

Report of the Indigenous Peoples' Global Dialogue with the Forest Carbon Partnership Facility (FCPF)

10-11 December 2012

Doha, Qatar



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Prepared by



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Tebtebba 2013**

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Acronyms

ACOFUN	Association of Collaborative Forest Users in Nepal
CCB	Climate, Community and Biodiversity
COP	Conference of Parties
CSO	Civil society organisation
DANAR	Dalit Alliance for Natural Resources
ERPA	Emission Reduction Payment Agreement
FA	Forestry Administration (of Cambodia)
FCPF	Forest Carbon Partnership Facility
FCPI	Foundation for the Protection of Traditional Knowledge
FIP	Forest Investment Program
FMT	Facility Management Team (of FCPF)
FPIC	Free, prior and informed consent
GEF	Global Environment Facility
IDB	Inter-American Development Bank
IIPFCC	International Indigenous Peoples Forum on Climate Change
ILO	International Labor Organization
ILO 169	ILO Convention No. 169 – the Indigenous and Tribal Peoples Convention
IP	Indigenous peoples
LCA	Long-term Cooperative Action
MBOSCUA	Mbororo Social and Cultural Development Association
MPIDO	Mainyoito Pastoralist Integrated Development Organization
MRV	Monitoring, reporting and verification

NEFIN	Nepal Federation of Indigenous Nationalities
ODA	Overseas Development Assistance
PACJA	Pan African Climate Justice Alliance
REDD	Reduction of emissions through deforestation and forest degradation
REDD+	REDD plus conservation, sustainable management of forests and enhancement of forest carbon stocks
REFACOF	African Women's Network for Community Management of Forests
RELs	Reference emission levels
R-PIN	Readiness Preparation Idea Note
R-PP	Readiness Preparation Proposal
SBI	Subsidiary Body for Implementation
SBSTA	Subsidiary Body for Scientific and Technological Advice
SESA	Strategic Environmental and Social Assessment
SIS	Safeguard Information System
UNDP	United Nations Development Program
UNDRIP	United Nations Declaration of the Rights of Indigenous Peoples
UNFCCC	United Nations Framework Convention on Climate Change
UNHCHR	Office of the United Nations High Commissioner for Human Rights
UN-REDD	United Nations REDD Program
VCS	Verified Carbon Standard



Executive Summary

The Indigenous Peoples' Global Dialogue with the Forest Carbon Partnership Facility (FCPF) held in Doha, Qatar, on 10-11 December 2012, was one of a series of meetings held to address indigenous peoples' concerns with the FCPF and global initiatives for the reduction of emissions from deforestation and forest degradation (REDD).

It was the culmination of three regional dialogues with indigenous peoples from Africa, Latin America and the Caribbean, and Asia-Pacific, held in Arusha, Lima and Chiang Mai respectively in 2012.

The global dialogue brought together indigenous participants from Africa, Asia-Pacific, and Latin America and the Caribbean; FCPF and World Bank staff; representatives from the UN Permanent Forum on Indigenous Issues and UN-REDD; representatives of governments participating in the FCPF, whether as implementors or donors; and representatives of civil society organizations (CSOs).

The objectives of the dialogue were:

- To build on the results of the three regional dialogues and, on this basis, produce an Indigenous Peoples' Global



Declaration and Action Plan on Forests and Climate Change;

- To devise concrete proposals for countries to implement the Cancun decision on REDD+ safeguards, the Durban decision on establishing Safeguard Information Systems, and the Doha decisions on REDD+, within the framework of indigenous peoples' full and effective participation, and considering the Guidelines on Stakeholder Engagement in REDD+ Readiness prepared jointly by the FCPF and the UN-REDD Program;
- To agree on the application of environmental and social safeguards by FCPF and its partners; and
- To agree on future mechanisms, processes and funding for effective engagement of indigenous peoples in decision-making in the FCPF's Forest-Dependent Peoples' Capacity Building Program and other relevant REDD+ processes.

The first part of the dialogue focused on sharing of information. Indigenous participants presented concerns and recommendations arising from the regional dialogues. The FCPF provided an update on steps towards REDD+ readiness, explained the World Bank's due diligence process, and gave a description of the Carbon Fund. UN-REDD provided updates on its program and guidelines, and announced plans for a small grants facility. Indigenous participants and government representatives shared their experiences of stakeholder engagement in REDD+. A US government representative presented an update on discussions related to REDD+ at the Doha Conference of Parties (COP) to the UN Framework Convention on Climate Change (UNFCCC).

The second part of the dialogue was devoted to action plans. Indigenous participants adopted a Global Action Plan, to which the FCPF and UN-REDD gave their responses. The dialogue ended with a discussion on the practicalities of the FCPF Capacity Building Program and agreement on that program's criteria for selecting regional intermediary organizations for indigenous peoples.

I. The Global Plan of Action

The Indigenous Peoples' Global Plan of Action relating to FCPF was the main outcome of the dialogue. It addresses four areas of particular concern to indigenous peoples:

- **Indigenous peoples' rights**, including free, prior and informed consent (FPIC) on any policies and projects related to customary forests and indigenous territories; recognition and security of indigenous peoples' tenure rights to lands, territories and resources; and prevention of forced eviction;
- **The full and effective participation of indigenous peoples in REDD+**, in particular the need for awareness-raising and capacity building; the plan proposes specific measures to enable participation and representation of indigenous peoples in the readiness phase of REDD+; it also calls for effective grievance mechanisms;
- **The Carbon Fund**, and in particular, the need for information dissemination and enhanced engagement of indigenous peoples with the Fund;
- **The Readiness Package and the FCPF monitoring and evaluation framework**, and in particular, the need to develop criteria and indicators for



respect of rights and indigenous peoples' full and effective participation.

In its response, the FCPF accepted the Plan of Action, noting that it is a plan of indigenous peoples, rather than of all participants in the dialogue. The FCPF noted that some of the plan's points on indigenous peoples' rights touch on existing World Bank policies, which FCPF cannot go against. It will, however, strive to meet indigenous peoples' expectations.

The FCPF acknowledged the legitimacy of the request to increase funds for indigenous peoples' capacity building and welcomed the proposal for a Global Advisory Committee of indigenous peoples. On the grievance mechanism, FCPF prefers to use national mechanisms where they exist, but acknowledges the need to deal directly with grievances that cannot be addressed at national level. The World Bank's Inspection Panel also provides a means of addressing grievances.

II. Funding for Capacity Building and Community-based REDD+

FCPF explained the workings of its capacity building fund and UN-REDD announced plans to establish a small grants fund to support community-based REDD+ initiatives.

FCPF financial support for capacity building is currently provided through contracts, but from 1 July 2013, FCPF will switch to a system of grants, disbursed through intermediary organizations. FCPF proposed the following criteria for intermediary organizations:

- An indigenous peoples' organization;
- Credibility with peers and an established institutional structure with a solid track record in issues related to

forestry, climate change and/or REDD+;

- Experience working effectively with other regional organizations;
- Capacity for effective financial management and procurement;
- Capacity to undertake environmental and social screening and ensure compliance with WB safeguard principles;
- Capacity to address grievances and provide a redress mechanism.

The indigenous participants agreed these criteria.

III. Information Shared


Reports from the regional dialogues

The concerns and recommendations of indigenous peoples that emerged in the regional dialogues were brought together in a matrix, which showed differences between the regions, but also areas of convergence. The common concerns were capacity building, participation, recognition of rights, research studies and financing. The points presented in the matrix fed into the Global Plan of Action.

Updates from FCPF and UN-REDD

Twenty-six countries have passed the formal assessment of their readiness proposal by the Participants Committee. Nine of the 26 have signed a grant agreement and US\$3.8 million has been released.

Some key decisions on the FCPF are expected in March 2013: the reopening of the FCPF to countries on the waiting list; and the adoption of the Readiness Package assessment framework, the Carbon Fund term sheet, and the FCPF Monitoring and Evaluation Framework.



The World Bank's Independent Evaluation Group (IEG) has conducted a review of the FCPF. It praised the Facility for taking an innovative approach that facilitated inclusive and transparent debate about REDD+ and facilitated a degree of consultation and dialogue at country level rarely seen in forest management projects. The group concluded, however, that FCPF needed to clarify how and in what conditions it would support non-market approaches to REDD+. The IEG suggested that the FCPF should use small grants for micro projects. It also recommended that the World Bank should:

- Hold a strategic discussion on its approach to REDD+; and,
- Consider prioritizing investments to further its wider objectives in the forest sector, such as legal and political support for land tenure and forest government reforms.

A discussion on the World Bank's due diligence was added to the agenda in response to the questions arising in the discussion of the regional dialogues. Once a Readiness Preparation Proposal (R-PP) is approved and before the grant is signed, the World Bank technical team carries out a due diligence process. This aims to identify problems and gaps, determine which social and environmental safeguards apply, and verify compliance with the FCPF Participant Committee Resolution. The resulting recommendations may be addressed in the short term (before the grant is made) and the longer term (during the readiness phase).

The FCPF's Carbon Fund was set up to pay for emission reductions from REDD+ programs and deliver them to Carbon Fund Participants (buyers). The FCPF noted that the Fund had always been part of the design of the Facility and emphasized that its purpose was not to create a carbon market. The Fund went into operation in

May 2011 and work is under way to design the methodological framework for estimating the emission reduction potential of programs and for pricing.

The Carbon Fund is directed at large programs which are likely to be complex and include a variety of activities, with a mix of policies and investment. Criteria for these programs are:

1. Progress towards REDD readiness;
2. Political commitment;
3. Consistency with the Methodological Framework;
4. Scale;
5. Technical soundness;
6. Substantial non-carbon benefits;
7. Diversity and learning value.

The pricing guidance is still under discussion, but will be based on the following principles:

1. Fairness, flexibility, simplicity;
2. Combination of fixed and floating portions;
3. Negotiation between Fund participants and the program sponsor;
4. Non-carbon benefits may be taken into consideration.

UN-REDD's guidelines on FPIC are currently undergoing review by UN-REDD agencies, and the plan is to launch them in mid-January 2013.

UN-REDD is also developing a guidance note on the establishment of grievance mechanisms at national level. Global and national consultations are planned, to ensure the guidance note addresses the key concerns of indigenous peoples and local communities. Pilot activities to support countries to develop grievance mechanism will be carried out in 2013.

Stakeholder engagement in practice

Experience of Forestry Administration, Cambodia

Current constraints on engagement of indigenous peoples in REDD+ in Cambodia include lack of communication, and lack of clarity about the composition and terms of reference of the national Indigenous Peoples Representative Team. Moreover, plans are still in the development stage and a Safeguards Technical Team has yet to be set up.

Constraints facing the program as a whole include institutional arrangements, a lack of human and financial resources especially at sub-national level, and a general lack of awareness of REDD+.

Sustained technical and financial support for capacity building on REDD+ and safeguards would assist the implementation of Cambodia's REDD+ Roadmap.

Experience of Ministry of Environment and Natural Resources, El Salvador

Indigenous peoples are involved in the preparation and implementation of El Salvador's REDD+ strategy.

Indigenous peoples will be consulted on the design and implementation of the social assessment, and it is envisaged that indigenous peoples and local communities, as well as academics, NGOs and private sector representatives, will support the monitoring process.

A consultative body, the Indigenous Peoples Board, has been set up to work with the Climate Change Committee. The Board is composed of indigenous leaders, including women, and will participate in national advisory, assessment and monitoring bodies, with a voice and a vote.

Experience of indigenous peoples in Asia

There has been progress in terms of representation of indigenous peoples and acknowledgement of the need to consult them.

The substance and conduct of consultations, however, needs to be improved and major challenges remain. These include:

- Recognition of indigenous peoples' identities and their rights;
- Building the capacity of indigenous peoples to engage fully and effectively with REDD+;
- Building the capacity of governments to understand indigenous peoples' issues and rights, and to engage with indigenous peoples.

Most importantly, the Joint Stakeholder Guidelines need to be updated to operationalize the Cancun Agreement provisions for respect of indigenous peoples' rights and traditional knowledge, and their full and effective participation in REDD+.

Experience of indigenous peoples in Cameroon

It was due to the FCPF's influence that the government engaged with civil society and indigenous peoples on REDD+. Indigenous peoples and CSOs are represented in the National REDD+ Steering Committee.

For indigenous peoples and CSOs, participation in REDD+ holds out opportunities for:

- Encouraging Cameroon to ratify ILO 169;
- Benefiting from REDD+ funding mechanisms;
- Equitable sharing of revenues from REDD+ within communities;
- Participation in decision making;
- Improving forest governance;
- Bringing civil society organizations together in a network;



- Developing a working relationship with the government, despite traditional misunderstandings.

But there are also challenges in the following areas:

- Information and training;
- A need to foster a culture of communication and networking;
- Leadership, management and professionalization;
- Access to finance;
- The relationship between government and CSOs;
- Vulnerability of linguistic and cultural minorities are vulnerable;
- In the English-speaking territory of Cameroon, the protection of the Atlantic coastal, lowland humid forest, montane forest, savanna and existing wetland ecosystems and the rights, culture and livelihoods of local people.

The experience of forest communities in Costa Rica

The country's institutions are too weak and too slow to respond to the problems of forest communities. Forest peoples want the World Bank to help legitimize participatory processes. Everyone can participate, but the indigenous peoples and rural communities must be there, with privileges. There should be a two-year moratorium on evictions, during which time the government should clarify and improve legal security and land tenure.

Update on decisions from the UNFCCC COP 18, December 2012

There was no agreement on monitoring, reporting and verification. The draft text was not adopted, but was attached as an Annex to the Chair's Conclusions and will inform discussions

in 2013. Matters remaining under discussion include the draft text on National Forest Monitoring Systems.

The text on Long-term Cooperative Action (LCA) was adopted at the last minute. It calls for:

- A one-year work program on results-based finance under the COP;
- A joint effort by the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI) to improve coordination of financing for REDD+;
- SBSTA to start work on methodological issues related to non-carbon benefits.





Introduction

The Indigenous Peoples' Global Dialogue with the Forest Carbon Partnership Facility (FCPF) held in Doha, Qatar, on 10-11 December 2012, was one of a series of meetings held to address indigenous peoples' concerns with the FCPF and global initiatives for reduction of emissions from deforestation and forest degradation (REDD).

The first in the series was a global dialogue held in Guna Yala, Panama, in September 2011. At that meeting, indigenous peoples (IP) adopted the Guna Yala Action Plan, which called for further dialogues to explore the issues at regional level in Africa, Asia, and Latin America and the Caribbean. The global dialogue held in Doha in December 2012 was the culmination and consolidation of the three regional meetings.

The regional dialogues were held in 2012 (see box). They resulted in the adoption by indigenous peoples' representatives of action plans for Africa and Asia-Pacific, and a declaration for Latin America and the Caribbean.

