

Submission to the FCPF Carbon Fund on the Methodological Framework

We would like to thank the Facility Management Team (FMT) for inviting our comments on the development of the Methodological Framework of the FCPF Carbon Fund. The focus of this submission is directed towards Issue Paper Number 5, Question One, on Safeguards. Specifically, we provide recommendations for how the Carbon Fund can develop a Methodological Framework that contains standards to ensure that Emission Reduction (ER) programs accepted into the pilot program can perform consistently with the UNFCCC REDD+ safeguards that were agreed to in Cancun in 2010.

Question 1: Can programs readily use existing World Bank policies and instruments (e.g., SESA, ESMF), or are additional actions necessary?

Additional action is necessary to ensure that ER programs are consistent with the UNFCCC REDD+ safeguards. Specifically, there are several areas where Carbon Fund's Methodological Framework should go beyond the World Bank safeguards in order to ensure that the standards it uses during the pilot phase maintain coherence with the UNFCCC REDD+ safeguards.

Under the FCPF's Common Approach, all Delivery Partners (DPs) under the FCPF must comply with FCPF requirements.¹ In order to ensure consistency with the UNFCCC, the Common Approach is subject to modification in response to elaboration of UNFCCC policy guidance on environmental and social safeguards for REDD+.² As a DP itself, the World Bank is required to comply with the UNFCCC REDD+ safeguards.

The Cancun and Durban decisions state that regardless of the source or type of financing, REDD+ activities should be consistent with the UNFCCC REDD+ safeguards, which should be promoted and supported.³ Under its own Operating Principles, the FCPF must, *inter alia*, "seek to ensure consistency with the UNFCCC Guidance on REDD," and:

*"comply with the World Bank's Operational Policies and Procedures, taking into account the need for effective participation of Forest-Dependent Indigenous Peoples and Forest Dwellers in decisions that may affect them, respecting their rights under national law and applicable international obligations."*⁴

Together, the UNFCCC REDD+ safeguards and the World Bank safeguards form the basis upon which rules for the Carbon Fund should be developed. The UNFCCC REDD+ safeguards represent a global framework of principles informed by relevant international legal obligations. In particular, UNFCCC REDD+ safeguard (a) states that actions should complement or be consistent with "relevant international conventions and

¹ FCPF Readiness Fund Common Approach to Environmental and Social Safeguards for Multiple Delivery Partners (9 June 2011), p. 2, paragraph 3.

² *Id.*, at p. 3, para 3(a).

³ UNFCCC Decision 1/CP.16, paragraph 69; Decision 2/CP.17, paragraph 63.

⁴ International Bank for Reconstruction and Development, Charter Establishing the Forest Carbon Partnership Facility, Chapter II, Article 3, Section 3.1(c) & (d).

agreements.” Many international instruments that are applicable to REDD+ activities contain measures that can be implemented in order to protect both human rights and the environment.⁵ Through its Operational Policies and Procedures, the World Bank has also developed a set of environmental and social safeguard policies that borrower countries must follow in order to avoid, mitigate or minimize adverse environmental and social impacts from Bank-supported projects.⁶ Where the UNFCCC REDD+ safeguards lack specificity, or are open to a number of interpretations, the World Bank Safeguards may provide more detailed guidance on environmental and social standards.

While the UNFCCC REDD+ safeguards and the World Bank safeguards provide a framework for REDD+ participants to follow, neither standard is comprehensive in addressing possible environmental and social risks. There are also a number of inconsistencies between both sets of safeguards that need to be addressed in order to minimise the burden on countries of complying with multiple standards.

In particular, the following provisions within World Bank safeguard policies are inconsistent with the UNFCCC REDD+ safeguards:

1. The World Bank’s Operational Policies do not contain any provisions that require compliance with applicable international human/indigenous peoples’ rights treaties and agreements;
2. The World Bank’s *Free, Prior and Informed Consultation* standard for indigenous peoples is inconsistent with international standards; and
3. The World Bank’s Operational Policies on Forests and Natural Habitats allow for conversion of natural forests.

