²For the UN-REDD Programme, these international instruments include: UN Declaration of the Rights of Indigenous Peoples (UNDRIP); UN Common Understanding on the Human Rights Based Approach to Development Cooperation; UN General Assembly Programme of Action for the Second International Decade of the World’s Indigenous People (UN General Assembly Resolution 60/142); General Recommendation XXIII on the Rights of Indigenous Peoples, the UN Committee on the Elimination of Racial Discrimination; UN Development Group’s Guidelines on Indigenous Peoples’ Issues; the International Labour Organization’s Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries (1989); UN Framework Convention on Climate Change; UN Convention on Biological Diversity.

³The UN Declaration on the Rights of Indigenous Peoples, adopted by the 61st session of the United Nations General Assembly on September 13, 2007, can be accessed at <http://www.un.org/esa/socdev/unpfii/en/declaration.html>

Annex 2 for an overview of, and link to, these Guidelines) and when FPIC is a provision under national law or practice, that standard will also apply.

7. In the context of the FCPF, activities affecting indigenous peoples are governed by the World Bank Operational Policies, in particular Operational Policy 4.10 (OP 4.10) on Indigenous Peoples (see Annex 3 for an overview of OP 4.10), which is one of the ten Safeguard Policies of the World Bank⁴, and by the FCPF Charter. OP 4.10 aims to ensure that the development process fully respects the dignity, human rights, economies, and cultures of indigenous peoples. The policy specifies that the Bank provides financing only where free, prior, and informed consultation results in broad community support to the project by the affected indigenous peoples. The Bank's OP 4.10 is consistent with the Cancun Decision 1/CP.16, in particular its emphasis on respect for the knowledge and rights of indigenous peoples and on their full and effective participation. In addition, the Bank deems that OP 4.10 enables the Bank to operate in a manner that can be considered substantially equivalent to the principle of FPIC. Further, although OP 4.10 does not expressly mandate FPIC, if the country has ratified ILO Convention No.169 or adopted national legislation on FPIC, or if the Bank is working on a project with a development partner that expressly applies the principle of FPIC, the Bank will in turn support adherence to that principle. In addition, the Common Approach on Environmental and Social Safeguards for Multiple Delivery Partners provides that if an organization other than the World Bank (WB) is the Delivery Partner (DP) in the FCPF and "if the environmental and social safeguard policies and procedures of the DP are more stringent and/or protective than those of the WB, the DP shall apply its policies and procedures to activities"⁵.

⁴ The objective of these policies is to prevent and mitigate undue harm to people and the natural environment in the development process, as well as to provide benefits to different stakeholder groups. The effectiveness and development impact of projects and programs supported by the Bank has substantially increased as a result of safeguards application. Moreover, safeguard policies have often provided a platform for the participation of stakeholders in project design, and have provided the means for building ownership among indigenous peoples and local communities. The World Bank safeguard policies include Environmental Assessment (OP 4.01), Natural Habitats (OP 4.04), Forests (OP 4.36), Pest Management (OP 4.09), Dam Safety (OP 4.37), Physical Cultural Resources (OP 4.11), Involuntary Resettlement (OP 4.12), Indigenous Peoples (OP 4.10), International Waterways (OP 7.50), and Disputed Areas (OP 7.60). Detailed information is available at www.worldbank.org/safeguards.

⁵ The Common Approach is accessible at <http://www.forestcarbonpartnership.org/fcp/node/310>.

Other Key FCPF and UN-REDD Programme Guidance Related to Stakeholder Engagement

This box presents other important guidance that should be observed in relation to stakeholder engagement in REDD+ for the FCPF and the UN-REDD Programme.

The Readiness Preparation Proposal (R-PP) template contains specific guidelines to assist a REDD+ Country to organize itself to become ready for REDD+. ⁶ With respect to participation and consultation, the R-PP template provides specific guidelines on national readiness management arrangements and stakeholder consultation and participation. In countries using the R-PP template these Guidelines should be used in parallel with the guidelines presented in the R-PP template.

In the case of UN-REDD Programme partner countries or countries supported by any of the three UN partner agencies to the UN-REDD Programme (FAO, UNDP, UNEP), these consultation plans should include an additional component which outlines provisions for FPIC in accordance with the UN-REDD Programme Guidelines on FPIC (in Annex 2). The appropriate level of consultation will depend on the issue or activity being considered, the objectives and desired outcomes of the proposed consultation.

In the case of the FCPF, the “Common Approach to Environmental and Social Safeguards for Multiple Delivery Partners,” which was approved by the FCPF Participants Committee in June 2011, outlines, for the World Bank and other Delivery Partners (DPs), the consultation requirements that are at the center of the risk management approach for REDD+ Readiness preparation.

As part of the Common Approach, the FCPF is using the Strategic Environmental and Social Assessment (SESA) to integrate key environmental and social considerations into REDD+ readiness by combining analytical and participatory approaches. The SESA allows: (i) social and environmental considerations to be integrated into the REDD+ Readiness process, in particular the REDD+ strategy; (ii) participation in identifying and prioritizing key issues, assessment of policy, institutional and capacity gaps to manage these priorities and recommendations, and disclosure of findings in the REDD+ country’s progress report on Readiness preparation; and (iii) an Environmental and Social Management Framework (ESMF) to be put in place to manage environmental and social risks and to mitigate potential adverse impacts (see Annex 4 for more details on the SESA and ESMF). The SESA guidelines have been integrated into the R-PP template.

