

## ANNEX 3: R-PP REVIEW TABLES

## CAMBODIA

*(R-PP dated 4 March 2011)*

## 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 local stakeholders*+ *Proposes a transparent process for stakeholder participation*+ *Proposes a process to ensure accountability for stakeholder input*+ *Proposes a grievance/dispute resolution mechanism*+ *Considers how to learn and build from other relevant participatory processes*

The R-PP's discussion of stakeholder participation demonstrates a commitment to developing methods for engaging a range of stakeholders in the development of REDD+ in Cambodia. Key stakeholders are identified (p. 22–24, 109–110), and the R-PP specifically considers the different capacities and needs of stakeholder groups. For example, the R-PP cites the need to develop materials that are appropriate for local consultation, noting that many indigenous peoples do not have written languages and that local outreach efforts must also consider the high levels of illiteracy among rural populations (p. 25). Development of appropriate capacity building and informational materials will prioritize use of visual images and verbal communications in order to bridge these communication barriers (p. 32).

The R-PP elaborates a tentative timeline for awareness raising, focus group, and national-level phases of consultation (p. 31–33). Concrete activities that should take place in each phase are listed, including development of a Web site to facilitate access to information about the REDD+ process and consultations in Cambodia and development of a monitoring and feedback mechanism for the consultation process (p. 31, 33). According to the R-PP, thus far stakeholder feedback has been incorporated into the process through creation of an e-mail address to receive comments and creation of tables detailing how comments were addressed, although where this information is disclosed is not stated in the R-PP (p. 27–28). It is also unclear how the current R-PP changed as a result of these comments. A conflict resolution or grievance mechanism will also be developed by one of the technical working groups “in consultation with local communities and indigenous peoples” (p. 32), but the R-PP does not provide additional detail on the mechanism.

The R-PP makes some effort to discuss lessons from other consultation processes, notably from a consultation process for a REDD+ pilot study (p. 25). However, the lessons elaborated are general and it is not clear how they will be built upon in the future.

**Recommendation:**

- Develop a clear process with an allocated budget for creating the conflict resolution mechanism

**Government coordination in REDD+ planning and implementation**+ *Considers REDD+ in the context of other sector policies, land use plans, and national development plans*+ *Proposes mechanisms to coordinate REDD+ across sectors*+ *Proposes mechanisms to coordinate REDD+ across levels of government*

The R-PP situates the REDD+ strategy within the context of existing forest policy and provides some details on other sectoral policies and national plans that are relevant for REDD+ (p. 115–125). Most notably, much of the REDD+ strategy options are based on scaling-up implementation of the National Forestry Programme (NFP) and elaborating the National Protected Area Strategic Management Plan (p. 53–54). The R-PP provides few details on the role of mining and rubber policies as drivers of deforestation and notes that addressing extra-sectoral drivers is challenging (p. 45). Nevertheless, consideration of these drivers is identified as a part of the analysis of potential REDD+ strategies (p. 46), and measures have been taken to incorporate actors from these sectors into the REDD Taskforce.

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Existing mechanisms for coordinating across sectors include the National Climate Change Committee; the Council for Land Policy and Technical Working Groups responsible for coordinating activities across government, donors, NGOs; and the private sector in areas such as Forests and Environment and National Strategic Development Planning (p. 59, 111). For REDD+, an interim REDD+ Taskforce composed of representatives from relevant actors, such as the Ministry of Agriculture, Forests and Fisheries, the Ministry of Environment, the Ministry of Land Management, and some international civil society and implementing agency representatives was developed to help guide REDD+ development. A terms of reference is proposed for a permanent REDD+ Taskforce that will include membership of additional government agencies representing interests such as mining, indigenous peoples, and financial management (p. 18–19).

The discussion of coordination across levels of government is less robust. There is some mention of the importance of land use planning at sub-national scales, and the National Committee for Sub-National Democratic Development (NCDD) will form part of the REDD+ Taskforce. However, the NCDD is part of the Ministry of Interior and is not described in detail; thus, it is difficult to determine whether there is a concrete mechanism for coordination with sub-national actors.

**Recommendation:**

- Discuss the capacity of sub-national actors with respect to forest and land management and any existing/proposed mechanisms for increasing coordination

**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 participatory process to develop systems for REDD+ revenue distribution, including benefit-sharing mechanisms*

*Reviews lessons from past and/or existing systems for managing and distributing forest revenues*

The R-PP's discussion of revenue management and benefit sharing is preliminary at this stage. The R-PP notes the need to build on existing examples of fund management and revenue sharing in Cambodia before developing a system and espouses a general commitment to transparent fund management. A REDD+ Trust Fund is proposed as an option for managing performance-based financial flows, but is not discussed in detail (p. 61). Conducting an analysis of existing funds in Cambodia is proposed, but further details of potential governance arrangements or who would administer the fund are not discussed (p. 63).

A Benefit-Sharing Technical Team that includes government, development partner, and civil society representatives will be established under the REDD+ Task Force and will be tasked with analysis of existing examples of revenue-sharing schemes, such as community forestry projects and REDD+ pilot projects (p. 61, 63). The modalities for who will be participating and how decisions will be made, however, have not been included in the R-PP. The R-PP notes the importance of elaborating benefit-sharing arrangements using a participatory process and sets out a tentative timeline for forming the Technical Team, completing the analysis by 2012, and completing the consultation on options for revenue sharing in 2013 (p. 62, 100).

