

## GOVERNANCE OF REDD+

*To what extent does the R-PP promote good governance within REDD+ systems and processes?*

**Stakeholder Participation in REDD+ planning and Implementation**

- + Identifies relevant stakeholders for REDD+
- + Specifically considers how to engage vulnerable groups
- + Shows clear commitment to a transparent process and accountability for stakeholder input
- Establishes a complaint / grievance mechanism
- Considers how to learn and build from other relevant participatory processes

The R-PP's proposed Consultation and Participation Plan (C&P Plan) is relatively strong, and the goals and outcomes of consultations conducted to date on REDD are well documented. The R-PP clearly identifies the key stakeholder groups for REDD and articulates a unique strategy for engaging each group (p22-23). Existing structures and platforms for convening and disseminating information to these groups are listed and will be used to support REDD consultations. The R-PP proposes to implement a customized consultation plan for indigenous peoples organizations and communities developed in coordination with the Directorate of Indigenous Peoples and the Institute of Indigenous Affairs. Among other details, the plan states that free, prior and informed consent of indigenous peoples will be required for REDD activities (p22).

The R-PP lists several core objectives and guidelines for the C&P Plan (p21), including integrating views from a wide range of stakeholders into decision-making processes and promoting transparency not only on decisions taken, but on how decisions will be made. To achieve these objectives, the R-PP proposes a 3-phased approach for piloting, validating and eventually fully implementing the C&P Plan through an iterative process with a wide variety of stakeholders at all levels. The REDD Advisory Committee (RAC), which will consist of representatives from each of the key stakeholder groups, is expected to play an important role by feeding stakeholder input directly into the REDD Steering Committee, which is a key decision-making body. As such, it is critical that RAC representatives are selected in a way that builds stakeholder trust. However, the R-PP does not describe a selection process.

**Recommendations:**

- Consider establishing a specific grievance or conflict resolution mechanism for REDD, or explain how existing mechanisms can be used for this purpose
- Explain how stakeholder representatives will be elected to the REDD Advisory Committee
- Consider lessons learned from past consultation and participation processes in the forest sector

**Government coordination in REDD+ planning and implementation**

- + Considers REDD+ in the context of other sector policies, land use plans, and national development plans
- + Proposes a process to reconcile potential conflicts between REDD+ strategies and other policies/plans
- + Proposes mechanisms to promote coordination of REDD+ across sectors
- + Proposes mechanisms to promote coordination of REDD+ across levels of government

The R-PP consistently discusses REDD in the context of other sector policies, land use plans and national development plans. In particular, it describes "insufficient coordination and alignment of public policies that affect forests, both nationally and between the Nation and Provinces," as a key underlying driver of deforestation (p30). More specifically Component 2a of the R-PP notes a lack of coordination between the Ministry responsible for plantation forests and the Ministry responsible for natural forests, weak implementation of the land use planning process at the provincial level, and lack of cross-sectoral policy processes to address the drivers of deforestation relating to agriculture and infrastructure. Additional research is also proposed to review existing laws and policies in order to identify perverse incentives that undermine sustainable forest and land management (p51). The proposed REDD strategy options therefore seek to, among other things, strengthen the implementation of provincial land use plans and to establish an intersectoral program for sustainable land use (p44). In addition, the proposed national readiness management arrangements seek to promote coordination of REDD across sectors and levels of government. The National Steering Committee for REDD includes representatives from relevant Ministries and State Secretariats, and has the responsibility to promote national ownership of the REDD strategy and to ensure the integration of REDD policies into National Development Policies (p8). Similarly, the Readiness Implementation Unit is expected to include staff from different sectors and Ministries. As readiness preparation proceeds, it will be important to monitor the effectiveness of these coordination mechanisms. Competing land uses for agriculture, in particular, will present major trade-offs that will need to be reconciled for REDD to succeed. According to the R-PP, initial consultations with the Ministry of Agriculture have already revealed concerns that REDD could restrict the agriculture development plan and broader sustainable development goals (p19).

