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**Subsidiary Body for Scientific and Technological Advice**

**Forty-first session**

**Lima, 1–6 December 2014**

Item 6 of the provisional agenda

**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**

**Views on experiences and lessons learned from the development of systems for providing information on how all the safeguards are being addressed and respected and the challenges faced in developing such systems**

**Submissions from developing country Parties**

1. The Subsidiary Body for Scientific and Technological Advice (SBSTA), at its thirty-eighth session, invited developing country Parties to submit to the secretariat, by 24 September 2014, their views on experiences and lessons learned from their development of systems for providing information on how all the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected and the challenges they face in developing such systems. It requested the secretariat to compile the submissions into a miscellaneous document for consideration at SBSTA 41.<sup>1</sup>

2. The secretariat has received six such submissions. In accordance with the procedure for miscellaneous documents, these submissions are attached and reproduced\* in the languages in which they were received and without formal editing.<sup>2</sup>

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<sup>1</sup> FCCC/SBSTA/2013/3, paragraph 29.

\* These submissions have been electronically imported in order to make them available on electronic systems, including the World Wide Web. The secretariat has made every effort to ensure the correct reproduction of the texts as submitted.

<sup>2</sup> Also available at

<<http://www4.unfccc.int/submissions/SitePages/sessions.aspx?showOnlyCurrentCalls=1&populateData=1&expectedsubmissionfrom=Parties&focalBodies=SBSTA>>.

**FCCC/SBSTA/2014/MISC.6**

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3. The SBSTA also invited Parties and admitted observer organizations to submit to the secretariat, by 24 September 2014, their views on the type of information from systems for providing information on how the safeguards referred to in paragraph 1 above are being addressed and respected that would be helpful and that may be provided by developing country Parties.<sup>3</sup> These submissions have been compiled into a separate miscellaneous document.<sup>4</sup>

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<sup>3</sup> FCCC/SBSTA/2013/3, paragraph 30.

<sup>4</sup> FCCC/SBSTA/2014/MISC.7.

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*Proposal by the Plurinational State of Bolivia  
September 25, 2014*

**1. Views from developing country Parties on experiences and lessons learned from their development of systems for providing information on how all the safeguards are being addressed and respected and the challenges they face in developing such systems (FCCC/SBSTA/2013/3, paragraph 29)**

The Plurinational State of Bolivia highlights several drawbacks in the system of safeguards developed in the Annex I of decision 1/CP.16. These problems hinder the implementation of comprehensive actions to address deforestation and forest degradation, and consequently, Bolivia suggests adjusting the set of safeguards identified in such Annex and propose the approach of the **Systems of Life of Mother Earth** for setting a more comprehensive, integral and holistic system of safeguards. This is also the operational way for implementation of actions fostering the achievement of the Living-well in balance and harmony with Mother Earth, as an alternative to the payment for ecosystem services (or results-based payments).

The approach of the **Systems of Life of Mother Earth** developed in Bolivia (Law No 300 of Mother Earth and Integral Development for Living-well) is based on the recognition of the complementarity of rights between human beings and nature, where a right cannot be realized without the other, being them interdependent and mutually supportive. Also, in the need to create a balance between the spiritual, affective and material views of the world, including the necessary equilibriums between persons, society/communities and nature (see Figure 1 below). The complementarity of rights is based on the rationale that there are four groups of rights that need to be respected and enforced, as follows:

- a) Rights of Mother Earth as a collective subject of public interest.
- b) Collective and individual rights of indigenous peoples.
- c) Economic, social, political, economic, and cultural rights of peoples in the context of their integral development and peoples' right to their development.
- d) The right of individuals and peoples to live in a just, equitable and solidary society without any type of poverty: material, social and spiritual.

The complementarity of rights between nature and human beings implies the need to achieve and exercise simultaneously this set of rights in balance and equilibrium (see Figure 1 below).

In the Bolivian perspective the safeguards should also be settled and enforced in the context of such complementarity of rights. Therefore, forest actions in deforestation and forest degradation should

generate real impacts on climate change through the development of sustainable production systems through respecting the regenerative capacities of the components and the environmental functions of the components of Mother Earth, identifying the processes of environmental degradation and restoration needs, and promoting the eradication of poverty without violating the rights of indigenous peoples and local populations.

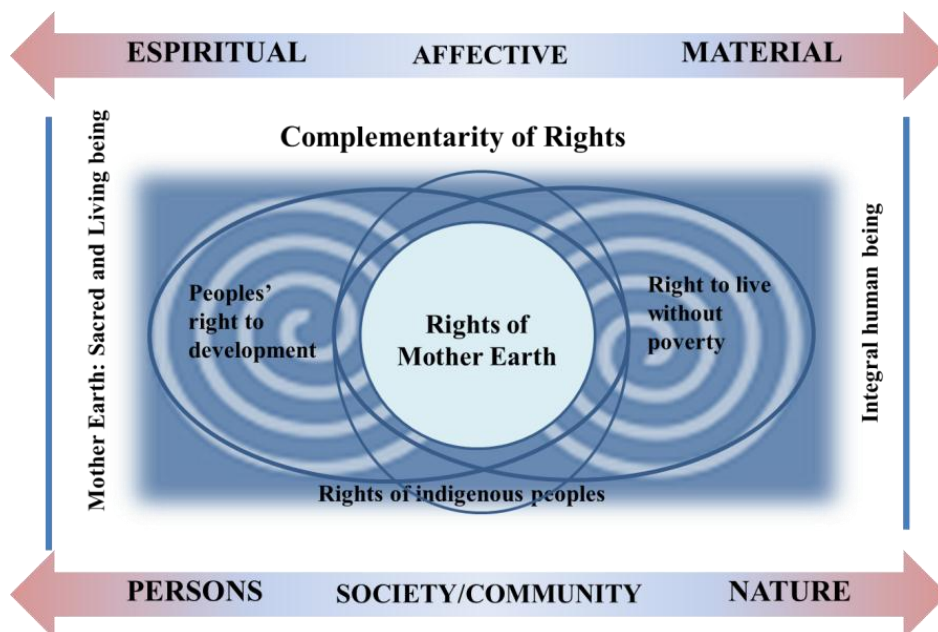


Figure 1. Complementarity of rights of Mother Earth and human beings

The approach of the Systems of Life of Mother Earth enables national governments, public entities, and civil society in general implement processes of territorial action based on complementarity and interdependence of rights.

