

COLOMBIA

(R-PP dated 27 September 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 contains a detailed stakeholder analysis that emphasizes a rights-based approach to REDD+ and adapts consultation strategies to each stakeholder group. Objectives of the consultation plan include development of a protocol for free, prior and informed consent (FPIC), improved capacity of communities to participate, and enhanced coordination of public institutions (p.60-61). In order to achieve these goals, the R-PP proposes capacity building, training and public communication activities with key stakeholder groups such as indigenous peoples, Afro-Colombian communities, regional and local governments and NGOs. Tailored approaches to consultation will be developed for each interest group and major region of the country. The R-PP also proposes a schedule and locations for further dialogue with indigenous communities (p.45-47), and the creation of indigenous and Afro-Colombian advisory bodies to provide inputs to the REDD+ Interdisciplinary Working Group (IWG) (p.19). The R-PP also lists existing consultation bodies and the policy processes in which they participate for each type of REDD+ stakeholder group (p. 65-66), although it does not discuss specific lessons from these processes or how REDD+ might build on these existing bodies.

The R-PP describes discussions and stakeholder feedback received from consultations held to date, particularly noting concerns of local communities (p.45; 52-58). A website for posting drafts of the R-PP and an email address for R-PP comments have been created to facilitate incorporation of stakeholder views (p. 60). The R-PP states that work is underway to define procedures for conflict resolution, and proposes to use existing institutions such as the Ministry of Environment and the Ministry of Interior to handle REDD+ complaints (p. 67). The R-PP does not elaborate on whether these existing mechanisms will require specific capacity-building efforts or possess the relevant expertise to address REDD+ complaints.

Recommendation:

- Discuss how REDD+ efforts can build on the existing consultative bodies and institutions listed in the R-PP
- Identify capacity-building needs for institutions tasked with handling complaints arising from REDD+ processes

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 contains a detailed discussion of the links between REDD+, broader climate change and national development policies, and sector policies. It also identifies potential conflicts between development plans and potential REDD+ strategies. For example, the 2014 National Development Plan promotes sectors that directly cause deforestation, such as mining, agriculture, and infrastructure (p. 89). The REDD+ strategy proposes options to address these conflicts, including efforts to minimize development impacts on ecosystems and explore incentives that promote alternatives to deforestation (p.105). The R-PP proposes future studies to analyze the relationship of key sectors with deforestation as well as an “analysis of tradeoffs among different land uses” (p.92).

REDD+ management will be situated within the broader context of climate change policy in Colombia, which is overseen by an Executive Committee on Climate Change (COMECC). The COMECC is comprised of members from relevant government ministries, including those in charge of agriculture, mining, environment and transport (p. 14). The R-PP states that the COMECC plays a coordinating role and will not override the power of the individual ministries (p.15). It is unclear whether there is sufficient support at the ministry level to implement the proposed sector reforms identified by the REDD+ strategy options.

A REDD+ Interdisciplinary Working Group (IWG) will be the main coordination body for REDD+, with membership from environmental and agriculture ministries, academia, NGOs, and forest communities (p.18). The R-PP does not identify a role for

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actors from infrastructure, mining, or other sectors on the IWG, despite describing these sectors as key participants in the development of REDD+ strategies. Regional and thematic advisory groups will also be created to provide input into the REDD+ IWG (p.18-19). The R-PP notes that development of regional and local advisory groups will require training and capacity-building efforts, and includes a preliminary budget and schedule for these activities (p. 20).

Recommendation:

- Expand the membership of the REDD+ IWG to include representatives from other sectors that impact forests (e.g., mining, infrastructure)

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

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

The R-PP proposes to conduct analysis of opportunity costs and financial mechanisms while developing the REDD+ Strategy. According to the R-PP, The Ministry of Environment and Sustainable Development and the Ministry of Foreign Affairs will be responsible for international financing, and the Ministry of Finance and the National Planning Department will be responsible for determining the benefit distribution structure (p.94). The R-PP provides no additional information about how these institutions will manage REDD+ financing or what fiscal transparency measures will be put in place. The overall climate change strategy establishes a national Financial Management Committee (p.15), but the R-PP does not clarify whether this entity will play an oversight role in REDD+ financial management.

The R-PP lists several approaches to creating financial incentives for forest protection, such as reforestation incentives and a national strategy on payments for environmental services (p. 209-210), although it does not discuss the effectiveness of these tools. The stakeholder mapping in Annex 1b of the R-PP identifies some potential REDD+ beneficiaries, such as indigenous, Afro-Colombian, and peasant communities (p.175-177). The R-PP also lists equitable sharing of benefits as a core topic to be addressed through stakeholder consultations (p.64).