The UN-REDD Programme’s draft Social and Environmental Principles and Criteria (SEPC) will provide a guiding framework for the UN-REDD Programme to address two specific needs: (i) Addressing social and environmental issues in UN-REDD National Programmes and other UN-REDD funded activities; and (ii) Supporting countries to develop national approaches to REDD+ safeguards in line with UNFCCC. The SEPC contain elements that support the application of these Guidelines as well as the UN-REDD Programme Guidelines on FPIC.

Principles and Guidance for Effective Stakeholder Engagement

⁶The R-PP template is available in English, French and Spanish at www.forestcarbonpartnership.org.

8. The common guiding principles for effective stakeholder engagement that underpin both the FCPF and UN-REDD Programme are provided below:
- a. The consultation process should include a broad range of relevant stakeholders at the national and local levels. The diversity of stakeholders needs to be recognized. In particular the voices of forest-dependent and vulnerable groups must be heard, whether they are indigenous or not. Different stakeholders have different stakes and/or interests in REDD+. Some may be positively impacted, others negatively.
 - b. Consultations should be premised on transparency and timely access to information. In the context of REDD+, timely information dissemination at all levels and in a culturally appropriate manner is a pre-requisite to meaningful consultations. Stakeholders should have prior access to information on the proposed consultation activities. Sufficient time is needed to fully understand and incorporate concerns and recommendations of local communities in the design of consultation processes. Public awareness and information, education and communication campaigns are important vehicles for ensuring that stakeholders understand the objectives of REDD+, the related risks and opportunities and their potential role in the process, and can – if they decide to do so – make informed and substantive contributions to the formulation of REDD+ strategies and policies.
 - c. Consultations should facilitate dialogue and exchange of information, and consensus building reflecting broad community support should emerge from consultation. The consultation process should occur voluntarily. In the case of the UN-REDD Programme, consultations leading to giving or withholding consent should be carried out in accordance with the UN-REDD Programme Guidelines on FPIC (see Annex 2).
 - d. Consultations with indigenous peoples must be carried out through their own existing processes, organizations and institutions, e.g., councils of elders, headmen and tribal leaders. Indigenous peoples should have the right to participate through representatives chosen by themselves in accordance with their own procedures and decision-making institutions (see Step #2 under the Practical Steps for Carrying out Effective Consultations section below for more details). It is also important to ensure that consultations are gender sensitive.
 - e. Special emphasis should be given to the issues of land tenure, resource-use rights and property rights because in many tropical forest countries these are unclear as indigenous peoples' customary/ancestral rights may not necessarily be codified in, or consistent with, national laws. Another important issue to consider for indigenous peoples and other forest dwellers is that of livelihoods. Thus clarifying and ensuring their rights to land and carbon assets, including community (collective) rights, in conjunction with the broader array of indigenous peoples' rights as defined in applicable international obligations, and introducing better access to and control over the resources will be critical priorities for REDD+ formulation and implementation.
 - f. Impartial, accessible and fair mechanisms for grievance, conflict resolution and redress must be established and accessible during the consultation process and throughout the implementation of REDD+ policies, measures and activities (please refer to the guidelines on feedback and redress mechanisms in component 1a of the R-PP template and Section 5 of the UN-REDD Programme Guidelines on FPIC, in Annex 2).

9. Guidance on stakeholder engagement for activities under the FCPF and UN-REDD Programme is presented below:

- g. Consultations should start prior to the design phase of the project/program, and be applied at every stage of the REDD+ process including planning, implementation, monitoring and reporting and with adequate lead time since decision-making among some local communities may take time and be iterative. A Consultation and Participation Plan should be developed for countries submitting R-PPs and/or UN-REDD National Programme Documents (see section 1c. of the R-PP Template). This should include an analysis of proposed REDD+ readiness activities to identify when consultations will be required, at what level these should be conducted, and who they should include. The Consultation and Participation Plan should be prepared with a realistic budget and financing plan and implemented by the National REDD+ Committee or the agency(ies) or committee(s) responsible for REDD+ policy design.
- h. A national level workshop should be held to initiate the consultation and participation process. The workshop should include a broad range of local and national stakeholders. The goal of this workshop is to review and assess the content of the Consultation and Participation Plan (e.g., the list of issues to consult on and the means for doing so), which are not considered final until this workshop has taken place.
- i. It is important that participatory structures and mechanisms exist to manage the agreed process outlined in the Consultation and Participation Plan. For example, national REDD+ committees should include representatives from relevant stakeholder groups, including indigenous peoples and civil society (see Annex 1 for UN-REDD Programme guidance on representation). In addition to the national level, participatory fora need to be established (or existing ones used) at the local level to ensure active engagement of local stakeholders, in accordance with the principles outlined above.
- j. Records of consultations and reports on the outcome of the consultations should be prepared and publicly disclosed in a culturally appropriate form, including in local languages. Consultation processes should clearly document how views gathered through the consultation process have been taken into account and, where they have not, explanations provided as to why.
- k. Prior to the development of a REDD+ program/activity, indigenous peoples living in voluntary isolation that may be affected should be identified in consultation with the relevant entities at the national, sub-national and/or local level to ensure that the program/activity is developed in a way that completely avoids contact with these communities.

