



Cross River State REDD+ Safeguards Principles & Criteria:

Assisting the design of REDD+ policies and measures

Nigeria National Safeguards Working Group

V1.1: March 2017

This document presents principles and criteria (P&C), which elaborate the substantive content of each of the seven REDD+ safeguards (i.e. the ‘Cancun safeguards’), agreed under the United Nations Framework Convention for Climate Change (UNFCCC). The principles are the same as the Cancun safeguards, adopted without modification. The criteria, however, elaborate the content of each principle in the specific context of Cross River State (CRS), with reference to the national context where applicable. These criteria were developed through an analytical process informed by:

1. An international legal good practice understanding to the substantive content of the Cancun safeguards¹;
2. An assessment of the risks and benefits of existing and planned REDD+ policies and measures (PaMs) for CRS to reduce greenhouse gas emissions (GHG) from avoided deforestation and forest degradation²;
3. An assessment of existing safeguards-relevant policies, laws and regulations (PLRs), and the implementation of those PLRs, at both national and state levels.

The primary purpose of these P&C is **to assist in adapting the design of REDD+ PaMs**, with opportunities for immediate application in the CRS REDD+ Strategy and the National REDD+ Framework Strategy development processes (ongoing in 2016). The P&C could also be applied to revisions of these strategies in the future. In addition to this primary objective of informing PaMs design, the P&Cs are also expected to contribute to the following secondary objectives:

- Reach a common understanding and clarity on the Cancun safeguards, in accordance with national circumstances, among stakeholders in CRS and at the national-level;
- Inform the development of a safeguards information system at the national level and a monitoring framework for REDD+ at the state level; and
- Improve the governance of the REDD+ programme in CRS.

To achieve the primary purpose, the P&C should be applied during PaMs design as a checklist, or screening tool, to ensure safeguards considerations are mainstreamed into REDD+ actions so that they yield carbon and non-carbon benefits, as well as present low-risk options for reducing GHG emissions. Only those PaMs that adequately meet the criteria should be considered for inclusion in national, or state, REDD+ strategies. PaMs that do not adequately meet the criteria should be considered for redesign, until they comply with the criteria, or not considered for inclusion in national or state REDD+ strategies. Alternatively, the criteria can be applied as a checklist of key non-carbon design considerations, complementing considerations of emissions reduction potential and ability to address drivers of deforestation and forest degradation², at the outset of PaMs development.

This P&C tool is produced and maintained by the National REDD+ Safeguards Working Group, whose aim is to ensure stakeholder consensus on Nigeria’s, and relevant state³-level, approaches to safeguards. Users of the P&C are encouraged to submit any feedback to the National REDD+ Safeguards Working Group to inform improvements in future versions of this tool.

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¹ UN-REDD (2016) Country Approach to Safeguards: Framework for Clarifying the Cancun Safeguards (v1.1)

² As well as overcoming the barriers to more and better conservation and enhancement of forest carbon stocks, and sustainable management of forests.

³ With an immediate focus on CRS.

Cross River State REDD+ Safeguards Principles & Criteria

PRINCIPLE	CRITERIA
<p>(a) - [REDD+] actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements</p>	<p>a1. The proposed REDD+ PaM should support the National Forest Policy Act (2006), National Policy on Environment (1999), National Policy on Climate Change (2012), National Biodiversity Strategy and Action plan (NBSAP), Cross River State of Nigeria Forestry Commission Law (2010), and other relevant national and state PLRs (Annex 1)</p> <p>a2. The proposed REDD+ PaM should support the United Nations Sustainable Development Goals 6, 7, 11, 12, 13, and 14, African Charter on Human and Peoples Rights and other relevant international conventions that Nigeria is signatory to (Annex 2)</p>
<p>(b) - Transparent and effective national forest governance structures, taking into account national legislation and sovereignty</p>	<p>b1. The proposed REDD+ PaM should clarify and strengthen relevant land tenure arrangements</p> <p>b2. The proposed REDD+ PaM should ensure equitable distribution of incentives and benefits from carbon and ecosystem services that are commensurate with the responsibilities for PaM implementation</p> <p>b3. The proposed REDD+ PaM should promote gender equality in its design and implementation</p> <p>b4. The proposed REDD+ PaM should contribute to enhance capacity to meet existing institutional mandates</p>
<p>(c) - 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</p>	<p>c1. The proposed REDD+ PaM should, in addition to existing administrative and judicial recourses to justice, include, where necessary, procedures to resolve disputes among stakeholders (e.g. grievance redress mechanisms) as part of design</p> <p>c2. The proposed REDD+ PaM should define the roles, legitimacy and responsibilities of stakeholders to reduce corruption and enhance transparency and accountability</p> <p>c3. The proposed REDD+ PaM should identify, recognize and respond to local (particularly forest-dependent) communities' cultural knowledge, norms, statutory and customary rights, which are consistent with the relevant policies and laws</p> <p>c4. The proposed REDD+ PaM should avoid all forms of discriminations, such as gender inequality, social stratification, vulnerability, language etc.</p> <p>c5. The proposed REDD+ PaM should support and promote free, prior and informed consent (FPIC)</p>