Regional Dialogues 2012

Africa

Arusha, Tanzania
April 19-24

Latin America and Caribbean

Lima, Peru
August 22-24

Asia-Pacific

Chiang Mai, Thailand

September 24-28 The meeting in Doha¹ was the second global dialogue. It brought together 54 indigenous participants from Africa, Asia, and Latin America and the Caribbean; 11 staff of the FCPF and the World Bank; one representative each from the UN Permanent Forum on Indigenous Issues and UN-REDD; representatives of governments participating in the FCPF, whether as implementors or donors; and representatives of civil society organizations (CSOs). (See Annex I for a full list of participants.)

¹ The Indigenous Peoples' Global Dialogue took place immediately after the 18th Session of the Conference of Parties to the UN Framework Convention on Climate Change (UNFCCC-COP 18), held in Doha from November 26 to December 7. Some of the indigenous peoples' participants in the Global Indigenous Peoples Dialogue with the FCPF also attended the UNFCCC-COP 18 as observers representing the International Indigenous Peoples Forum on Climate Change (IIPFCC), which is the global indigenous peoples' caucus on climate change.



The global dialogue was organized by the Global Indigenous Peoples' Steering Committee and Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education), with support from the FCPF.

Peoples' Capacity Building Program of the FCPF and other relevant REDD+ processes.

Objectives of the dialogue

The Indigenous Peoples' Global Dialogue was intended to build on the conclusions of the regional dialogues held in Arusha, Lima and Chiang Mai. Its objectives were:

1. To build upon the results of the three regional dialogues and, on this basis, come up with an Indigenous Peoples' Global Declaration and Action Plan on Forests and Climate Change that applies to all the regions (while respecting the integrity of the results from each of the three regional dialogues and their applicability to each region);
2. To discuss and come up with concrete proposals on how FCPF/REDD+ countries will implement the Cancun decision on REDD+ safeguards, the Durban decision on establishing Safeguard Information Systems, and the Doha decisions on REDD+ within the framework of indigenous peoples' full and effective participation, and consideration of the Guidelines on Stakeholder Engagement in REDD+ Readiness prepared jointly by the FCPF and the UN-REDD Program;
3. To agree on the application of relevant environmental and social safeguard policies through the Multiple Delivery Partner arrangement; and
4. To agree on future mechanisms, processes and funding for effective engagement of indigenous peoples in decision-making processes of the Forest-Dependent

Program

The dialogue proper was preceded by two shorter meetings:

1) An informal discussion of the World Bank's review and update of its safeguard policies

8 December 2012

World Bank representatives explained their intention to draw up a new framework of principles, policies, procedures and guidance, and invited indigenous participants to give their views on its policy on indigenous peoples (OP 4.10). (See Annex II for a summary of the discussion.)

2) A closed meeting of indigenous peoples

9 December 2012

The indigenous participants reviewed the results of the regional dialogues, further refined the plans and recommendations, and identified elements common to all three regions. The discussion provided the basis for an integrated action plan that was presented to the FCPF.

The Dialogue

10-11 December 2012

The first part of the dialogue focused on sharing of information. Indigenous participants presented concerns and recommendations arising from the regional dialogues. The FCPF provided an update on steps towards REDD readiness, explained the World Bank's due diligence process and gave a description of the Carbon Fund. UN-REDD provided updates on its



program and guidelines, and announced plans for a small grants facility. Indigenous participants and government representatives shared their experiences of stakeholder engagement in REDD+. A US government representative presented an update on discussions related to REDD+ at the Doha Conference of Parties (COP 18) to the UN Framework Convention on Climate Change (UNFCCC).

The second part of the dialogue was devoted to action plans. Indigenous participants adopted a Global Action Plan, to which the FCPF and UN-REDD gave their responses. The dialogue ended with a discussion on the practicalities of the FCPF Capacity Building Program and agreement on that program's criteria for selecting regional intermediary organizations for indigenous peoples.

About this report

This report does not follow the order of the program. The first chapter presents the main outcome of the dialogue, the Indigenous Peoples' Global Plan of Action relating to the FCPF, and the responses from the FCPF and UN-REDD. The second chapter covers the discussion of the FCPF's Capacity Building Program and the proposed Small Grants Facility of UN-REDD. The subsequent sections summarize the presentations that informed the discussion of the Plan of Action. These provide a useful set of resource materials about:

- Results of the regional dialogues highlighting indigenous peoples' concerns and recommendations on the FCPF and REDD+;
- The World Bank and FCPF policies relevant to REDD+ activities and information about recent developments, World Bank due diligence, and the Carbon Fund;

- Experiences of stakeholder engagement in REDD+ from the perspective of governments and indigenous peoples;
- Developments in REDD+ arising from decisions of the Doha climate change negotiations.





Indigenous Peoples' Observers to the FCPF Participant's Committee, from left, Kapupu Aiwa Mutimanwa (LINAPYCO/ REPALEAC), Soikan Meitiaki (MPIDO), Joan Carling (AIPP), Onel Masardule (FPCI), and Edwin Vasquez (COICA).



Global Dialogue facilitators Victoria Tauli-Corpuz of Tebtebba and Stanley Kimaren of ILEPA, Kenya.



Participants of the Indigenous Peoples' Global Dialogue with the Forest Carbon Partnership Facility (FCPF).



I. Indigenous Peoples' Global Plan of Action Relating to FCPF

The Global Indigenous Peoples' Steering Committee presented a draft global action plan relating to FCPF, which was discussed in regional caucuses and then in a plenary session.

The Indigenous Peoples' Global Plan of Action relating to FCPF was adopted by the indigenous participants in a plenary session. It is based on the three regional dialogues that took place earlier in the year, as well as discussion and new information presented during the global dialogue.

The action plan addresses four areas of particular concern to indigenous peoples:

- **Indigenous peoples' rights**, including free, prior and informed consent (FPIC) on any policies and projects related to customary forests and indigenous territories; recognition and security of indigenous peoples' tenure rights to lands, territories and resources; and prevention of forced eviction;
- **The full and effective participation of indigenous peoples in REDD+**, in particular the need for awareness-raising and capacity building; the plan proposes specific measures to enable participation and representation of

indigenous peoples in the readiness phase of REDD+; it also calls for effective grievance mechanisms;

- **The Carbon Fund**, and in particular the need for information dissemination and enhanced engagement of indigenous peoples with the Fund;
- **The Readiness Package and the FCPF monitoring and evaluation framework**, including a proposal to develop criteria and indicators for respect of rights and indigenous peoples' full and effective participation.

The FCPF response included some remarks on factual and procedural matters. It was agreed that the indigenous peoples' steering committee would address these after the dialogue, and make some adjustments to the action plan accordingly. The final version of the action plan was sent to participants afterwards and is reproduced here.



GLOBAL ACTION PLAN OF INDIGENOUS PEOPLES RELATING TO FCPF (2013-2015)

The Action Plan is formulated as a set of activities aimed at implementing FCPF within the human rights framework of respect and recognition of the rights of indigenous peoples to lands, territories, natural resources, self-determination, and their unique world views in relation to the forests and their immeasurable cultural and spiritual values for sustenance consistent with the spirit of UN Declaration on the Rights of Indigenous Peoples (UNDRIP), including the principles of Free, Prior and Informed Consent (FPIC).

I. Promote the respect and recognition of the rights of indigenous peoples

1. Actively encourage governments to provide legal measures to respect, recognize and protect the rights of indigenous peoples in all stages of REDD+ consistent with the UNDRIP and ILO Convention 169.
2. Support indigenous peoples' efforts and initiatives to strengthen land, forest, resource tenure and governance systems and promote the effective implementation of the UNDRIP and the ratification and implementation of ILO Convention 169.
3. Recognize pastoralists as indigenous peoples of Africa based on consideration of the African Commission on Human and Peoples' Rights.
4. Provide measures to prevent forced eviction/relocation of indigenous peoples.
5. Ensure free, prior and informed consent (FPIC) on any policies and projects related to customary forests and indigenous territories in the implementation of REDD+.
6. Recognize indigenous peoples' customary, informal and traditional laws and institutions and governance systems consistent with international human rights standards.
7. Recognize indigenous peoples' rights to self-determination.
8. Ensure the recognition and security of indigenous peoples' customary tenure rights to lands, territories and natural resources as a prerequisite for any REDD+ project or programmes and provide financial support for demarcation of lands and territories.
9. Facilitate specific mechanisms and processes for the full and effective participation of indigenous peoples in the review/update of safeguard policies.
10. Establish safeguards based on the rights of indigenous peoples.
11. Respect the traditional knowledge of indigenous peoples.
12. Recognize and strengthen traditional forest management systems and practices of indigenous peoples, even when they are not part of REDD+.

II. Provide measures and guidelines for the full and effective participation of indigenous peoples in all stages of REDD+ and strengthen the Joint FCPF-UN-REDD Stakeholder Engagement Guidelines

Support information dissemination and awareness-raising activities in a sustained manner

13. Support awareness-raising and information sharing at all levels such as the



production and distribution of culturally appropriate educational materials in various forms, and translation into languages understood by indigenous peoples.

14. Undertake comparative analysis of the potential risks and opportunities of REDD+ to assist indigenous peoples in making decisions relating to their involvement in REDD+.
15. Develop a clear FCPF communication and outreach plan for indigenous peoples at the grassroots level.
16. Ensure translation and effective dissemination of all FCPF related materials into French, Spanish, English, and indigenous people's languages as much as possible.
17. Utilize all media for effective information dissemination including community radios.
18. Establish a repository database on REDD+ that is accessible to indigenous peoples in cooperation with other key actors in REDD+ such as UN-REDD.
19. FCPF to publish periodic newsletters on key developments, good practice, lessons learned and challenges, and to include the views of indigenous peoples.

Support for capacity building


20. Develop and conduct specific training and capacity building programs targeting indigenous women and youth.
21. Support training on recourse mechanisms, conflict management, advocacy and negotiations.
22. Support capacity building needs of indigenous peoples at all levels for their effective engagement in all the aspects of REDD+ and FCPF and other initiatives, including the UN-REDD Program

(UN-REDD is developing a small grants facility for community-based REDD).

23. Support and promote the strengthening of indigenous knowledge, traditional institutions and indigenous peoples' organizations.
24. Support the conduct of needs assessment for capacity building of indigenous peoples and the development of appropriate training materials, including the enhancement of traditional knowledge.
25. Increase financial resources for the FCPF Indigenous Peoples Capacity Building Program for the above information and education efforts aimed at the community level, with priority for replicable materials that can be customized and translated into local languages and including special funds for translation of educational materials into local languages.
26. Support research on land tenure, land-use change, drivers of deforestation and benefit-sharing for policy reforms towards strengthening forest governance of indigenous peoples.
27. Enhance the capacity of the country-level team of FCPF and staff of the World Bank; and also designate country-level FCPF IP focal points for effective engagement with indigenous peoples.
28. Support capacity building of government officials for meaningful engagement with indigenous peoples.

Participation and representation of indigenous peoples in relevant processes and mechanisms in the readiness phase

29. Actively promote the appropriate representation of indigenous peoples in national REDD+ governance bodies and relevant bodies and mechanisms at the



local, national and international levels based on the self-selection process and mechanisms of indigenous peoples.

30. Conduct regional consultations and dialogues as a forum for providing updates, exchanges of views and assessment of progress in the engagement of indigenous peoples with FCPF, as well as to provide recommendations to FCPF.
31. Ensure participation of indigenous experts from UN bodies and mechanisms such as UNPFII and other experts in FCPF meetings and processes.
32. Establish effective communication channels between FCPF/FMT and indigenous focal points at the regional and national levels.
33. Support the inclusion and technical support of indigenous lawyers in the engagement of FCPF with indigenous peoples as well as engagement of indigenous peoples at the national and local levels.
34. Support and recognize participatory monitoring and reporting by indigenous peoples of FCPF-supported national readiness processes.
35. Support the establishment of IP advisory groups to the FCPF at the regional level in order to monitor the implementation of the results of the consultations and dialogues as well as provide updates and recommendations to FCPF.
36. Support participatory research in developing the territorial and cultural indicators for indigenous peoples' customary rights and institutions, as well as methodologies that include multi-criteria, and combine monetary and non-monetary criteria.
37. Facilitate the operations of the Global Advisory Committee consisting of the

indigenous peoples' representatives to the UN-REDD Programme and FCPF indigenous observers from Africa, Latin America and the Caribbean, and Asia-Pacific. In addition, regional advisory groups attached to the IP focal points shall be formed to support and provide guidance to the focal persons, as well as to coordinate the engagement of indigenous peoples with FCPF at the national and regional levels. The regional advisory groups are independent from the Global Advisory Committee but shall maintain close cooperation and collaboration on global and regional activities and concerns.

38. Support and promote access to the use of dispute resolution mechanisms including traditional systems and regional mechanisms such as the African Commission on Human and Peoples' Rights.

Grievance mechanism

39. Establish effective and appropriate grievance mechanisms at local, national and international levels to address the concerns and issues of indigenous peoples, taking into consideration existing traditional or customary dispute resolution mechanisms and processes of indigenous peoples.

III. The Carbon Fund

Ensure information dissemination and enhanced engagement with the Carbon Fund

40. Collaborative identification of two cases to bring to REDD+ design forums that highlight positive examples of emerging

good practice (FPIC, benefit-sharing) and can share practical lessons learned and guidance for the Carbon Fund Methodological Framework and Pricing Approach.

41. FMT to convene a workshop of indigenous leaders on the Carbon Fund, R-Package Assessment Framework and draft Monitoring and Evaluation Framework in January 2013 to strengthen the engagement of indigenous peoples in related processes. (Refer to no. 47 for details on engagement in the R-Package and Monitoring and Evaluation Framework).
42. Support for the development of specific language for Carbon Fund Methodological Framework and Pricing Approach around issues of FPIC, benefit-sharing and non-carbon benefits.
43. Enhance support for the two IP representatives to the Carbon Fund Working Group on the Carbon Fund Methodological Framework and Pricing Approach.
44. Expand IP Representation in the Carbon Fund from one to two observers.
45. Establish a mechanism for indigenous peoples to have direct access to the Carbon Fund and present to the Carbon Fund Emission Reduction Idea Notes for funding consideration.
46. Ensure the recognition, inclusion and elaboration of the multiple benefits of forests/non-carbon and the equitable entitlement of benefits for indigenous peoples as based on the Doha Agreement to take into account “ways to incentivize non-carbon benefits.”