The following Table 1 compares the safeguards posited in the Annex I of decision 1/CP.16, and suggests new safeguards to be placed in the context of the Reduction of Emissions from Deforestation and Forest Degradation and Sustainable Management of Forests. The safeguards of Annex I of the COP16 do not have a comprehensive approach in the context of sustainable development, while the set of proposed safeguards by Bolivia have a holistic, comprehensive and integrated vision about the policy incentives regarding reduction of deforestation and forest degradation in the context of the approach of the Systems of Life of Mother Earth.

Table 1. Comparison of safeguards: Annex I decision 1/CP.16 and the Bolivian proposal for a new bundle of safeguards.

<b>Systems of life</b>	<b>Safeguards of Annex I decision 1.CP16</b>	<b>Bolivian proposal of new safeguards</b>
<b>Rights of Mother Earth</b>	Actions are consistent with the conservation of natural forests and biological diversity	Non-commodification to the environmental functions of Mother Earth
<b>Societies' rights to development</b>	Actions to address the risks of reversals Actions to reduce displacement of emissions.	Address actions integrating mitigation and adaptation and sustainable development in context of climate resilience
<b>Rights of peoples to live without material, social, and spiritual poverty</b>		Enhancement of local livelihoods through the integral and sustainable management of forests
<b>Rights of indigenous peoples</b>	Respect for the knowledge and rights of indigenous peoples and members of local communities Full and effective participation of relevant stakeholders, in particular, indigenous peoples and local communities	Fully respect of the United Nations Declaration on the Rights of Indigenous Peoples, and the ILO Covenant No. 169.

In turn, each set of rights can be translated into a more measurable variable for analysis, including the capabilities of regeneration of environmental functions, sustainable production systems, and access to basic services in forest ecosystems. In addition, a scenario where it exists a positive interaction and trade-offs between these variables allows articulating a system of life of Mother Earth.

Consequently, Bolivia suggest changing the previous set of safeguards established in Annex I of decision 1/CP.16 (first column of table 1) and move forward a more comprehensive set of safeguards in the context of the approach of the Systems of Life of Mother Earth, inspired in the experience developed and implemented in Bolivia (second column of table 2).

Paper no. 2: Chad on behalf of Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Rwanda, and Sao Tome and Principe

**Soumission de la République du Tchad au nom des pays membres de la Commission des Forêts d'Afrique Centrale (COMIFAC)**

**Les pays du Bassin du Congo (Burundi, Cameroun, Congo, Gabon, Guinée Equatoriale, République Centrafricaine, République Démocratique du Congo, Rwanda, Sao Tomé et Principe et Tchad)**

**Vues sur les expériences et les leçons apprises du développement des systèmes d'information sur les sauvegardes et sur les types d'information des systèmes d'information sur les sauvegardes**

## **1. Introduction**

Conformément à la décision FCCC / SBSTA / 2013 / L.12, le SBSTA a invité les Parties ainsi que les organisations admises en qualité d'observateurs à soumettre au secrétariat, leurs points de vue sur le type d'informations utiles à communiquer par les Parties sur les systèmes d'informations sur les sauvegardes. Ces informations doivent inclure la façon dont les sauvegardes sont abordées et respectées dans les pays en développement Parties dans le cadre de la mise en œuvre des initiatives REDD+.

Selon la décision 12 / CP.17, les systèmes d'information sur les sauvegardes (SIS) doivent fournir des informations sur "la manière dont les sauvegardes sont abordées et respectées", d'une manière qui garantisse "la transparence, la cohérence, l'efficacité et l'exhaustivité". Cette information doit être régulièrement mise à jour et partagée dans les communications nationales des pays, et volontairement sur le centre d'information de la CCNUCC et sur le Web (décision 12 / CP.19). La décision 9 / CP.19 stipule que les pays engagés dans la mise en œuvre du processus REDD + sont invités à partager leur dernier "résumé d'information afin de recevoir des paiements axés sur les résultats".

Les pays membres de la COMIFAC estiment qu'il existe deux principales lacunes dans les directives existantes sur les sauvegardes. Tout d'abord, il n'existe aucune spécification du type d'information que les résumés peuvent contenir. Deuxièmement, il n'existe pas de directives sur la

façon de répondre effectivement aux exigences du SIS en matière de transparence, cohérence, efficacité et exhaustivité.

Par ailleurs, les pays membres de la COMIFAC ayant été précédemment soumis au respect de standards environnementaux et sociaux, y compris les mesures de sauvegarde dans le cadre de la mise en œuvre de projets REDD+, estiment que l'adoption de directives additionnelles par la CCNUCC permettrait d'harmoniser les directives existantes et à venir, afin d'éviter que les entités publiques et privées de financement des mécanismes REDD + cherchent à combler les lacunes existantes en continuant d'imposer leurs propres normes. L'adoption de ces directives sous la CCNUCC permettrait d'éviter la duplication des efforts, les difficultés supplémentaires d'avoir à se conformer à différentes normes et exigences, et potentiellement la confusion chez les investisseurs, les décideurs politiques et autres parties prenantes.

