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DRAFT Guidelines on Stakeholder Engagement in REDD+ Readiness

With a Focus on the Participation of Indigenous Peoples and Other Forest-Dependent Communities

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This note presents guidance on the key elements of effective stakeholder engagement in the context of REDD+ readiness for the Forest Carbon Partnership Facility and the UN-REDD Programme, with an emphasis on the participation of Indigenous Peoples and other Forest-Dependent Communities. It outlines 1) principles for effective participation and consultation; 2) operational guidelines; and 3) practical “how-to” guidance on planning and implementing consultations.

Introduction

1. The Forest Carbon Partnership Facility (FCPF) and the UN-REDD Programme assist developing countries in their efforts to reduce emissions from deforestation and forest degradation (REDD+)¹ by building national capacity for REDD+ activities, and testing a program of performance-based incentive payments in certain pilot countries. The two programs are supporting a REDD+ readiness mechanism to assist countries put in place a number of building blocks (measurement, reporting and verification system; reference scenario; REDD+ strategy and national management arrangements for REDD+) that will enable them to participate in future systems of positive incentives for REDD+.
2. REDD+ has the potential to deliver several benefits to Indigenous Peoples and other forest-dependent communities, including the sustainable management of biodiversity, the provision of alternative livelihoods, equitable benefit sharing of revenues generating from emissions reductions, etc. However, if not done appropriately, it also presents risks to rights, livelihoods, culture, biodiversity, etc. For REDD+ programs to succeed in the long term, these risks have to be identified, reduced and mitigated, and stakeholders have to be involved at the formulation and implementation stages in order to ensure that REDD+ programs respect indigenous peoples’ rights and comply with relevant international obligations.
3. Stakeholders are defined as those groups that have a stake/interest/right in the forest and those that will be affected either negatively or positively by REDD+ activities. They include relevant government agencies, formal and informal forest users, private sector entities, Indigenous Peoples and other forest dependent communities.
4. This note presents guidance applicable to the UN-REDD Programme and FCPF on the key elements of effective stakeholder engagement in the context of REDD+. It aims to outline: (i) principles for effective participation and consultation; (ii) operational guidelines; and (iii) practical “how-to” guidance on planning and implementing consultations.

¹ REDD+ means reducing emissions from deforestation and forest degradation, sustainable management of forests, and conservation and enhancement of forest carbon stocks in developing countries.

5. This guidance focuses on a particular category of stakeholders, who are often legal and/or customary rights holders: *Indigenous Peoples and other forest-dependent communities*. These stakeholders are often not engaged in public decision-making processes, yet they depend on forests for their social and economic livelihoods as well as cultural and spiritual well-being. As such they may be more vulnerable than other stakeholders in the context of formulation and implementation of REDD+ activities. Hence a clear commitment will have to be taken to ensure that their rights are fully respected throughout the REDD+ program cycle. At the same time, they might have a special role to play in REDD+ given their traditional knowledge and relationship to the forest and their presence on the ground.

Importance of Indigenous Peoples

6. Both the FCPF and UN-REDD Programme recognize the importance and special status of Indigenous Peoples with regard to their historical and cultural connection to forests and are committed to applying specific policies to safeguard their rights and interests. Both also recognize that for REDD+ to be implemented, participating countries should comply with applicable international obligations, treaties and national law.

7. In the context of the UN-REDD Programme², countries that have adopted the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) will be expected to adhere to the principle of free, prior and informed consent (FPIC).³ It is critical for UN-REDD Programme countries to ensure that:

- a. Activities that may potentially impact Indigenous Peoples and other forest dependent communities, shall follow a human rights based approach and shall adhere to UNDRIP, the UN Development Group Guidelines on Indigenous Peoples' Issues, and the International Labour Organization Convention No.169;
- b. FPIC shall be adhered to, and is essential to ensuring the full and effective participation of Indigenous Peoples and other forest dependent communities, in program activities and policy-making and decision-making processes. FPIC should be sought in accordance with the UN-REDD Programme's FPIC and Recourse Guidelines, which will apply to all UN-REDD Programme funded activities (see Annex 1 for more details).