10. Common elements apply to both the UN-REDD Programme and the FCPF when it comes to practical steps on how to conduct individual consultations under the Consultation and Participation Plan. The next section outlines these steps, which are also illustrated in Figure 1.

Practical Steps for Carrying out Effective Consultations

1. Define the desired outcomes of consultations

A good consultation and participation process is one that is carefully planned, has a clear mandate, and articulates the objectives and desired outcomes of the consultation. This should be placed in the context of overall REDD+ readiness, clarifying why the consultation was considered necessary, how it fits within the broader scope of planned activities, and how the outcomes will be used towards expected REDD+ readiness activities.

It should also be clear what degree of participation will be expected of the stakeholders, e.g., is it a one-way flow of information to keep actors informed and support transparency goals; a two-way consultation resulting in feedback and reactions that may be incorporated in formal outputs; or a joint decision-making consultation resulting in shared control over a decision-based outcome? If the consultation is part of a longer process or series of consultations, the same stakeholder representatives may need to be available to attend a number of consultations to ensure continuity and effective engagement. This should also be stated clearly as it may have an impact on how stakeholders will select participating representatives. This should all be understood and agreed upon by stakeholders in advance of the consultation to avoid misinformation and generating unrealistic expectations, and to ensure that trust is maintained.

2. Identify stakeholders

The consultation planners need to identify the groups that have a stake/interest in the forest and those that will be affected by REDD+ activities. It is important to ensure that the process of selecting stakeholders is transparent so that all interested parties may participate and that all stakeholders are provided with equal opportunity to engage and contribute to outcomes. Particular attention needs to be given to the inclusion of indigenous peoples and other forest-dependent communities, women and other marginalized groups. Stakeholder groups should be supported to self-select representatives where appropriate.

Identify civil society organizations (CSOs), community-based organizations (CBOs), indigenous peoples' organizations (IPOs), non-governmental organizations (NGOs), and institutions with extensive experience working with or representing indigenous peoples and/or forest-dependent communities and/or their issues, being mindful that these do not replace proper indigenous representation. Identify and consult with existing civil society participatory structures at the country level, for example: civil society and/or indigenous peoples' focal points; CSO Advisory Committees, the National Steering Committees of the Global Environment Facility Small Grants Programme; and/or National Forest Programmes. Verify that the appropriate stakeholders are being represented by consulting with a wide range of related organizations to ensure that a broad spectrum of views is considered.

Conduct a mapping of indigenous peoples' and other forest-dependent communities' organizations, authorities and institutions, including priority issues, rights, needs and desires. Issues of local ownership, demonstrated mandate, legitimacy as claimant, competence and expertise, and accountability will be significant features to consider. Indigenous organizations may represent diverse, overlapping and conflicting constituencies and interests. It is critical to identify the appropriate indigenous peoples' institutions to partner with. While traditional leaders are recognized as the higher authorities in their communities, representatives of indigenous peoples' organizations may have the skills and knowledge to interact with the technical process and may be able to articulate the views of traditional leaders. It is important to be open and inclusive to a wide range of indigenous peoples' organizations and community-based representatives and to be aware of tensions that may exist among various indigenous

groups. The choice of partners should also take into account groups that are often marginalized within their own indigenous communities, in particular women and youth. Assess the situation to make the most appropriate choice and avoid misrepresentations, as formally approved organizations may not always be representative of the people at large.

The range of stakeholders involved in REDD+ readiness consultations may include, but are not limited to:

- *Indigenous peoples and other forest-dependent communities;*
- *Local communities, pastoralists, farmers who depend on forests for livelihoods;*
- *Civil society (NGOs, community associations, etc.);*
- *Vulnerable groups (women, youth, etc.);*
- *Government agencies (forests, environment, agriculture, energy, transportation, finance, planning, national, state, local, etc.);*
- *Environmental law enforcement agencies;*
- *Private sector (loggers, ranchers, energy producers, industry, farmers, agri-business etc.);*
- *Academia.*

3. Define the issues to consult on

The key issues should broadly correspond to the R-PP components and/or the components of the UN-REDD National Programme Document. In the case of REDD+, issues for consultation may include (but are not limited to):

- *Current status of national forests;*
- *Institutional, policy and regulatory frameworks;*
- *Main causes and drivers of deforestation and forest degradation;*
- *Past and present policies to halt deforestation and forest degradation, where they have succeeded and where they have not;*
- *Rights and needs of indigenous peoples and other forest-dependent communities;*
- *Type and pattern of land use by indigenous peoples;*
- *Land rights (user and property rights, traditional, customary), and land tenure systems;*
- *Rights to carbon;*
- *Inclusive participation in the design and implementation of REDD+ strategy and development of procedures and enablers throughout the REDD+ cycle;*
- *Proposed REDD+ strategy;*
- *Design of benefit-sharing systems for equitable and effective distribution of REDD+ revenues;*
- *Economic, social and environmental impacts and risks of REDD+ and the mitigation and prevention of risks;*