En outre, étant donné que les Parties ont convenu de la nécessité d'un soutien financier et technique adéquat et prévisible - en particulier des pays développés Parties - pour l'application des sauvegardes, de telles orientations aideraient à mieux coordonner et administrer ce soutien.

## **2. Expérience des pays membres de la COMIFAC sur la façon dont les sauvegardes ont été abordées.**

Dans les pays membres de la COMIFAC il existe des expériences d'application des sauvegardes environnementales et sociales. En effet, dans le cadre de la préparation à la REDD+, les pays disposent et s'appuient sur un ensemble de lois, textes en vigueur, plans, programmes et de conventions ratifiées, lesquels constitueront la base sur laquelle seront élaborées les sauvegardes environnementales et sociales propres au pays. Ces dispositions portent sur :

- La gouvernance (Processus FLEGT et la plupart des lois, textes en vigueur)
- Les droits fonciers (Loi foncière)
- La participation et la consultation (Loi forestière, Loi cadre relative à l'environnement, Politiques opérationnelles de la Banque Mondiale, Déclaration des Nations-Unies sur les droits des Peuples Autochtones, Processus FLEGT, Plan de convergence la COMIFAC, Décret régissant les EIES, Manuel de procédures REDD+, Directives nationales sur le consentement libre, informé et préalable, plateforme de concertation régionale etc.)
- Le partage des bénéfices (Ratification du protocole de Nagoya et Loi forestière)
- Le partage des informations (Loi cadre sur la protection de l'environnement)
- La protection de la biodiversité (Ratification de la convention sur la biodiversité ; Loi forestière, Loi cadre sur la protection de l'environnement).



Par ailleurs, ces pays adhèrent aux standards en matière de consultation des populations, des droits des communautés autochtones et aux standards internationaux en matière d'Évaluation Environnementale Sociale et Stratégique (EESS) tels que:

- ✓ L'approche commune FCPF / ONU-REDD sur les sauvegardes sociales et environnementales;
- ✓ Les standards mis en place par CCBA sur la REDD+.

De plus, il existe dans l'espace COMIFAC, des expériences qui ont permis à certains pays de se lancer dans l'élaboration des sauvegardes sur la base d'une participation large de toutes les parties prenantes.

Toutes les politiques et stratégies en vigueur au niveau national et au niveau international jugées pertinentes dans le cadre de la REDD+ ont été passées en revue dans le cadre d'un processus multi-acteurs. Cette analyse a permis l'élaboration préliminaire d'ébauches devant servir à l'établissement d'un système d'information sur les sauvegardes, lequel devra être validé au niveau national et comportant des principes, des critères et des indicateurs.

En termes de défis rencontrés, il est important de noter :

- Le besoin d'un guide pour la mise en place d'un SIS,
- L'insuffisance des moyens pour l'élaboration et la mise en œuvre du SIS,
- Le besoin d'amélioration du contenu et de la diffusion du SIS pour les parties prenantes,
- Le manque de précision sur les informations à fournir à la Convention.

### **3. Recommandations générales pour de nouvelles orientations de la CCNUCC sur la fourniture d'informations sur les sauvegardes**

Il est important dans un premier temps de comprendre l'implication des directives existantes de la CCNUCC, lesquelles requièrent que les sauvegardes REDD+ soient respectées et abordées (traitées ou prises en compte).

- Le respect des mesures de sauvegarde implique la non-violation de l'ensemble des principes convenus depuis Cancun et dans les décisions ultérieures. Ces principes de base doivent, au contraire, constituer le cadre pour la conception et la mise en œuvre des actions de REDD+.
- Aborder les sauvegardes, exige que des actions concrètes soient nécessaires pour s'assurer que ces principes sont effectivement appliqués.

Les pays de la COMIFAC estiment donc nécessaire que les résumés des pays sur la façon dont les sauvegardes sont respectées et abordées (prises en compte) tiennent compte des paramètres suivants:

- Une interprétation des sauvegardes REDD+ dans le contexte particulier de chaque pays, c'est-à-dire comment elles sont traduites en fonction des circonstances et des priorités nationales ;
- Une présentation des cadres existants dans le pays, notamment les cadres juridique et de politique, accompagnée d'une explication sur la manière dont ils opèrent et appuient les sauvegardes REDD+. Cette description peut inclure d'autres accords internationaux ratifiés qui soutiennent la mise en œuvre des sauvegardes REDD+ ;
- Les critères et les indicateurs utilisés par le pays pour mesurer la performance et le progrès;
- Une description de la méthodologie utilisée pour évaluer la façon dont les sauvegardes sont prises en compte et respectées, dans un souci de transparence (par exemple, comment et quand les informations sur les sauvegardes ont été recueillies, comment ce processus a été réalisé de manière participative et socialement inclusive, et comment l'information a été analysée et mise à disposition);
- Les mesures prises et les prochaines étapes pour respecter et aborder les sauvegardes.

Les pays de la COMIFAC considèrent que des directives additionnelles sur les sauvegardes devraient servir uniquement à soutenir les pays en développement dans les efforts pour mettre en œuvre la REDD+, et ne pas constituer un fardeau supplémentaire.