8. In the context of the FCPF, activities affecting Indigenous Peoples are governed by the World Bank Operational Policy 4.10 on Indigenous Peoples (see Annex 2 for more details), which is one of the

²For the UN-REDD Programme, such international instruments include: UN Declaration of the Rights of Indigenous Peoples (UNDRIP); UN Common Understanding on the Human Rights Based Approach to Development Cooperation; UN General Assembly Programme of Action for the Second International Decade of the World's Indigenous People (UN General Assembly Resolution 60/142); General Recommendation XXIII on the Rights of Indigenous Peoples, the UN Committee on the Elimination of Racial Discrimination; UN Development Group's Guidelines on Indigenous Peoples' Issues; the International Labour Organization's Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries (1989); UN Framework Convention on Climate Change; UN Convention on Biological Diversity.

³The UN Declaration on the Rights of Indigenous Peoples, adopted by the 61st session of the United Nations General Assembly on September 13, 2007, can be accessed at <http://www.un.org/esa/socdev/unpfii/en/declaration.html>

ten Safeguard Policies of the World Bank.⁴ This policy aims to ensure that the development process fully respects the dignity, human rights, economies, and cultures of Indigenous Peoples. The policy calls for the recipient country to engage in a process of free, prior, and informed consultation, and the Bank provides financing only where free, prior, and informed consultation results in broad community support to the project by the affected Indigenous Peoples. The UN Framework Convention on Climate Change (UNFCCC) Cancun Decision 1/CoP16 takes note that the General Assembly has adopted UNDRIP. The Policy provides safeguards that are consistent with the Cancun decision and enable the Bank to operate in a manner that can be considered to be equivalent to Free, Prior and Informed Consent. The Policy includes measures to:

- a. Avoid potentially adverse effects on the Indigenous Peoples' communities; or
- b. When avoidance is not feasible, minimize, mitigate, or compensate for such effects. Operations are also designed to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate and gender and inter-generationally inclusive.

Principles of Effective Stakeholder Engagement

9. The common guiding principles for effective stakeholder engagement that underpin both the CCPF and UN-REDD Programme include:

- a. Consultations should be premised on transparency and facilitate timely access to information. In the context of REDD+, timely information dissemination at all levels and in a culturally appropriate manner, is a pre-requisite to meaningful consultations. Stakeholders should have prior access to information on the proposed consultation activities. Public awareness and information, education and communication campaigns are important vehicles for ensuring that key stakeholders understand the objectives of REDD+ , the related risks and opportunities and their potential role in the process, and can – if they decide to do so - make informed and substantive contributions to the formulation of REDD+ strategies and policies.
- b. The consultation process should include a broad range of relevant stakeholders at the national and local levels. It is important that participatory structures and mechanisms exist to manage the process. For example, national REDD+ committees should include representatives from relevant stakeholder groups, including Indigenous Peoples and civil society (see Annex 1 for more details). Beyond the national level, participatory fora need to be established (or existing ones used) at the local level to ensure active engagement of local stakeholders. Special emphasis needs to be made when consulting with Indigenous Peoples

⁴ The objective of these policies is to prevent and mitigate undue harm to people and their environment in the development process. The effectiveness and development impact of projects and programs supported by the Bank has substantially increased as a result of attention to these policies. Safeguard policies have often provided a platform for the participation of stakeholders in project design, and have been an important instrument for building ownership among local populations. The Safeguard Policies include Environmental Assessment (OP 4.01), Natural Habitats (OP 4.04), Forests (OP 4.36), Pest Management (OP 4.09), Dam Safety (OP 4.37) Physical Cultural Resources (OP 4.11), Involuntary Resettlement (OP 4.12), Indigenous Peoples (OP 4.10), International Waterways (OP 7.50), and Disputed Areas (OP 7.60). Detailed information is available at www.worldbank.org/safeguards.