**Transparent and accountable REDD+ revenue management & benefit sharing**

- Proposes a transparent system to track and coordinate international financing of activities related to REDD+
- + Considers measures to promote fiscal transparency and accountability for REDD+ revenue management
- + Proposes a transparent process for deciding who should benefit from REDD+ and how benefits will be targeted
- + Reviews lessons from past and/or existing systems for managing and distributing forest revenues

The R-PP provides preliminary ideas on how REDD funds could be managed and distributed and suggests that further investigation into this issue will be conducted. The R-PP notes that all international and national flows of public finance are overseen by the Auditor General's Office (p46), and proposes to consider options for an independent monitoring and audit function and for criteria to ensure accountability of actors and processes (p51). It is suggested that REDD funds will likely be managed through a trust, potentially operated by a public bank. The R-PP states that the recently established National Fund for the Enrichment and Preservation of Native Forests, as well as Argentina's experience with the CDM, could set a precedent for how REDD revenues will be handled (p47). The R-PP states that benefit sharing arrangements should consider the situation of vulnerable social groups and should align with national plans to reduce poverty (p49). The R-PP states that stakeholders' ability to receive compensation or other benefits (the scope of benefits is not clarified) under REDD will be based on demonstrated land ownership or forest use rights. As such, the success of proposed measures to regularize land tenure, will be crucial to the design of an equitable benefit-sharing mechanism for REDD.

**Recommendations:**

- Propose procedures to ensure transparent and accountable financial management for REDD
- Clarify how the National Fund for the Enrichment and Preservation of Native Forests will relate to a potential REDD Fund
- Provide greater detail on how key stakeholders will be consulted on the design of a benefit sharing mechanism

**Transparent monitoring and oversight of REDD+**

- + *Proposes to establish information management systems for REDD+ that guarantee public access to information*
- + *Proposes mechanisms for independent oversight of the implementation of REDD+ activities*
- + *Proposes mechanisms to monitor progress of efforts to address governance-related drivers of deforestation*

The R-PP seeks to build comprehensive information systems for REDD and land use, which will facilitate public reporting and independent verification of information. The R-PP stresses the need for a coordinated information management system that is linked to the greenhouse gas inventory system (p64); however, it could do more to clarify which institutions will be responsible for oversight of the multiple proposed information systems. The R-PP also proposes to establish a working group at the Argentine Institute of Standardization and Certification in order to bring together experts from universities, research centers, and NGOs to develop guidelines and procedures for public reporting of information (p69). The R-PP proposes to create an independent monitoring and audit function for REDD (p51), although no details are yet provided on what this might entail in terms of who would perform the monitoring or what would be monitored. The R-PP states that a team of "external reviewers and key stakeholders" will conduct a midterm and final evaluation of R-PP implementation (p84). Also, the R-PP proposes to use indicators to monitor governance with respect to: 1) the degree of implementation and enforcement of laws and particularly the new Forest Act and 2) capacity of provincial authorities for monitoring and control (p72).

**Recommendations:**

- Provide more details on what the independent monitoring and oversight mechanism for REDD will look like
- Further elaborate on how governance issues will be monitored, and by whom. Consider monitoring progress towards tenure regularization in addition to the other governance issues identified.

**GOVERNANCE-RELATED DRIVERS OF DEFORESTATION**

*To what extent does the R-PP consider key forest governance challenges for achieving REDD+?*

**Land and forest tenure**

- + Discusses the situation regarding land and forest tenure, including for indigenous peoples
- Considers the capacity of judicial and non-judicial systems to resolve conflicts and uphold the rights of citizens
- + Links identified governance challenges to proposed REDD+ strategy options and implementation framework

The R-PP briefly summarizes the tenure situation in Argentina, which is dominated by private land ownership. The R-PP mentions that there are "some cases of communal forest land" and states that the new Forest Law provides for the explicit recognition of the rights of indigenous communities and small, rural producers bound to forests. However, these statements are vague and the R-PP provides no additional information on the topic of communal or indigenous land and resource rights.