IV. The R-Package and the FCPF Monitoring and Evaluation Framework

Ensure sustained and effective engagement of indigenous peoples in the R-Package and the FCPF Monitoring and Evaluation Framework

47. Develop criteria and indicators relating to the safeguards in the REDD+ Cancun Agreement in the R-Package and the FCPF Monitoring and Evaluation Framework with the effective participation of indigenous peoples.
48. FMT to incorporate the above indicators into the draft R-Package Assessment Framework and draft Monitoring and Evaluation Framework for presentation to the PC in March 2013.
49. Use of funding for FMT monitoring and evaluation (and through WB country offices) to support specific efforts to monitor and report on issues of respect for rights, full and effective participation, and implementation of safeguards for countries reporting to the PC at mid-term and R-Package (upcoming countries include Vietnam, Nepal, Costa Rica, Liberia, Ghana). (Grant reporting and monitoring form will be publicized once a year.)
50. Support participatory IP monitoring and independent assessment at mid-term and R-Package.

Response to the Action Plan from FCPF

Benoit Bosquet, on behalf of FMT-FCPF, thanked the indigenous participants for producing a useful synthesis. The FMT-FCPF accepted the Plan of Action, noting that it is a plan of indigenous peoples, rather than of all participants in the dialogue.



On indigenous peoples' rights

Mr Bosquet said the World Bank had to take all requests in the context of existing policies; and FCPF could not go against the policies and mandate of the Bank. He said the FCPF and the World Bank would do their best to meet indigenous peoples' expectations. Some of the concepts in the action plan, such as FPIC, are under discussion in the World Bank's update and review of policy, but FCPF cannot preempt the outcome of that discussion. Until the review is finished, the existing policies apply.

Some points in this part of the action plan touch on existing World Bank policies:

- Point 4 (prevention of forced eviction) is covered by OP 14.12 on involuntary resettlement;
- Point 8 (recognition of indigenous peoples and their lands, territories and resources) is covered by OP 4.10.

On measures and guidelines for full and effective participation

Mr Bosquet said this was a mix of activities that indigenous peoples wanted to undertake with support from the capacity building fund, and activities that indigenous peoples were requesting FCPF to undertake. He suggested that indigenous peoples should conduct them. He made the following comments on specific points:

- Point 25: (increase financial resources for indigenous peoples' capacity building program) This is a legitimate request, but there is currently little money in the program given the scale of need. The recommendation is to wait a little before putting in a request to the Participants Committee for additional funds;

- Point 30: (support capacity building for government officials) FCPF already does this;
- Point 37: (Global Advisory Committee) This is very welcome. The recommendation is that indigenous peoples make a proposal with more detail about what the committee would do and how it would operate;
- Point 33: (indigenous lawyers) This is noted with interest. In some countries where the World Bank works, this is already in operation or planned;
- Point 36: (participatory research) The assumption is that indigenous peoples will lead this with support from capacity building programs;
- The grievance mechanism: FCPF prefers to use national mechanisms where they exist. A mechanism will be needed to enable the Fund to deal directly with grievances that cannot be addressed at national level and funds have been allocated for this purpose, but the details remain under discussion. The World Bank's Inspection Panel also provides a means of addressing grievances. To FCPF, this seems consistent with the proposal in the Plan of Action.

On the Carbon Fund

- Point 40: (FPIC) The Carbon Fund cannot mandate FPIC ahead of World Bank policy and procedures. The joint stakeholder guidelines, however, state that FPIC may be applied when a country has ratified Convention 169 of the International Labor Organization (ILO 169) or otherwise legislated FPIC, or where it is the policy of another delivery partner (e.g., the UN Development Program – UNDP);



- Point 43: (expand indigenous peoples' representation) This will have to be put to the Carbon Fund Participants;
- Point 45: (mechanism for direct access) FCPF respects that indigenous peoples want direct access to the Carbon Fund. Any program submitted by indigenous peoples will have to meet the criteria, which include government approval. A program straddling two countries would have to have the approval of both governments.

On the R-package and the monitoring and evaluation framework

- Point 47 (criteria and indicators): This is a useful proposal.

Response to the Action Plan from UN-REDD

On behalf of UN-REDD, Charles McNeill welcomed the references to UN-REDD in the action plan. He said that by laying out indigenous peoples' priorities, it would help UN-REDD plan its work and explain these plans to the Policy Board and to governments:

- On REDD+ database for indigenous peoples: UN-REDD welcomes the idea and is willing to help;
- On access to funding: UN-REDD seeks to create small grants facilities for community-based REDD, which would be available to indigenous peoples (see page 20);
- On grievance mechanisms: UN-REDD is developing a grievance mechanism.

**FCPF Capacity Building Program
Proposed timeline for selection of intermediary organizations**

December 11, 2012	Agree on criteria (in Doha)
December 21	FMT to share flyer containing information on nominations (including criteria) in English, French, Spanish, ready for dissemination with Indigenous Peoples' Steering Committee (5 IP observers to FCPF)
December 31	Steering Committee and FMT disseminate flyer to their networks
Jan 31, 2013	Deadline for submitting nominations to FMT
Feb 22	FMT sends names of selected intermediaries (including justification) to Steering Committee
March 15	Steering Committee responds to FMT
March 22	If necessary, Steering Committee and FMT discuss and resolve differences during PC14 meeting in Washington, DC
March-June	Operational manuals finalized, due diligence of intermediaries completed, funds transferred
July 1	New system operational



Indigenous participants from Africa and Asia.



II. Funding for Capacity Building and Community-Based REDD+

FCPF Capacity Building Programs

Presentation by Benoit Bosquet, FMT-FCPF, WB

FCPF has two programs for capacity building up to June 2015, one for indigenous peoples and one for Southern CSOs and NGOs. Additional support is available for travel and incidentals (see Table 1 below).

Table 1. Funding for FCPF capacity building programs to June 2015

	Indigenous peoples	Southern CSOs and local communities
Capacity building	\$2.2m	\$1.79m
Travel and incidentals	\$60,000	\$45,000

Funds are allocated by region, based on the number of REDD+ countries and the number of national languages in the region. See Table 2 for a regional breakdown of the funding allocations.

Funding is currently provided through contracts, but from 1 July 2013, FCPF will switch to a system of grants. (For a timeline of the reorganization, see the box next page.)

FCPF has received nominations from indigenous peoples for organizations to act as regional intermediaries in the administration of the new system. The organizations nominated were Mainyoto Pastoralists Integrated Development Organization (MPIDO - Africa), Tebtebba (Asia-Pacific) and Sotzil (Latin America and Caribbean). A similar process is under way with Southern CSOs and local communities.

FCPF received a number of proposals from Africa and Asia-Pacific regions in the current phase (until end June 2013). Four were accepted, one was rejected and two remain under consideration (see Table 3).

FCPF is now calling for proposals from Latin America and Caribbean. FCPF will make a selection and ask the proponents to submit a more detailed proposal. Spontaneous proposals can be considered, as long as they are submitted on an official form.

The next steps for putting the new grant-based system in place by 1 July 2013 are:

1. To finalize the selection of intermediary organizations;
2. To adopt an operational manual;
3. To decide whether to offer competitive



grants or take a more strategic approach with regional work programs.

Intermediary Organizations

Although FCPF received nominations from indigenous peoples' organizations for regional intermediaries, the process was insufficiently

formal or transparent. FCPF has therefore proposed the following criteria for intermediary organizations:

- An indigenous peoples' organization;
- Credibility with peers and an established institutional structure with a solid track record in issues related to forestry, climate change and/or REDD+;

Table 2. FCPF financial allocation for capacity building, 2012-2015

Note: The years in the table are full financial years, i.e., 2012-2013 refers to the two financial years 2012 and 2013.

	Transitional phase 2012-13	New system 2014-15	Total 2012-15
Indigenous peoples			
Africa	\$358,396	\$482,780	\$841,176
Asia-Pacific	\$231,579	\$311,950	\$543,529
LAC	\$340,476	\$458,641	\$799,118
Unallocated	\$6,892	\$9,284	\$16,176
Total	\$937, 343	\$1,262,657	\$2,200,000
Southern CSOs and local communities			
Africa	\$291,604	\$392,808	\$684,412
Asia-Pacific	\$188,421	\$253,814	\$442,235
LAC	\$277,024	\$373,167	\$650,191
Unallocated	\$5,608	\$7,554	\$13,162
Total	\$762,657	\$1,027,343	\$1,790,000
All			
Africa	\$650,000	\$875,588	\$1,525,588
Asia-Pacific	\$420,000	\$565,765	\$985,765
LAC	\$617,500	\$831,809	\$1,449,309
Unallocated	\$12,500	\$16,838	\$29,338
Total	\$1,700,000	\$2,290,000	\$3,990,000

Table 3. Proposals received for the transitional phase

Accepted	Pending	Rejected
Kenya: MPIDO (IP) Nepal: NEFIN (IP) Regional (Kenya, Uganda, Tanzania): PACJA (CSO) Cameroon: REFACOF (CSO/IP)	Nepal: DANAR Nepal Law Society	Nepal: ACOFUN (CSO)

- Experience working effectively with other regional organizations;
- Capacity for effective financial management and procurement;
- Capacity to undertake environmental and social screening and ensure compliance with WB safeguard principles;
- Capacity to address grievances and provide a redress mechanism.

The presenter asked the indigenous participants to agree the criteria, and propose additions if they thought it necessary.

Operational Manual

The manual will specify fiduciary and safeguard requirements. It is to be finalized by 30 June 2013.

Competitive Grants or Work Program?

The original idea was to operate a system of small, competitive grants with funds going to the best proposals. The Asia-Pacific region, however, suggested that assessing need at regional level and then organizing a work program, would be more strategic and a more efficient use of funds. The final decision has not yet been made, but the Facility Management Team (FMT) favors the work program.



Proposal (R-PP), or national REDD+ strategy objectives. The idea is being explored with the Global Environment Facility (GEF) Small Grants Program and in consultation with FCPE.

The GEF Small Grants Program, which is implemented by UNDP, can allocate resources to REDD+, but the grants would have greater impact as part of a national REDD+ program.

The objective of the UN-REDD small grants facility would be to catalyse REDD+ readiness from the ground up, bringing resources and capacity to communities, empowering them to engage in national REDD+ activities, and pilot important REDD+ methodologies and safeguards.

The facility could support such activities as:

- Capacity building for local level indigenous peoples' and community-based organizations in pilot REDD+ sites to understand REDD+;
- Reviews of national and local tenure and land rights issues by indigenous peoples and CSOs for inclusion in national R-PP documents;
- Community-led pilot activities to trial and refine REDD+ approaches for participatory forest mapping and

UN-REDD Small Grants Facility

Presentation by Charles McNeill, UNDP/UN-REDD

UN-REDD is considering the creation of a small grants facility to make grants of up to US\$50,000 directly to indigenous peoples and local communities in support of a national REDD+ program or Readiness Preparation



monitoring; FPIC and benefit distribution pilots; development of sustainable livelihood alternatives; ancestral domain mapping, claims and recognition, etc.

UN-REDD is currently looking for financing to pilot small grants in a few countries in 2013. It will work with the FCPF and the Forest Investment Program (FIP) to ensure this mechanism complements their grant initiatives.

The presenter asked indigenous participants for their views on the design and purpose of the facility.

Discussion

After some discussion and clarification, the indigenous participants agreed the criteria for intermediary organizations proposed by the FCPF for its capacity building program. The FCPF presenter clarified the steps in the selection process: indigenous peoples' organizations should submit their nominations with a justification—that is, an explanation of how the nominated organization matches the criteria. If the Facility Management Team (FMT) agrees with the justification, it will send it to the Indigenous Peoples Steering Committee for verification. The organizations nominated previously may be nominated again, but the nomination must come with a justification according to the criteria.

Indigenous participants also raised questions about the FCPF capacity building fund and the UN-REDD small grants facility.

The FCPF capacity building fund

Q: *Is it possible to put forward a regional or subregional proposal for Latin America?*

A: Regional and subregional proposals are

not ruled out. There are four criteria for proposals and the applicants need to take these into account.

Q: *Will financial support be available for preparing a proposal based on community need?*

A: No. The type of activity to be supported is information dissemination, which is best done by one organization, not by every community for itself. This is a capacity building program, not financing for projects.

Q: *Can proposals be put forward by a mix of indigenous and non-indigenous organizations?*

A: Yes, as long as the non-indigenous organization is credible to indigenous peoples.

Q: *Will there be just one operational manual, or one for each region?*

A: It is best to have just one operational manual, but it may need specific chapters for particular regions.

Q: *Will indigenous peoples be involved in writing the operational manual?*

A: FCPF will draft the manual and indigenous peoples will be asked for comment. However, the manual must be acceptable to the World Bank.

The UN-REDD small grants facility

Q: *How do indigenous peoples access the UNDP small grants fund?*

A: The fund is not yet open. UN-REDD hopes to set it in motion in 2013. It expects to make a total of \$4 million available in the first two or three years, possibly more if the first projects work well. It will be announced through indigenous peoples' and civil society networks.

- Criteria need to be developed and UN-REDD welcomes indigenous peoples' views on this;
- Guidelines will be based on the existing small grants program.



III. Reports from the Regional Dialogues

Indigenous participants reported on the concerns and recommendations that emerged from the three regional dialogues, and the common elements were presented in a matrix. This was followed by a general discussion and a response from the FCPF.

serve as a mechanism to ensure protection of indigenous peoples' rights.

Key concerns identified in the Arusha dialogue included:

- The need to ensure women's engagement in FCPF and REDD+;

1. Africa

Presentation by Edna Kaptoyo of the Indigenous Information Network, Kenya

At the Arusha dialogue in April 2012, indigenous participants recognized that FCPF presents both challenges and opportunities for indigenous peoples. They agreed an action plan, which recommended continued engagement with the World Bank with regard to FCPF and reaffirmed the Guna Yala Action Plan as the foundation for ongoing dialogue.

The indigenous participants also identified the African Commission on Human and Peoples' Rights as having a critical role in REDD+ programs. In particular, its Working Group on Indigenous Populations and Communities can



- The need to take pastoralism and pastoralists into account in forest policies and management;
- Cases of displacement and dispossession of indigenous peoples in preparation for REDD+, for example in Tanzania;
- Failure to seek indigenous peoples' participation in country needs assessment, for example in Kenya;
- Governance and corruption.

In their recommendations, African indigenous peoples stressed the need for special attention to women and youth in capacity building efforts, and for support to develop effective engagement with governments. For a more detailed list of recommendations, see the matrix on page 27.

2. Asia-Pacific

Presentation by Dandu Sherpa of the Nepal Federation of Indigenous Nationalities (NEFIN)

The recommendations of indigenous peoples at the Chiang Mai, Thailand dialogue in September 2012 related to capacity building, full and effective participation of indigenous peoples, recognition of rights, the REDD+ readiness package, financing, and monitoring. They stressed that all REDD-related activities should be consistent with the UN Declaration of the Rights of Indigenous Peoples (UNDRIP), ILO 169 and other international standards. In particular, they called for the principle of FPIC to be applied to any policies and projects related to customary forest and indigenous territories in the implementation of REDD+.