- to recognize their own existing processes, organizations and institutions, e.g., councils of elders, headmen and tribal leaders; Indigenous Peoples should have the right to participate through representatives chosen by themselves in accordance with their own procedures and decision-making institutions. It is also important to ensure that consultations are gender sensitive.
- c. Consultations should start prior to the design phase, and be applied at every stage of the REDD+ process including planning, implementation, monitoring and reporting and with adequate lead time since decision-making among some local communities may take time and be iterative. The consultation process should also occur voluntarily. Sufficient time is needed to fully understand and incorporate concerns and recommendations of local communities in the design of consultation processes.
 - d. Consultations should facilitate dialogue and exchange of information, and consensus building reflecting broad community support should emerge from consultation. In the case of Indigenous Peoples, such consensus should include support from the community as expressed by their legitimate chosen leaders. This requires time for mutual understanding and agreement on goals and strategies. In the case of the UN-REDD Programme, consultations leading to giving or withholding consent should be carried out in accordance with the UN-REDD Programme's FPIC and Recourse Guidelines [refer to Annex 1].
 - e. Impartial, accessible and fair mechanisms for grievance, conflict resolution and redress must be established and accessible during the consultation process and throughout the implementation of REDD+ policies and measures.
 - f. The diversity of stakeholders needs to be recognized. In particular the voices of forest dependent and vulnerable groups must be heard. Different stakeholders have different stakes and/or interests in REDD+. Some may be positively impacted, others negatively. Consultations should be held at various levels, with a special focus on indigenous peoples and forest dependent communities.
 - g. Special emphasis should be given to the issues of land tenure, resource use rights and property rights. In many tropical forest countries, land tenure and policy frameworks for Indigenous Peoples are unclear as these often have customary/ancestral rights that are not necessarily codified in, or consistent with, national laws. Another important issue to consider for Indigenous Peoples and other forest dwellers is that of livelihoods. Thus clarifying and ensuring their rights to land and carbon assets, including community (collective) rights, in conjunction with the broader array of indigenous peoples' rights as defined in applicable international obligations, and introducing better access to and control over the resources will be critical priorities for REDD+ formulation and implementation. Consultations with Indigenous Peoples and other forest dependent communities should respect and relate to their traditional decision making structures, use existing networks and local level institutions wherever possible.
 - h. There should be records of consultations and a report on the outcome of the consultations that is publicly disclosed in a culturally appropriate form, including in local languages. Furthermore, consultation processes should clearly document how views gathered through the consultation process have been taken into account and, where they have not, explanations provided as to why.

Operational Guidelines for Participation and Consultation

10. The Readiness Preparation Proposal (R-PP) template contains specific guidelines to assist a REDD+ Country organize itself for becoming ready for REDD+. With respect to participation and consultation, the R-PP template provides specific guidelines on national readiness management arrangements and stakeholder consultation and participation.⁵

11. The FCPF is using the Strategic Environmental and Social Assessment (SESA) to integrate key environmental and social considerations into REDD+ readiness by combining analytical and participatory approaches. The SESA allows: (i) social and environmental considerations to be integrated into the REDD+ Readiness process, in particular the REDD+ strategy; (ii) participation in identifying and prioritizing key issues, assessment of policy, institutional and capacity gaps to manage these priorities and recommendations, and disclosure of findings in the REDD country's progress report on Readiness preparation ; and (iii) an Environmental and Social Management Framework (ESMF) to be put in place to manage environmental and social risks and to mitigate potential adverse impacts (see more details in Annex 3). The SESA guidelines have been integrated into the R-PP template.

12. As outlined in the UN-REDD Programme Guidelines on Stakeholder Engagement (see Annex 4), the UN-REDD Programme adheres to the United Nations human rights principles of Participation and Inclusion as well as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The UN Common Understanding on the Human Rights Based Approach to Development Cooperation identifies participation and inclusion as key human rights principles that should guide the programming process and development cooperation. In Article 19, UNDRIP requires States to "consult and cooperate in good faith with the Indigenous Peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent...". Countries that have signed on to the UNDRIP will be expected to adhere to the principle of FPIC (see Annex 2 for more details on FPIC).

13. Among the formal reference frameworks of the FCPF, FIP and UN-REDD Programme, common elements apply to all three initiatives when it comes to practical steps on how to conduct consultations. The next section outlines these steps, which are also illustrated in Figure 1.

Practical Steps for Carrying out Effective Consultations

1- Define the desired outcomes of consultations

14. A good consultation and participation process is one that is carefully planned and contains clear goals. One of the first steps in assembling the Consultation and Participation Plan is the preparation of a realistic budget and financial plan. This should be done by the National REDD+ Committee or the agency(ies) or committee(s) responsible for REDD+ policy design.

2- Develop a Consultation and Participation Plan and request endorsement through a national stakeholder workshop

⁵The R-PP template is available in English, French and Spanish at www.forestcarbonpartnership.org.

15. A national level workshop should be held to initiate the consultation and participation process. The workshop should include a broad range of local and national stakeholders (please see Step 5). The goal of this workshop is to review and assess the Consultation and Participation Plan proposed by the national government. This draft plan includes the elements contained in Steps 3-8 below. It is important to ensure that the initial consultation phase has clear objectives and timeframes to avoid raising undue expectations on the part of local communities.

