

## 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

+	<i>Identifies relevant stakeholders for REDD+</i>
	<i>Specifically considers how to engage vulnerable groups</i>
-	<i>Establishes procedures to ensure a transparent process and accountability for stakeholder input</i>
	<i>Establishes a grievance / dispute resolution mechanism</i>
	<i>Considers how to learn and build from other relevant participatory processes</i>

The R-PP describes REDD+ stakeholders in three categories: public institutions, the private sector, and civil society (p18). Within civil society, the R-PP identifies indigenous peoples (including pygmies) and local communities as critical stakeholders that should be engaged pursuant to the principle of free, prior and informed consent (p16). Additional details on how these groups will be specifically targeted during the consultation process are not provided. Each of these stakeholder categories have equal representation (including voting rights) on the REDD+ National Committee, which is responsible for agreeing on REDD+ strategy options and playing a “mediator role in case of conflicts between stakeholders” (p11). The R-PP does not specify how conflicts will be resolved if mediation fails. The three stakeholder categories also form the basis for three consultation platforms focusing on the development of a national REDD+ strategy. These consultation platforms will be modeled after those established under the Voluntary Partnership Agreement (VPA) process with the European Union (p18). While the R-PP makes broad statements about promoting a transparent process (p16) – particularly for controversial issues relating to tenure and land planning – it provides few details at this stage on how transparency or accountability for stakeholder input into decision-making will be ensured. As a result, it is not entirely clear how the proposed Stakeholder Consultation and Participation Plan will balance the need for socialization on REDD+ with legitimate opportunities for participation.

#### **Recommendations:**

- Provide more details on how indigenous peoples and local communities will be targeted in the consultation process
- Explain how conflicts will be resolved when mediation fails
- Explain why new stakeholder platforms will be established rather than utilizing existing platforms
- Consider lessons learnt from the past experiences with stakeholder consultation processes identified on page 17
- Clarify whether any other R-PP components will be consulted on in addition to the REDD+ strategy options
- Provide more concrete details on how stakeholder inputs will be incorporated into decision-making, and how the outcomes of the consultation process will be validated

### Government coordination in REDD+ planning and implementation

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

The R-PP does not provide a nuanced discussion of the challenges of effective coordination in RoC, either generally or with respect to REDD+. The R-PP states that sector plans and policies are designed to fit under a common strategic vision for sustainable development; however, conflicts over land use are apparently common due to incomplete implementation of sector policies and a lack of multi-sector approaches to planning and environmental management (p28). Further, factors such agricultural expansion, urban growth, and infrastructure development are described a key drivers of deforestation (p28-32). As a result, the proposed REDD+ strategy options include developing a national land use plan and improving agricultural production systems (p38). In order to pursue these strategies effectively, a deeper analysis of the causes of weak coordination and potential obstacles to improvement is still needed.

With respect to coordination of REDD+, the REDD+ National Committee includes representatives from nine relevant ministries related to natural resources management (p11-12). This structure will be linked to REDD+ Departmental Committees at the sub-national level. The implementation of readiness activities will be carried out by the REDD+ National Coordination, which is under the administrative authority of the Ministry of Environment and is not a multi-sector body. It is difficult to assess the adequacy of these readiness management arrangements without additional context regarding the current state of sectoral coordination and decentralization in RoC. At this stage, the R-PP provides relatively little critical analysis of these dynamics.

#### **Recommendations:**

- Describe existing mechanisms in place to promote inter-ministerial coordination, and major lessons learned
- Provide a deeper assessment of sectoral policy trade-offs and coordination challenges relevant to REDD+
- Propose a study to investigate the potential challenges of developing and implementing a national land-use plan as proposed in the REDD+ strategy options

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

	<i>Proposes a transparent system to track and coordinate international financing of activities related to REDD+</i>
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- + *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 basic details on how transparency and accountability of REDD+ revenue management will be achieved. For example, it proposes to establish a registry of REDD+ activities to avoid overlapping finance (p13). It also proposes to establish a national REDD+ fund, which will follow accounting and fiscal transparency rules governed by existing regulations on transparency and anti-corruption (p53). Existing bodies such as the Inter-Ministerial Commission against Corruption and the Observatory against Corruption are expected to “play their respective roles in order for the Fund to achieve REDD+ objectives.” Finally, the REDD+ fund is expected to be “coherently structured with activities developed by the Forest Fund and the Environmental Protection Fund.”

There is less clarity at this stage on how REDD+ benefits will be shared and targeted to relevant stakeholders. The R-PP suggests that the Fund could utilize the Community Development Funds managed by Department Committees to promote equitable sharing of benefits with communities (p53). Terms of Reference are provided for studies on the “Governance of the REDD+ Fund” and “Tax and Economic Incentive Tools for REDD+”, which are expected to explore these issues further.