<p>Safeguard (d) - The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities [in REDD+ actions]</p>	<p>d1. The proposed REDD+ PaM should ensure comprehensive identification, mapping and participation of all stakeholders that affect, or are affected by, the REDD+ PaM</p> <p>d2. The proposed REDD+ PaM should incorporate regular stakeholder reviews of progress and challenges to improve implementation</p>
<p>(e) - [REDD+] actions are consistent with the conservation of natural forests and biological diversity, ensuring that REDD+ actions are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits</p>	<p>e1. The proposed REDD+ PaM should fully adhere to National Strategic Environmental Assessment and Environmental Impact Assessment requirements, as well as those of other international investors, where relevant</p> <p>e2. The proposed REDD PaM should avoid adverse impacts on natural forests and enhance biodiversity and other ecosystem services, both within and outside forests</p> <p>e3. The proposed REDD PaM should avoid adverse social impacts and promote and enhance economic and social well-being, with special attention to the most vulnerable and marginalised groups</p> <p>e4. The proposed REDD PaM should not convert natural forest to other land uses, including conversion from natural to planted forest</p>
<p>(f) - Actions to address the risks of reversals</p>	<p>f1. The proposed REDD+ PaM should enhance the assessment of socio-economic, financial, legal and political factors in the analysis of drivers of deforestation</p> <p>f2. The proposed REDD+ PaM should encourage the provision of livelihood options to all relevant stakeholders to reduce pressure on forest and ensure long-term financial and ecological sustainability</p> <p>f3. The proposed REDD+ PaM should encourage the provision of social and economic development options such as access infrastructure, amenities and other socio-economic services</p>
<p>(g) - Actions to reduce displacement of emissions</p>	<p>g1. The proposed REDD+ PaM should, in its design, address the underlying drivers of deforestation and forest degradation</p> <p>g2. The proposed REDD+ PaM should be considered for implementation across all the ecological zones in CRS</p>

For further information on the P&C and other REDD+ safeguards issues:

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Annex 1 National and state polices, laws and regulations that REDD+ policies and measures should contribute to in Cross River State**National**

- Economic and Financial Crimes Act (2002)
- Environmental Impact Assessment Act (2014)
- Land Use Act (1978)
- Federal Character Act (1995) infused into the 1999 Constitution of Federal Republic of Nigeria
- Freedom of Information Act (2011)
- Independent Corrupt Practices Act (2000)
- Minerals and Mining Act (2007)
- National Agricultural Policy (2001) / Green Alternative Agricultural Promotion Policy (2016-2020)
- National Forest Policy Act (2006)
- National Park Service Act Cap (2004)
- National Policy on Climate Change (2012)
- National Policy on Drought and Desertification (2007)
- National Policy on Environment (1999)
- National Policy on Erosion, Flood Control and Coastal Zone Management (2005)
- National Renewable Energy and Energy Efficiency Policy (2015)

Cross River State

- CRS Carbon Emission Law (2016)
- CRS Corporate Social Responsibility Law (2015)
- CRS Forestry Commission Law (2010)
- Draft Cross River State Draft Agricultural Policy (2014 -2018)
- Draft Cross River State Forest Policy (2011)

Annex 2 International conventions that REDD+ policies and measures should contribute to in Cross River State

Global

- Convention on International Trade in Endangered Species of Wild Fauna and Flora
- International Covenant on Civil and Political Rights
- Ramsar Convention
- United Nations Convention on Biological Diversity
- United Nations Convention to Combat Desertification and Land Degradation
- United Nations Convention on the Elimination of All Forms of Discrimination Against Women

Regional

- African Charter on Human and Peoples Rights (including the Protocol on the Rights of Women)