3- Select the consultation and outreach methods

16. The most effective consultations are custom-designed to place and purpose and provide for adequate budgets and human resources. A variety of stakeholder engagement methods can be used for consultations to allow for bottom-up participation and ensure that information is rigorously gathered and fairly presented, such as workshops, surveys, and focus groups. The communication and outreach methods should ensure that adequate and timely information is provided to all stakeholders in an accessible language and style. Various forms of communication media such as printed materials, electronic media, community radio, and local plays and drama can be used to disseminate information as widely as possible.

4- Define the issues to consult on

17. The key issues should broadly correspond to the R-PP components. In the case of REDD+, issues for consultation may include (but are not limited to):

- *Current status of national forests ;*
- *Main causes and drivers of deforestation and forest degradation;*
- *Past and present policies to halt deforestation and forest degradation, where they have succeeded and where they have not;*
- *Issues of forest governance and mechanisms to ensure full compliance to social and environmental safeguards, including compliance mechanisms;*
- *Inclusive participation in the design and implementation of REDD+ strategy and development of procedures and enablers throughout the REDD+ cycle*
- *Proposed REDD+ strategy;*
- *Institutional, policy and regulatory frameworks;*
- *Opportunity costs of land use;*
- *Land rights (user and property rights, traditional, customary), and land tenure systems;*
- *Rights to the carbon;*
- *Design of benefit-sharing systems for equitable and effective distribution of REDD+ revenues;*
- *Rights and needs of Indigenous Peoples and other forest dwellers;*
- *Economic, social and environmental impacts and risks of REDD+ and the mitigation and prevention of risks;*

- *Role of the private sector;*
- *Groups likely to gain or lose from REDD+ activities;*
- *Design of monitoring systems to keep track of forests and forest emissions as well as other multiple benefits.*

5- Identify stakeholders

18. The planners need to identify the groups that have a stake/interest in the forest and those that will be affected by REDD+ activities. The stakeholder groups should have appropriate knowledge about the issues to be consulted upon. If their existing level of information and knowledge is not sufficient, proper steps should be taken to provide information, prior to the start of the consultations. It is important to ensure that the process of selecting stakeholders is transparent so that all interested parties may participate. Particular attention needs to be given to the inclusion of Indigenous Peoples and other forest-dependent communities, women and other marginalized groups. Stakeholders may include:

- Government agencies (environment, agriculture, energy, transportation, finance, planning; national, state, local, etc.);
- Environmental law enforcement agencies;
- Civil society (NGOs, community associations, etc.);
- Indigenous Peoples and other forest-dependent communities;
- Local communities, pastoralists, farmers who depend on forests for livelihoods;
- Vulnerable groups (women, youth, etc.);
- Private sector (loggers, ranchers, energy producers, industry, farmers, agri-business etc.);
- Academia.

6- Establish grievance redress mechanisms

19. The consultation process should define specific grievance and grievance redress mechanisms. This could include both local and national level conflict management systems, provided they are accessible and affordable. The mandates of existing institutions could in some cases be expanded to include REDD+ related grievance redress. Where relevant mechanisms for conflict resolution, grievance, redress, and complaint are not available, such mechanisms should be established in collaboration with the likely users of such a mechanism. In the case of the UN-REDD Programme, recourse provisions should be in accordance with the UN-REDD Programme's FPIC and Recourse Guidelines [refer to Annex 1].

7- Conduct the consultations

20. Consultations should be held with relevant stakeholders at different levels. This should include: Consultations with national/local government stakeholders; separate consultations with Indigenous

Peoples and forest dependent communities ensuring geographic and regional balance; and consultations with key private sector organizations. It is important to ensure that consultations are conducted in a socially and culturally appropriate manner at national, sub-national and village and community levels. The decision making units of indigenous and tribal peoples should be consulted, and their decision making processes respected. Adequate time should be given for the consultations and the facilitators need to be trained in advance to ensure that they manage the consultation and record views appropriately.