Below, we provide recommendations for how the Carbon Fund can develop standards that improve upon the World Bank safeguards to ensure that ER Programs are consistent with the UNFCCC REDD+ safeguards.

1. The FCPF Carbon Fund needs to require ER programs to comply with applicable international human/indigenous peoples’ rights conventions and instruments

As mentioned above, UNFCCC REDD+ safeguard (a) requires REDD+ activities to complement or be consistent with “relevant international conventions and agreements.” Safeguard (c) also requires, *inter alia*, respect for the knowledge and rights of indigenous peoples and local communities, taking into account relevant international obligations. Furthermore, the FCPF Charter requires the FCPF to respect the rights of forest-dependent indigenous peoples and forest dwellers “under national and applicable international obligations.”⁷

Under Operational Policy 4.01 on Environmental Assessment (EA), which covers preparation of a SESA and ESMF, the World Bank will not finance projects that contravene applicable international environmental

⁵ For more information on some of the most relevant international legal instruments to REDD+, please see a joint submission from ClientEarth and World Resources Institute to the Subsidiary Body for Scientific and Technical Advice (SBSTA), “Lessons from International and Regional Instruments”, available at: <<http://www.clientearth.org/climate-and-forests/climate-forests-publications/reddsafeguards-sbsta-submission-1549>>.

⁶ The World Bank, Operational Manual, OP 4.00 – Piloting the Use of Borrower Systems to Address Environmental and Social Safeguard Issues in Bank-Supported Projects (March 2005), para 1.

⁷ FCPF Charter, Chapter II, Article 3, Section 3.1(d). See also R-PP Template, Component 1c, p. 26; and Guidelines on Stakeholder Engagement, p.1.

agreements.⁸ As such, in its EA the borrowing country must consider, *inter alia*, its obligations “pertaining to project activities, under relevant international environmental treaties and agreements.”⁹

However, the World Bank does not establish any requirements to consider applicable international human or indigenous peoples’ rights treaties or instruments, nor does it state that it will refrain from financing projects that contravene such obligations. The World Bank merely states that it ensures the development process fully respects the human rights of indigenous peoples, recognising that their rights “are increasingly being dealt with under domestic and international law.”¹⁰

It is well recognised that REDD+ can pose risks not just to the environment, but also to the rights of indigenous and local communities. As such, there should not only be a requirement to adhere to applicable international environmental instruments, but applicable human rights instruments as well. This would ensure consistency with UNFCCC REDD+ safeguard (a) and (c), as well as the FCPF Charter.

Recommendation:

Taking into account UNFCCC REDD+ safeguards (a) and (c), the FCPF Carbon Fund should state that it will not finance ER programs that would contravene applicable international obligations, including but not limited to relevant international environmental, human rights and indigenous peoples’ rights conventions and agreements. Countries participating in the Carbon Fund should be required to identify these relevant conventions and agreements in their EA—meaning their SESA and ESMF. Furthermore, the EA should be required to take into account whether program activities would contravene that country’s international obligations. Before the ER program is approved, the FMT and Carbon Fund Participants should affirm that such considerations are taken into account, and that the country’s applicable international obligations will not be contravened.

2. The FCPF Carbon Fund should incorporate *Free, prior and informed consent (FPIC)* for indigenous peoples into its Methodological Framework

International law recognizes a special procedural right of free, prior and informed consent (FPIC) with respect to indigenous peoples due to their different identities, cultures, languages and institutions, and their tendency to be excluded from decision-making processes. UNFCCC REDD+ safeguard (c), which pertains to indigenous and local peoples’ rights, and safeguard (d), which pertains to full and effective participation of all relevant stakeholders, are both relevant for FPIC.