- *Design of monitoring systems to keep track of forests and forest emissions as well as environmental and social co-benefits;*
- *Issues of forest governance and mechanisms to ensure full compliance with social and environmental safeguards, including during REDD+ strategy development;*
- *Opportunity costs of land use;*
- *Groups likely to gain or lose from REDD+ activities;*
- *Role of the private sector.*

4. Define the terms of the consultation

Ideally, any consultation should be guided by a clear elaboration of the process and elements of the consultation. All stakeholders should know how the consultation process will be conducted and how the outcomes of the consultation will be used, including the rights and responsibilities of the different stakeholders. These terms should be understood and agreed upon by all stakeholders and should include information on the following:

- Timing – a common understanding of timelines and deadlines should be reached, including the minimum amount of time required to: give advance notice of a planned consultation; carry out self-selection processes to identify suitable representatives (where appropriate); provide any required capacity building in advance of the consultation; and make available key documents that may need to be circulated and reviewed in advance of discussions.
- Agenda and process for determining consultation outcomes – the agenda of the consultation and how participating stakeholders will contribute to the desired outcomes of the consultation should be stated. If it is a decision-making consultation, it should be clarified how the decision will be reached (e.g., majority, consensus) and which participants have decision-making authority. If the consultation is to solicit opinions and views, clarify how these will be reviewed and incorporated (e.g., whether participants will be able to comment on future drafts). Tensions may already exist or may arise between indigenous peoples and other forest-dependent communities vis-à-vis REDD+ activities. Bearing this in mind, it is recommended that decisions made among all interested stakeholders regarding who will organize or lead the consultative process take place with sufficient time.
- Representation – decide which stakeholder groups should be represented and the number of representatives that can be accommodated for the purposes of the consultation, noting that self-selection of representatives should be supported (where appropriate). Also clarify what the roles of different representatives are in the context of the consultation’s desired outcome, e.g., if there is a decision-making process as part of the consultation, state which representatives have decision-making authority and which representatives may be acting in an observer capacity only.
- Capacity building – develop a shared understanding of capacity needs and steps that will be taken to build capacity in advance of the consultations.
- Transparency on outcomes – decide how the outcomes of the consultation will be documented and made publicly available (e.g., government websites, written press, national and community radio). Ensure the consultation includes a component for evaluation by the participants.

5. *Select the consultation and outreach methods*

The most effective consultations are custom-designed to place and purpose and provide for adequate budgets and human resources, including expert facilitation. A variety of stakeholder engagement methods can be used for consultations to allow for bottom-up participation and ensure that information is rigorously gathered and fairly presented, such as workshops, surveys, and focus groups.

The communication and outreach methods should ensure that adequate and timely information is provided to all stakeholders in an accessible language and style. As REDD+ involves complex, technical issues, information should be carefully synthesized to ensure that it is easily understood. Depending on the target audience and objectives of the consultation, various forms of communication media such as printed materials, electronic media, community radio, and local plays and drama can be used to disseminate information as widely as possible.

Identify facilitators with experience working with indigenous peoples and other forest-dependent communities and their issues. The use of indigenous and/or community co-facilitators, depending on the context of the consultation, is encouraged. Facilitators need to be trained in advance to ensure that they manage the consultation and record views appropriately.

The form and content of consultation may be designed in collaboration with indigenous peoples and other forest-dependent communities to ensure that these processes are appropriate and enough time is allocated to allow for proper consultation within the communities in accordance with their traditional decision-making processes.

6. *Ensure that stakeholders have sufficient capacity to engage fully and effectively in consultations*

Certain stakeholders may require capacity building or training in advance of a consultation to ensure that their understanding of the issues and ability to contribute are sufficient; this need should be identified in the terms of the consultation (step #4 above). The awareness and capacity of indigenous peoples and forest-dependent communities to engage with REDD+ discussions should be assessed with the use of questionnaires, surveys, focus group discussions, and/or workshops. If their existing level of information and knowledge is not sufficient, proper steps should be taken to provide information, prior to the start of the consultations. This should be factored into the timeline.