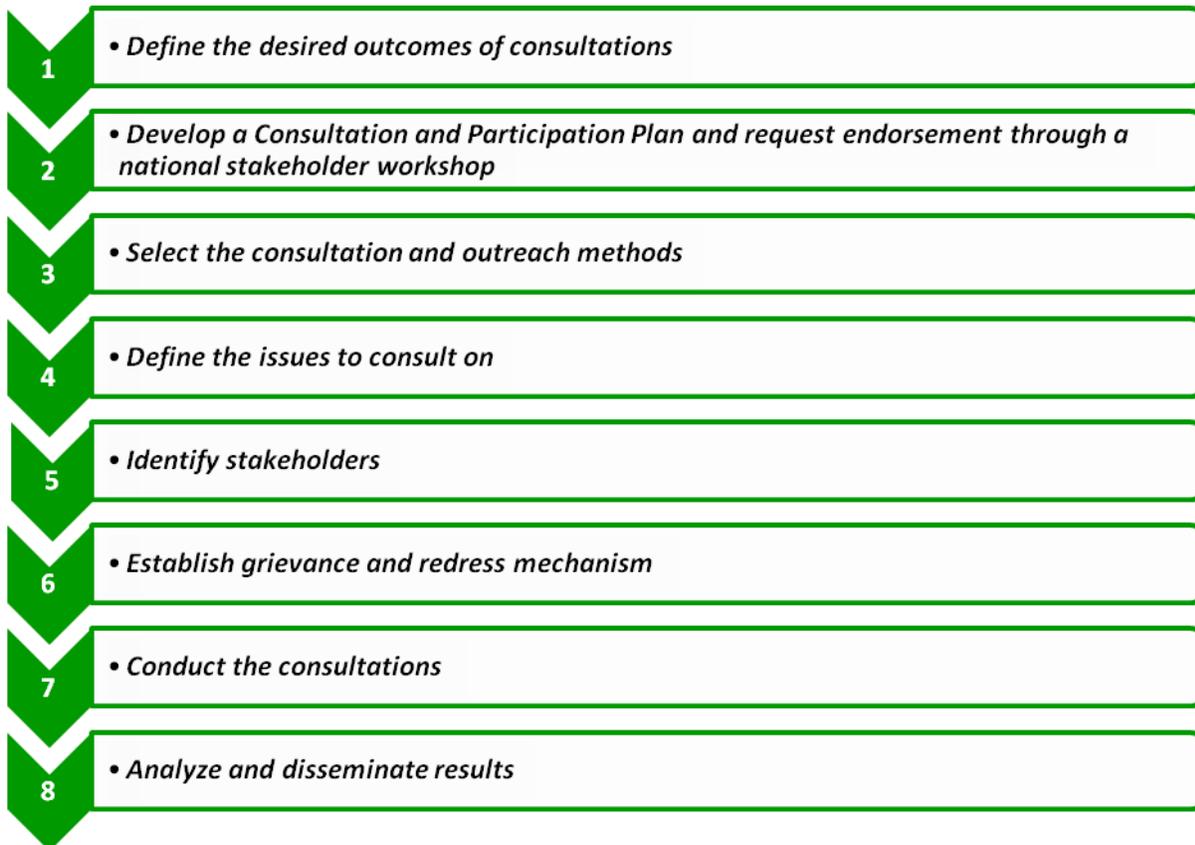
8- Analyze and disseminate results

21. The findings from the various consultations should be analyzed, reported and discussed once again in a national forum with representative stakeholder groups. It is important that staff are trained in data analysis, and that the data analysis feeds back into the decision-making process. Providing timely feedback is also important to sustain interest in and commitment to the process.

22. The national forum should achieve the following: present the government's proposed Consultation and Participation Plan, including the issues covered under steps 3-7 above; report the findings of all the consultations; acknowledge key issues raised during consultations and respond as appropriate; and describe how the outcomes of the consultation process will be incorporated into REDD+ strategy and programs. In addition, the findings of all the consultations should be disclosed through existing communication channels, including government websites, written press and national and community radios.

23. A summary of the eight steps is provided in a schematic form in Figure 1.

Figure 1: Schematic of Consultations Steps



Annex 1: UN Declaration on the Rights of Indigenous Peoples and Free, Prior and Informed Consent

This Guidance Note and the Guidelines specific to the UN-REDD Programme respond to the commitments made by States and the UN agencies under the UN Declaration on the Rights of Indigenous Peoples. Articles 19 and 32 refer to States' responsibility to consult and cooperate in good faith with Indigenous Peoples in order to obtain their free, prior, and informed consent with regards to legislative or administrative measures that may affect them, and with regards to any project that may affect their traditional lands, territories or resources.

