

The World Bank

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Subsidiary Body for Scientific and Technological Advice (SBSTA)
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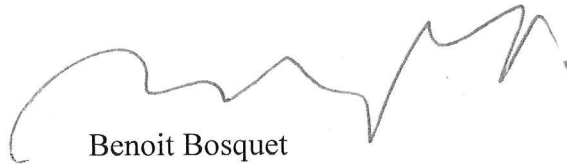
Re: Call for methodological guidance for activities relating to reducing emissions from deforestation and forest degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries

Dear Members of SBSTA:

The World Bank, acting through the Facility Management Team (FMT) of the Forest Carbon Partnership Facility (FCPF), is pleased to make this submission of views relating to systems for providing information on how the safeguards referred to in Annex I to decision 1/CP.16 would be addressed and respected throughout the implementation of REDD+ activities.

This submission has been prepared in accordance with the general guidance for submissions outlined in the Annex to document FCCC/SBSTA/2011/L.14. We would be happy to provide further input or clarifications to this submission upon request.

Sincerely,



Benoit Bosquet
Coordinator
Forest Carbon Partnership Facility

Background

1. Para. 71 (d) of decision 1/CP.16 requested developing country Parties aiming to undertake the activities referred to in para. 70. of that decision, “in the context of the provision of adequate and predictable support, including financial resources and technical and technological support to developing country Parties, in accordance with national circumstances and respective capabilities”, to develop “a system for providing information on how the safeguards referred to in Annex I to the decision would be addressed and respected” throughout the implementation of activities constituting REDD+ (as defined in para. 70 of the decision), “while respecting sovereignty”.
2. Annex II to decision 1/CP.16 noted that in the development of its work program, the Subsidiary Body for Scientific and Technological Advice (SBSTA) was requested to generate “guidance relating to para. 71 (d) of this decision, for consideration by the Conference of the Parties at its seventeenth session”.

Characteristics

3. In the past two years, the FCPF has been piloting a specific approach to the application of safeguards to REDD+ activities. This approach centers on the use of strategic environmental and social assessment (SESA), particularly in relation to the upstream development of a national strategy or action plan, as provided for in para. 71 (a) of decision 1/CP.16. This upstream strategy development involves the preparation of a specific instrument, namely an environmental and social management framework (ESMF), as a key output of SESA. In cases where REDD+ programs or projects are being developed and implemented, whether as part of the upstream strategy development or in parallel, other instruments—specifically, full safeguards management plans that include more concrete actions to address site-specific impacts and risks—may be called for.
4. The phase of REDD+ implementation referred to in para. 73 of decision 1/CP.16 as “the development of national strategies or action plans, policies and measures, and capacity-building” is usually referred to as REDD+ “readiness” and is the phase when a country formulates its strategies and prepares investments. It is therefore the appropriate moment for the country to assess the broader strategic-level environmental and social impacts, including potential cumulative impacts, which may ensue from future REDD+ programs or projects, and to develop sound environmental and social policies and the necessary safeguards instruments that will apply to subsequent REDD+ investments and results-based activities. SESA/ESMF allows countries to ensure that environmental and social concerns are integrated into the national REDD+ strategy process and that the FCPF readiness activities comply with applicable safeguards.
5. The application of this two-pronged approach is based on well-established models and practices for strategic assessments. Under the name of strategic environmental assessment (SEA), SESA is widely recognized in international and national law. It can be adapted to specific country circumstances and strives to be as consistent as possible with national normative frameworks, development priorities, and capacity levels. It is still being tested in the REDD+ context, however; several countries are beginning to apply it as part of their participation in the FCPF-supported readiness preparation phase.

6. Several aspects of the SESA process and how it would be ideally carried out are relevant to the design and implementation of a system for providing information on how the safeguards listed in para. 70 of decision 1/CP.16 are to be addressed and respected.

Design

7. By design, SESA for REDD+ combines analytical work and consultation in an iterative fashion to inform the preparation of the REDD+ strategy. The SESA helps countries formulate their REDD+ strategy in a way that reflects inputs from various actors, including Indigenous Peoples and local communities, as provided for in para. 72 of decision 1/CP.16, and addresses the main environmental and social issues identified. In this way, the systems for informing on how safeguards are addressed and respected become an integral part of REDD+ strategy at the national level.

8. SESA helps to ensure compliance with relevant safeguards by integrating key environmental and social considerations covered by the applicable World Bank safeguard policies¹ (or the relevant policies and procedures) at the earliest stage of decision making. In the case of the World Bank, the ten safeguard policies are entirely inclusive of the safeguard principles and protections embodied in the safeguards listed in Annex I to the decision 1/CP.16, as follows:

- (a) is covered by Operational Policy (OP) 4.01 on Environmental Assessment and OP 4.36 on Forests;
- (b) is covered by OP 4.36 on Forests;
- (c) is covered by OP 4.10 on Indigenous Peoples;
- (d) is covered by Operational Policy (OP) 4.01 on Environmental Assessment, OP 4.04 on Natural Habitats, OP 4.36 on Forests, OP 4.10 on Indigenous Peoples, and OP 4.12 on Involuntary Resettlement;
- (e) is covered by OP 4.04 on Natural Habitats and OP 4.36 on Forests;
- (f) is covered by OP 4.01 on Environmental Assessment, OP 4.04 on Natural Habitats, and OP 4.36 on Forests; and
- (g) is covered by OP 4.01 on Environmental Assessment (Annex A).