They also highlighted the need to:

- Recognize the informal institutions of



indigenous peoples, in order to ensure full and effective participation;

- Translate information materials into local languages;
- Recognize the non-carbon benefits provided by forests.

The action plan drawn up at Chiang Mai called for the establishment of grievance mechanisms (at local, national and international levels) to which indigenous peoples can address their concerns.

For a more detailed list of recommendations, see the matrix on page 28.

3. Latin America and the Caribbean

Presentation by Onel Masardule of the Foundation for the Protection of Traditional Knowledge (FCPI), Panama

Indigenous participants at the Lima, Peru dialogue in August 2012 drew up a declaration, which was refined in a regional caucus in Doha on 9 December. What follows is a presentation of this revised version.



The declaration defines the core issue for indigenous peoples as respect for the right to self-determination, FPIC and ancestral rights. For an ongoing relationship between indigenous peoples and the FCPF, the processes must be consistent with the UNDRIP and ILO 169. States and institutions such as the World Bank must recognize international laws and standards.

Specific concerns raised in the declaration include the following:

- Many countries do not recognize indigenous peoples: this is unacceptable. Indigenous peoples must be recognized and their right to self-determination respected. It must also be recognized that some peoples do not wish to implement REDD+;
- World Bank policy currently bundles indigenous peoples together with multi-stakeholders and local communities. This dilutes the demands and proposals of indigenous peoples.

Other key recommendations include:

- Policies, projects and project design must guarantee full and effective participation of indigenous peoples, with a voice and vote, from the beginning;
- The World Bank's policy must guarantee a specific participatory process for indigenous peoples. The direct institutional relationship between the FCPF/World Bank and indigenous peoples in Latin America should be through the Abya Yala Indigenous Forum;
- All REDD+ projects must ensure recognition of indigenous peoples, their natural resources, and demarcation and title of indigenous traditional lands and territories;
- Capacity building should be based on the traditional knowledge, innovations and practices of indigenous peoples;
- Title to territories must be a principal indicator for REDD+.

For a more detailed list of recommendations, see the matrix on page 29.

Discussion

Indigenous participants made some additional recommendations, and a question was raised from the floor.

Recommendations

- Capacity building should include other stakeholders besides indigenous peoples, for example media, government officials, World Bank country office staff.
- The World Bank needs to designate a focal person for indigenous peoples at national level.



Comparison of Elements from the Three Regional Dialogues

Capacity Building	Participation	Recognition of Rights	Studies	Carbon Fund	Readiness Fund/ R-Package	Financing	Monitoring
<p>Guna Yala Action Plan</p> <ul style="list-style-type: none"> - Awareness-raising and information sharing at all levels - Strengthen capacity of women and youth 	<ul style="list-style-type: none"> - UNPFII and other experts in FCPF meetings and processes - Communication between FCPF and focal points - Include IP lawyers - Support participatory monitoring 	<ul style="list-style-type: none"> - Recognize international obligations as articulated by UNDRIP, ILO 169, etc and in UNFCCC REDD+ decision - Support IP efforts to strengthen tenure and governance - Regional recourse mechanisms (designed with IPs) 	<ul style="list-style-type: none"> - Global study on IP land tenure (FCPF funded) + recommend national reforms and forest governance 	<ul style="list-style-type: none"> - Carbon Fund must have thorough information dissemination and consultations with IPs - Comprehensive reporting + participatory monitoring. 	<ul style="list-style-type: none"> - Comprehensive framework (including guidelines and indicators developed with IPs) to assess performance and monitor safeguards, with participatory monitoring. 		



Africa

<ul style="list-style-type: none"> - Target women and youth - Training on recourse mechanisms, conflict management and negotiation - Enhance capacity of country FCPF teams to engage - Regional consultation - Build capacity of the national WB office and other stakeholders at national level - Establish a committee in the African region - WB to consider one or more staff working only on IP issues at the country office and regional level (as ILO and UN-HCHR) - Capacity building in all aspects of REDD+ and FCPF and other initiatives related to climate change - Translation of all FCPF-related material into French, English and other IP languages 	<ul style="list-style-type: none"> - Discussed extensively at dialogue and included in action plan based on call to respect rights - Establish a working group simulated input, meeting twice a year - Create an African IP advisory group 	<ul style="list-style-type: none"> - Recognition of pastoralists as IPs - Consistency with UNDRIP - Reflect input from African Commission on Human and Peoples' Rights - Strictly apply international obligations in REDD+ planning, strategies, and policies. - Land tenure rights key; already seeing forced evictions in some places. 	<ul style="list-style-type: none"> - Land tenure - Mapping of land use - FCPF project review periodical newsletter - Google group 	<ul style="list-style-type: none"> - Direct funding window for IPs - Recognize non-carbon benefits - Full and effective participation of IPs in design of emission reduction programs - Respect rights to land and natural resources - IPs shall be allowed to present ER Idea Notes to the Carbon Fund for funding consideration 	<ul style="list-style-type: none"> - Policy and legal reforms - International obligations - Regional obligations - Consider IPs' REDD readiness assessment 	<ul style="list-style-type: none"> - Direct access for IPs
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Asia

<ul style="list-style-type: none"> - Capacity building of indigenous peoples at all levels - Capacity building of government officials and WB country level staff on indigenous peoples' issues - Clear communication and outreach plan - Relevant materials should be translated into local languages - Utilize all media for information dissemination - Establishment of repository database on REDD+ 	<ul style="list-style-type: none"> - WB to facilitate discussions with governments on self-selected IP representation (e.g., national REDD bodies) - Full and effective participation of IPs and IP women at all levels - Recognition of the role of IP institutions - Consensus-based decisions - Baseline information on existing IP organizations 	<ul style="list-style-type: none"> - Consistency with UNDRIP and ILO 169 and other international instruments - Operationalize requirements for national grievance mechanism - Full and effective participation in the design, implementation and monitoring of the national REDD+ strategy - Ensure FPIC on any policies and projects related to customary forests and indigenous territories in the implementation of REDD+ - Recognition of IP informal institutions 	<ul style="list-style-type: none"> - At least three case studies on land tenure - Case studies on the drivers of deforestation and on benefit-sharing 	<ul style="list-style-type: none"> - Respect rights to land and natural resources - Equitable benefit-sharing - Ensure the recognition and inclusion of the multiple benefits of forests/non-carbon and the equitable entitlement of benefits for IP as agreed in Doha - Set up a mechanism for consultation process with IPs on the Carbon Fund 	<ul style="list-style-type: none"> - Relevant policy reforms have advanced - Harmonization of national and international laws - REDD SIS reflects int'l obligations - Recognize customary laws, practices, and lands, territories and resources - Application of FPIC - Establish mechanism for effective participation of IPs in formulation of guidelines and indicators for R-Package - Policy and law reform consistent with UNDRIP and other international standards - SIS must go for the highest maximum standards for safeguards consistent with international human rights instruments - Establishment of grievance mechanism accommodating IP concerns at local, national and international levels 	<ul style="list-style-type: none"> - Streamlined capacity building fund with simple administrative process - Direct access and management to Carbon Fund for IPs - Elaboration on non-carbon benefits - Monitor implementation of the above and provide support to IP representatives as needed/requested 	<ul style="list-style-type: none"> - Monitoring of non-carbon benefits of forests - Establishment of community based safeguard information and monitoring system, including community mapping
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Latin America & Caribbean	<ul style="list-style-type: none"> - Training coherent with IP priorities and culturally pertinent based on traditional knowledge and traditional institutions 	<ul style="list-style-type: none"> - Full and effective participation in the design, implementation and evaluation of REDD+ activities - Participatory monitoring and independent reporting by IPs - Recognize IPs as separate from local communities - Direct institutional relation through Abya Yala Indigenous Forum 	<ul style="list-style-type: none"> - Recognition of self-determination, FPIC, consistency with UNDRIP and ILO 169 - Recognize and secure IP tenure rights to lands, territories and resources - Ensure as a prerequisite the recognition of IPs, natural resources, demarcation and titling of traditional lands and territories - Guarantee a specific process especially for IPs for the revision of World Bank Operational Policy 4.10. 	<ul style="list-style-type: none"> - Land tenure and mapping of land use - A participatory research study to implement the territorial and cultural indicator - A study on IP priorities for the capacity building process based in existing institutions and practising traditional knowledge - Participatory assessment on safeguards in order to submit proposals for review of OP 4.10 and ensure that REDD+ projects are subject to OP 4.10. 	<ul style="list-style-type: none"> - Begin a participatory process to generate proposals on non-carbon benefits and financial mechanisms other than the carbon market. - Access to financial resources for indigenous REDD+ 	<ul style="list-style-type: none"> - The titling of IP territories must be the main indicator in all REDD+ processes
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Local communities

Q: *What space for participation is there for local communities who depend on the forest, but who are not indigenous peoples?*

Replies from indigenous participants from Latin America: Local communities must be included in consultations on REDD+. Indigenous peoples and local communities are different, however, and cannot be approached using the same formula.

Reply from FCPF: Following a long and arduous discussion, FCPF has made an adjustment to its policy to take account of the distinction. The capacity building fund has separate allocations for indigenous peoples on the one hand, and local communities and Southern civil society organizations, on the other. And the FCPF governance body, the Participants Committee, now has five observers from indigenous peoples' organizations and three from Southern civil society and local communities.

4. Comparison of Elements from the Three Regional Dialogues

Presented by Stanley Kimaren Ole Riamit of Indigenous Livelihood Enhancement Partners, Kenya



Following the discussion, the concerns and recommendations arising from the three regional dialogues and the 2011 Guna Yala Action Plan were presented in the form of a matrix (see p. 26). The presenter noted that there were differences between the regions, but also areas of convergence. Common concerns include capacity building, participation, recognition of rights, research studies, and financing.

The points presented in the matrix fed into the Global Action Plan adopted by indigenous participants during the dialogue.

Discussion

Most of the remarks in the discussion came from indigenous participants.

Recognition

Many states do not recognize indigenous peoples.

It is not up to governments to recognize indigenous peoples. Indigenous peoples have rights recognized by the African Commission on Human and Peoples' Rights, and criteria which identify indigenous peoples' rights.

Human rights standards

Human rights standards such as ILO 169 and the UNDRIP are the results of a long process. Indigenous peoples are not begging or asking favours, but asserting their rights.

FPIC

The World Bank has previously talked about consultation, but consultation is not enough. Implementing FPIC would reduce conflict between indigenous peoples and the World Bank.



Is the World Bank now prepared to implement FPIC? How will it be implemented in practice?

Peoples in voluntary isolation

These populations are very vulnerable so this issue must be discussed.

Participation

Care is needed to ensure that the people selected for participatory bodies genuinely represent indigenous communities; in some cases those on the participatory bodies are government-controlled groups.

Relationship between indigenous peoples and the World Bank

- The relationship between indigenous peoples and the Bank remains unclear: certain issues need to be clarified and highlighted, in particular: the call for a grievance mechanism; the failure of some states to recognize indigenous peoples; and how to recognize pastoralists and peoples living in voluntary isolation.
- World Bank country offices are not always aware of international processes and indigenous peoples' issues.
- The World Bank can benefit indigenous peoples when it listens to them.
- The Bank must be mindful of collective consultation, and not only listen to individuals.
- It was pointed out in Guna Yala that indigenous peoples find it difficult to talk to World Bank staff at country level. What has the Bank done to address this?
- It is important to create a process to integrate indigenous peoples through-

out World Bank projects. It is important also to have dialogue between states, the World Bank country offices and indigenous peoples' organizations.

Local communities

- (Comment from government representative) The Cambodian government is a strong supporter of local communities and is working with civil society and NGOs. Human rights standards are a problem, however: they say there should be no involuntary resettlement, but we have a situation where local communities—actually new settlers—are clearcutting the forest. Law enforcement is needed if the forest is to be managed in a sustainable way.
- New settlers have put pressure on the forest, and indigenous peoples have raised this issue. But sometimes those new settlers have been displaced from elsewhere, from urban areas for example, or from dam sites. Sometimes the arrival of new settlers leads to conflict with indigenous peoples who have lived in the forest for generations, so this should be a priority concern.
- (Recommendation from NGO representative): It would be good for local communities to learn how indigenous peoples organized themselves.

Capacity building

- Capacity building is needed for government agencies, national and international, dealing with indigenous peoples' issues.
- Indigenous peoples appreciate the efforts to build their capacity, but financing to attend capacity building



workshops is a challenge.

- There is much concern on the lack of information and capacity to work on REDD+, land rights and benefit sharing. How are indigenous peoples to build capacity, when they live in areas remote from modern communications, and travelling from villages to the town or the capital city can take days?

FCPF response to issues raised in the regional reports and subsequent discussion

Capacity building

- Indigenous peoples have said that FCPF does not need to do capacity building at the base directly. There is a need to put in place structures where indigenous leaders train trainers who can cascade information to people at the base, and bring their voices back up to national and local level.
- The call for capacity building is growing for all sectors, and the FMT has taken this on board. A series of regional workshops for indigenous peoples and local communities is underway, starting with Anglophone Africa (Nairobi, December 2012), Asia-Pacific (probably in Indonesia, March 2013); workshops in Latin America and Caribbean, and Francophone Africa to follow.
- The World Bank has been proactive in capacity building: it has held workshops on the indigenous peoples policy for Bank staff and government agencies in Africa and Asia; workshops on safeguards policy for Bank staff and government agencies in Latin America;

it provides environmental accreditation training and social development accreditation training for its own staff; and recently began training lawyers on indigenous peoples' issues.

- FCPF has a capacity issue, as it has a finite number of staff and REDD+ is challenging for all those involved.

Participation of women and youth

- There are no dedicated observers for women and youth in the Participants Committee, but the committee has flexibility.
- At operational level, women are identified as a key social group in each country. The impact of projects and programs on women and women's role in natural resource management have to be considered. This is done through processes such as stakeholder mapping and the Strategic Environmental and Social Assessment (SESA).

Relationship between the World Bank and Indigenous Peoples

- It is important to maintain the dialogue about REDD+. In Latin America, for example, the discussion moved from opposition to REDD+, to "No rights, No REDD," and now to indigenous REDD (REDD Indigena). Indigenous REDD must be included in the debate. FCPF wants to recognize the diversity of opinion. This makes REDD+ challenging, but rich.
- World Bank country offices should have a person responsible for natural resources, and a social development specialist (see Annex IV for a list of regional FCPF contacts for indigenous peoples).



- The FCPF feels it is creating expectations for the same level of stakeholder engagement in other areas of World Bank work, so does not want its policy to be misinterpreted or miscommunicated.

Free, Prior and Informed Consent (FPIC)

- This is under discussion in the World Bank's safeguards review. A workshop in Germany in April or May 2013 aims to bring practitioners together to work out how to meet the requirements of the World Bank's current policy and that of UN-REDD (which has adopted FPIC) in the readiness phase and implementation of REDD+.
- The World Bank policy is not simply consultation, but free, prior and informed consultation *leading to broad community support*. The challenge is to work out what this and FPIC mean in practice.