Elements of Free, Prior and Informed Consent

- **Free** implies no coercion, intimidation or manipulation;
- **Prior** implies consent has been sought sufficiently in advance of any authorization or commencement of activities and respect time requirements of indigenous consultation/consensus processes;
- **Informed** implies that information is provided that covers (at least) the following aspects:
 - a. The nature, size, pace, reversibility and scope of any proposed project or activity;
 - b. The reason/s or purpose of the project and/or activity;
 - c. The duration of the above;
 - d. The locality of areas that will be affected;
 - e. A preliminary assessment of the likely economic, social, cultural and environmental impact, including potential risks and fair and equitable benefit sharing in a context that respects the precautionary principle;
 - f. Personnel likely to be involved in the execution of the proposed project (including Indigenous Peoples, private sector staff, research institutions, government employees and others)
 - g. Procedures that the project may entail.

Consent

Consultation and participation are crucial components of a consent process. Consultation should be undertaken in good faith. The parties should establish a dialogue allowing them to find appropriate solutions in an atmosphere of mutual respect in good faith, and full and equitable participation. Consultation requires time and an effective system for communicating among interest holders. Indigenous Peoples should be able to participate through their own freely chosen representatives and customary or other institutions. The inclusion of a gender perspective and the participation of indigenous women are essential, as well as participation of children and youth as appropriate. This process may include the option of withholding consent. Consent to any agreement should be interpreted as Indigenous Peoples have reasonably understood it.

FINAL FPIC GUIDELINES WILL BE INSERTED HERE IN THIRD QUARTER OF 2011

Annex 2: Summary of World Bank Operational Policy 4.10 on Indigenous Peoples

<i>Objectives</i>	<i>Operational Principles</i>
E. Indigenous Peoples	
To design and implement projects in a way that fosters full respect for Indigenous Peoples' dignity, human rights, and cultural uniqueness and so that they: (a) receive culturally compatible social and economic benefits; and (b) do not suffer adverse effects during the development process.	1. Screen early to determine whether Indigenous Peoples are present in, or have collective attachment to, the project area. Indigenous Peoples are identified as possessing the following characteristics in varying degrees: self-identification and recognition of this identity by others; collective attachment to geographically distinct habitats or ancestral territories and to the natural resources in these habitats and territories; presence of distinct customary cultural, economic, social or political institutions; and indigenous language.
	2. Undertake free, prior and informed consultation with affected Indigenous Peoples to ascertain their broad community support for projects affecting them and to solicit their participation: (a) in designing, implementing, and monitoring measures to avoid adverse impacts, or, when avoidance is not feasible, to minimize, mitigate, or compensate for such effects; and (b) in tailoring benefits in a culturally appropriate manner.
	3. Undertake social assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options preferred by the affected Indigenous Peoples in the provision of benefits and design of mitigation measures. Identify social and economic benefits for Indigenous Peoples that are culturally appropriate, and gender and inter-generationally inclusive and develop measures to avoid, minimize and/or mitigate adverse impacts on Indigenous Peoples.
	4. Where restriction of access of Indigenous Peoples to parks and protected areas is not avoidable, ensure that the affected Indigenous Peoples' communities participate in the design, implementation, monitoring and evaluation of management plans for such parks and protected areas and share equitably in benefits from the parks and

<i>Objectives</i>	<i>Operational Principles</i>
	protected areas.
	5. Put in place an action plan for the legal recognition of customary rights to lands and territories, when the project involves: (a) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples traditionally owned, or customarily used or occupied; or (b) the acquisition of such lands.
	6. Do not undertake commercial development of cultural resources or knowledge of Indigenous Peoples without obtaining their prior agreement to such development.
	7. Prepare an Indigenous Peoples Plan that is based on the social assessment and draws on indigenous knowledge, in consultation with the affected Indigenous Peoples' communities and using qualified professionals. Normally, this plan would include a framework for continued consultation with the affected communities during project implementation; specify measures to ensure that Indigenous Peoples receive culturally appropriate benefits, and identify measures to avoid, minimize, mitigate or compensate for any adverse effects; and include grievance procedures, monitoring and evaluation arrangements, and the budget for implementing the planned measures.
	8. Disclose the draft Indigenous Peoples Plan, including documentation of the consultation process, in a timely manner before appraisal formally begins, in an accessible place and in a form and language that are understandable to key stakeholders.
	9. Monitor implementation of the Indigenous Peoples Plan, using experienced social scientists.