7. *Conduct the consultations*

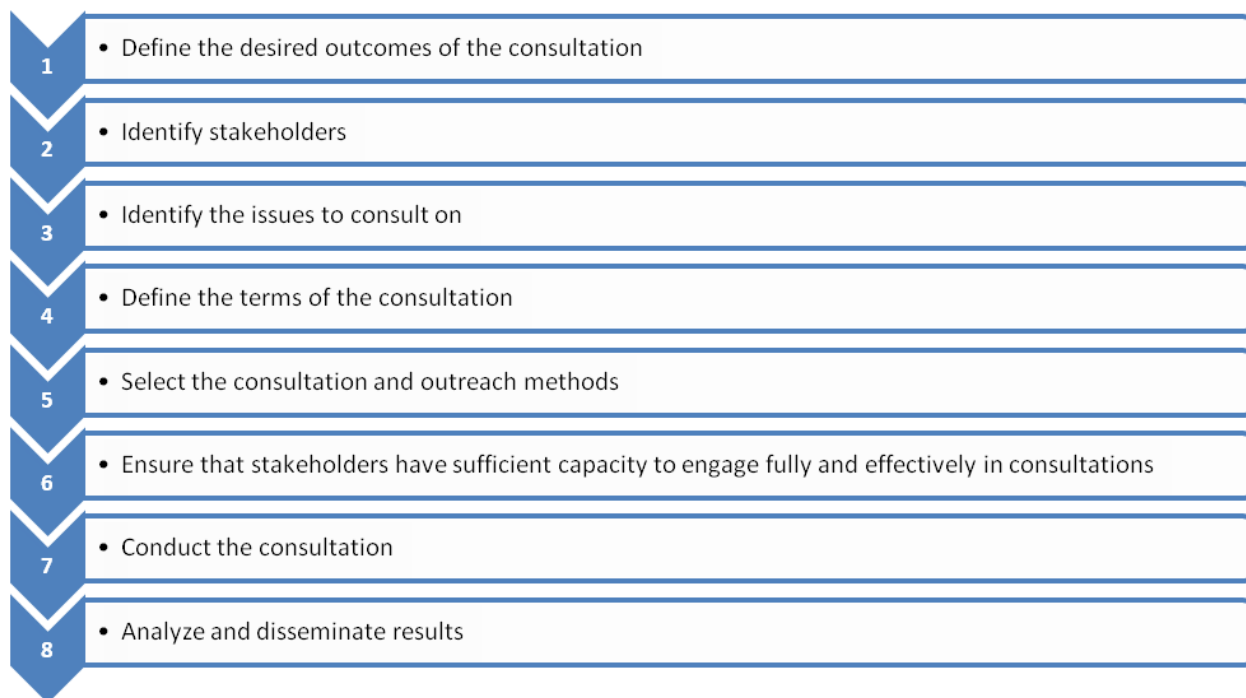
Consultations should be held in accordance with the terms of the consultation as agreed upon under step #4 and any deviations from this should be discussed with and agreed upon by stakeholders. The legitimate authorities of indigenous peoples and forest-dependent communities should be consulted, and their decision-making processes respected. Broad community support, in the case of the FCPF, or free, prior and informed consent, in the case of the UN-REDD Programme, can be withheld at the community level, and such a decision should be respected.

8. *Analyze and disseminate results*

The findings from every consultation should be analyzed, reported and discussed with representative stakeholder groups. It is important that the data analysis feeds back into the decision-making process. Providing timely feedback is also important to sustain interest in and commitment to the process.

On completing a consultation: develop a report or findings; acknowledge key issues raised during consultations and respond as appropriate; and describe how the outcomes of the consultation process will be incorporated into REDD+ strategy and programs. In addition, the findings of all the consultations should be disclosed through the communication channels agreed upon under the terms of the consultation (step #4).

Figure 1: Schematic of Consultations Steps



Annex 1: UN-REDD Programme Requirements Relevant to Stakeholder Engagement

UN-REDD Global Programme:

Representation⁷

1. Indigenous peoples will be represented on the UN-REDD Policy Board by the Chair of the United Nations Permanent Forum on Indigenous Issues or by his/her designate, and by three indigenous peoples observers representing each of the three regions: Africa, Asia and the Pacific, and Latin America and the Caribbean.
2. Civil Society Organizations will be represented on the UN-REDD Policy Board by one full member and three observers representing each of the three regions and industrialized countries. Representatives of civil society organizations will be identified through a self-selection process and will choose among themselves who will serve as the full member.
3. Indigenous peoples and other forest-dependent peoples will be invited to engage with the International Advisory Group on Forests, Rights and Climate Change, which is empowered to monitor activities and provide substantive advice to the UN-REDD Programme Policy Board.

Transparency and Access to Information

4. The UN-REDD Programme will publish meeting reports and official documents on the UN-REDD Programme website.

UN-REDD National Programmes:

Representation

1. Indigenous peoples and other forest-dependent communities shall be represented on National REDD+ Steering Committees or equivalent bodies, where established.

Validation of National Programme Documents:

- i. In order to be endorsed by the UN-REDD Secretariat for approval by the UN-REDD Programme Policy Board, draft National Programmes must submit minutes of a 'validation meeting' of National Stakeholders (where established: the National REDD+ Steering Committee), including indigenous peoples' representative(s).
- ii. The representative(s) who participate(s) in the 'validation meeting' must subscribe to one of the following criteria:

Option i.

- is selected through a participatory and consultative process;

⁷ For more information on the structure of the UN-REDD Programme Policy Board, see the UN-REDD Programme Rules of Procedure and Operational Guidance at <http://www.un-redd.org/PolicyBoard/tabid/588/language/en-US/Default.aspx>

- has previous experience working with the government and UN system,
- has demonstrated experience serving as a representative, receiving input from, consulting with, and providing feedback to, a wide scope of civil society/indigenous peoples' organizations; or

Option ii.

- participated in a UN-REDD Programme scoping and/or formulation mission and sit(s) on a UN-REDD Programme consultative body established as a result of the mission; or

Option iii.