The World Bank requires “free, prior and informed consultation” in its Operational Policy on Indigenous Peoples (OP 4.10). If a proposed project would affect indigenous peoples, the Bank requires the borrower to engage in “free, prior and informed consultation”, and to achieve “broad community support by the affected indigenous peoples” before it will provide financial support.¹¹

OP 4.10 is inconsistent with the UNFCCC REDD+ safeguards. Specifically, UNFCCC REDD+ safeguard (d) calls for “full and effective” participation, which means recognising special procedural rights to participation and access to information, and creating an enabling environment for participation. For indigenous peoples, full and effective participation requires, where applicable, consent in accordance with FPIC. One of the major

⁸ World Bank OP 4.36, paras 3 and 14; and OP 4.01, para 3.

⁹ World Bank OP 4.01 – Environmental Assessment (January 1999, Revised April 2012), para 3.

¹⁰ World Bank OP 4.10 – Indigenous Peoples, paras 1 and 2.

¹¹ World Bank OP 4.10 – Indigenous Peoples, para 1, fn. 4.

distinctions between the World Bank’s safeguards and UNFCCC REDD+ safeguard (d) is the difference between “consultation” and “consent.” While consultation is one of a number of methods for communities to participate, it is not always an effective form of participation as it is more of an exchange of information and views. While, in theory, consultation can lead to consent, it does not always result in such a conclusion. Instead, more may be required to reach consent under the UNFCCC REDD+ safeguards.¹² Depending on the circumstances, this could involve simple information sharing, collaboration, joint decision-making or empowerment.

Also, the World Bank requires only that “broad community support” result from participation. This requirement is not only vague, but it also arguably does not equate to a requirement for consent from affected indigenous peoples’ communities required under FPIC. Without stating objective criteria as to what constitutes “broad”, the term could be used to describe a significant minority in acceptance of a particular option, despite the community’s chosen method of representation and decision-making.

Furthermore, the term “support” does not have to equate to consent. For instance, support could be implied by passive or affirmative action. However, consent cannot be passive, and requires some affirmative indication. Without more objective criteria in the World Bank safeguards, the lack of resistance could be seen as consent, when in fact it is not.

Under the Common Approach, if a DP contains more stringent standards than those of the World Bank, then those higher standards must be applied.¹³ However, if a country has ratified ILO Convention No. 169, or has adopted legislation on FPIC, the Bank will merely “support adherence to that principle.” This contrasts with other stronger provisions of the World Bank’s safeguards, which require adherence to international environmental obligations, as demonstrated above in subheading 1.

The Joint FCPF/UN-REDD *Guidelines on Stakeholder Engagement in REDD+ Readiness* states that OP 4.10 is consistent with the UNFCCC REDD+ safeguards, maintaining that it allows the Bank to operate in a manner that is “substantially equivalent” with FPIC. However, this assertion meets with uncertainty when contrasted with the standard under UN-REDD, which expects countries to adhere to FPIC, where relevant.¹⁴

Recommendation:

In developing its Methodology Framework, the Carbon Fund should go further than the World Bank safeguards and require ER programs to adhere to the principle of FPIC as it is defined under international law, in order to receive financing. The Carbon Fund should require the participating REDD+ Country to demonstrate that it obtained “consent” from the indigenous peoples concerned—not just broad community support. The country should also have to demonstrate “how” it obtained that consent, in order to ensure that there is truly community acceptance. Furthermore, as part of its monitoring requirements the participating REDD+ country should be able to reassess and demonstrate community acceptance of the ER program, or particular projects.

¹² For our in-depth analysis on the scope and content of full and effective participation, please see Section 4.1.2 of *Understanding and Implementing the UNFCCC REDD+ Safeguards in consistency with International Law*.

¹³ FCPF/UN-REDD, *Guidelines on Stakeholder Engagement in REDD+ Readiness With a Focus on the Participation of Indigenous Peoples and Other Forest-Dependent Communities*, (April 20, 2012 version), para. 7.