Conflict resolution and grievance mechanisms

- In every region there is potential for conflict, grievances and disputes, but conflict is something that can be managed.
- The World Bank would prefer to use, or build on, existing dispute resolution institutions, rather than create new ones for REDD+. FCPF will try to resolve disputes as quickly and locally as possible, although it may need mechanisms above the local level.
- The issues involved are not new: for example, disputes about land tenure, FPIC. Perhaps REDD+ can play a role in constructive solutions to these.

- The World Bank is trying to be more proactive in addressing grievances. It is coordinating with other global institutions with a view to identifying the basic building blocks of a grievance system credible to the user. Indigenous peoples are urged to tell the Bank what works and what does not.
- Learning from past experience of addressing grievances will be part of capacity building.
- In each FCPF grant, \$200,000 is allocated to reinforcing grievance mechanisms or creating new ones for REDD+.

The Readiness Package

- This entails the country taking stock of its progress towards readiness. It is a self-assessment process by the country, based on stakeholders, not only government. That is followed by independent assessment by the Technical Advisory Panel and the Participants Committee.
- Indigenous peoples are urged to engage in this process, otherwise their voices will not be heard.





Indigenous participants from Latin America.





IV. Updates and Information from the FCPF and UN-REDD

The update dealt with the status of participating countries, some key decisions expected in March 2013, and the review of FCPF by the World Bank's Independent Evaluation Group. Benoit Bosquet and Charles McNeill of the UN-REDD program also gave information about staff with specific responsibility for working with indigenous peoples (see Annex IV).

1. Update by the Facility Management Team

Presented by Benoit Bosquet, FCPF

By now 26 countries have passed the formal assessment of their readiness proposal by the Participants Committee. Nine of the 26 have signed a grant agreement and \$3.8 million has been released. Six more states are expected to present proposals for formal assessment in March 2013 (see box, next page).

The Inter-American Development Bank (IADB) and the UNDP have become delivery partners for FCPF, which means that countries can enter a legal agreement with them and



financial transfers can start soon. The World Bank and the FMT secretariat will remain engaged with these countries, but the day-to-day relationship is with the delivery partner.

In two further important developments, the DRC has submitted a mid-term report with a request for additional funds; and an emissions reduction program submitted by Costa Rica has been conditionally included in the Carbon Fund pipeline.

Some important decisions are expected in March 2013:

- Reopening of the FCPF to countries currently on the waiting list. The Par-



Country Participation Status

Countries which have passed the assessment of their Readiness Preparation Proposal (R-PP) as of 10 December 2012

Africa

- Cameroon
- Central African Republic
- DR Congo*
- Ethiopia*
- Ghana*
- Kenya
- Liberia*
- Mozambique
- Republic of Congo*
- Tanzania**
- Uganda

Asia-Pacific

- Cambodia (delivery partner UNDP)
- Indonesia*
- Lao PDR
- Nepal*
- Vietnam*

Latin America & Caribbean

- Argentina
- Colombia
- Costa Rica*
- El Salvador
- Guatemala (delivery partner IDB)
- Guyana (delivery partner IDB)
- Mexico
- Nicaragua
- Panama
- Peru (delivery partner IDB)

*Grant agreement signed

**No grant funding requested from FCPF

Countries expected to present readiness proposal in March 2013

- Chile
- Honduras
- Madagascar
- Papua New Guinea
- Suriname
- Thailand

ticipants Committee may tighten the criteria for new applications, to accept only those countries that do not need a readiness package. The argument is that including countries with less capacity ties up money and people with little to show for it;

- Adoption of the Readiness Package assessment framework (more information on FCPF website);
- Adoption of the Carbon Fund term sheet (a plain English description of future Carbon Fund contracts);
- Adoption of the FCPF monitoring and evaluation framework, which will include indicators of progress, outcomes and outputs.

FCPF review

Meanwhile, the World Bank's Independent Evaluation Group has conducted a review of the FCPF. Its findings were both positive and negative. On the positive side, it found that:

- The Fund's innovative approach had made a significant contribution in working out practical ways to prepare for and implement REDD+;
- The Fund had created the space for inclusive and transparent debate about REDD+ among donors, forested developing countries, civil society, indigenous peoples, and forest dependent communities; and facilitated a degree of consultation and dialogue at country level rarely seen in projects aiming at sustainable forest management.

On the negative side, the evaluation group concluded that:

- There is a need to clarify the Facility's mission in relation to the carbon market, in particular to clarify how and under what conditions FCPF

will support non-market, rather than market-based, approaches to REDD+. (The presenter does not agree: he said that FCPF was not created to promote market-based funding, and in any case the carbon market had effectively collapsed.);

- It could be more effective for FCPF to use small grants and micro projects. (The presenter does not agree.);
- The World Bank needs a strategic discussion on its overall approach to REDD+;
- The World Bank might consider prioritizing “no regrets” investments that match its wider objectives in the forest sector, for example, legal and political support for land tenure and forest government reforms. (The presenter said FCPF is now prioritizing this.)

Discussion

Items for adoption in March 2013

The processes for these items are still open for comment and feedback for the next few weeks. Submissions from indigenous peoples would be welcome.

The subsequent discussion took the form of questions from the indigenous participants, with answers from the FCPF/World Bank team and occasionally UN-REDD.

Application of safeguards

Q: *How does the bank ensure that implementing countries adhere to its safeguards?*

A: As with all safeguard policies of the World Bank, the decision on whether the indigenous peoples policy applies is made at the beginning. It is part of the due diligence, and is

assessed by the World Bank project team, not by the government. It is the World Bank's responsibility to make sure the government sticks to the agreement on implementation.

Q: *What will the World Bank do to ensure the rights and recognition of indigenous peoples in countries that do not recognize indigenous peoples?*

A: Those countries' views are evolving. For example, in Tanzania, staff from the vice president's office took part in the Arusha dialogue, so there is some level of recognition. It is a gradual process. Whether the government recognizes indigenous peoples or not, it is the World Bank's responsibility to determine whether indigenous peoples are present in, or have collective attachment to, the project area. The borrower government has to implement the Bank's indigenous peoples planning framework.

Q: *In Chile indigenous peoples have not been involved in preparing the readiness proposal and have rejected the proposed Forest Act. What will the Bank do about this when Chile presents its proposal in March?*

A: There is a specific process, due diligence, which looks at inclusion and participation of indigenous peoples in the R-PP process.

Q: *How can REDD+-related displacement of forest communities be avoided?*

A: There is no hard evidence of carbon-related evictions, but there are many reports of such evictions and this is worrying. The World Bank would apply all necessary measures under its policies to prevent it. The REDD+ readiness phase puts in place systems and institutions to prevent forced evictions.

Q: *If the safeguards are not fully implemented at ground level, what should indigenous peoples do?*

A: Every grant includes money to reinforce



feedback and grievance/redress mechanisms. If the national institutions cannot address the problem, then FCPF must deal with it specifically:

- Indigenous peoples can use feedback and redress to call attention to problems and possible solutions. The Bank keeps a database on problems and redress;
- The World Bank Inspection Panel is the ultimate recourse when the Bank fails to comply with its own standards. But it is better to address problems at lower levels and as soon as possible;
- (Answer from UN-REDD): UN-REDD has an internal grievance mechanism; access is through the head of the UN system in the country. There are compliance review systems and a grievance process: those directly affected can file a grievance.

FPIC

Q: *Honduras and Chile talked about the right to consent, not just consultation, as part of their R-PPs. Will the Facility Management Team support this and learn from it?*

A: In Chile, CONAF, the agency that leads on REDD+, is using FPIC in REDD+, with technical assistance from FCPF.

- (Answer from UN-REDD): In Honduras, UNDP is the implementing partner and it is committed to FPIC.

Human rights standards

Q: *Has the FMT evaluated the implementation plan in the light of the articles of UNDRIP and ILO 169?*

A: The FCPF uses the UNDRIP and ILO 169 as references, and considers them in its guidelines, which establish the conditions under

which FCPF supports a standard of consent.

Monitoring and evaluation

Q: *Can FCPF provide more information about the monitoring and evaluation framework, especially the process?*

A: This was discussed in detail in Brazzaville: see the note on the FCPF.

R-PPs

Q: *What is the result of the R-PP assessment? How is it submitted? How is it related to monitoring and evaluation? How is it related to the Forest Monitoring System?*

A: The evaluation framework is for the future, for the R-PP it is the assessment framework. The R-package comes at the end of the preparation process. An annex to the package summarizes the elements of the strategic assessment process, which is the framework for measuring social and environmental elements.

Human resources

Q: *Who is the focal person for indigenous peoples at country level?*

A: Typically, there is a social development specialist in each World Bank country office. But that person is not necessarily aware of every program, so there is a need for more training.

Delays in signing grant agreements

Q: *Why are the Latin American countries behind in signing agreements with implementing partners? Is this connected to indigenous peoples' rights?*

A: Delays depend on the situation in the country. The World Bank carries out a due diligence process, and based on the results of this evaluation within the World Bank, the directors



decide whether or not to go ahead.

Q: *The Central African Republic documents for the grant agreement were rejected, partly because of unsatisfactory mechanisms for dealing with REDD funds+. What is FCPF's view on this?*

A: The CAR proposal did not meet the requirements of the review. FCPF is working with the CAR to improve the document, so that it meets the conditions set by the Participants Committee.

Q: *What can be done to bring more countries into REDD+?*

A: They need a clear implementation document. For example, Chad expressed interest in FCPF informally, but did not follow it up by submitting a document. The deadline is 31 January 2013.

2. The World Bank Due Diligence Process

Presentation by Mi Hyun Miriam Bae, World Bank, Latin America and Caribbean Region




This presentation was added to the agenda in response to the questions arising in the discussion that followed the reports of the regional dialogues.

Once an R-PP is approved and before the grant is signed, the World Bank technical team carries out a due diligence process. The presenter described this as a comprehensive assessment looking at the R-PP document from different angles of expertise. The aim is to identify key issues and gaps, determine the applicability of social and environmental safeguards, and verify compliance with the FCPF Participant Committee Resolution.

The technical team is composed of specialists in law, social development, environmental, and other matters to be assessed. For the range of issues examined in the process, see box, next page.

The process takes the form of a multidisciplinary desk review, with the provision of technical assistance to the government agency leading the national REDD+ program. The team also holds meetings with other sectors of government, local government, NGOs and CSOs, indigenous peoples, peasant organizations, and so on. It also carries out field visits to indigenous peoples and local communities.

On the basis of all this, the team identifies key issues and makes recommendations to be addressed in the short term (before the grant is made) and the longer term (during the readiness phase). These are outlined in an Assessment Note, which is then submitted to the World Bank regional managers in an Assessment Note Review Meeting. It is then up to the managers to give approval to go ahead with the readiness grant.



Key aspects assessed in the World Bank due diligence process in REDD+ programs

- Institutional arrangements for planning and implementing REDD+
- Broader social development issues (see below left)
- Mechanisms for participation and early dialogue (see below)
- Domestic legislation and international obligations (e.g., ILO 169)
- Drivers of deforestation, strategic options, reference scenarios and MRV

Broader social development issues

- Recognition of land rights, including collective rights
- Emerging issues of carbon ownership
- Equitable benefit-sharing (existing mechanisms or at least a commitment to it)
- Role of women in natural resource management
- Consultations leading to broad community support by indigenous peoples
- Culturally-appropriate grievance mechanisms
- Strategic environmental and social assessment (SESA)
- Implementation arrangements for REDD+, including institutional capacity to manage social development and social safeguards process

Issues examined in relation to participation and early dialogue

- Inclusive stakeholder mapping for REDD+
- Formulation of stakeholder participation plan, including identifying engagement platforms
- Formulation of culturally relevant communication strategy, including timely information dissemination
- Holding of regular and continuous dialogue
- Participatory development of the R-PP
- agreement on feedback methods

3. Update on UN-REDD FPIC guidelines and grievance mechanism

Presentation by Charles McNeill, UNDP/UN-REDD

UN-REDD has stakeholder engagement specialists (see Annex IV).

UN-REDD's guidelines on FPIC are currently undergoing review by UN-REDD agencies, and the plan is to launch them in mid-January 2013. The presenter said that UN-REDD now wants to work with indigenous peoples and countries to design pilots to test and implement the guidelines. These will build on the lessons learned from previous FPIC pilot activities in Vietnam and Indonesia. UN-REDD asked for suggestions for places where the guidelines could be tested.

A regional Latin America and Caribbean training workshop is planned for late January 2013 in Peru, for UN-REDD, governments, indigenous peoples and CSOs, to share experiences on FPIC and consultation, and to draft the next steps on FPIC for each participating country.

UN-REDD is also developing a guidance note on the establishment of grievance mechanisms at national level. Global and national consultations are planned, to ensure the guidance note addresses the key concerns of indigenous peoples and local communities. Pilot activities to support countries to develop grievance mechanism will be carried out in 2013.

Discussion

The subsequent discussion included comments and questions on due diligence, as well as suggestions from indigenous peoples for improving the level of participation by indigenous peoples.

General comment

- Processes such as due diligence and consultation of stakeholders make life difficult for governments, but they are a response to pressure from indigenous peoples on multilateral agencies. Governments are concerned that such processes delay the release of funds. These presentations give indigenous peoples the information to think more deeply about what is the right balance, and how to ensure that governments adhere to the international human rights and environmental standards.

The due diligence process

Q: *Does this process have indicators and standards, especially standards on human rights and indigenous peoples' rights?*

A: The due diligence is based on the World Bank's indigenous peoples policy, OP 4.10, which is also applied in SESA.

Q: *Where are the key decisions made?*

A: The key decision point is when clearance for the R-PP is given: immediately before approval of the grant, there is an internal review. The technical team plays a significant role, in a close working relationship with the oversight function. It is a rigorous process. Because the Bank has a heavy bias towards infrastructure lending, however, procedures are less well-suited to FCPF and REDD+.

Q: *How does the World Bank apply this process? What does the Bank do to check whether government reports about consultation are accurate?*

A: The Bank does not design or lead the R-PP. The due diligence is based on the government proposal. The Bank gives technical assistance, evaluating various aspects and mak-

ing recommendations. It is a quick assessment, looking for areas that need development and technical support. The hope is that the government will adopt the short-term and long-term recommendations, and if it does, the technical team presents the assessment to the World Bank management for clearance. The process leads to a Framework for Social and Environmental Management, which is put in place once the strategy has been approved by all parties.

Q: *Is this social due diligence or is it legal due diligence?*

A: The assessment of legal and technical considerations looks at operational safeguards, as well as a social and environmental safeguards:

- In the context of finance, the due diligence process ends with the signing of a grant agreement. The R-PP document, however, remains alive and the government can improve it;
- The legal aspect of due diligence looks at forest law, land law and other relevant laws, for example, relating to consultation, to status of different communities, and so on;
- SESA requires screening and stakeholder analysis. Issues specific to indigenous peoples can then be taken up in a detailed social assessment.