- is an individual(s) recognized as legitimate representative(s) of a national network of civil society and/or indigenous peoples' organizations (e.g. the GEF Small Grants National Steering Committee or National Forest Programme Steering Committee)

2. The 'validation meeting' will be one step of a wider Consultation and Participation Plan and will be documented as an annex to the Programme Document.

3. The National Programme Consultation and Participation Plan should effectively involve indigenous peoples and other forest-dependent communities, and civil society organizations in all stages, including program design, implementation, and monitoring and evaluation, adhering to the same guiding principles as mentioned in the Principles and Guidance for Effective Stakeholder Engagement on page 5 of these Guidelines.

4. National Programmes should include activities and resources to support ongoing consultation, engagement and partnership to ensure that national UN-REDD Programme activities take into account current priorities and concerns articulated by representatives of indigenous peoples and other forest-dependent communities.

5. National Programmes will assess the impact of UN-REDD Programme activities on the rights of indigenous peoples' and other forest-dependent communities prior to taking decisions on such activities.

Transparency and Accountability

6. Outcome documents from consultations such as meeting minutes, reports, work plans, and roadmaps for implementation should be: i) circulated to indigenous peoples' organizations for an assessment of their accuracy, ii) publicly accessible, and iii) reflected, as appropriate, a) in National Programme documents, b) on the UN-REDD website, and submitted to the Policy Board annually.

7. The UN Resident Coordinator will distribute annual reports on UN-REDD Programme activities to indigenous peoples and civil society networks through the indigenous peoples' and other forest-dependent community's representative on the National UN-REDD Steering Committee in order to ensure transparency.



Addressing Grievances

National Programmes are required to establish grievance mechanisms. This requirement is already outlined in the FCPF and UN-REDD Readiness Preparation Proposal (R-PP) Template, where REDD+ countries will:

- Conduct a rapid assessment of existing formal or informal feedback and grievance mechanisms, including an assessment of how existing mechanisms could be modified to ensure that the eventual mechanism is accessible, transparent, fair, affordable, and effective in responding to challenges in REDD+ implementation;
- Develop a framework for the proposed grievance mechanism, including steps that will be taken to define the structure, functioning and governance of such a mechanism, taking into account customary grievance approaches and best practices where feasible;
- Describe how information sharing and consultation on the proposed mechanism will occur.

The UN-REDD Programme is in the process of developing elaborated guidelines on national level grievance mechanisms, which will be shared for external consultation in the first half of 2012. In the interim, stakeholders may direct grievances to both the UN-REDD Programme Secretariat and the UN Resident Coordinator in country for review and appropriate action

Annex 2: Overview of the UN-REDD Programme Guidelines on Free, Prior and Informed Consent

Free, Prior and Informed Consent (FPIC) is the collective right of indigenous peoples to participate in decision-making and to give or withhold their consent to activities affecting their lands, territories and resources or rights in general. Consent must be freely given, obtained prior to implementation of activities and be founded upon an understanding of the full range of issues implicated by the activity or decision in question; hence the formulation: free, prior and informed consent.

The specific mandate and obligation for States, the UN and its programmes to promote and respect the right to FPIC are outlined in the following agreements:

- [United Nations Development Group \(UNDG\) Guidelines on Indigenous Peoples Issues](#) (2008);
- [United Nations Declaration on the Rights of Indigenous Peoples](#) (2007);
- [Convention on Biological Diversity \(CBD\)](#) (1992);
- [International Labour Organization Convention 169 on Indigenous and Tribal Peoples](#) (1989); and
- [UNFCCC Cancun Agreements decisions on REDD+](#).

This rights-based principle of FPIC applies to REDD+ discussions regarding potential changes in resource uses that could impact the livelihoods of indigenous peoples. Under these circumstances, consistent with international human rights instruments and other treaty obligations, potentially impacted peoples have the right to participate in and consent to or withhold consent from a proposed action. This principle holds that communities should have the right to withhold consent at key decision-making points occurring both prior to and during a proposed activity. FPIC applies to proposed actions (decisions, activities, projects, etc.) that have the potential to impact the lands, territories, and resources upon which indigenous peoples depend for their cultural, spiritual and physical sustenance, well-being, and survival.

The primary users of the Guidelines will be UN-REDD Programme partner countries, including those with National Programmes as well as those receiving targeted support. The Guidelines apply to national level activities supported by the UN-REDD Programme. They also apply to activities supported by any of the three UN partner agencies to the UN-REDD Programme (FAO, UNDP, UNEP) in their role as a Delivery Partner under FCPF (refer to Annex 5 for an illustrative table of when the Guidelines apply under different delivery arrangements).

The Guidelines include the following components:

- The Guidelines outline the **normative framework** by which the UN-REDD Programme follows a human rights-based approach to programming and policy;
- The Guidelines elaborate on each element of the **definition of FPIC**, building on the definition of FPIC endorsed by the UN Permanent Forum on Indigenous Issues in 2005;
- The Guidelines outline the **operational framework** by which UN-REDD Programme partner countries can seek FPIC, including guidance on when FPIC is required, who seeks consent, who



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gives consent, specific steps to seek FPIC from a community, and guidance on establishing mechanisms to address grievances and monitor compliance with standards, guidelines and policies.