¹⁴ FCPF/UN-REDD, *Guidelines*, para 6.

3. The Carbon Fund should not support ER programs that include conversion of natural forests

Under UNFCCC REDD+ safeguard (e), actions should be:

“consistent with the conservation of natural forests and biological diversity, ensuring that the actions referred to in paragraph 70 of this decision are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social environmental benefits.”

The World Bank prefers to finance plantation projects on lands that have already been converted.¹⁵ Furthermore, the World Bank does not support projects that involve “significant” conversion or degradation of “critical” natural habitats or forests.¹⁶ Nevertheless, the Bank will finance significant conversion of natural habitats or forests if there are no feasible alternatives, and if the overall benefits would “substantially outweigh the environmental costs,” provided mitigation measures are incorporated.

UNFCCC REDD+ safeguard (e) is explicit in requiring that REDD+ actions “are not used for the conversion of natural forests.” UNFCCC REDD+ Safeguard (e) was largely put in place to ensure that emissions reductions are not realised at the expense of biodiversity, particularly through the use of plantations. If plantations are envisioned under REDD+, they should only be located on already degraded lands or where no forests existed previously. However, using the World Bank safeguards as a minimum standard could result in financing some plantations, even if they would result in significant conversion or degradation of natural forest habitats.

Furthermore, the World Bank safeguards prohibit significant conversion or degradation of natural forest areas and habitats only if they are designated as “critical”. However, UNFCCC REDD+ safeguard (e) does not distinguish critical forest areas and related critical natural habitats from non-critical natural forests or related natural habitats. UNFCCC safeguard (e) simply states that REDD+ activities should not be used for conversion of natural forests, meaning that neither critical nor non-critical natural forests should be converted.

It will also be important to prevent conversion in anticipation of an ER program. Notably, the World Bank will not finance projects on lands that, in its opinion, were converted in anticipation of the project.

Recommendations:

The FCPF Carbon Fund should not fund any ER program that would result in the conversion of natural forests. The Carbon Fund could state that recognising UNFCCC REDD+ safeguard (e), it will not support ER programs if they would plan to convert natural forests—both critical and non-critical. The Carbon Fund could also condition its support of ER programs that include plantations to instances where:

- 1) the plantation is planned on land that has already been degraded or converted; or
- 2) the plantation is planned in an area that is not already defined as forest.

Such support should be conditioned on the REDD+ country demonstrating—in its SESA, ESMF or project EA—that no natural forests will be negatively impacted or converted. ER programs should also demonstrate that lands were not converted in anticipation of the program, in order to avoid perverse incentives. This would need to be verified by the FMT and the Carbon Fund Participants.

¹⁵ World Bank OP 4.46 – Forests, para 7.

¹⁶ World Bank OP 4.04 – Natural Habitats, para 4; OP 4.36 - Forests, para 5.

Submission to the FCPF Carbon Fund on the Methodological Framework

We would like to thank the Facility Management Team (FMT) for inviting our comments on the development of the Methodological Framework of the FCPF Carbon Fund. The focus of this submission is directed towards Issue Paper 5, Question 2, on Safeguards. Specifically, in developing the Methodological Framework there are several considerations that we feel will be important in developing information systems for demonstrating that the UNFCCC REDD+ safeguards agreed to in Cancun have been effectively addressed and respected in the development and implementation of the Emission Reduction (ER) programs.

Question 2: How can integrated reporting on World Bank safeguards and on the Cancun safeguards via the Safeguards Information System (SIS) best be achieved, to minimize the burden on countries?

In order to minimize the burden on countries of reporting on REDD+ safeguards, we recommend that:

1. The FCPF ensures alignment between the World Bank and the UNFCCC on implementation, monitoring and reporting of REDD+ safeguards, while recognising the need for a balance between top-down guidance and flexibility due to different capacity and circumstances;
2. Guidance and procedures for SIS should support monitoring of both implementation of safeguards and their effectiveness as a way to incentivise both carbon and non-carbon benefits; and
3. Countries should be encouraged to build upon already existing domestic reporting systems.

