

Update on UN-REDD's Work on 'Free, Prior and Informed Consent' (FPIC)

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8th Meeting of the UN-REDD Programme
Policy Board
Paraguay, 26 March 2012





Definition of Free, Prior and Informed Consent

- **FPIC** is the principle that a community has the right to give or withhold its consent to proposed projects that may affect the lands they customarily own, occupy or otherwise use



Significance of FPIC for REDD+

- Value of FPIC has been recognized for years by Indigenous Peoples, governments, CSOs, private sector
- FPIC is embedded in UN Declaration on Rights of Indigenous Peoples
- Challenges in implementation but recognition of significant benefits of FPIC and need to invest now in processes to support FPIC for REDD+



UN-REDD Countries Engaged in FPIC

- **VIET NAM:** Has pioneered extensive FPIC for REDD+ work, including a rigorous evaluation process. Viet Nam will incorporate FPIC in Phase II work
- **INDONESIA:** Prepared province-level guidelines and national-level FPIC guidelines and policy
- **PARAGUAY:** Undertook extremely inclusive process for national program and developed protocol on IP consultation. Development of grievance mechanisms underway
- **DRC:** History of FPIC work and developed own FPIC guidelines for REDD
- **HONDURAS & PERU & NIGERIA & OTHERS:** Are planning FPIC activities

Who Commented on draft UN-REDD FPIC Guidelines?

NGO / Academia

- CARE Lima
- Center for International Forestry Research (CIFOR)
- Conservation International (CI)
- University College London (UCL)
- University of Dalat, Viet Nam
- Federation for the Self -Determination of Indigenous Peoples (FAPI), Paraguay
- Forest Peoples Programme (FPP)
- Gaia Commoditas, Indonesia
- Gender Action, Washington, DC
- Global Witness
- HuMa - Association for Community and Ecologically-based Legal Reform, Indonesia
- Indian Law Resource Center (ILRC)
- Indigenous Peoples of Africa Coordinating Committee (IPACC), Kenya
- Lao PDR GIZ- CliPAD Project
- Programa de Mudanças Climáticas - Climate Change
- Program Instituto de Pesquisa Ambiental da Amazônia (IPAM)
- Rainforest Foundation Norway (RFN)
- RECOFTC – The Center for People and Forests
- The Nature Conservancy (TNC)
- Stakeholders consultation, DRC

Government


- Brazil (Fundação Nacional do Índio, Brazilian Federal Agency for the protection of indigenous peoples' rights (FUNAI))
- Guatemala (Climate Change Unit, Ministry of the Environment and Natural Resources (MARN))
- Norway
- Ecuador (Ministry of Environment)

UN-REDD National Programme

- UN-REDD Programme, Indonesia
- UN-REDD Programme, Viet Nam

Intergovernmental Body

- BDP/RBLAC Regional Expert, UNDP
- GEF/UNDP Small Grants Programme
- Indigenous Peoples and Minorities Section, OHCHR
- World Bank
- UNDP DGG – Anti-Corruption Team
- UNDP DGG - Human Rights Team
- UNDP Paraguay
- UN Permanent Forum on Indigenous Issues
- UN-REDD Regional Coordinator, Asia/Pacific, UNEP
- World Health Organization (WHO)
- Workshop of UN-REDD RTAs



Overview of Key Recommendations

1. How can guidelines be tailored for national contexts?
2. Strengthen section on normative framework
3. Clarify: Who gives consent?
4. Clarify: When is FPIC required?
5. Clarify: How is FPIC applied?
6. Address differing standards (FCPF & UN-REDD)
7. Elucidate grievance and accountability mechanisms
8. Incorporate gender perspective



Expert Workshop, February 2012, Geneva

Workshop Focus: Who gives consent? When is FPIC required?
How is FPIC applied?

Revisions Agreed:

- Strengthen normative framework
- Provide clarity on who has a right to FPIC
- Elaborate on rights of other stakeholders
- Introduce ways to assess and manage human rights risks and impacts
- Explore whether or not FPIC can be sought at national level
- Review and revise Guidelines from a gender perspective
- Include additional tools and resources to support National Programs in applying the Guidelines



Next Steps

- Revise FPIC Guidelines (April 2012)
- Apply FPIC Guidelines in conjunction with joint FCPF/UN-REDD Guidelines on Stakeholder Engagement in preparation of UN-REDD countries' R-PPs to develop stakeholder consultation plans
- Guidelines will also be used to support UN-REDD National Programs in the development of their own country methodologies for applying FPIC for:
 - Consultations with IPs/rights-holders in countries
 - Piloting in select provinces/territories
- The Guidelines are a “living document” and will be responsive to emerging needs and experiences from countries and stakeholders.