Q: *What does the Bank do if it finds something wrong? Is the process binding? Can it stop implementation? How can due diligence influence the quality of the consultations?*

A: It depends on the nature of the problem. For example, policy compliance can be checked against procedures and against aspirations (e.g., looking at the quality of consultation to determine whether it is meaningful). Sometimes Bank policy conflicts with government policy. Such problems are not always resolved and sometimes the Bank walks away.



Q: *Are the reports available to the public? Do they cover all the aspects?*

A: The Assessment Notes are available to the public once they have been cleared. There is also an *aide-memoire* documenting the actions taken as a result of due diligence.

Q: *How can indigenous peoples interact with the due diligence process?*

Indigenous peoples' participation in readiness preparations

Comments and questions: At the UN-REDD meeting in Brazzaville there were hardly any indigenous representatives, so that cannot be full and effective representation.

- The documents are always in English, so indigenous participants, no matter how talented, cannot contribute unless they speak English.
- How does the World Bank follow up participation of indigenous peoples?

Response: Indigenous peoples can participate by serving on the UN-REDD Policy Board. Four indigenous people are on the Board, and one is a full member. Decisions are taken by consensus, so effectively they have a veto.

Access to funds

Comments and questions: UN-REDD provides funds only to government bodies, not to communities or to indigenous peoples' representatives. In the Congo basin, no indigenous organizations have received funding from UNDP. What should indigenous peoples do to be considered key stakeholders and gain access to UN-REDD funds?

- In some cases indigenous peoples' representatives have been unable to attend UN-REDD meetings for lack of funding;

- It would be helpful if the World Bank and UN-REDD could provide additional funding to indigenous peoples' organizations and CSOs for consultation with indigenous peoples.

Response: National REDD+ funds have a consultation component built in:

- The country program can apply for special funds for consultation. The request needs to come from the government;
- In DRC the national program has funds for consultation, so it should be using them. The UN-REDD representative said he would follow this up;
- Indigenous peoples can contact the regional advisers (Annex IV) or contact the indigenous and CSO Board members for Africa for information and help.

Applying FPIC

Comment: In one case FPIC was said to be effective at national level, but the indigenous community was not aware and was not consulted; those leading the process were not in touch with the community. Clear methodologies are needed for applying FPIC at national level, to avoid conflict.

Response: The majority of countries, especially signatories of ILO 169, have committed to following the FPIC principle. As a technical team, FCPF supports governments to use the principle in their program design.

Needs assessment

Suggestion: Is it possible to conduct a needs assessment among indigenous communities, as part of the readiness assessment?



Responses:

- (FCPF) A needs assessment is not specified. But SESA starts with stakeholder analysis, which should indicate indigenous peoples' issues.
- (UN-REDD) The idea will be taken back for consideration. One outcome of country needs assessment has been the need to prioritize indigenous peoples and CSOs.

National level

Suggestion: Work at national level needs to be improved in the DRC. Perhaps UN-REDD could organize a meeting at national level with the ministerial committee and the REDD+ coordination committee, to analyse the strengths and weaknesses of the process and improve future work. REDD+ is implemented in indigenous communities, not in Kinshasa.

Sub-national level

Suggestion: In Nicaragua autonomy allows indigenous peoples to work at subnational level. In countries as big as Brazil and the DRC, working at subnational level is the only way.

Response: Due diligence and SESA can be applied at the subnational level.

The Fund went into operation in May 2011. Work is now under way to design the methodological framework for estimating the emission reduction potential of programs and for pricing.

The Fund's mandate is to pay for emission reductions from REDD+ programs and deliver them to Carbon Fund Participants (buyers). The World Bank will have to give a detailed account of the amounts paid, and how many tons of emission reductions (in CO₂ equivalent) are required in return. The presenter said that in this process the participants do not purchase or lay claims to land or territories, or obtain offsets against their own carbon emissions.

The objectives set for the Carbon Fund are to deliver emission reductions generated by REDD+ programs that are:

- Submitted by governments or entities with government approval;
- On a significant scale—at the level of an administrative jurisdiction within a country or at national level;
- Consistent with emerging compliance standards under the UNFCCC and other regimes;
- Consistent with national REDD+ strategy and emerging monitoring, reporting and verification (MRV) systems and reference emission levels (RELs);
- Based on transparent stakeholder consultations;
- Generate environmental and social co-benefits (safeguards, biodiversity).

The presenter emphasized that the purpose of the Fund was not to create a carbon market and that the World Bank has no mandate to do such a thing: performance based payments do not constitute a carbon market. Carbon markets for REDD+, however, may be created in future by the UNFCCC, by countries or groups of countries, or by subnational entities.

4. The Carbon Fund

Presentation by Benoit Bosquet

The presenter said that despite a misconception that the Carbon Fund was something new, it had always been part of the design of FCPF: performance-based payments have always been an objective of the Facility.



Organization of the Fund

The Carbon Fund consists of \$222 million divided into two tranches (or portions): Tranche A accounts for 22 percent of the total Fund and Tranche B for 78 percent. With Tranche A, participants may use the emission reductions for compliance (to offset against their own emissions) or resell them. With Tranche B, use of emission reductions is restricted. Participants may report the emission reductions in statements of their Overseas Development Assistance (ODA) but cannot use them for compliance or resale. The presenter said that Tranche A was the only market link.

Program Approach

Most early REDD+ activities rely on a project approach, but the Carbon Fund is directed at larger programs which are likely to be complex and include a variety of activities, with a mix of policies and investment. The focus will be on national or subnational development strategies, with multiple stakeholders, and multiple forms of tenure. Innovative financial structures and arrangements will be needed. Accounting will be in the context of the national REDD+ strategy.

Program Criteria

Seven criteria have been drawn up to determine whether an emission reduction program can be included in the Fund pipeline:

1. Progress towards REDD+ readiness;
2. Political commitment;
3. Consistency with the Methodological Framework;
4. Scale;
5. Technical soundness;
6. Substantial non-carbon benefits;
7. Diversity and learning value.

For more details, see box.

Carbon Fund Program Criteria

- 1. Progress towards REDD+ readiness**
The program must be located in a REDD country that has: a) signed a Readiness Preparation grant agreement (or equivalent) with a delivery partner under the Readiness Fund; and b) prepared a reasonable and credible timeline to submit a Readiness Package to the Participants Committee.
- 2. Political commitment**
The country must be able to demonstrate a high level of cross-sectoral political commitment to the emission reduction program and to REDD+.
- 3. Consistency with Methodological Framework**
The program must be consistent with the emerging Methodological Framework, including the Participants Committee's guiding principles on the Methodological Framework.
- 4. Scale**
The program will be implemented either at national level or at a significant subnational scale, and generate a large volume of emission reductions.
- 5. Technical soundness**
All sections of the emission reduction-PIN template are adequately addressed.
- 6. Non-carbon benefits**
The program will generate substantial non-carbon benefits.
- 7. Diversity and learning value**
The program contains innovative features that would add diversity and generate learning value for the Carbon Fund.

So far, Costa Rica's emission reduction PIN is under review for the Fund. Early program ideas have also emerged from DRC, Ghana, Indonesia, Mexico, Nepal, and Vietnam.

Methodological Framework

The first phase of work on the Methodological Framework ended in June 2012 with the

adoption of guiding principles which are linked to the program criteria. The presenter summarized these as:

1. Endorsement and national REDD+ strategy;
2. Consistency with UNFCCC;
3. Safeguards;
4. Stakeholder participation;
5. Benefit-sharing;
6. Scale or ambition;
7. Sustainable development (non-carbon benefits).

In the second phase, which is under way, a working group is developing the details. A draft is expected in June 2013. The presenter said indigenous peoples were represented at various levels in the discussion.

Pricing

Carbon Fund contracts are known as Emission Reduction Payment Agreements (ERPAs). The pricing guidance is still under discussion, but will be based on the following principles:

1. Pricing should be fair, flexible, and as simple as possible, protecting both parties from extreme price fluctuation;
2. Prices should be a combination of fixed and floating portions, where feasible. The shares of fixed and floating portions may vary across different ERPAs;
3. Prices should result from negotiations between the Carbon Fund Participants and the program sponsor, based on their respective willingness to pay or to receive payment. Negotiations should be informed by relevant information such as market surveys and transaction benchmarks;
4. Negotiations may take non-carbon benefits into consideration, but there would be no systematic evaluation of non-carbon benefits under the Carbon Fund.

Legal Framework

For the legal framework, a Term Sheet (a description in plain English, French and Spanish) has been drafted for the general conditions and financial terms of future contracts. This is to be adopted in March 2013. A Letter of Intent has also been drafted.

The presenter said the Term Sheet would enable indigenous peoples' concerns to surface, as its principles include the following:

- Design and implementation of FCPF Carbon Fund operations are based on stakeholder participation;
- A benefit-sharing plan is a condition of effectiveness for contracts;
- The seller will share a significant part of monetary or other benefits achieved with stakeholders;
- Emission reduction programs are expected to produce non-carbon benefits such as improvement of local livelihoods, building of transparent and effective forest governance structures, progress in securing land tenure, and enhancing or maintaining biodiversity or other ecosystem services;
- Non-carbon benefits ought to be monitored;
- FCPC Carbon Fund operations must meet World Bank social and environmental safeguards and system safeguards as per UNFCCC guidance;
- Pricing should be fair, flexible, and as simple as possible to protect parties from extreme price fluctuations;
- Price negotiations offer an opportunity to take non-carbon benefits into consideration.



Discussion

A number of participants said they felt the need for more time to digest the very detailed presentation. There seemed to be general agreement that further thought and discussion would be needed beyond the dialogue session.

The indigenous participants raised some initial questions and comments.

Approach to valuation and non-carbon benefits

Q: *Why not apply multiple criteria that combine economic values with cultural and social values? What about ecosystemic approaches? Will there be compensation for non-carbon benefits?*

A: Multi-criteria valuation (recognizing values other than monetary) is increasingly common. The pricing guidance for the Carbon Fund provides the flexibility to do this and FCPF is open to a submission about it. The more articulate and precise the suggestion, the more useful it will be.

Program approval

Q: *Why do programs have to be approved by the government? This, together with the requirement for large scale programs, makes it more difficult for indigenous peoples to meet the requirements.*

A: Governments are a key actor in REDD+ and in FCPF, and government approval is needed to ensure consistency between the program and the Readiness Fund. This is not negotiable.

Q: *Does the program need two approvals, one from the government and one from the World Bank? Which comes first?*

A: First, the program must have the approval of the people on the ground. Next comes

government approval. Then there is World Bank due diligence and safeguard instruments for compliance with the indigenous peoples policy. The Carbon Fund Participants decide on the final program.

Security of land tenure

Comments and questions:

- Security of tenure should not be seen as a benefit, but as a prerequisite. Ensuring the territory of indigenous peoples is vital. Do not talk about safeguards that just turn into money: such safeguards do not safeguard any legal right.
- What happens if ownership is disputed, for example between the government which asserts legal title and an indigenous community that was dispossessed in colonial times?
- Who owns the carbon?

Response:

Land tenure is clear in some areas and countries, but not in others. There is an unexpected convergence of interests between landowners, especially indigenous peoples, and carbon buyers, because both have a specific interest in security of title, to land and carbon respectively. If the landowner does not have security, it is impossible to establish security of the carbon. But land tenure in developing countries is problematic, so FCPF cannot wait until everything is clarified.

In Australia the lawyers have worked out a way of legally separating ownership of land, timber and carbon. They can legally transfer ownership of carbon without transferring title to the timber or the land.

The link to land and territory is fundamental to these types of programs. If there is a choice between two programs, the one with security of tenure will have priority.



V. Stakeholder Engagement in Practice

1. Cambodia's national priorities on forest safeguards and multiple benefits

Presentation by Phan Kamnap, Forestry Administration Cambodia



The presenter said that Cambodia has a strong forest policy, with a range of laws, strategies and regulations. It has participated in REDD since 2009 (see box) and is currently in the process of developing a national REDD+ strategy.

Cambodia in the REDD+ process

2009	Becomes a member of UN-REDD and FCPF
2010	Establishes Interim National REDD+ Taskforce and Taskforce Secretariat Develops REDD+ Roadmap and National Forest Program on REDD+
May 2010-2012	Joins REDD+ first mandate
2013-2014	REDD+ second mandate

A REDD+ Roadmap has been developed. Its components are:

- Organize and consult;
- Prepare the REDD+ strategy;
- Develop a reference level;
- Design a monitoring system;
- Schedule and budget;
- Design a program monitoring and evaluation framework.

Since 2009 Cambodia has organized many consultation workshops with a variety of stakeholders. Indigenous peoples and civil society representatives have been selected to join the UN-REDD Program Executive Board.



Three REDD+ projects were initiated, of which one received GOLD Climate, Community and Biodiversity (CCB), and Verified Carbon Standard (VCS) validations. This project covers 67,853 ha of forest in Oddar Meanchey province. The project partners included the Forestry Administration (FA), international and local NGOs, the Buddhist Monk Association, and local communities. Table 1 shows the benefit-sharing allocation for this project.

Table 1. Benefit-sharing allocation Oddar Meanchey REDD+ pilot project

Recipient	Percentage share
Project monitoring	31%
Controlling drivers of deforestation	31%
Community capacity building and technical support	20%
Community development	9%
Assisted natural regeneration and enrichment planting	9%

Current constraints on engagement of indigenous peoples in REDD+ in Cambodia include the following:

- A Safeguards Technical Team has yet to be set up;
- Lack of communication and information sharing;
- Plans are still in the development stage;
- The composition of the Indigenous Peoples Representative Team at national level remains unclear and its terms of reference have not yet been defined.

Constraints facing the program as a whole include institutional arrangements, a lack of human and financial resources especially at sub-national level, and a general lack of awareness of REDD+.

In conclusion, the presenter said that sustained technical and financial support for capacity building on REDD+ and safeguards would help the smooth implementation of Cambodia's REDD+ Roadmap.

2. El Salvador: Towards a readiness proposal – adaptation based mitigation

Presented by Jorge Ernesto Quezada Diaz, Ministry of Environment and Natural Resources, El Salvador



The presenter said that indigenous peoples are involved in the preparation and implementation of the REDD+ strategy, whose overall aim is to maintain carbon stocks, reduce emissions and restore the ecosystem so as to increase forest carbon stocks.

El Salvador's REDD+ strategy is one of adaptation based mitigation. Adaptation means building the resilience to climate change and reducing human and ecosystem vulnerability. Mitigation aims to maintain and increase carbon stocks to 1 million ha through a range of methods:

- Improving biodiversity conservation;
- Improving livelihoods;



- Regulating water flow;
- Improving water storage;
- Reducing erosion and halting soil loss.