In addition to the above, developing countries participating in REDD+ will need upfront financial and technical expertise in order to build capacity for implementation, monitoring and reporting on REDD+ safeguards.

1. The Methodological Framework of the Carbon Fund needs to ensure consistency with the UNFCCC REDD+ safeguards

In Cancun, the Parties to the UNFCCC agreed that developing country Parties aiming to undertake REDD+ activities must develop a system for providing information on how the UNFCCC REDD+ safeguards are being addressed and respected throughout the implementation of REDD+ activities.¹ The Durban decision links REDD+ finance with the effective implementation of REDD+ safeguards by stating that REDD+ countries will only be able to “obtain and receive results-based finance” if they have an SIS in place.² This means that countries implementing REDD+ related activities must be able to demonstrate they have addressed and respected the UNFCCC REDD+ safeguards in order to access results-based payments.

Regardless of the source or type of financing, REDD+ activities should be consistent with the UNFCCC REDD+ safeguards, which should be promoted and supported.³ This means that all actors implementing REDD+ must

¹ UNFCCC Decision 1/CP.16 paragraph 71(d).

² CP.17 paragraph 64

³ UNFCCC Decision 1/CP.16, paragraph 69; Decision 2/CP.17, paragraph 63.

⁴ Petition for Reformation of the Charter Establishing the Forest Carbon Partnership Facility, Chapter II, Article 17, paragraph 64.

⁵ UNFCCC Decision 1/CP.16, paragraph 69; Decision 2/CP.17, paragraph 63.

⁵ FCPF Readiness Fund Common Approach to Environmental and Social Safeguards for Multiple Delivery Partners (9 June 2011),

comply with the UNFCCC REDD+ safeguards. Under its own Operating Principles, the FCPF must, *inter alia*, “seek to ensure consistency with the UNFCCC Guidance on REDD.”⁴ This applies to implementation of the UNFCCC REDD+ safeguards, as well as demonstration that they have been addressed and respected in the implementation of ER Programs under the FCPF Carbon Fund. Under the FCPF’s Common Approach, all Delivery Partners (DPs) under the FCPF must comply with FCPF requirements.⁵ In order to ensure consistency with the UNFCCC, the Common Approach is subject to modification in response to elaboration of UNFCCC policy guidance on environmental and social safeguards for REDD+. ⁶ As a DP itself, the World Bank is required to comply with the UNFCCC REDD+ safeguards.

While the World Bank contains environmental and social safeguard policies that borrower countries must follow in order to avoid, mitigate or minimize adverse environmental and social impacts from Bank-supported projects, its standards for monitoring and reporting are not as developed. According to a report by the World Bank’s own Independent Evaluation Group, the Bank “lacks an aggregate monitoring and reporting system that would allow it to more systematically assess the environmental aspects and results of the projects it supports.”⁷ As the World Bank reviews and revises its Operational Policies and Procedures in the next couple years, it will need to consider gaps that exist with regard to effective reporting of UNFCCC REDD+ safeguards implementation.⁸

In order to minimise the burden on countries, the FCPF needs to ensure that the Methodological Framework does not result in competing sets of standards for implementation, monitoring and reporting for REDD+ safeguards. Maintaining consistency with the UNFCCC in the design of SIS will be important because ultimately, in order for REDD+ actions to be recognised for results-based payments under the UNFCCC, they will need to comply with the UNFCCC REDD+ safeguards. It is important to emphasise that additional guidance on SIS is forthcoming under the UNFCCC.

The FCPF, with its experience in helping to develop readiness for REDD+ and its support of pilot projects under the Carbon Fund, has an important role to play in gaining experience and learning lessons on SIS. However, it will be important to ensure that the Methodological Framework does not steer national SIS in a direction that will make it harder for developing countries participating in REDD+ to demonstrate respect and adherence with the UNFCCC REDD+ safeguards.