**Recommendations:**

- Clarify whether the benefit-sharing system will be developed in consultation with relevant stakeholders
- Consider lessons learnt from past experiences managing and distributing forest revenues in RoC, including from the existing natural resource funds listed on page 53

**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 focuses primarily on technical aspects of forest monitoring and provides little detail on governance aspects. While it does not explain where or how information and data relating to REDD+ will be consolidated and managed, it does state that data and methods will be made available to “facilitate third party evaluation of results” (p61, 69). In Component 4b on monitoring other benefits and impacts, the R-PP states that principles, criteria, indicators and verifiers will be developed to monitor the operations of the national management arrangements and implementation frameworks developed for REDD+ (p79). However, it does not specify who will carry out the monitoring or if this would constitute *independent* oversight. It is possible that the Independent Forest Observatory, which has experience in monitoring of FLEGT and is expected to be involved in monitoring the SESA process, could carry out this role.

**Recommendations:**

- Specify how information and data relating to REDD+ will be managed and made easily accessible to the public
- Clarify who will monitor REDD+ implementation, and whether the monitor will be independent of the implementing bodies
- Consider how to monitor progress in addressing the governance-related drivers of deforestation identified in component 2a

**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 provides a brief description of the situation regarding land and forest tenure in RoC. It states that the underlying legal framework is both inadequate and conflicting in how it recognizes tenure rights, particularly concerning indigenous peoples and customary rights (p23, 27). As a result, conflicts between forest users are common and presumption of ownership remains in the benefit of the State. Despite this, the R-PP does not list insecure tenure as one of the “current causes and drivers of deforestation and degradation” (p28-30). Nonetheless, one of the REDD+ strategy options considered in component 2b is to enhance tenure security by establishing a national land use plan and expanding the network of protected areas. However, it is not clear how these activities, if implemented, would resolve the tenure problems described above. The R-PP also proposes to address tenure issues as a part of its broader efforts to improve the existing legal and institutional framework to facilitate REDD+ implementation (p48-49). Specifically, the R-PP mentions a bill currently under parliamentary review to promote recognition of customary tenure rights, but it does not explain how this bill would improve the situation or describe any additional actions that need to be taken in the context of REDD+.

**Recommendations:**

- Propose a study to further investigate the impacts of tenure insecurity and conflict on deforestation, potential implications for REDD+, and options for enhancing the recognition and protection of tenure rights in practice

April 2010)

- Consider the role and capacity of the judicial system in the forest sector, both with respect to tenure and for REDD+
- Clarify how the development of a national land use plan will enhance tenure security for local 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 generally recognizes weak capacity for forest management as a problem. In particular, the R-PP notes minimal participation of local communities in forest management decisions, inability of forest agencies to control the national territory, and frequent operation of logging concessions without a management plan. However, there is no deeper discussion identifying key actors and their roles and responsibilities in forest management, or the specific capacity constraints faced by those actors. One of the REDD+ strategy options considered in the R-PP is to enhance sustainable management of forests by addressing some of the challenges listed above (p39-40). However, there is not yet any indication of the specific activities that will be carried out to achieve this objective, or how it fits in the context of past efforts to improve forest management in RoC.

#### **Recommendations:**

- Identify the main agencies responsible for forest management, their roles and responsibilities and major capacity constraints
- Discuss the current and potential roles for local communities in forest management

### Forest Law Enforcement

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

*Discusses efforts to combat corruption in the forest sector*

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

The R-PP contains very little discussion of forest law enforcement. It simply states that illegal logging and illegal mining are issues and mentions that lack of capacity for law enforcement is key problem. Combating illegal logging is also one of the proposed REDD+ strategy options (p40). Specifically, the R-PP states that the monitoring of illegal logging will be enhanced with the assistance of the Independent Forest Observatory and local NGOs in charge of detecting offenses on the ground. However, it does not propose any measures to strengthen government capacity for law enforcement. The R-PP briefly mentions anti-corruption measures in the context of REDD+ revenue management, but it does not explicitly state if or how corruption is a problem in the forest sector.

#### **Recommendations:**

- Provide a more thorough assessment of the law enforcement system and existing problems of illegality

### 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 Assessment of Land Use, Forest Policy and Governance in Component 2a does not explicitly discuss issues of forest governance, or consider how weak forest governance may contribute to deforestation and degradation. The R-PP only refers to forest governance challenges indirectly as they relate to issues of land tenure and the legal framework for the forest sector.

#### **Recommendations:**

- Include an explicit discussion of forest governance in Component 2a, and link identified governance challenges to the discussion of drivers of deforestation and degradation.