Annex 3: SESA and ESMF

The multi-sectoral, programmatic nature of REDD+ readiness requires a strategic approach. Standard project-level environmental impact assessment is not appropriate at this strategic level. A Strategic Environmental and Social Assessment (SESA) has therefore been selected as the appropriate approach for incorporating relevant environmental and social considerations into REDD+ Readiness.

The strength of SESA for REDD+ is that it combines analytical and participatory approaches in an iterative fashion throughout the preparation of the R-PP and R-Package. The SESA aims to integrate key environmental and social considerations relevant to REDD+ at the earliest stage of programmatic decision making, establishing their inter-linkages with economic and political factors. The SESA facilitates this planning process to help governments formulate their R-PPs and R-Packages in a way that reflects inputs from key stakeholder groups and addresses the key environmental and social issues identified. Through this process, social and environmental opportunities and desirable outcomes are identified and agreed on, to strive to ensure that the REDD+ program will be sustainable and contribute to the country's development objectives.

The SESA provides inputs for institutional strengthening and criteria for risk management. The R-Package will include an applicable Environmental and Social Management Framework (ESMF) compliant with World Bank safeguard policies for screening, impact assessment, and consultations in potential REDD+ programs and projects.

The SESA guidelines can be summarized as follows:

- a. Undertake existing or new diagnostic work to identify and prioritize the drivers of deforestation and the key social and environmental issues associated with the drivers including those linked to the Bank safeguard policies. Diagnostic work should cover among others, issues such as land tenure, sharing of benefits, access to resources, likely social and environmental impacts of REDD+ strategy options;
- b. Undertake diagnostic work on legal, policy and institutional aspects of REDD+ readiness;
- c. Assess existing capacities and gaps to address the environmental and social issues identified;
- d. Draft REDD+ strategy options taking into consideration the above issues;
- e. Develop framework to mitigate and manage the risks of the REDD+ strategy options, i.e., to be included in an ESMF;
- f. Establish outreach, communication and consultative mechanisms with relevant stakeholders for each of the above steps. The consultations for SESA will be integral to consultations for the REDD+ readiness process and the REDD country's consultation plan should therefore include the consultations on the social and environmental considerations as well.

Recognizing that several aspects of the analytical work are already covered in the R-PP template, the SESA guidelines have been mainstreamed into the R-PP template.

An ESMF will be a stand-alone document, but the timing of the ESMF preparation may be influenced by the identification of the investments. If REDD+ investments are not clearly identified at the Readiness Package (R-Package) stage, the ESMF produced as part of the R-Package could be an advanced draft, to be finalized once the investments are clearly identified, if necessary during the REDD+ implementation phase.

Annex 4: Guidelines for the UN-REDD Programme specify the following:

UN-REDD Global Programme:

Representation⁶

1. Indigenous Peoples will be represented on the UN-REDD Policy Board by the Chair of the United Nations Permanent Forum on Indigenous Issues or by his/her designate, and by three Indigenous Peoples observers representing each of the three regions: Africa, Asia and the Pacific, and Latin America and the Caribbean.
2. Civil Society Organizations will be represented on the UN-REDD Policy Board by one full member and three observers representing each of the three regions and industrialized countries. Representatives of civil society organizations will be identified through a self-selection process and will choose among themselves who will serve as the full member.
3. Indigenous Peoples and other forest dependent peoples will be invited to engage with the International Advisory Group on Forests, Rights and Climate Change, which is empowered to monitor activities and provide substantive advice to the UN-REDD Programme Policy Board.

Transparency and Access to Information

4. The UN-REDD Programme will publish meeting reports and official documents on the UN-REDD Programme website.

UN-REDD National Programmes:

Representation

1. Indigenous Peoples and other forest dependent communities shall be represented on National REDD+ Steering Committees or equivalent bodies, where established.

i. Validation of National Programme Documents:

- i. In order to be endorsed by the UN-REDD Secretariat for approval by the UN-REDD Programme Policy Board, draft National Programmes must submit minutes of a 'validation meeting' of National Stakeholders (where established: the National REDD+ Steering Committee), including Indigenous Peoples' representative(s).
- ii. The representative(s) who participate(s) in the 'validation meeting' must subscribe to one of the following criteria:

Option i.