9. Recently, the FCPF developed and adopted the “Common Approach to Environmental and Social Safeguards for Multiple Delivery Partners” as a shared platform for safeguard application in the REDD+ readiness preparation process by the World Bank and other organizations, starting with the Inter-American Development Bank and the United Nations Development Programme, acting as Delivery Partners under the FCPF Readiness

¹ The objective of these policies is to prevent and mitigate 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 World Bank-supported projects and programs 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).

Fund. The Common Approach is designed to evolve to help conform with any additional policy guidance on safeguards for REDD+ that emerges under the UNFCCC.

10. The SESA includes preparation of an ESMF as a framework for managing, mitigating, and providing information on the potential environmental and social impacts and risks related to policy changes, investments, and transactions in the context of the future implementation of REDD+ results-based activities. The management and mitigation is done through the screening of impacts, both positive and negative, and the development of activity-specific safeguards management plans. Such plans, which incorporate their own reporting provisions, can in fact be developed for site-specific REDD+ projects that are designed and implemented at any point during the readiness preparation process. In this way, the systems for providing information on how safeguards are addressed and respected are designed and implemented in line with the nature and objectives of the REDD+ activity, according to the phase of REDD+ that a country is passing through.

Provision of information

11. SESA, ESMF, and the activity-specific safeguards management plans all involve mechanisms for the collection and provision of information on how the relevant safeguards are being addressed and respected. In particular, the iterative combination of multi-layered consultations with in-depth analyses of key issues through the SESA gives rise to a series of milestones. Each of these milestones, which are currently concentrated in the Readiness phase, presents an opportunity for the country to inform on progress. A closer look at the specific steps that would constitute SESA in the context of Readiness provides a clearer idea of (i) the types of relevant information that may be provided; (ii) the likeliest sources of that information; and (iii) effective vehicles for summarizing and conveying that information:

- a situational diagnostic that includes (among other things) stakeholder mapping, in order to ensure the full and effective participation of relevant stakeholders in such upstream processes such as the identification of chief drivers of deforestation and forest degradation, as provided for in para. 72 of decision 1/CP.16;
- the ranking by relevant stakeholders of environmental and social issues in relation to the drivers of deforestation and forest degradation, in a way that eventually contributes to the identification and refinement of responses to those drivers in the form of a national REDD+ strategy or action plan;
- the identification of legal, regulatory, institutional, and capacity gaps for managing the environmental and social priorities determined earlier, together with the formulation of recommendations to fill those gaps; and
- the preparation of the ESMF for managing potential environmental and social impacts and risks and boosting benefits in relation to the national REDD+ strategy and related activities.

12. All of this requires proper documentation as the process unfolds, as well as when the REDD+ strategy that is finally decided on is being implemented and the associated impacts and risks are being addressed.

13. Basing a safeguards monitoring and reporting system on widely known, thoroughly tested, and well-respected safeguard policy principles that work in tandem with national policy, legal, and regulatory frameworks is one way of ensuring quality and regularity, while

also respecting sovereignty. This is what the SESA approach to the application of safeguards to REDD+ activities ultimately provides for.

Potential barriers, including barriers, if any, to providing information on addressing and respecting safeguards

14. Barrier of multiple and varying standards: A system for providing information on addressing and respecting safeguards that relies too exclusively on country-specific knowledge, practices, and capacities runs the risk of having little or no cross-comparability. The FCPF's experience with the development of the Common Approach has shown that it is possible to build cross-sectoral consensus around the characteristics and design of a single safeguards framework, including key aspects of an information system on safeguards implementation as noted below:

- Principles and objectives;
- Substantive and procedural requirements (including those related to stakeholder consultation and participation and the disclosure of information);
- Mechanisms for providing information; and
- Mechanisms for grievance redress.

15. SBSTA might consider drawing on this and related experiences to facilitate a similar process. It would be both possible and desirable for countries to work towards the development of a commonly agreed but suitably flexible and customized information format on safeguards.

Other relevant issues

16. There is a need to observe national sovereignty by taking account of country-specific systems for the collection and provision of information on how the safeguards referred to in Annex I to decision 1/CP.16 would be addressed and respected throughout the implementation of REDD+ activities. But there is also the need to ensure quality and consistency across countries; therefore, it becomes more a question of drawing on the most forward-looking elements of these national-level systems in creating a truly international system—underlain by solid standards (initially, the safeguards listed in Annex I themselves)—for informing on safeguards in REDD+. As the Annex I safeguards are defined further, the differences between them and country-specific normative frameworks could become more apparent, making the need for such an overarching international system all the more important.