The Guidelines are currently being finalized. A draft version of the Guidelines can be downloaded in English, French and Spanish at the following link:

http://www.unredd.net/index.php?option=com_docman&task=cat_view&gid=1333&Itemid=53

Annex 3: Summary of World Bank Operational Policy 4.10 on Indigenous Peoples

<i>Objectives</i>	<i>Operational Principles</i>
E. Indigenous Peoples	
To design and implement projects in a way that fosters full respect for Indigenous Peoples' dignity, human rights, and cultural uniqueness and so that they: (a) receive culturally compatible social and economic benefits; and (b) do not suffer adverse effects during the development process.	1. Screen early to determine whether Indigenous Peoples are present in, or have collective attachment to, the project area. Indigenous Peoples are identified as possessing the following characteristics in varying degrees: self-identification and recognition of this identity by others; collective attachment to geographically distinct habitats or ancestral territories and to the natural resources in these habitats and territories; presence of distinct customary cultural, economic, social or political institutions; and indigenous language.
	2. Undertake free, prior and informed consultation with affected Indigenous Peoples to ascertain their broad community support for projects affecting them and to solicit their participation: (a) in designing, implementing, and monitoring measures to avoid adverse impacts, or, when avoidance is not feasible, to minimize, mitigate, or compensate for such effects; and (b) in tailoring benefits in a culturally appropriate manner.
	3. Undertake social assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options preferred by the affected Indigenous Peoples in the provision of benefits and design of mitigation measures. Identify social and economic benefits for Indigenous Peoples that are culturally appropriate, and gender and inter-generationally inclusive and develop measures to avoid, minimize and/or mitigate adverse impacts on Indigenous Peoples.
	4. Where restriction of access of Indigenous Peoples to parks and protected areas is not avoidable, ensure that the affected Indigenous Peoples' communities participate in the design, implementation, monitoring and evaluation of management plans for such parks and protected areas and share equitably in benefits from the parks and

<i>Objectives</i>	<i>Operational Principles</i>
	protected areas.
	5. Put in place an action plan for the legal recognition of customary rights to lands and territories, when the project involves: (a) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples traditionally owned, or customarily used or occupied; or (b) the acquisition of such lands.
	6. Do not undertake commercial development of cultural resources or knowledge of Indigenous Peoples without obtaining their prior agreement to such development.
	7. Prepare an Indigenous Peoples Plan that is based on the social assessment and draws on indigenous knowledge, in consultation with the affected Indigenous Peoples' communities and using qualified professionals. Normally, this plan would include a framework for continued consultation with the affected communities during project implementation; specify measures to ensure that Indigenous Peoples receive culturally appropriate benefits, and identify measures to avoid, minimize, mitigate or compensate for any adverse effects; and include grievance procedures, monitoring and evaluation arrangements, and the budget for implementing the planned measures.
	8. Disclose the draft Indigenous Peoples Plan, including documentation of the consultation process, in a timely manner before appraisal formally begins, in an accessible place and in a form and language that are understandable to key stakeholders.
	9. Monitor implementation of the Indigenous Peoples Plan, using experienced social scientists.

Annex 4: SESA and ESMF

The multi-sectoral, programmatic nature of REDD+ readiness requires a strategic approach. Standard project-level environmental impact assessment is not appropriate at this strategic level. A Strategic Environmental and Social Assessment (SESA) has therefore been selected as the appropriate approach for incorporating relevant environmental and social considerations into REDD+ Readiness.

The strength of SESA for REDD+ is that it combines analytical and participatory approaches in an iterative fashion throughout the preparation of the R-PP and R-Package. The SESA aims to integrate key environmental and social considerations relevant to REDD+ at the earliest stage of programmatic decision-making, establishing their inter-linkages with economic and political factors. The SESA facilitates this planning process to help governments formulate their R-PPs and R-Packages in a way that reflects inputs from key stakeholder groups and addresses the key environmental and social issues identified. Through this process, social and environmental opportunities and desirable outcomes are identified and agreed on, to strive to ensure that the REDD+ program will be sustainable and contribute to the country's development objectives.

The SESA provides inputs for institutional strengthening and criteria for risk management. The R-Package will include an applicable Environmental and Social Management Framework (ESMF) compliant with World Bank safeguard policies for screening, impact assessment, and consultations in potential REDD+ programs and projects.

The SESA guidelines can be summarized as follows:

- a. Undertake existing or new diagnostic work to identify and prioritize the drivers of deforestation and the key social and environmental issues associated with the drivers including those linked to the Bank safeguard policies. Diagnostic work should cover among others, issues such as land tenure, sharing of benefits, access to resources, likely social and environmental impacts of REDD+ strategy options;
- b. Undertake diagnostic work on legal, policy and institutional aspects of REDD+ readiness;
- c. Assess existing capacities and gaps to address the environmental and social issues identified;
- d. Draft REDD+ strategy options taking into consideration the above issues;
- e. Develop framework to mitigate and manage the risks of the REDD+ strategy options, i.e., to be included in an ESMF; and
- f. Establish outreach, communication and consultative mechanisms with relevant stakeholders for each of the above steps. The consultations for SESA will be integral to consultations for the REDD+ readiness process and the REDD country's consultation plan should therefore include the consultations on the social and environmental considerations as well.