In developing a Methodological Framework for the Carbon Fund, it will also be important to balance the need for top-down guidance against the need to maintain flexibility according to national circumstances and capacity. As countries begin to design national safeguards systems and develop their SIS, experience and lessons learned will become increasingly available. By providing a reasonable amount of flexibility for countries to test and improve their SIS, the FCPF can contribute to the development of such lessons. This will

⁴International Bank for Reconstruction and Development, Charter Establishing the Forest Carbon Partnership Facility, Chapter II, Article 3, Section 3.1(c).

⁵FCPF Readiness Fund Common Approach to Environmental and Social Safeguards for Multiple Delivery Partners (9 June 2011), p. 2, paragraph 3.

⁶*Id.*, at p. 3, para 3(a).

⁷Independent Evaluation Group, “Environmental Sustainability: An Evaluation of World Bank Group Support,” World Bank Group (2008), available at http://siteresources.worldbank.org/EXTENVIRONMENT/Resources/enviro_eval.pdf.

⁸For more information on how the FCPF Carbon Fund can go beyond the World Bank’s safeguards in order to comply with the UNFCCC REDD+ safeguards, please see our submission regarding Issue Paper 5, Question 1.

require the provision of sufficient financial and technical support for developing, implementing and maintaining a safeguards system and an SIS.

2. The Methodological Framework should enable and support SIS to be able to demonstrate implementation and effectiveness of REDD+ safeguards

If countries can effectively design, implement and maintain national safeguards systems that are consistent with the UNFCCC REDD+ safeguards, they can maximise potential for realising both carbon and non-carbon benefits (e.g. environmental, social and governance benefits). A country's SIS is very important in in this regard, as it can monitor how well safeguards are contributing to desired results.

The importance of environmental, social and governance benefits were recently recognized under the UNFCCC at COP 18 in Doha in December 2012. There, the Parties agreed to undertake a work programme on results-based finance in 2013.⁹ The aim of the work programme will be to contribute to the ongoing efforts to scale up and improve the effectiveness of finance for REDD+ activities.¹⁰ Specifically, the work programme will address options to achieve this objective, including *inter alia* "ways to incentivize non-carbon benefits."¹¹

One way to incentivize non-carbon benefits will be to explore and clarify the links between non-carbon benefits, the UNFCCC REDD+ safeguards and SIS. Effective monitoring of safeguards implementation of safeguards through SIS will be instrumental in recognition of non-carbon benefits. In order to access results-based financing, REDD+ countries must have a SIS in place that can monitor and demonstrate that they have "addressed and respected" the UNFCCC REDD+ safeguards. This requirement exists regardless of whether non-carbon benefits are eligible for results-based finance. Nevertheless, the fact that the SIS already monitors and reports on social, environmental and governance issues means that it is well placed to integrate these additional benefits into a results-based financing for REDD+.¹²

In order for countries to be able to exploit synergies between SIS and non-carbon benefits, there is a need for further clarity over the relationship between non-carbon benefits, REDD+ safeguards and SIS. At the very least, countries need to have an SIS with capacity for monitor whether the safeguards have been effectively addressed and respected, and whether they have contributed to the realisation of a particular benefit (whether carbon or non-carbon). Sufficient financial and technical resources will be required in order to effectively develop and maintain/improve national SIS, and this should be prioritized under the FCPF.

There is also a need for better understanding over how countries will need to monitor and demonstrate implementation and effectiveness of safeguards, and how each safeguard contributes to the realisation of particular non-carbon benefits. In order to do this, countries will need to assess what type of additional non-carbon benefits they want to achieve, and how they relate to the safeguards. It is important to recognise that

⁹ UNFCCC Draft decision -/CP.18, paragraph 25.