**Recommendations:**

- Include an analysis of existing capacity for forest revenue management as part of the proposed study on revenue sharing
- Elaborate on how a proposed REDD+ Trust Fund would promote principles of transparency and accountability

**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 efforts to address governance challenges*

The development of a National REDD+ Registry and independent review mechanism is part of the R-PP's implementation framework. The R-PP states the need to consider how independent review of REDD+ will be conducted and be incorporated into existing government agencies and activities (p. 64). Furthermore, currently the Programme Executive Board (PEB) of UN-REDD is responsible for oversight of progress within the UN-REDD Programme, and it is proposed that the same arrangement be put in

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place for R-PP implementation. The board includes representatives from key Cambodian government agencies, U.N. implementing agencies, other bilateral development partners, and at least one civil society representative will be invited to join (p. 19). The role of the PEB is to provide overall guidance as well as monitoring and evaluation (p. 20).

The R-PP proposes to establish a national monitoring, reporting, and learning system that includes indicators on governance aspects of REDD+ implementation. Implementation of “REDD-specific governance bodies” and law enforcement efforts will be monitored with respect to transparency and accountability, although more specific indicators are not proposed (p. 94). These monitoring systems will be developed by the Consultation and Safeguards Technical Team through a transparent, consultative process (p. 92–94).

**Recommendation:**

- Propose a transparent system for managing REDD+ information that facilitates public access to information

**GOVERNANCE CHALLENGES FOR ADDRESSING DEFORESTATION DRIVERS***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 states that, while clear legal procedures for land titling and registration exist in Cambodia, including for indigenous peoples and private ownership, in practice these procedures have not been widely implemented. Tenure security in Cambodia is described as being weakest in forested areas and other land outside of residential or farming zones, and local groups are also vulnerable to relocation for economic development (p. 23, 38). Other tenure-related challenges include land grabbing, poor implementation of land registration, inadequate land-use planning, and overlapping jurisdictions (p. 38). The R-PP does not identify whether some of the risks, such as land grabbing, will be increased if REDD+ is to move forward, and if so, how such risks would be mitigated. The R-PP states that there is a history of land conflict in Cambodia; yet, while conflict resolution measures exist in the legal framework, they have not yet been put into practice (p. 62).

Proposed REDD+ strategy options include scaling-up efforts to register and demarcate land boundaries, improving implementation of land policies such as titling of indigenous communal lands, and improving conflict resolution mechanisms. The need to build capacity of relevant local authorities and the judiciary to better understand the legal framework for tenure and offenses related to land clearance is also acknowledged in the R-PP (p. 49).

**Recommendations:**

- Clarify what concrete steps are required to implement the identified strategies to address tenure weaknesses
- Review the existing capacity and effectiveness of relevant actors to resolve tenure conflicts

**Forest management**

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

**+** *Considers the role of non-government stakeholders, including communities, in forest management*

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

The R-PP discusses which government agencies are responsible for forest management efforts in Cambodia, but does not systematically discuss the capacity of these institutions to manage forest resources. The R-PP does describe recent dynamics of forest management in Cambodia, which has undergone numerous shifts in the past 10 years since the institution of a logging ban in 2002 that significantly reduced the amount of land under the forest concession system. The R-PP notes that in some cases concessions have been granted in contravention with existing forest regulations and the logging ban, but does not elaborate on the issue (p. 39). Implementing regulations for community forest management were developed in 2006. Although the processes for establishment of community forests take time due to issues of coordination, the R-PP states that some positive effects of

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community management have been observed (p. 40).

Efforts to improve forest management through the National Forestry Programme form the basis of many REDD+ strategy options elaborated in the R-PP. Potential options include achieving a target of 2 million hectares under community forest management, completing a strategic plan for protected areas management, and piloting local forest protection contracts with local communities (p. 48, 50).

**Recommendation:**

- Conduct an analysis of the capacity constraints of relevant forest management institutions

**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's discussion of law enforcement identifies challenges and potential strategy options for addressing them as part of the national REDD+ strategy. Weak law enforcement is described as leading to illegal activities including logging, poaching, and encroachment on protected area boundaries. Inability of forest law enforcement agencies to carry out their duties, specifically for monitoring protected areas, is attributed to absence of management plans, lack of demarcated boundaries, and inadequate personnel and financial resources to carry out law enforcement activities (p. 41). Corruption is also described as an existing challenge for good governance in Cambodia that is not specific to the forest sector. A recent anti-corruption law and Anti-Corruption Authority have been established to combat corruption, although the R-PP does not discuss whether there are specific efforts needed to address potential corruption issues related to REDD+ implementation.

Improvements in forest law enforcement and governance is a major tenet of the National Forestry Programme, which also forms the basis for much of the REDD+ strategy. Potential activities listed in the R-PP include building capacity of the forest crime monitoring unit, creating a forest crimes database, creating a working group to propose revisions to the legal framework for law enforcement, and capacity building for the Forest Administration, the judiciary, and other key agencies on pertinent forest law enforcement issues (p. 48).

**Recommendation:**

- Describe any forest-specific corruption issues that are pertinent to REDD+ and propose a corresponding REDD+ strategy to address the problem

**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*

Forest governance challenges such as weak capacity are described as contributing to non-implementation of the forest legal framework. The R-PP proposes that an analysis of the “legal, policy, regulatory, institutional and capacity gaps to address key environmental, social and governance issues associated with the underlying causes of deforestation” should be undertaken as part of the Strategic Environmental and Social Assessment (SESA; p. 67).

**Recommendation:**

- Elaborate a clear process or terms of reference for conducting the analysis of capacity gaps identified in the SESA

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