Strategic options for addressing deforestation

The drivers of deforestation in El Salvador are linked to changes in land use, including conversion to agriculture; housing and urbanization; expansion of pasture; forest fires; illegal logging; and in some cases unsustainable agricultural practices. To address these forces, the government saw the need for an approach that recognizes the impact on the people who depend on the forests, that recognizes indigenous rights and that incorporates livelihoods. Any adaptation and incentive program would have to recognize rights, the presenter said, and if this was done badly it could drive further deforestation.

The body responsible for strategy is the Climate Change Committee, which is composed of people from the relevant ministries. It sought to include a range of different sectors early in the planning. Participants in the early dialogue were drawn from central and municipal government, indigenous communities, universities and research centres, forest owners and the forestry private sector, cooperatives and associations of small producers, environment and development NGOs, and coffee producers' associations.

With indigenous peoples, the first step was to identify their communities: Who are they? Where are they? How many are they? They have different levels of capacity because some communities have had stronger support historically. The government needed to know all this in order to ensure their full participation.

The consultation framework aims for participation of stakeholders in designing the social and environmental assessment and in the mon-

itoring framework. Indigenous peoples will be consulted on the design and implementation of the social assessment, which will include studies to identify the potential impacts of the program on these peoples. It is envisaged that indigenous peoples and local communities, as well as academics, NGOs and private sector representatives, will support the monitoring process, which will be based in part on community monitoring.

A consultative body, the Indigenous Peoples Board, has been set up to work with the Climate Change Committee. The Board is composed of indigenous leaders, including women.

Capacity building workshops have been held with indigenous communities, and capacity building is also needed for the representatives on the Indigenous Peoples Board, to enable their full participation. The presenter said the Indigenous Peoples Board would participate in the advisory body for the national REDD+ system, in the SESA committee, and in the inter-institutional monitoring group, with a voice and a vote.

3. Implementation of Joint Stakeholder Guidelines: Experiences of indigenous peoples in Asia

Presented by Joan Carling, Asia Indigenous Peoples Pact

The presentation took account of experience in six FCPF countries: Nepal, Indonesia, Vietnam, Cambodia, Laos, and Thailand.

The first observation was that education and awareness-raising materials about REDD+ and its implications were inadequate, and that this hindered full and effective engagement of indigenous peoples. The materials produced so far have focused on climate change and REDD+, but



not on rights, or on the implications of REDD+ for indigenous peoples. Moreover, information has not been available in a language and form understood at community level. In many cases governments, NGOs and indigenous peoples are unaware of the Joint Stakeholder Guidelines: these need to be translated into national languages.

It appears that government agencies do not understand indigenous peoples' concerns about REDD+.

The problems with information dissemination have affected consultation efforts. Failure to disseminate information beforehand meant that indigenous peoples were unable to understand fully the purpose, agenda and expected outcomes of the consultations. There was also a failure to share proper documentation of the consultations with indigenous peoples.

In some indigenous communities, public consultations did not take place. Instead, government agencies simply gave out information about various REDD-related processes.

Effective consultations, as provided for in the Guidelines, have yet to be implemented

properly. In Indonesia, Nepal, Cambodia and Thailand, some of the key concerns of indigenous peoples (for example land tenure, recognition of indigenous peoples) were ignored in the consultations. Few countries have set up mechanisms for sustained engagement.

Indigenous peoples and communities need support to build their capacity to engage fully and effectively with REDD+. In particular, they need to know more about REDD+ and indigenous peoples' rights, as well as about the relevant institutions, processes and mechanisms.

In Vietnam and Laos, indigenous peoples are not represented in national REDD+ structures. Neither country recognizes indigenous peoples as distinct peoples with collective rights. In countries where indigenous peoples are represented, their views are rarely taken into account in the formulation of strategy, the presenter said.

There is a lack of proper structures and mechanisms to ensure that indigenous peoples are represented at national and local level, and a failure to recognize a role for customary institutions in selecting local representatives. In Indonesia, Nepal and Cambodia indigenous peoples have been able to choose their own representatives.

There are no effective grievance mechanisms at local level to address such issues as information disclosure, inclusive consultation, terms of benefit sharing, prohibition on livelihoods, and violation of land tenure rights.

In general, the presenter said, there has been progress in terms of representation of indigenous peoples and acknowledgement of the need to consult them. UN-REDD in particular has produced information materials and encouraged governments to engage with stakeholders, including indigenous peoples.

The substance and conduct of consultations, however, needs to be improved and major challenges remain. These include:

- Recognition of indigenous peoples' identities and their rights;
- Building the capacity of indigenous peoples to engage fully and effectively with REDD+;
- Building the capacity of governments to understand indigenous peoples' issues and rights, and to engage with indigenous peoples.

Most importantly, the Joint Stakeholder Guidelines need to be updated to operationalize the Cancun Agreement provisions for respect of indigenous peoples' rights and traditional knowledge, and their full and effective participation in REDD+.

4. Indigenous peoples' experience of stakeholder engagement in Cameroon

Presentation by Sali Django, Mbororo Social and Cultural Development Association of Cameroon (MBOSCUDA)



Cameroon submitted its Readiness Preparation Idea Note (R-PIN), presenting the country's REDD+ potential, to the FCPF in 2008. The R-PIN was approved and Cameroon proceeded to elaborate its R-PP, which was approved in October 2012.

The groundwork for engagement of civil society and indigenous peoples was done by Haddy Sey of the FCPF. It was due to her influence that the government engaged with civil society and indigenous peoples on REDD+.

Two indigenous communities were recognized in the stakeholder engagement process: the Mbororo (pastoralists) and the forest hunter-gatherers. Although they are not legally recognized, the government engages with them.

The process began with information and sensitization workshops in 2010-11, involving all stakeholders at national, regional and local level. These helped to create awareness of REDD+. Civil society organizations (CSOs) and indigenous peoples' organizations decided to work together, despite some disagreements over natural resources. The government supported civil society efforts to organize and play an active role in the R-PP program. The CSOs helped the indigenous hunter-gatherers to organize.

A CSO National REDD and Climate Change Platform was created to help ensure effective participation in REDD+ processes. Its role includes disseminating information, building the knowledge and skills of CSOs, ensuring proper representation of local communities and defending the environment and peoples' rights. This CSO Platform has a National Steering Committee, regional coordinators, councils, and village coordinators. All the decentralized bodies include local people, women and indigenous peoples.

The presenter said the government listens to the CSO platform. Indigenous peoples and

CSOs are represented in the National REDD+ Steering Committee.

The presenter identified the following opportunities for indigenous peoples and CSOs engaging with REDD+ in Cameroon:

- Participation in REDD+ could encourage Cameroon to ratify ILO 169;
- Indigenous peoples and local communities can be primary and direct beneficiaries of financing mechanisms for REDD+;
- Revenues from REDD+ can be equitably shared between and within communities, especially vulnerable groups and women;
- Civil society, indigenous peoples and local communities have the chance to participate at all stages of decision-making about REDD, from design to implementation, as it is a requirement to obtain FPIC from indigenous peoples and local communities when using their territories;
- REDD+ provides the opportunity to improve forest governance in Cameroon, for example through review of forestry and other related laws and instruments.;
- REDD+ has provided the opportunity for more than 60 organizations (including indigenous and women's organizations) and networks in Cameroon to come together;
- There is a chance to develop a working relationship on REDD+ with the government, because of goodwill on both sides, despite traditional misunderstanding between those who wield power and those who do not.

He identified the following challenges:

- CSOs, including indigenous peoples' organizations, need more information

and training;

- A culture of communication and networking must be fostered with all stakeholders;
- Leadership, management and professionalization are a major challenge;
- Access to finance appears to be out of the question;
- The relationship between government and CSOs remains a challenge, despite the recent improvement in goodwill and understanding on both sides;
- Linguistic and cultural minorities are vulnerable;
- A key challenge in the English-speaking territory of Cameroon is the protection of the Atlantic coastal, lowland humid forest, montane forest, savanna and existing wetland ecosystems, and the rights, culture and livelihoods of local people.

5. Experience of participation in REDD+ in Costa Rica

Presentation by Ulises Blanco Mora, UNAFOR, Costa Rica

Costa Rica is a small country: only 50 million ha and a very short distance from the Atlantic to the Pacific coast. It is also very mountainous. The country is ethnically diverse and has much diversity of opinion too.

Costa Rica suffered rapid deforestation in the 1970s, when it lost almost 70 percent of its forest. Regeneration efforts started in the late 1980s and early 1990s, and today forest cover is back to 53 percent.

Although the forest regenerated, the people living in it became poorer. People in Costa Rica are poorer today than they have ever been,

with 21 percent of the total population living in extreme poverty. The areas of greatest poverty coincide with those of forest cover. The reason was that in the regeneration program people were offered incentives to turn plantations into forest, but had no source of finance afterwards, no income to feed their families. Agriculture provides jobs, the presenter said, but the forest does not.

When indigenous peoples' organizations, peasants, academics, and government discussed this, one of their conclusions was that the country's institutions are too weak and too slow to respond to the problems of communities.

Another issue was participation, which is especially complex when it comes to forests because so many different parties are involved: various government ministries, academics, NGOs, financiers—with just one representative for indigenous peoples and one representative for peasants. So all these people make decisions,

while indigenous peoples and peasants do not participate.

The presenter said forest peoples wanted the World Bank to help legitimize participatory processes. Reforestation is an indigenous peoples' issue and there should be fewer intermediaries. Everyone can participate, but the indigenous peoples and rural communities must be there, with privileges, the presenter said.

He also said the word “donation” should not be used in REDD+. The forest generates oxygen, so the forest peoples should receive compensation or payment, not charity, for providing a service.

In conclusion, the presenter said that families and groups of people in Costa Rica were facing eviction from the forests and that this was unacceptable. He called for a two-year moratorium on evictions, during which time the government should clarify and improve legal security and land tenure.



Participants from the FCPF, World Bank.





VI. The Un Framework Convention on Climate Change

Update on decisions from the Doha COP

Presentation by Christine Dragisic, US Department of State

The presenter said the COP took up two main issues relevant to REDD: monitoring, reporting and verification systems (MRV), and results-based finance.

MVR: still under discussion

There was no agreement on MRV, so discussion will continue. Matters remaining under discussion include the draft text on National Forest Monitoring Systems, which includes provision for a safeguards information system, in Para 5:

Also acknowledges that Parties' national forest monitoring systems may provide, as appropriate, relevant information for national systems for the provision of information on how safeguards in decision 1/CP.16, appendix 1, are addressed and respected.

The text also invites parties and observers to submit views related to non-carbon benefits of forests, for consideration by the Subsidiary

Body for Scientific and Technological Advice (SBSTA – a subsidiary body of the UNFCCC).

The SBSTA text on National Forest Monitoring Systems and MRV was NOT adopted. The draft text is attached as an annex to the Chair's Conclusions, and will inform discussions in 2013.

Results-based finance: decision adopted

The text on Long-term Cooperative Action (LCA) was adopted at the last minute. It calls for:

- A one-year work program on results-based finance under the COP;
- A joint effort by SBSTA and the Subsidiary Body for Implementation (SBI) to improve coordination of financing for REDD;
- SBSTA to start work on methodological issues related to non-carbon benefits.

The aim of the COP work program is “to contribute to the ongoing efforts to scale up and improve the effectiveness of finance.” The options it is to address include:

- Ways and means to transfer payments for results-based actions;



- Ways to incentivize non-carbon benefits;
- Ways to improve the coordination of results-based finance.

Discussion

The discussion featured additional updates and clarifications.

Non-market based approaches

The COP asked SBSTA to consider how non-market-based approaches, such as joint mitigation and adaptation approaches for the integral and sustainable management of forests, could be developed to support implementation of activities under REDD+. SBSTA is due to report on this at the Warsaw COP in November 2013.

Non-carbon benefits

The idea is to recognize all the benefits from protecting forests, and not only the carbon. Indigenous peoples do not want forest to be regarded only as a carbon sink. All other functions of forest, such as water, biodiversity, livelihoods, are non-carbon benefits and should be part of the discussion of REDD+.

Result-based finance

SBSTA is due to hold two workshops on results-based financing, of which one will be at the Warsaw COP 19.

Verification

Verification applies only to the implementation phase of REDD+. Some parties do not want verification of emission reductions, but only “international consultation and analysis,”

where developing countries report every two years, and the report is assessed according to a framework. The US view is that verification is needed to prove that emissions really are being reduced. A handful of countries want to continue the discussion, so there is no agreement yet.

This debate is linked to the divide between developed and developing countries on nationally appropriate actions to mitigate climate change. Indigenous peoples would like proper monitoring and reporting in the safeguards information systems.

The Durban Platform

The Durban Platform aims to negotiate a new binding agreement to replace the Kyoto Protocol after 2020, drawing in a larger number of states. The discussion is still at very high level. Forests are on the agenda, but there is no detail yet.

Submissions

Accredited observers can make submissions on anything related to REDD+ via the REDD+ web platform.





Annexes

Annex I **Participants to the Indigenous Peoples' Global Dialogue with the Forest Carbon Partnership Facility (FCPF)**

Africa

Topoth Charles Angella, The Tunga Cross-border Development Initiative (TOBARI), Uganda
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Hindou Oumarou Ibrahim, AFPAT, Chad
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Letathy Bouanga Michel Fred Lyonel, Action Jeunesse Pour le Developpement, Congo
Stephen Moiko, Kenya
Ibrahim Njobdi, Lelewal, Cameroon
Adrien Sinafasi Makelo, DIPY/AGP, DR Congo
Peter Gayflor Mulbah, Skills and Agricultural Development Services, Liberia
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Saint Jerome Sitamon, MEFP, CAR
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Latin America and Caribbean

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Ulises Blanco Mora, UNAFOR, Costa Rica
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Tony James, Amerindian Peoples Association, Guyana
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Jesus Amadeo Martinez, CICA, El Salvador
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David Sarapura, Qullamarka Pueblo Kolla, Argentina
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Kittisak Rattanakrangsri, IPF, Thailand
Sakda Saenmi, Inter-Mountain Peoples' Education and Culture in Thailand (IMPECT) Association, Thailand
Simpun Sampurna, AMAN – Alliansi Indigenous People Falingo, Indonesia
Chhoem Samut, Cambodia Indigenous Youth Association, Cambodia
Mina Susana Setra, Indigenous People's Alliance of the Archipelago (AMAN), Indonesia
Khamla Soubandith, RightsLINK Project/CKSA, Lao PDR
Pasang Dolma Sherpa, Nepal Federation of Indigenous Nationalities (NEFIN), Nepal
Dandu Sherpa, NEFIN, Nepal
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Charles McNeill, UNDP/UN-REDD

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Joshua Lichtenstein, Bank Information Center, USA
Hugo Che Piu Deza, DAR, Peru

Donors

Ute Sonntag, GIZ, Germany
Christine Dragisic, Department of State, USA

Facilitators

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Victoria Tauli-Corpuz, Tebtebba, Philippines



Annex II

Informal Discussion with Indigenous Peoples on the World Bank Safeguard Policy Review

8 December 2012

This informal discussion began with the World Bank team presenting the plans for a review and update of the Bank's safeguard policies and seeking indigenous peoples' views on the Bank's policy on indigenous peoples, known as OP 4.10. This was followed by comments and questions from the floor. An indigenous peoples' representative then presented a synthesis of indigenous peoples' views on the safeguards review, and the World Bank offered a response.

