

ANNEX 3: R-PP REVIEW TABLES

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(R-PP dated March 2012)

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 identifies the Group of Forests, Biodiversity and Climate Change (GBByCC) as the primary platform for multi-stakeholder dialogue on REDD+ at the national level. The GBByCC was formed in 2001 and consists of representatives from government, private sector, civil society and indigenous peoples (p.14). According to the R-PP, efforts are underway to strengthen the GBByCC and to formally integrate it into emerging readiness management structures.

The R-PP provides a preliminary list of relevant stakeholders to be consulted, and states that a more detailed stakeholder identification process will be conducted. The R-PP particularly focuses on the need to consult indigenous peoples and local communities according to the principles of free, prior, and informed consent. The R-PP notes that past efforts to consult indigenous peoples in the context of oil and mining projects have been inadequate, but it does not elaborate on specific challenges or lessons learned from these experiences (p.27). The R-PP proposes to develop a consistent methodology for consulting indigenous peoples and local communities for REDD+ based on their traditional governance structures, and notes that several organizations representing indigenous peoples are being engaged in this effort (p.18).

The R-PP states that transparency and accountability will be key principles of the consultation plan, drawing from Guatemala's Access to Public Information Act (p.45-46). The R-PP notes that a variety of approaches will be used to provide information to stakeholders, including TV, radio, websites, and materials in local languages (p.47). The R-PP acknowledges the importance of documenting stakeholder feedback and proposes that this may be achieved through a communication platform and sharing of "work reports" (p.45). Finally, the R-PP proposes to conduct consultations to design a conflict resolution system (p.43), drawing on past successful experiences with conflict resolution (p.45). It does not describe any of these past experiences or existing mechanisms for conflict resolution.

Recommendations:

- Provide an analysis of key lessons learned from past efforts to consult indigenous peoples and local communities
- Describe past and existing experiences with conflict resolution that can inform resolution of REDD+ conflicts

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 describes several existing coordination mechanisms at the national level, which will be leveraged for REDD+. In particular, the National Institute of Forests (INAB); the National Council of Protected Areas (CONAP); the Ministry of Environment and Natural Resources (MARN); and the Ministry of Agriculture, Livestock and Food (MAGA) formed an Inter-Agency Coordination Group (GCI) in 2011 to coordinate and harmonize policies for sustainable resource management (p.9). The GCI will coordinate REDD+ implementation and oversee activities of the four institutions. The R-PP describes two other coordination bodies that are relevant for REDD+: the Climate Change Intergovernmental Commission (CCIC) and the Socio-Environmental Cabinet (p.20). However, it is difficult to ascertain from the R-PP precisely how these various coordination bodies will interact. It is also unclear which agencies from outside the forest and environment sectors will be prioritized for engagement in REDD+, and how they will be engaged. At the sub-national level, the R-PP states that Regional Working Groups and State

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Development Councils will be used to facilitate local dialogue, although the R-PP notes that working groups do not yet exist in all regions (p.12). It is unclear from the R-PP what specific roles these entities will play in implementation.

The R-PP recognizes the importance of harmonizing policies across sectors to achieve the objectives of REDD+, and lists several sector policies that will be subject to deeper analysis (p.54). The R-PP proposes several REDD+ strategy options with a multi-sector focus, including harmonizing policy frameworks of sectors related to land use such as mining, infrastructure, agribusiness, rural development and poverty reduction (p.65). The R-PP states that key actors from these sectors participate in the Socio-environmental Cabinet, which will play a high-level role in oversight of REDD+ activities (p.13, 20). However, it is not clear from the R-PP how the GCI would seek to engage these actors in policy reform processes.

Recommendations:

- Clarify the relative roles and responsibilities of the GCI, CCIC, and Socio-Environmental Cabinet
- Explain how actors from outside the forest and environmental sector will be engaged on an operational level in decision-making and implementation for REDD+

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 leverage existing forest sector programs and conduct national and regional consultations to develop fair and effective benefit distribution mechanisms for REDD+ (p.43). The R-PP describes existing incentive programs such as the Forest Incentive Program (PINFOR), the Incentive Program for Small Landowners of Forest or Agro Forest Land (PINPEP), and the Pilot Program for Direct Forest Support (PPAFD) (p.59). The R-PP describes these programs as successful and having generated experiences and lessons relevant for REDD+ benefit sharing, including lessons related to participation, decision-making, cost effectiveness, and equity. The R-PP proposes a study to analyze these experiences (p.64).

The R-PP does not indicate what type of financial instrument might be used to manage incoming REDD+ finance, although it does mention several existing funds used to finance environmental conservation activities. However, the scale of finance has been limited (p.80). The R-PP suggests that international REDD+ funds may be subject to auditing by the Accounts Auditor-General. The R-PP also notes that the National Public Investment System (SNIP) is responsible for monitoring public investment, which may provide additional oversight to public expenditures for REDD+. Additional measures to ensure fiscal transparency are not proposed. Finally, the R-PP does not outline a process to develop financial management arrangements for REDD+.