La collecte des données devrait aussi être liée le plus étroitement que possible aux besoins existants de suivi et de rapports. Elle devrait permettre la capitalisation et la recherche de synergies sur le terrain pour collecter, analyser et fournir des informations sur les sauvegardes. Les pays devraient être en mesure de s'appuyer sur des données qui sont déjà recueillies dans le cadre du processus REDD+. Il est important, cependant, que les informations soient davantage spécifiques et portent sur les sauvegardes sociales, environnementales et économiques, surtout si ces informations n'ont pas été capturées dans le processus technique.

Le tableau ci-après présente selon certains types d'information, les positions des pays membres de la COMIFAC à considérer pour les systèmes d'information sur les sauvegardes.

Types d'information	Éléments de position
<b>1. Lois internationales et programmes forestiers</b>	
Garantir la cohérence avec les droits humains (Droits de l'Homme et droits environnementaux)	Les pays membres de la COMIFAC accordent une grande importance à la gestion durable des forêts à travers le plan de convergence, par ailleurs au niveau national il existe les lois, les règlements, les stratégies spécifiques au secteur forêt et des programmes d'action forestières. L'application et la mise en œuvre de cet arsenal contribuent à la mise en œuvre de la REDD+ dans le pays membres de la COMIFAC. Ce dispositif apporte des informations sur les mesures de sauvegardes déjà existantes dans la sous-région.
Garantir la consistance avec les programmes forestiers nationaux	Les sauvegardes dans le mécanisme REDD+ doivent prendre en considération les circonstances nationales et règlements en vigueur dans le pays
<b>2. Gouvernance forestière</b>	
Droit à d'accès à l'information	<p>Les pays considèrent que le droit à l'information est une opportunité et considère que la dite opportunité ne devrait pas constituer un poids supplémentaire.</p> <p>Les pays considèrent aussi qu'ils ont besoin d'appui pour la production d'information en vue de la quantification, qualification et la valorisation de ce qui est quantifié.</p>
Institutions publiques dans leur mandat doivent assurer l'accès et la distribution de l'information	Les pays considèrent que l'accès et la distribution de l'information est une opportunité et fait partie du rôle régaliens des Etats. Cependant, afin de le faire dans les normes qu'exige le mécanisme REDD+ les pays doivent recevoir un appui international.
Promouvoir la sensibilisation du public sur l'accès à l'information	Les pays considèrent que la promotion de la sensibilisation du public sur l'accès à l'information, constitue également une opportunité, que devra faire l'objet d'un appui international.
Redevabilité (Accountability)	En ce que concerne la redevabilité elle doit être applicable pour les appuis provenant des fonds internationaux. Les ressources provenant du budget national sont soumises au contrôle en application des lois du pays.
Clarté sur la législation foncière	Les pays membres de la COMIFAC considèrent que pour la clarté sur la législation foncière les lois du pays doivent être respectées.
Distribution équitable des bénéfices	Les pays membres de la COMIFAC considèrent qu'il faut d'abord aider les pays à mieux quantifier des bénéfices, afin de pouvoir les valoriser et en assurer un partage équitable en fonction de la législation nationale.
Egalité de genre	Les pays membres de la COMIFAC considèrent qu'il faut prendre en considération les circonstances nationales et la législation de chaque pays.
Cadre institutionnel adapté à la prise en compte des sauvegardes dans la REDD+	Les pays membres de la COMIFAC considèrent qu'il faut mettre en place et/ou renforcer le cadre institutionnel.

	Toutefois il faut un appui international pour accompagner le pays.
Garantir la participation dans la prise de décisions en matière d'environnement	-
Intégration des considérations sociales, économiques et environnementales et coordination inter sectorielle	Dans le pays membres de la COMIFAC certaines actions sont déjà en cours. Ainsi, cette disposition concourt a l'intégration transversale des considérations sociales, économiques et environnementales et au renforcement de la coordination inter sectorielle. Par ailleurs, un appui de la communauté internationale permettra de renforcer lesdites actions dans les pays.
<b>3. Peuples autochtones et communautés locales</b>	
Les pays membres de la COMIFAC considèrent que les questions relatives aux peuples autochtones tiennent compte des circonstances nationales et sont par conséquent régies par la législation nationale.	
Distinguer les peuples autochtones et les communautés locales	En fonction des circonstances nationales
Respect de la connaissance	
Non discrimination	
Auto détermination	
Droits associés à la culture	
Droit foncier collectif	En fonction des lois du pays
Partage des bénéfices (garantir leur inclusion)	Il faut aider les pays à obtenir des bénéfices, à les quantifier, à les valoriser et à les partager en fonction de la législation nationale
<b>4. Participation</b>	
Les pays membres de la COMIFAC disposent des plateformes de concertations multi-acteur qui permettent la participation de toutes les parties prenantes, spécifiquement les groupes vulnérables. De même ces plateformes contribuent au renforcement de capacités et favorisent l'accès à l'information.	
Reconnaissance et mise en application des droits procéduraux	Législation nationale
Identification des principales parties prenantes	Appui international pour le soutien au cadre de concertation, la clarification du rôle et l'élaboration de mécanismes de fonctionnement et de coordination de l'ensemble des parties prenantes
Provision de l'accès à l'information	
Application des approches participatives	
Mécanismes de résolution des conflits	
Création de cadre favorable pour les peuples autochtones et les communautés locales	Nécessité d'un soutien de la communauté internationale pour revisiter le cadre légal et réglementaire
Consentement libre, préalable et éclairé <sup>1</sup>	

<sup>1</sup> En ce qui concerne l'orientation sur la façon de veiller à ce que les dispositions de mise en œuvre en matières de REDD+ sont transparentes, efficaces, complètes et cohérentes avec les sauvegardes convenues, une première étape importante est de reconnaître et d'adopter explicitement le principe de « consentement libre, préalable et éclairé ». Il est essentiel pour assurer la participation pleine, efficace et socialement inclusive des parties prenantes dans la conception et la mise en œuvre chaque fois que possible et approprié du programme. Cela nécessite qu'une attention particulière soit accordée aux