¹⁰ UNFCCC Draft decision -/CP.18 paragraph 28.

¹¹ UNFCCC Draft decision -/CP.18 paragraph 29b. Non-carbon benefits refer to social, environmental, governance and livelihood benefits.

¹² See REDD+ Safeguards Working Group (SWG), "Providing Incentives for Multiple Benefits: Linking Finance, Results and Safeguards", a Discussion Paper (November 2012), available at <http://www.scribd.com/doc/113749200/Providing-Incentives-for-Multiple-Benefits-Linking-Finance-Results-and-Safeguards>.

countries are still determining the scope of non-carbon benefits that may be achieved from REDD+ through national processes with relevant stakeholders.

In addition, countries will need to determine how to demonstrate that safeguards are not only being implemented, but that they are contributing towards a desired result or benefit. Depending on their goals (whether it is improved livelihoods, ecosystem services enhancement, or improved governance), demonstration of these benefits will require collection and reporting of different data. Furthermore, depending on their circumstances each country may face different challenges in monitoring and reporting such data. Therefore, flexibility will be needed as countries develop these methods.

3. Burdens on Countries regarding collection and reporting on safeguards can be minimised by building upon existing reporting systems

Countries can build on existing national approaches to monitoring and reporting in development of SIS. One example is domestic monitoring and reporting systems that are established in furtherance of international obligations under applicable environmental and human rights treaties.

There are a number of international treaties that contain reporting mechanisms that may be relevant to REDD+. These include, but are not limited to:

- a. The Convention on Biological Diversity (CBD);
- b. The International Tropical Timber Agreement (ITTA);
- c. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);
- d. The ILO Convention on Indigenous and Tribal Peoples (ILO Convention No. 169);
- e. The International Covenant on Civil and Political Rights (ICCPR);
- f. The International Covenant on Economic Social and Cultural Rights (ICESCR); and
- g. The UN Convention ON Elimination of all Forms of Racial Discrimination (CERD).¹³

Under these international instruments, Parties are required to report on the implementation of their treaty obligations. Therefore, REDD+ countries that are parties to these agreements should already be monitoring and reporting on certain information that may be relevant for their REDD+ SIS. For example the CBD, the ITTA and CITES can be particularly useful for collecting information on biodiversity values, forest ecosystems and habitats, and particular species with respect to UNFCCC REDD+ safeguard (e). On the other hand, ILO Convention No. 169, the CERD, the ICCPR and the ICESCR may be useful for collecting and reporting data on respect for indigenous peoples' rights, recognition and implementation of participatory rights and other social values such as livelihoods, which are relevant for UNFCCC REDD+ safeguards (b), (c) and (d).

Existing domestic institutions may also be able to monitor and collect various social, environmental and governance data. For example, Costa Rica has recommended using agencies such as Departments of Statistics

¹³ ClientEarth and World Resources Institute (WRI), "Lessons from International and Regional Instruments: A ClientEarth and World Resources Institute Submission to SBSTA", (2011), available at: <http://www.clientearth.org/climate-and-forests/climate-forests-publications/>.

and Surveys to set parameters for collection of information.¹⁴ If certain expertise already exists on monitoring various data through existing priorities and processes, relevant safeguards considerations can be integrated for purposes of the SIS. This could lower the burden that would come from having to establish an SIS from the ground up.

Some countries may not have existing institutions with capacity to collect certain types of environmental, social and governance data. Nevertheless, through sharing of lessons learned, and sufficient financial and technical resources, these countries can develop systems capable of monitoring and reporting on relevant REDD+ safeguards through SIS.

¹⁴ See the Government of Costa, Submission of views on “Guidance on systems for providing information on how safeguards are addressed and respected”, for SBSTA 34 UNFCCC (2011). Available at: http://unfccc.int/files/methods_science/redd/application/pdf/costa_rica-_submission_on_safeguards_information_system.pdf