Recommendations:

- Propose specific transparency and accountability measures for REDD+ financial mechanisms

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 R-PP proposes a national information and monitoring system (p.68). The Institute of Hydrology, Meteorology and Environmental Studies of Colombia (IDEAM) designed a web tool to enable consolidation of information on REDD+ projects, spatial information, and consultation activities (p.138). The R-PP notes that these approaches can facilitate validation and individual monitoring activities. Furthermore, the R-PP states that entities such as ombudsman and citizen control groups can play a role in enhancing the governance and transparency of REDD+ (p.65). The R-PP does not propose any specific activities to support these mechanisms, thus it is unclear how this type of independent oversight will be supported and linked to REDD+. Other oversight mechanisms include external auditing to take place as part of the R-PP's monitoring and evaluation framework (p.154).

The R-PP proposes to monitor governance as part of efforts to monitor and evaluate social and environmental impacts (p.116), although there is no detail on the types of governance issues that will be monitored. Some additional governance-related issues such as land tenure, benefit distribution, and conflict resolution are also listed as factors to be considered when identifying and monitoring potential social impacts of REDD+ (p.117). The system for monitoring social and environmental impacts will feed into the broader national REDD+ monitoring system as well as existing information systems such as Colombia Environmental Information System (p.135).

Recommendation:

- Provide additional detail on the governance issues that should be monitored as part of the SESA and ESMF process

GOVERNANCE CHALLENGES FOR ADDRESSING DEFORESTATION DRIVERS

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*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 describes the tenure situation for communities and land conflicts on the ground as significant challenges that require tenure reform before other land policy solutions can be realized (p.97). Despite this recognition, the R-PP does not include a detailed discussion of the legal framework for tenure. For example, the R-PP states the number of collective titles or indigenous territories in each region of the country, but does not thoroughly discuss processes for titling or establishing secure tenure for communities. In many cases Afro-Colombian communities have collective ownership rights to vacant public lands, with Community Councils that perform internal land administration functions (p. 26). The R-PP notes that some Afro-Colombian and indigenous communities do not yet have legal title, but does not explain how titles could be obtained (p.34).

The R-PP describes some existing land conflicts created by resettlement and displacement policies (p. 96), as well as overlap between mining and collective territories (p. 107). However, the proposals to address tenure issues and land conflicts propose limited solutions rather than comprehensive tenure reform. For example, the R-PP proposes strategies to mitigate mining impacts, but does not propose mechanisms for addressing overlapping land claims. Strategies to address resettlement issues suggest standardizing information on “unoccupied land and other forms of land tenure in the country” (p. 100), although it is not clear how improved information will contribute to conflict resolution.

Recommendations:

- Include a thorough discussion of the legal framework for tenure and the situation on the ground for the different categories of forest communities

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 provides a general overview of the institutional, legal, and policy framework for forest management. The Ministry of Environment, Housing and Territorial Development is responsible for environmental issues, including development of forest policies and plans to reduce deforestation such as the National Forestry Development Plan (p.90) The R-PP lists several other actors involved in forest management activities, such as autonomous regional corporations, sustainable development corporations, and urban environmental authorities (p. 204-205). These groups are responsible for actions to reduce deforestation such as illegal logging control and forest management (p. 204). Districts, municipalities, and indigenous territories are also described as having authority to implement environmental and forest conservation plans and issue rules to control deforestation (consistent with Ministry and regional guidelines) in their jurisdictions (p. 205). While the major actors are identified, there is no discussion of the capacity or specific responsibilities of these organizations. Proposed REDD+ strategy options do not identify specific strategies related to forest management activities or institutions.

Recommendation:

- Provide a more detailed discussion of the capacity of the institutions responsible for carrying out forest management activities

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 describes illegality in the forest sector as a major driver of deforestation, particularly due to illicit crop production and illegal timber harvesting. According to the R-PP, illicit crops such as cocaine are found in high forest cover areas and can be difficult to track due to their mobile nature (p.75). The R-PP proposes a range of short and long term strategies to address illicit

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crops, including strengthening illicit crop prevention and substitution programs and identifying where governance challenges related to illicit crops may hinder REDD+ activities (p. 102). However, the R-PP does not elaborate on what these governance challenges entail. Corruption is identified as a risk for REDD+ and an important topic for future consultations (p.60; 64), although specific corruption risks are not identified.

Illegality is also present along the timber supply chain, and is enabled by lack of resources, poor control mechanisms and limited participation of forest communities in control activities (p.102-103). Proposed options to control timber extraction include strengthening the capacity of command and control authorities, improving activities to promote timber legality and developing replacement strategies for illegal timber exploited for fuel (p. 104).

Recommendation:

- Discuss whether corruption is an issue facing the forest sector that should be addressed as part of REDD+

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

The R-PP does not explicitly discuss governance challenges facing Colombia's forest sector, although it does generally note that limited institutional capacity is an underlying driver of deforestation (p.86). Several of the proposed REDD+ strategy options to address deforestation drivers—such as mining, settlement policies and agriculture expansion—propose strengthening the capacity of relevant institutions to participate in REDD+ activities as a short-term measure (p. 96; 100; 110). The R-PP does not identify the specific institutions facing governance and capacity challenges.

Recommendation:

- Identify the institutions that require strengthening for successful REDD+ implementation and conduct a capacity needs assessment

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