Recommendations:

- Propose potential instruments to track, coordinate, and manage international financing for REDD+
- Consider additional measures to promote transparency for REDD+ revenue management

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 considers preliminary options for information management, oversight, and monitoring. It describes transparency as a key principle of monitoring, reporting and verification systems, and further notes that Guatemala's Access to Publication Information Act guarantees the right to request or access information and ensures transparency of public authorities (p.144). The R-PP describes several recent efforts to comply with the Act, such as the National Transparency Web Platform.

According to the R-PP, REDD+ implementation will be monitored and regular reports will be made available to the GBBYCC; however, the R-PP does not specify what entity will be responsible for the described monitoring approach (p.168). The R-PP outlines a process to develop systems and methodologies for monitoring social and environmental safeguards, but it does not specify whether aspects of governance will also be monitored (p.141).

Recommendations:

- Clarify roles and responsibilities for monitoring and oversight of REDD+ implementation

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- Propose a process for identifying key governance elements to be monitored as part of Component 4b

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 describes land distribution as a structural driver of deforestation in Guatemala that creates tensions and inequalities. The R-PP does not describe the legal framework for tenure comprehensively or in detail. It states that forest lands are largely state-owned with some administration responsibilities shared with communities, civil society, or the private sector (p.54). According to the R-PP, there are over 1.5 million hectares of communal lands that are home to indigenous peoples and mestizos, but it does not clearly specify whether these rights have been formally recognized and registered (p.54). The R-PP also notes that recent reforms to property regimes have had negative impacts on “equality and social relations,” including discrimination against indigenous peoples that has limited their participation in forest management (p.54). However, the R-PP does not explain the nature of these reforms or assess the reasons for their failure. The R-PP notes the importance of respecting indigenous peoples traditions, including legal recognition of their lands, territories and resources, but it does not propose clear strategy options to ensure these rights are respected in practice (p.86). Proposed readiness activities include a study of land use conflict and efforts to improve territorial management.

Recommendations:

- Provide a thorough analysis of the legal framework for tenure, including the legal status of communal lands
- Include an analysis of systems to resolve tenure conflicts in the proposed study on land use conflict
- Propose a participatory process to identify potential strategies for improving tenure security and addressing inequalities

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 describes forest management roles and responsibilities in Guatemala, but does not identify any overarching challenges or weaknesses from forest management that are likely to impact REDD+. Recently, there have been efforts to move from command and control forest regulation towards incentive programs and other mechanisms to promote community and private sector involvement in forest activities (p.57). INAB and CONAP are responsible for forest management in state forests and protected areas, respectively (p.9); however, the R-PP does not discuss the capacity of these institutions to perform their responsibilities.

According to the R-PP, communities and companies play a substantial role in forest management in Guatemala. Forest concessions are awarded to communities or companies through a public tender, and 12 of the 14 existing forest management units have been awarded to community based organizations (p.58). The R-PP also describes numerous government programs aimed at improving sustainable forest management. Programs such as PINFOR, PINPEP and PPAFD create incentive payments to land owners or land users to participate in forest conservation, agroforestry, forest management and reforestation activities (p.58-59). The R-PP describes these programs as having success in protecting forests and creating jobs (p.59). Strategy options proposed in the R-PP attempt to build on experience from these existing programs, and also develop new initiatives to promote alternative livelihoods and community forestry (p.67)

Recommendation:

- Discuss the capacity of INAB and CONAP to carry out their responsibilities for forest and protected area management

Forest Law Enforcement*Discusses the ability of law enforcement bodies to effectively enforce forest laws**- Discusses efforts to combat corruption*

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*(R-PP dated March 2012)***Links identified governance challenges to proposed REDD+ strategy options and implementation framework**

The R-PP notes that “lawlessness” prevails in Guatemala, but it does not elaborate on this statement in significant detail (p.65). The R-PP identifies several law enforcement weaknesses that contribute to illegality in the forest sector, such as corruption, lack of forest monitoring, lack of resources, and “poor implementation of justice” (p.52, 66). The R-PP states that that local government has had some success in combating illegal logging, but it does not explain what the successful measures entailed or how REDD+ programs could scale them up (p.58). The R-PP also notes that a strategy to combat illegal logging has been developed but lacks resources for implementation (p.66). Suggested REDD+ strategy options for strengthening law enforcement include updating legislation on environmental crime, improving operating budgets, and strengthening monitoring capacity (p.66, 72).

Recommendations:

- Provide a more detailed discussion of the underlying factors contributing to a state of “lawlessness”
- Provide additional information on the key actors involved in forest law enforcement and prosecution of forest crimes
- Include a discussion on how corruption contributes to illegal forest sector activities and how it could be addressed as part of REDD+ implementation

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

Governance reform is identified as an important part of developing a REDD+ implementation framework (p.56), but the R-PP does not attempt to define governance or identify specific governance challenges. The discussion of governance reforms in the implementation framework includes developing a viable MRV system and national registry, promoting transparency, and considering institutional and legal matters (p.80). The implementation framework budget lists “implementation of governance reforms” as an activity, but there is no elaboration of what specifically will be funded (p.82). An action plan to analyze drivers of deforestation includes a component to identify the impact of laws on forest governance, but there is no attempt to systematically identify governance-related drivers and potential solutions.

Recommendation:

- Propose a participatory process for identifying governance challenges for REDD+ and developing potential solutions

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