- is selected through a participatory and consultative process;
- has previous experience working with the government and UN system,

⁶ For more information on the structure of the UN-REDD Programme Policy Board, see the UN-REDD Programme Rules of Procedure and Operational Guidance at <http://www.un-redd.org/PolicyBoard/tabid/588/language/en-US/Default.aspx>

- has demonstrated experience serving as a representative, receiving input from, consulting with, and providing feedback to, a wide scope of civil society/Indigenous Peoples’ organizations; or

Option ii.

- participated in a UN-REDD Programme scoping and/or formulation mission and sit(s) on a UN-REDD Programme consultative body established as a result of the mission; or

Option iii.

- is an individual(s) recognized as legitimate representative(s) of a national network of civil society and/or Indigenous Peoples’ organizations (e.g. the GEF Small Grants National Steering Committee or National Forest Programme Steering Committee)

2. The ‘validation meeting’ will be one step of a wider consultation and engagement strategy and will be documented as an annex to the Programme Document.

3. The National Programme consultation and engagement strategy should effectively involve Indigenous Peoples and other forest dependent communities, and civil society organizations in all stages, including programme design, implementation, and monitoring and evaluation, adhering to the same guiding principles as mentioned in the Principles of Effective Stakeholder Engagement on page 3.

4. National Programmes should include activities and resources to support ongoing consultation, engagement and partnership to ensure that national UN-REDD activities take into account current priorities and concerns articulated by representatives of Indigenous Peoples and other forest dependent communities.

5. As addressed in the UN Declaration on the Rights of Indigenous Peoples and ensuring FPIC, National Programmes will assess the impact of UN-REDD Programme activities on Indigenous Peoples’ and other forest dependent communities’ rights prior to taking decisions on such activities.

Transparency and Accountability

6. Outcome documents from consultations such as meeting minutes, reports, work plans, and roadmaps for implementation should be: i) circulated to Indigenous Peoples’ organizations for an assessment of their accuracy, ii) publicly accessible, and iii) reflected, as appropriate, a) National Programme documents, b) on the UN-REDD website, and submitted to the Policy Board annually.

7. The UN Resident Coordinator will distribute annual reports on UN-REDD Programme activities to Indigenous Peoples and civil society networks through the Indigenous Peoples’ and other forest dependent community’s representative on the National UN-REDD Steering Committee in order to ensure transparency.

Recourse Mechanism

8. The UN Resident Coordinator is responsible for ensuring that the UN-REDD National Programme abides by the UN’s Standards and Declarations. As an additional safeguard, a complaint mechanism (to



be elaborated in more detail and to build upon existing grievance mechanisms, where they exist) will be established by the Secretariat to ensure that activities supported by the UN-REDD Programme do not result in the violation or erosion of the rights of Indigenous Peoples and other forest dependent communities. The procedure and contact information for making complaints will be posted on the UN-REDD Programme website.

Free, Prior and Informed Consent

9. Countries that have adopted the UN Declaration on the Rights of Indigenous Peoples will be expected to adhere to the principle of free, prior and informed consent (FPIC).

Annex 5: Links to Useful Resources

Report from the Global Indigenous Peoples Consultation on REDD, November 2008:

<http://www.un-redd.net/events/GlobalIndigenousPeoplesConsultationonREDD/tabid/551/Default.aspx>

United Nations Declaration on the Rights of Indigenous Peoples:

<http://www2.ohchr.org/english/issues/indigenous/declaration.htm>

ILO Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries:

<http://www.unhcr.ch/html/menu3/b/62.htm>

Convention on Biological Diversity: <http://www.cbd.int/convention/convention.shtml>

Akwe: Kon Guidelines: Voluntary guidelines for the conduct of cultural, environmental and social impact assessments regarding developments proposed to take place on, or which are likely to impact on, sacred sites and on lands and waters traditionally occupied or used by indigenous and local communities:

<http://www.cbd.int/doc/publications/akwe-brochure-en.pdf>

International Convention on the Elimination of Racial Discrimination:

<http://www2.ohchr.org/english/law/cerd.htm>

Inter-American Court of Human Rights: Case of the Saramaka People v. Suriname Judgment of November 28, 2007:

http://www.forestpeoples.org/documents/s_c_america/suriname_iachr_saramaka_judgment_nov07_eng.pdf

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