Recognizing that several aspects of the analytical work are already covered in the R-PP template, the SESA guidelines have been mainstreamed into the R-PP template.

An ESMF will be a stand-alone document, but the timing of the ESMF preparation may be influenced by the identification of the investments. If REDD+ investments are not clearly identified at the Readiness Package (R-Package) stage, the ESMF produced as part of the R-Package could be an advanced draft, to be finalized once the investments are clearly identified, if necessary during the REDD+ implementation phase.

Annex 5: “Free, Prior and Informed Consent” or “Free, Prior and Informed Consultation Leading to Broad Community Support” standards that should be applied under different REDD+ implementation arrangements

This table is provided for illustrative purposes.

REDD+ Readiness implementation arrangements	Free, Prior and Informed Consent or Consultation standards that should be applied		
	Free, Prior and Informed Consultation Leading to Broad Community Support should be adhered to as per World Bank Operational Policy 4.10 (Summary in Annex 3)	Any national legislation adopting Free, Prior and Informed Consent and Consultation	UN-REDD Programme Guidelines on FPIC should be adhered to
FCPF Readiness Fund is the sole funder and the World Bank is the Delivery Partner in a country without national legislation adopting Free, Prior and Informed Consent as a standard	✓		
FCPF Readiness Fund is the sole funder and the World Bank is the Delivery Partner in a country with national legislation adopting Free, Prior and Informed Consent as a standard		✓	
UN-REDD is the sole funder and implementing agency in a country without national legislation adopting Free, Prior and Informed Consent as a standard			✓
UN-REDD is the sole funder and implementing agency in a country with national legislation adopting Free, Prior and Informed Consent as a standard		✓	✓
UN-REDD agency is the Delivery Partner under the FCPF in a country without national legislation adopting Free, Prior and Informed Consent as a standard			✓
UN-REDD agency is the Delivery Partner under the FCPF in a country with national legislation adopting Free, Prior and Informed Consent as a standard		✓	✓

Annex 6: Links to Useful Resources

United Nations Declaration on the Rights of Indigenous Peoples:

<http://www2.ohchr.org/english/issues/indigenous/declaration.htm>

ILO Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries:

<http://www.unhcr.ch/html/menu3/b/62.htm>

Convention on Biological Diversity: <http://www.cbd.int/convention/convention.shtml>

International Convention on the Elimination of Racial Discrimination:

<http://www2.ohchr.org/english/law/cerd.htm>

United Nations Permanent Forum on Indigenous Issues: <http://www.un.org/esa/socdev/unpfii/index.html>

United Nations Development Group Guidelines on Indigenous Peoples' Issues:

<http://www2.ohchr.org/english/issues/indigenous/docs/guidelines.pdf>

UNDP and Indigenous Peoples: A Policy of Engagement:

<http://www.undp.org/partners/cso/publications.shtml>

FAO Policy on Indigenous and Tribal Peoples:

<http://www.fao.org/docrep/013/i1857e/i1857e00.htm>

World Bank Safeguards Policies:

<http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTSAFEPOL/0,,menuPK:584441~pagePK:64168427~piPK:64168435~theSitePK:584435,00.html>

UNDP and CSOs: A Toolkit for Strengthening Partnerships:

http://www.undp.org/partners/cso/publications/CSO_Toolkit_linked.pdf

UNDG Toolkit for Improved Functioning of the UN System at the Country Level:

http://www.undg.org/toolkit/toolkit.cfm?sub_section_id=255&topid1=on&topid=1

The Human Rights Based Approach to Development Cooperation:

http://www.undp.org/governance/docs/HR_Guides_CommonUnderstanding.pdf

Indicators for Human Rights Based Approaches to Development in UNDP Programming: A Users' Guide:

<http://www.undp.org/oslocentre/docs06/HRBA%20indicators%20guide.pdf>

Web-based guide on How to Engage with the International Human Rights Machinery:

<http://www.hurilink.org/hrmachinery/english/>

World Bank: Consultations with Civil Society – A Guide:

http://siteresources.worldbank.org/CSO/Resources/ConsultationsSourcebook_Feb2007.pdf

Akwe: Kon Guidelines: Voluntary guidelines for the conduct of cultural, environmental and social impact assessments regarding developments proposed to take place on, or which are likely to impact on, sacred sites and on lands and waters traditionally occupied or used by indigenous and local communities:

<http://www.cbd.int/doc/publications/akwe-brochure-en.pdf>

Inter-American Court of Human Rights: Case of the Saramaka People v. Suriname Judgment of November 28, 2007:

http://www.forestpeoples.org/documents/s_c_america/suriname_iachr_saramaka_judgment_nov07_eng.pdf



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Report of FCPF Global Dialogue with Indigenous Peoples, September

2011: http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/Documents/PDF/Nov2011/Guna_Yala_Dialogue_Final_Report_EN.pdf

Report from the Global Indigenous Peoples Consultation on REDD, November 2008:

<http://www.un-redd.net/events/GlobalIndigenousPeoplesConsultationonREDD/tabid/551/Default.aspx>