<b>5. Diversité biologique et forêts naturelles</b>	
Les pays membres de la COMIFAC ont adhéré aux Conventions internationales sur la diversité biologique et disposent entre autres de lois et règlements qui régissent la préservation de la diversité biologique et la gestion durable des forêts naturelles. La mise en œuvre de ces lois garantit le respect des mesures de sauvegarde.	
Définir les forêts naturelles	
Appliquer les mesures pour protéger la biodiversité	
Identifier les forêts naturelles et la biodiversité	
Soutenir la recherche en matière de conservation et la sensibilisation	
Intégrer la biodiversité dans les politiques intersectorielles	
Renforcer d'autres bénéfices	Avec l'appui de la communauté internationale
<b>6. Permanence et fuite</b>	
Les pays membres de la COMIFAC sont préoccupés par les fuites dans le cadre de la mise en œuvre des activités de REDD+. Dans le cadre de l'élaboration de la stratégie nationale REDD+, des pistes de solutions sont envisagées par les pays. Il est souhaitable que la communauté internationale soutienne les pays dans cet effort.	
Suivi-évaluation	
Mesures générales	
Mesures pour lutter contre les revirements	
Mesures pour lutter contre les déplacements	
Coopération internationale	

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groupes qui n'ont en général pas d'influence dans les décisions d'utilisation des terres, mais qui jouent un rôle important dans la gestion des ressources, comme les populations locales et / ou autochtones, les communautés dépendantes de la forêt, les femmes et les minorités ethniques. Fournir des informations transparentes et accessibles exige qu'elles soient mises à disposition dans un langage adéquat et partagé, ainsi que dans un format qui soit socialement et culturellement adaptés pour assurer l'accessibilité à toutes les parties prenantes.

**Submission from the Republic of Chad on behalf of the Central Africa Forests  
Commission (COMIFAC) member countries.**

**1. Introduction**

According to decision FCCC/SBSTA/2013/L.12, the SBSTA has invited Parties and admitted observer organizations to submit to the Secretariat, their views on the type of information from systems for providing information on how the safeguards are being addressed and respected by developing country Parties in implementing their REDD+ programmes.

According to Decision 12/CP.17, the Information System on Safeguards (SIS) should provide information on “how the safeguards are being addressed and respected”, in a manner that ensures “transparency, consistency, effectiveness and comprehensiveness”. Such information is to be periodically updated and shared through countries’ national communications, and voluntarily on the UNFCCC web-based information hub. In order to receive results-based payments, REDD+ implementing countries are to share their latest “summary of information” (Decision 9/CP.19).

COMIFAC member countries believe that there are two key gaps in the existing guidance on safeguards. First, there is no specification of what type of information the summaries should contain. Second, there is no guidance on how to actually meet the SIS requirements of transparency, consistency, effectiveness and comprehensiveness.

Further, COMIFAC member countries, building on their experiences in applying many guidances on environmental and social standards, including safeguards in implementing REDD+ projects, believe that further UNFCCC guidance will contribute existing and future guidance and will avoid that REDD+ public and private financiers fill those gaps and require to comply with their own standards. Further guidance would thus help to avoid the duplication of efforts, the additional work of having to comply with different sets of requirements, and potentially confusion among investors, policy-makers and other stakeholders.

In addition, given that Parties agreed on the need for adequate and predictable financial and technical support – particularly from developed country Parties – for safeguards implementation, such guidance would help coordinate and focus this support.

## **2. Experience from COMIFAC member States on how the safeguards are being addressed and respected**

In COMIFAC member countries, relevant experiences are being gathered with respect to the application of environmental and social safeguards. Indeed, in the context of REDD+ preparation activities, countries have developed and are implementing a set of laws, regulation in force, plans, programs, and ratified conventions, which form the basis for the development of environmental and social safeguards to be further developed in the relevant context of these countries. These provisions relate to:

- Governance (FLEGT process and mostly all the laws, regulations in force)
- Land rights (Land Law)
- Participation and consultation (Forest Act, Framework law on environment, Operational Policies of the World Bank, the United Nations Declaration on the Rights of Indigenous Peoples, FLEGT process, the COMIFAC Convergence Plan, Decree governing Environmental and Social Impacts Assessments, procedural manual for REDD +, national Guidelines on the free, prior and informed consent, platform for regional dialogue etc.)
- Benefits sharing (Ratification of the Nagoya Protocol and Forest Law)
- Information sharing (Framework law on environment protection)
- Protection of biodiversity (Ratification of the Convention on Biological Diversity, Forest Act, Framework law on environment protection).

Moreover, these countries adhere to specific standards relevant for public consultation, the rights of indigenous communities as well as the international standards for Social and Strategic Environmental Assessment (SESA), such as:

- The common approach FCPF / UN-REDD on social and environmental safeguards;
- The standard set up by the CCBA on REDD +.

In addition, in the Congo Basin, some COMIFAC member countries have embarked on the development of safeguards based on broad stakeholders participation and thus have experiences on that matter.

All policies and strategies in place at both national and international levels that are relevant in the context of REDD + have been reviewed in the context of a multi-stakeholder process. This analysis allowed the preliminary development of a framework to collect information on safeguards to be used for the establishment of an information system. This process has, at

final, to be validated at national level and lead to the adoption of a set of principles, criteria and indicators.

