

## Forest Carbon Partnership Facility (FCPF)

### Readiness Fund

#### Self-Selection Process for Observer from Forest-Dependent Indigenous Peoples and Forest Dwellers

June 14, 2011

*This note summarizes:*

- i) the roles, responsibilities, and eligibility criteria of the representatives from Observer from Forest-Dependent Indigenous Peoples and Forest Dwellers (referred to below as “Indigenous Peoples”) to meetings of the FCPF Participants Assembly (PA) and Participants Committee (PC) of the FCPF:*
- ii) the self-selection process undertaken by Indigenous Peoples networks from Africa, Asia and Latin America to choose their regional representatives to the PA and PC; and*
- iii) the request from Ms. Joan Carling (Asia Indigenous Peoples’ Pact) and Mr. Juan Carlos Jintiach (Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica-COICA) for the World Bank to conduct a global consultation with Indigenous Peoples on the FCPF.*

*The FMT seeks PC endorsement of:*

- i) the FMT’s proposal to redirect the \$75,000 annual budget which was originally approved in FY09 to support the participation of up to five regional representatives of Indigenous Peoples at FCPF meetings; and*
- ii) the request for funding for the proposed global consultation.*

#### **Background**

1. Section 11.7 of the FCPF Charter allows for “one representative from Forest-Dependent Indigenous Peoples and Forest Dwellers” to “be invited to attend the meetings of the Participants Committee as observers without voting rights to any decision by the Participants Committee.” Forest-Dependent Indigenous Peoples and Forest Dwellers are to “determine, on the basis of the proposal from the Facility Management Team, as appropriate, a process for selecting their representatives for participating as observers in the meetings of the Participants Committee.”<sup>1</sup>
2. Despite the absence of voting right, the practice has been that the observer has fully participated in and influenced the deliberations of the PC meetings. This is explained by the fact that the PC has strived to govern by consensus of all Participants and observers.
3. At the PA1/PC1 meeting in October 2008, a proposal was made to the PC to allocate a budget of \$75,000 per year to finance a staff position to support the Chair of the UN Permanent Forum on Indigenous Issues (UNPFII) who would focus on FCPF and REDD, would report and disseminate

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<sup>1</sup> The FCPF Charter is available at <http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/Documents/PDF/May2011/FCPF%20Charter%20-%20CF%2005-11-2011%20clean.pdf>.

information from PC meetings to Indigenous Peoples networks and bring the voices of Indigenous Peoples to the FCPF. This proposal was approved by the PC as part in FY09 budget for the FY09-FY13 business plan period<sup>2</sup>; however, the resources were not utilized in FY09 or FY10, because the position was not created due to constraints on the part of the Chair of the UNPFII.

4. The Facility Management Team (FMT) of the FCPF subsequently proposed that the FCPF follow the same self-selection process for Indigenous Peoples as the Forest Investment Program (FIP). However, it later turned out that there would not be much in terms of efficiency gains given that the FCPF and FIP are typically not held back-to-back. In addition, some stakeholders argued that following both the FCPF and the FIP would be imposing too much of a burden on the same individuals.

#### **From ad hoc participation to self-selection**

5. Over the years, the FMT sought to ensure the participation of Indigenous Peoples representatives from the FCPF's main regions (Africa, Asia and Latin America) in PA and PC meetings on an ad hoc basis, i.e., mostly based on the FMT's invitations. This approach guaranteed that the voices of Indigenous Peoples were heard in FCPF meetings, but it raised the issue of legitimacy and representativeness of those invited.

6. In 2011 the FMT took steps to ensure that establish a more systematic process for the representation of Indigenous Peoples in FCPF meetings, consistent with the Charter.

7. FMT consultations with regional Indigenous Peoples caucuses on this issue revealed that each region (Africa, Asia and Latin America) expected to have its own representative(s) to better reflect the needs, realities and contexts of Indigenous Peoples in each region.

8. Each caucus requested the FMT to shed light on the expected roles and responsibilities of the Indigenous Peoples observer to help identify the representatives. The FMT identified the following roles and responsibilities:

- a. Serve as a general conduit of information between Indigenous Peoples networks and the FCPF;
- b. Notify the Indigenous Peoples networks about upcoming FCPF meetings, share the background documents made available on the FCPF website, solicit issues and concerns to be raised at these meetings, and present the range of views succinctly for discussion at the meetings;
- c. Actively participate in the FCPF meeting discussions and deliberations representing the views of Indigenous Peoples networks of their region;
- d. Record notes from the meetings and promptly disseminate them with Indigenous Peoples networks, together with the meeting Resolutions and Additional Decisions made available on the FCPF website; and
- e. Obtain feedback from Indigenous Peoples and liaise with the FMT as appropriate in-between meetings.

9. Nominees must be willing to accept the roles and responsibilities identified above.

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<sup>2</sup> See slide 27 in the budget presentation at <http://www.forestcarbonpartnership.org/fcp/node/91>.

The term served by the Indigenous Peoples representatives will one or two years. The regional Indigenous Peoples caucus retains the right to designate other representatives if necessary.