The R-PP identifies the lack of regularization of land tenure and related conflict resolution as a major underlying driver of deforestation (p31) and obstacle to REDD. More specifically, it states that many public lands are illegally occupied, since occupants cannot afford the administrative cost of land registration. A future study is proposed to assess gaps in information about tenure and to identify possibilities for improvement, and the issue of land tenure and related conflicts has also been flagged as a priority area for stakeholder consultation through the SESA process. In addition, one of the proposed REDD strategy

options is to “strengthen systems of land tenure and create incentives and mechanisms for conflict resolution” (39). No further details are provided on what this might entail, and since the R-PPs overall discussion of the existing situation of land tenure and conflict resolution is fairly vague, it remains difficult to envision at this stage.

**Recommendations:**

- Provide more detail on the situation of land tenure and tenure conflict, and how this contributes to deforestation
- Describe existing mechanisms for conflict resolution, including judicial systems, and why they are currently inadequate

**Forest Management**

+ Discusses the ability of forest agencies to plan and implement forest management activities

- Considers the role of different stakeholders, including communities, in forest management

Links identified governance challenges to proposed REDD+ strategy options and implementation framework

The R-PP’s discussion of forest management issues in Argentina focuses primarily on the institutional arrangements that divide authority and jurisdiction over forests between federal and provincial governments. There is significantly less discussion of the role of non-governmental stakeholder in forest management. According to the R-PP, the Federal government has the authority to regulate and define the minimum requirements for environmental protection, while Provincial governments are responsible for complimentary laws. The R-PP notes that this division of responsibilities has historically been a challenge for effective implementation of environmental law. While Provincial governments often lack the capacity to promote sustainable management of forests, the Federal government lacks the capacity to control the nationwide implementation of forest laws. The recently developed Minimum Standard Forest Law (2007) is expected to rectify many of these problems (p33). As a result, one of the cornerstones of the proposed REDD strategy is to facilitate the implementation of this law by strengthening the capacity of local and national forest agencies and developing tools and incentives for sustainable management of forests. In particular, the R-PP proposes to facilitate cooperation between provinces so that they can share best practices and experiences with respect to forest management (p40-41).

**Recommendations:**

- Discuss the current roles of communities and private sector actors in forest management activities, and how these roles may shift or be emphasized in the context of REDD

**Forest Law Enforcement**

+ Discusses the ability of law enforcement bodies to effectively enforce forest laws

- Discusses efforts to combat corruption

Links identified governance challenges to proposed REDD strategy options and implementation framework

The R-PP cites weak law enforcement as a major historical challenge in the forest sector, but does not provide many details on the impacts or magnitude of the problem. Specifically, the R-PP describes a lack of capacity to enforce laws at the Provincial level. Further, Federal systems lack the capacity to monitor the implementation and enforcement of laws across the different provinces. The R-PP does not yet explore potential solutions to law enforcement challenges in depth, but notes that addressing capacity issues related to law enforcement, particularly in the provinces, and identifying needed institutional reforms are likely to be part of a REDD strategy (p39-40).

**Recommendations:**

- Provide a deeper analysis of the strengths and weaknesses of the existing law enforcement system in order to identify specific challenges with respect to the enforcement of regulations and other on the ground practices
- Provide more detail on potential solutions for improving law enforcement, or how these solutions will be identified as part of the stakeholder consultation and participation plan for developing REDD strategies

**Other Forest Governance Issues Relevant for REDD**

- Discusses other forest governance issues that are relevant for REDD

- Links identified governance challenges to proposed REDD strategy and implementation framework

While the R-PP mentions in a general sense that weak governance contributes to poor forest management and law enforcement, there is no broader assessment or discussion of forest governance issues as they relate to the drivers of deforestation and degradation in Argentina.