In terms of challenges, it is important to note:

- The need for a guide in the process of setting up a SIS,
- The lack of resources for the development and implementation of SIS,
- The need to improve the elements of SIS and information sharing among stakeholders,
- The lack of clarity as regards the elements needed to be shared at the Convention level.

### **3. General recommendations for further UNFCCC guidance on the provision of information on safeguards**

First of all, it is important to understand the implication of the existing UNFCCC guidance, which requires information on how REDD+ safeguards are being respected and addressed.

Respecting the safeguards can be understood as not violating those principles agreed upon in Cancun and thereafter. Rather, they are to be the framework for the design and implementation of REDD+ actions.

Addressing safeguards, in turn, suggests that action may be needed to ensure that those principles are effectively fulfilled.

The COMIFAC countries members therefore recommend that the UNFCCC requests the following information for the countries' summaries on how safeguards are being respected and addressed:

- An interpretation of the REDD+ safeguards in the particular country context, i.e. how they are translated into the given national circumstances and priorities;
- A presentation of the existing policy and legal framework in the country (including other ratified international agreements that can support the implementation of REDD+ safeguards), explaining how they operate and support the REDD+ safeguards;
- The criteria and indicators utilized by the country to measure performance and progress;
- A description of the methodology utilized to assess how safeguards are being addressed and respected, for the sake of transparency (e.g. how and when information was collected, how this process was carried out in a socially-inclusive participatory manner, how the information was analysed and made available);
- The actions taken and next steps to respect and address safeguards.



The COMIFAC country members think that further guidance on safeguards should be supportive of developing countries efforts to implement REDD+, not a burden.

Data collection should be linked as closely as possible to existing requirements for monitoring and reporting. It should require capitalizing and seeking synergies on the ground for countries to collect, analyse, and provide information on safeguards. Countries should be able to rely on data that is already being collected under the REDD+ process. It is important, however, that such information be specified on safeguards (social safeguards), especially if this information has not been captured in the technical process.

The following table presents, according to specific types of information, COMIFAC countries' positions on SIS.

<b>Types of information</b>	<b>Elements of position</b>
<b>1. International laws and forests programmes</b>	
Ensuring consistency with international law (Human rights and Environment agreements)	COMIFAC member countries provide a great importance to sustainable forest management through their convergence plan. Furthermore, at national level, there are specific laws, regulations; strategies directing the forest sector, as well as forestry action plans. The implementation of this framework in member countries leads to effective implementation of REDD+ activities. This framework provides information on existing safeguards measures in the region.
Ensuring consistency with national forest program	Safeguards in the REDD+ mechanism need to take into account consideration of national circumstances and regulations in force in the country.
<b>2. Forest Governance</b>	
Right of Access to information	COMIFAC countries believe that access to information is an opportunity and consider that this opportunity should not constitute additional burden.  COMIFAC countries also consider that they need support to be in the position to produce information, in quality, quantity and to value these information.

Public institutions within their mandates must ensure access and distribution of information	COMIFAC countries believe that information access and sharing is an opportunity pertaining to countries' regulatory roles. However, international support is needed to allow Parties to produce relevant information that satisfy REDD+ norms.
Promoting public awareness	COMIFAC countries consider that promotion of public awareness on information access also constitutes an opportunity, which should be supported through international cooperation.
Accountability	Accountability should be applied as appropriate. Countries should be internationally accountable on the use of international funds. But when it concerns national resources, countries' laws should be applied.
Clear land tenure rights	COMIFAC members' countries consider that national regulations should be applied
Equitable distribution of benefits	COMIFAC countries believe that countries need to first be supported to assess the benefits in order to improve their valorisation and equitable sharing, in accordance with national legislation.
Gender equality	COMIFAC member countries consider that national circumstances are to be taken into account while applying gender equality principle.
Appropriate institutional framework	COMIFAC member's countries consider that institutional framework should be reinforced or put in place. However, international support is relevant in supporting countries achieving this objective.
Ensuring participation in decision making processes that affects the environment	
Integration of social, economic and environmental considerations and cross sectorial coordination	In COMIFAC member countries, some actions are being implemented that support mainstreaming of social, economic and environmental considerations, as well as cross-sectorial coordination. International support will allow to strengthen these actions in countries.
<b>3. Indigenous people and local communities</b>	
<b><i>COMIFAC member countries believe that issues related to indigenous people are specific to national circumstances and should therefore be addressed under national laws.</i></b>	

Defining indigenous people and local communities	According to national circumstances
Respecting knowledge	
Non discriminatory	
Self determination	
Right associated with culture	
Collective land rights and tenure	In accordance with national regulations
Benefit sharing	Countries need support in identifying these benefits, in quantifying, value and sharing them. Such considerations should follow national legislation.
<b>4. Participation</b>	
<b><i>COMIFAC member countries have multi stakeholders concertation platforms, that promote participation of all stakeholders, in particular vulnerable groups. Furthermore, these platforms contribute to capacity building and information access.</i></b>	
Recognition and implementation of procedural rights	National legislation
Identification of relevant stakeholders	International support is needed to support national dialogue framework, clarification of the role of all the relevant actors, as well as the elaboration of mechanisms of functioning and coordination of all stakeholders.
Providing access to information	
Implementing participatory approaches	
Conflict resolution mechanisms	
Creating enabling environment for indigenous people and local communities	International support is necessary to revisit the existing institutional framework
Free, prior and informed consent	
<b>5. Biological diversity and natural forests</b>	
<b><i>COMIFAC member countries have ratified International convention on biological diversity and have, among other laws and regulations that govern the preservation of biological diversity and sustainable management of natural forests. Implementation of these laws ensures respect of safeguards measures.</i></b>	
Defining natural forests	
Identifying natural forests and biodiversity	
Supporting conservation and	

awareness rising-oriented research	
Integration of biodiversity in cross sectorial policies	
Enhancements of other benefits	With the support of international cooperation.
<b>6. Permanence and leakage</b>	
<b><i>COMIFAC member countries are concerned by leakage in the implementation of the REDD+ activities. In the context of the elaboration of national REDD+ strategies, countries envisage various options. It is desirable that international community support countries' efforts in this area.</i></b>	
Monitoring and assessment	
General measures	
Measures to tackle reversals	
Measures to tackle displacements	
International cooperation	