10. Based on the above criteria, a self-selection was conducted during the tenth session of the UNPFII in New York in May 2011, where two of the three regional caucuses convened to nominate their regional representatives to the FCPF. The Latin American caucus met in the margin of the SBSTA negotiated in Bonn in June 2011. The results of the self-section were the following:

- a. Africa: The African Caucus nominated two representatives – one from Anglophone Africa (Mr. Soikan Meitiak from Kenya) and another from Francophone Africa (Mr. Kapupu Diwa from the Democratic Republic of Congo);
- b. Asia: The Asian Caucus nominated one representative (Ms. Joan Carling from the Philippines) and one alternate (Ms. Pasang Dolma Sherpa from Nepal); and
- c. Latin America: The Latin American caucus nominated two representatives – one from Central America (Mr. Onel Masardule from Panama) and one from South America (Mr. Juan Carlos Jintiach from Ecuador).

#### **Request for global consultation with Indigenous Peoples on the FCPF**

11. On April 11, 2011, Ms. Joan Carling and Mr. Juan Carlos Jintiach addressed a letter to Ms. Inger Andersen, Vice President of the World Bank's Sustainable Development Network, requesting the World Bank to conduct a global consultation with Indigenous Peoples on the FCPF, focusing on free, prior and informed consent (FPIC) in the FCPF and the use of safeguards in the context of the Multiple Delivery Partners arrangement.<sup>3</sup>

12. Ms. Andersen replied to the letter on May 10, 2011, amongst other things recounting the FCPF efforts to date to engage Indigenous Peoples and the World Bank's commitment to ensuring the full and effective participation of Indigenous Peoples and local communities, in accordance with the World Bank's Operational Policies and Procedures and the Cancun decision on REDD+, explain the status of the World Bank's Policy on Indigenous Peoples and its relation to FPIC, and noting that the decision to conduct a global consultation would be the PC's.<sup>4</sup>

13. Ms. Andersen and other Bank staff had the opportunity to discuss with Ms. Carling and Mr. Jintiach and a number of Indigenous Peoples leaders before, during and after the UNPFII in New York in May 2011, including during the meeting of the Task Force on the Common Approach to safeguards for Multiple Delivery Partners.

14. On June 5, Ms. Carling clarified the nature of the request to the PC. As outlined in the letter, the objectives of the global consultation, which would be held in September 2011 in Panama, would be to:

- a. Update Indigenous Peoples on the FCPF;

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<sup>3</sup> See the letter at

<http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/Documents/PDF/Jun2011/7b.Letter%20to%20WB%20on%20FCPC-%20Final.pdf>.

<sup>4</sup> See the response at

<http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/Documents/PDF/Jun2011/7b.Reply%20to%20Joan%20Carling%20and%20JC%20Jintiach.pdf>.

- b. Reach a common understanding on how the FCPF will implement the Cancun decision on REDD+ in the context of the draft Guidelines on Stakeholder Engagement in REDD+ Readiness;
  - c. Reach a common understanding on the application of relevant environmental and social safeguard policies in the Multiple Delivery Partners arrangement;
  - d. Discuss the views and concerns of Indigenous Peoples with respect to the FCPF Carbon Fund; and
  - e. Reach an agreement on “future mechanisms, processes and funding for the effective engagement of indigenous peoples in FCPF processes”.<sup>5</sup>
15. The FMT has estimated the total cost of the global consultation at around \$377,000 (see table below), which would be financed by the FCPF Readiness Fund and included in the FY12 budget.
16. Since Ms. Carling and Mr. Jintiach will both attend PC9 in Oslo, they will be available to present and discuss the proposal.

Item	Cost estimate (US\$)
Travel and Subsistence	232,646
Meeting venue and internet services	4,175
Audio equipment	4,500
Catering	6,720
Interpreters	28,836
Conference organization	41,532
Facilitator	10,346
Contingency (10%)	32,875
FMT staff time	15,000
<b>Total</b>	<b>376,630</b>

### FMT proposal

17. Regarding the participation of Indigenous Peoples in FCPF PA and PC meeting, the FMT recommends that the PC accepts the nominations by the regional caucuses of Indigenous Peoples and redirect the previously approved budget of \$75,000 per year to support the participation of these regional representatives, according to the roles and obligations outlined above. Given that the PC approved the \$75,000 allocation in FY09 for the FY09-FY13 business plan period, the PC may consider whether a longer term decision on this would require revisiting the arrangement for FY14 onwards. \$75,000 would support the proposed participation of about three additional Indigenous Peoples representatives at PC meetings per year, and would not fund other activities.

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<sup>5</sup> See the letter to the PC at <http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/Documents/PDF/Jun2011/7b.%20IP%20Letter%20to%20PC-FCPF-%20final.pdf>.

18. When appropriate and feasible, the FMT would also invite national Indigenous Peoples representatives, though subject to funding being available from sources other than the FCPF, unless one or more of the regional Indigenous Peoples representatives decided to cede their place(s).
19. During PC meetings, the Indigenous Peoples representatives would decide amongst themselves which one occupies the observer's chair in accordance with the Charter and sees to it that the representatives abide by the PC Rules of Procedure.
20. Regarding the global consultation with Indigenous Peoples, the FMT recommends to the PC to accept the proposal and adopt a special line item for this purpose in the FY12 budget, which the FMT is submitting to the PC separately.