**VIEWS OF ECUADOR ON EXPERIENCES AND LESSONS LEARNED FROM THE DEVELOPMENT OF A SYSTEM FOR PROVIDING INFORMATION ON HOW ALL THE SAFEGUARDS ARE BEING ADDRESSED AND RESPECTED, CHALLENGES FACED AND WHETHER FURTHER METHODOLOGICAL GUIDANCE IS NEEDED**

22/09/2014

The Government of the Republic of Ecuador, hereby, presents its views on experiences, lessons learned and challenges faced towards the development of a national system for providing information on how all safeguards referred to in appendix I, Decision 1/CP.16, have been addressed and respected, in response to paragraph 6 in Decision 12/CP.17; as well as towards providing a summary of information in the context of results-based payments as per paragraph 4 in Decision 9/CP.19.

2. According to paragraph 2 in Decision 12/CP.17, systems for providing information on how all safeguards have been addressed and respected, should be developed taking into account national circumstances and respective capacities, and recognizing national sovereignty and legislation, while considering guidance further provided in subparagraphs (a) – (f).

3. A wide range of national, bilateral and multilateral systems and tools are currently available for Parties for their consideration when developing a *country-driven* system for providing information on how all safeguards have been addressed and respected, according to national circumstances and in particular to national strategies or action plans for the implementation of activities referred to paragraph 70, Decision 1/CP.16.

4. According to Ecuador's experience, a broad range of elements should be taken into account at national level, not only when developing a system for providing information on how all safeguards have been addressed and respected, but also while addressing and respecting safeguards *per se*, where the definition of a national approach for REDD+ implementation is a key element to be taken into account. National circumstances for addressing and respecting all safeguards may vary from one country to another when REDD+ implementation occurs: strengthening of land use and forestry policies; monetary and non-monetary incentives; project implementation; and others.

5. This said, the definition of a national strategy or action plan for the implementation of activities referred to paragraph 70, Decision 1/CP.16, should be the basis of a country-driven process of establishing a national approach on how safeguards will be addressed and respected.

6. In addition to the national strategy or action plan as a basis, the definition of a *national approach for safeguards* should occur in accordance to, *inter alia*: national legislation; the existence of systems that may already be providing social and environmental information relevant for safeguards at a national level; and existing

institutional capacities and arrangements required for providing information on how safeguards have been addressed and respected, as per paragraphs 69 and 72 in Decision 1/CP.16.

7. It is important to underline that elements mentioned in paragraph 6 above, respond to an analysis and understanding of guidance already provided in paragraph 2, Decision 12/CP.17. A country's approach for REDD+ implementation, to be established in their national strategy or action plan, may vary significantly between countries. Therefore, guidance provided in the paragraph 6 above, is sufficiently broad to enable countries to provide information on how safeguards are being addressed and respected according to their own particularities and specificities.

8. The experience in Ecuador, as part of various private and multilateral REDD+ related initiatives, implies that the use of a *one-size-fits-all* tool –or approach– for providing information on how safeguards have been addressed and respected, presents as a significant challenge. This is due to specific particularities, needs and priorities from the country's context that should be taken into account as part of national understanding of safeguards referred to in appendix I of Decision 1/CP.16.

9. According to a country's REDD+ approach established in their national strategies or action plans, further discussions regarding the provision of information on how safeguards have been addressed and respected might be needed at national, subnational or local level, based on key stakeholders that may need to be involved in these country-led discussions. However, discussions on countries' particularities at an international level may not provide an added value to methodological guidance for REDD+, already provided in Decision 12/CP.17 and in the Warsaw Framework for REDD+.

10. This said, in Ecuador's view, further discussions on additional guidance for the development of systems for providing information on how all safeguards have been addressed and respected might not be necessary; including guidance required for summaries of information referred to in paragraph 3 Decision 12/CP.17, since, in accordance to Ecuador's experience and lessons learned, both should be developed taking into account national circumstances, capacities and particularities.

11. Ecuador looks forward to the full implementation of REDD+ results-based activities under the guidance already provided in Decision 12/CP.17 and in the Warsaw Framework, as well as in accordance to requirements for obtaining results-based finance, regardless of the source, be it public, private, bilateral or multilateral, and with the Green Climate Fund playing a key role.

Paper no. 4: Indonesia on behalf of Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Viet Nam

**Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar,  
Philippines, Singapore, Thailand, and Vietnam  
as members of the Association of South East Asian Nations (ASEAN)**

**on**

**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 (REDD+) in developing countries  
(issues relating to safeguards)**

## BACKGROUND

*Subsidiary Body for Scientific and Technological Advice at thirty-eighth session invited :*

- 1. developing country Parties to submit to the secretariat, by 24 September 2014, their views on experiences and lessons learned from their development of systems for providing information on how all the safeguards are being addressed and respected and the challenges they face in developing such systems,*
- 2. parties and admitted observer organizations to submit to the secretariat, by 24 September 2014, their views on the type of information from systems for providing information on how the safeguards are being addressed and respected that would be helpful and that may be provided by developing country Parties.*

### **1. Experiences, lessons learned, and challenges in the development of Safeguards Information System (SIS)-REDD+**

ASEAN Member States (AMS) undertaking REDD+ are at different stages in developing REDD+ infrastructure as mandated by dec. 1/CP. 16 paragraph 71, including system for providing information on how safeguards in Annex I.2 of dec. 1/CP 16 are addressed and respected (SIS-REDD+). Within the different stages of progress in developing SIS-REDD+, experiences so far have shown that AMS started with reviewing their existing forest and forest related policies and safeguards related instruments in terms of their relevance to the Cancun safeguards.

AMS are of the view that the approach and design of the SIS-REDD+ including how the system works are influenced by national circumstances, policies, capacities and capabilities. Within the different stages of SIS-REDD+ development in AMS, AMS note some common challenges such as diversity in knowledge, capacities and capabilities of the actors involved in developing SIS-REDD+, capacities in ensuring the continuity in operability of the system, coordinating between and among stakeholders at national and subnational level, and costs for developing and maintaining the system. AMS also recognize the benefit of sharing experiences and lessons as countries develop and improve their system. AMS note that support is needed in developing, maintaining and improving the system.

## **2. Type of Information from SIS-REDD+ that would be helpful and may be provided by developing country Parties**

ASEAN Member States (AMS) are of the view that the type of Information from SIS-REDD+ that would be helpful and may be provided by developing country is qualitative and as appropriate quantitative information, which may include the following information :

- a. Description of national REDD+ related policies and/or programmes and/or activities,
- b. Design of the system
- c. Description of processes in developing the system, including stakeholder participation
- d. Description of implementation approaches on how safeguards are addressed and respected,
- e. Plan for improvement,
- f. Other information that the country consider necessary.

AMS recognize the need to ensure transparency, consistency, comprehensiveness, and effectiveness when informing on how all safeguards are addressed and respected, through National Communication, UNFCCC Web platform for REDD+/Information Hub, and SIS-REDD+. However, AMS also recognize that ways of addressing and respecting safeguards in REDD+ implementation are influenced by national circumstances, policies, capacities and capabilities. AMS are of the view that drawing from experiences and lessons in developing and operationalizing SIS-REDD+ are crucial in assessing transparency, consistency, comprehensiveness, and effectiveness of information provision through various channels on how all safeguards are addressed and respected.



***Views from developing country Parties on experiences and lessons learned from their development of systems for providing information on how all the safeguards are being addressed and respected and the challenges they face in developing such systems. (FCCC/SBSTA/2013/3, paragraph 29)***

1. The Safeguard Information System being developed is built upon existing national systems. It could be one single system or a multiple systems with clear links.
2. Assessment on the existing systems was done as follows:
  - a. Relevance of current information systems to the Safeguards as in Decision 1.CP/16 Appendix 1.
  - b. The safeguards in the context of national sustainable development goals, environment, forest, biological diversity and other relevant policies and/or legislations.
  - c. The safeguards in the context of sustainable forest management
3. Following the assessment, it is envisaged that the Safeguard Information System will be an enhancement of the available systems in terms of ensuring transparency and effectiveness.
4. Some of the challenges faced in developing the system are:
  - a. Engaging relevant stakeholders, experts and systems' custodians.
  - b. Linking sub national systems with national systems.
  - c. Information assemblage into a transparent, consistent and comprehensive manner.
  - d. Cost and resources to develop and maintain the system.
  - e. Regular updates.
5. It is anticipated that the Safeguard Information System will be developed in phases as experience and momentum is gained in implementing activities referred to in paragraph 70 of 1/CP.16

## Paper no. 6: Mexico

This submission responds to the invitation made at the 38th meeting from the Subsidiary Body for Scientific and Technological Advice (SBSTA), directed to developing country Parties to share their views on experiences and lessons learned from their development of systems for providing information on how all the safeguards are being addressed and respected and the challenges they face in developing such systems.

Mexico envisages having a Safeguards Information System (SIS), building on existing systems at national level and which will enable presenting integrated information about how the safeguards are being addressed and respected. For the design of the SIS, Mexico is considering as priority criteria that the SIS is be based on existing systems, provide transparent information that is accessible to all stakeholders and that will be updated regularly, be transparent, flexible to allow improvements over time, address gender considerations, be applied at national level, and provide information on how REDD+ safeguards are being addressed and respected, consistent with the UNFCCC decision on safeguards information systems<sup>1</sup>.

With existing international guidance in place, one of the first steps taken was the preliminary identification and analysis of the national policy planning instruments which could be relevant to provide information on the UNFCCC REDD+ Safeguards. To advance in the design, structure and operation of the SIS, the following steps have been identified:

- Defining an institutional structure that serves to gather all relevant information, in order for it to be integrated for the different reporting needs.
- Carry out an exercise to articulate which existing and new information and reporting systems will be used to gather information on the safeguards, including reporting procedures associated with compliance with the relevant international agreements and treaties.
- Define an information platform that is to be used to share information about the safeguards (e.g. web portal). This activity will require assessing which and how existing web base platforms could be used to provide information, and preparing and executing technical proposals to put it in place.
- Dissemination of the results in each step including feedback with relevant stakeholders and participation platforms

It is important to highlight that the steps that have been identified for developing the SIS, as well as for the implementation of safeguards, follow a national approach, which is based on the governance system (legal, institutional and compliance frameworks) and existing information and reporting systems.

In Mexico's view, the current guidance developed in the UNFCCC related to safeguards is sufficient to determine at the national level how to implement safeguards and build the SIS considering specific context and circumstances.

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<sup>1</sup> Decision 12/CP.17 p. 2