Explanation of the review

This is the Bank's first systematic review of its safeguard policies. The review and update will take two years to complete. It will seek to take into account the evaluation of World Bank safeguards conducted by the Independent Evaluation Group in 2010; improvements in national law in many borrower countries; and the move to new types of lending by the Bank. It also seeks to respond to developments in the context of Bank lending, such as climate change and the role of the private sector.

Objectives

- The objectives of the review are to:
- Strengthen safeguard effectiveness to enhance development outcomes;
- Renew "partnership with borrowers based on a common vision";
- Build capacity;
- Help the Bank and borrowers to address environmental and social risks;
- Seek common standards among development banks;
- Increase the effectiveness and efficiency of safeguard policies.

The end result is to be an integrated framework of principles, policies, procedures and guidance to replace the current mixture of guidance and requirements. It is intended to strengthen country institutions and systems.

The World Bank hopes the review will increase the social coverage of safeguards. It will consider issues that the Bank has not addressed in the past: human rights, labor, gender, disability; free, prior and informed consent of indigenous peoples; land and natural resources, including land use designation, tenure, management of land tenure systems, access to food, livelihoods, biodiversity, ecosystem services and more; and climate change. These will not necessarily become the subject of freestanding safeguard policies, but the review will consider how the safeguard policies can take them into account.

The process

The review has three phases:

- **Phase 1**, October 2012-May 2013, a global review including an approach paper, consultations ending in mid-February 2013, culminating in the first draft of the integrated framework. The draft will go to the Board subcommittee at the end of May
- **Phase 2**, consultations on the integrated framework, followed by presentation of a second draft to the World Bank Board;
- **Phase 3**, consultations on the second draft and finalization.

The intention is to have many consultations with governments and there may be some opportunity for indigenous peoples to take part in “multistakeholder conversations” (organizations wishing to participate in these must sign up via the website).

The Bank is proposing an Indigenous Peoples Advisory Group to engage with indigenous peoples, including a new indigenous peoples specialist at the World Bank.

The World Bank team believes the process holds out risks as well as opportunities, with the prospect of much argument about what would constitute weakening or dilution of existing safeguards.

For more information, or to sign up for multistakeholder consultations:

www.worldbank.org/safeguardsconsultations

Discussion

Indigenous peoples’ comments, questions and concerns are listed below, with responses from the World Bank team.

Links with UN Bodies

Q *How will the review process relate to the UN Permanent Forum on Indigenous Issues?* (A report on the World Bank and indigenous peoples is to be presented to the Permanent Forum in May 2013.)

A The World Bank has spoken with the Permanent Forum staff working on this issue. It welcomes their work and the opportunity to meet them in May.

Q *How will the review relate with the Special Rapporteur on indigenous peoples’ rights? How will it relate with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP)?*

A The review will engage with the Special Rapporteur. The Bank has received indigenous peoples’ analysis of the UNDRIP and OP 4.10.

The Framework

Q *What is the integrated framework exactly? What does it mean?*

A There is a need to explain why the rules exist. The aim is to produce a principled document that attempts to tie policies with the Bank’s mission and activities, and defines the responsibilities of the Bank and of governments.

Investment Lending

Q *What efforts will the World Bank make to consider indigenous peoples’ investment strategies?*

A The Bank has made efforts to work with indigenous peoples on their development plans. The Bank’s fund for indigenous peoples has been transferred to the International Fund for Agricultural Development (IFAD). The Forest Investment Program includes US\$50 million for indigenous peoples.

Q *What exactly is the focus on investment lending? What other lending modalities and policy reforms have been advanced by the Bank?*

A Investment lending is still a huge part of the Bank’s business and has direct impact on indigenous peoples (e.g., through construction of dams and roads). The review will look into Development Policy Loans, but its focus is on investment lending. It will address forest policy.



Issues to be Covered

Comment: The focus groups should not be limited to FPIC but should also look at land rights and land tenure.

Q *Will the review look at supervision policy?*

Potential Conflict with National Law

Q *How does the World Bank propose to handle conflicts between the safeguards and national laws?*

A In case of conflict, the World Bank replies the more stringent requirement.

Consultation Methodology

Comment: Many people are concerned about the informal nature of this meeting. In Washington this will be called a consultation, but it lacks any dialogue with the decision makers at the Bank.

Response: The Bank team understand that this is not a formal consultation.

Q *What sort of consultation will it be? Will it differ from previous dialogues between the World Bank and indigenous peoples?*

A The Bank's consultation methodology is evolving and is based partly on the experience of the International Finance Corporation (IFC). There will be focus groups with affected communities, including indigenous communities. The Bank is establishing a forum for stakeholders, and a new Indigenous Peoples' Advisory Group.

Q *Posting information online is inadequate for consulting indigenous peoples. What steps will the Bank take to ensure indigenous peoples' full and meaningful participation?*

A The Bank understands that face to face consultation is important and that the internet is insufficient.

Q *How will indigenous peoples' input be made public, and how will the response to it be tracked?*

A The Bank team will take notes of this meeting and publish them. At the end of Phase 1 the Bank will provide a summary table of all inputs received and summary answers. This will be shared with the World Bank Board, and if the Board agrees it will be made public.

Q *The closing date for the Phase 1 consultation is too soon. Which phase of the consultations is most critical for indigenous peoples?*

A The review is trying to balance time and demands to produce a document.

Q *How can indigenous peoples participate in country consultations? Will indigenous peoples be brought to the city, or will the Bank staff go to the communities?*

A In this phase there is no time to go to the communities, but that may be possible later.

Q *How will information from government-controlled organizations be treated?*

Comment: Indigenous peoples have communicated with the World Bank through a series of letters, repeatedly raising issues of land tenure, FPIC, the Bank's consultation process, and other matters. The Indigenous Peoples Advisory Group is one result of this. Indigenous peoples need more responses from the Bank. Many letters were sent and it took a long time, too long, to get a response. This is an informal meeting, so indigenous peoples will put issues that are important to them on the table again. This will not be limited to the indigenous peoples policy: it will include resettlement policy and other key issues.



Indigenous Peoples' Observations on the Safeguards Review

One of the indigenous participants presented a synthesis of indigenous peoples' recommendations for the content and process of the safeguards review. Issues addressed included consistency with international human rights instruments, FPIC, current implementation of OP 4.10, and consultations on the review.

Consistency with International Human Rights Instruments

Safeguards policies should be consistent with UN human rights instruments, in particular, the UNDRIP and ILO Convention 169.

Free, Prior and Informed Consent (FPIC)

Safeguard policies should include:

- Measures to respect and protect indigenous peoples' rights to land and natural resources;
- Recognition of pastoralists and issues in Africa;
- Prohibition on forced relocation and displacement;
- Respect for indigenous peoples living in voluntary isolation;
- Mechanisms to facilitate full and effective participation of indigenous peoples at all levels;
- Gender considerations, in particular the risk, impact, vulnerability and needs of women.

Current Implementation of OP4.10

Indigenous peoples' experience of the implementation of the Bank's current policy highlights the importance of:

- Ensuring participation of indigenous peoples in development planning;
- Disclosure of project information;
- Developing key indicators for respect and protection of indigenous peoples' rights, including consent, and not only "broad community support";
- Participation of indigenous peoples in defining benefit-sharing arrangements at project level.

An independent evaluation is needed of how the policy is implemented, so that lessons, gaps and limitations can be identified and feed into the review.

Recommendations for Safeguards Policy

For indigenous peoples, the minimum requirements for safeguard policies are:

- The indigenous peoples policy should be stand-alone;
- The safeguards policy should apply to all modalities, not only to investment;
- The strengthening of country institutions and systems should lead to alignment of national policies to human rights instruments and conventions that each country has ratified; policy should not be subjected to national laws if these are below human rights standards.

Recommendations for the Consultation Process

- Information should be available in English, French and Spanish at the minimum.
- A matrix of all inputs submitted by indigenous peoples should be drawn up, to enable tracking of what was incorporated into the draft policy and what was not.
- Consultations with indigenous peoples should be held at national, regional and global levels, as a separate process, after the first and second drafts are released.

- Indigenous experts, especially those in UN bodies, and different indigenous peoples, e.g., pastoralists, should participate in the review.
- Effective participation of indigenous peoples should be ensured in the country consultations.
- An indigenous peoples working group on the review process should be established to facilitate information exchange and dissemination of review and documents, coordinate regional and global consultations, monitor developments in review, facilitate submission of inputs by indigenous peoples, etc.
- A dialogue between indigenous peoples and the Executive Board of the Bank should be held at the second draft stage.
- A mechanism for harmonisation between different stakeholders is needed.
- A clear timeline is required.

World Bank Response

General points

Many of the indigenous peoples' comments go beyond the scope of the safeguards review and go into the relationship between the Bank and indigenous peoples, and between the Bank and governments. The World Bank team however could advise the Board that these issues were raised. The Bank's understanding is that the safeguard revisions are a subset of indigenous peoples' broader recommendations on how the World Bank can engage with indigenous peoples, and respect their rights and interests.

The existing policies of the World Bank will remain in effect until the Board adopts new policies to replace them.

The World Bank does not plan to dilute its safeguard policies. Its interest is to evolve policies to meet new conditions and to reflect what it has learned so far. Downward harmonization is not the intent: World Bank projects harmonize upwards. The Board sets World Bank policies as a baseline, and the review will not go below that.

Consultation Process

Documents associated with the safeguards review will be made available in multiple languages. The approach paper is available online in French, Spanish, Portuguese, Arabic, Russian, and English. The Bank will continue to post documents on the review in all these languages. The target timeline for completing the review is 24 months.

The Bank does not have unlimited money, so needs a representative sample of views. It will work with leaders to find a practical way to address this.

Issues to be Covered

This discussion is not only about OP 4.10. The Bank is also seeking comments on environmental assessment, forests, natural habitats, physical cultural resources, pest managements, dam safety, involuntary resettlement, policy on piloting the use of country systems. The plan is to have small expert groups to discuss these issues, but not to make decisions. The World Bank knows the review will need to examine FPIC. It plans to have an expert working group on land tenure.

Indigenous Peoples Policy

The repeated expression of concern about the need for specific policies on indigenous peoples has been noted. The updated safeguards may have some kind of specific section on indigenous peoples, although it may not be called policy. But it would be fully identifiable as specific to indigenous peoples.

Annex III Guna Yala Action Plan

Global Dialogue of Indigenous Peoples on the Forest Carbon Partnership Facility (FCPF)
Gaigirgurub, Guna Yala, Panama,
27th to 29th September, 2011

Indigenous Peoples Action Plan regarding the FCPF

Recognizing and appreciating the Guna Peoples for hosting this event in Gaigirgurub, Guna Yala, Panama from 27th to 29th September, 2011.

And appreciating the support of the FCPF Participants Committee (PC) and the Facility Management Team (FMT) for enabling the global dialogue,

We, the global Indigenous Peoples participants, hereby agree to put forward the following action plan relating to FCPF:

Preamble:

Acknowledging that this dialogue of indigenous peoples on the FCPF is the beginning of a global process of engagement between Indigenous Peoples and the FCPF;

Recognizing that the dialogue must be based on the framework of the recognition and respect of Indigenous Peoples rights as enshrined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the ILO Convention 169 and other international instruments relating to indigenous peoples as a minimum standard;

Emphasizing the critical need for strengthening the capacities of indigenous peoples as essential for their full and effective participation in processes and mechanisms—at the local, national, regional and global levels — relating to FCPF and REDD+;

Requiring that the future global dialogue on FCPF shall be coordinated by the Indigenous Peoples International Steering Committee composed of duly-designated indigenous peoples by geographical region.

Objective:

The objective of this action plan is to ensure that the FCPF implements the Cancun agreement on REDD+, particularly in relation to ensuring the full and effective participation of indigenous peoples, respecting their rights and traditional knowledge as well as the provision on information system on safeguards for the Monitoring, Reporting and Verification (MRV).

Action Plan:

The following three Action Plans (A, B and C) shall be implemented immediately and in full:



A. Capacity building and participation


1. Strengthening the capacity of indigenous peoples through awareness-raising and information-sharing at the international, regional, national and sub-national levels.
2. Increased focus for strengthening the capacity of women and youth for their effective participation—taking into account their specific issues and concerns—in the FCPF process and mechanism.
3. Facilitating sustained communication channels between indigenous peoples' organizations and FCPF through the duly designated regional focal points, including the provision for translation of documents and interpretation in Spanish, French and English.
4. Ensuring full and effective, participation of indigenous peoples—with financial support to indigenous peoples representatives—at the national, regional and international FCPF processes.
5. Inviting duly selected indigenous peoples lawyers—with logistic support from FCPF—to dialogues and meeting of indigenous peoples relating to FCPF.
6. Requiring participation of all FCPF delivery partners in the mechanisms for engagement with indigenous peoples at the regional level.
7. Supporting initiatives by indigenous peoples for strengthening their ownership and management of forests, as well as their traditional governance systems.
8. Ensuring the participation of indigenous peoples experts at the UNPFII and other relevant UN bodies and procedures to the FCPF process and mechanism including their participation in the FCPF-PC.
9. Including indigenous peoples experts endorsed by indigenous organizations in the conduct of FCPF activities or projects contracted to consultants.

ACTION NEEDED FROM FCPF: Allocation of adequate financial resources to support this action plan on capacity building and participation.

B. Securing rights of indigenous peoples through effective implementation of the safeguards and monitoring of performance indicators.


1. The FCPF supports a global study on the situation of indigenous peoples' forest land tenure with a view to recommend measures to strengthen land tenure reforms and forest governance in FCPF countries. The Indigenous Peoples Global Steering Committee shall define the Terms of Reference (ToR) of this study with technical support from FMT. The FCPF shall provide the necessary financial resources for the conduct of this study.
2. The FCPF develops and implements a robust and comprehensive framework to assess performance and to monitor impacts of safeguards—including effective participatory monitoring indicators—throughout the REDD+ cycle. In this context, the FCPF shall fully and effectively engage with indigenous peoples in good faith to review and develop the guidelines and indicators for monitoring, assessment and evaluation of safeguards in REDD+, particularly—but not limited to—in the Common Guidelines for Stakeholders engagement, Strategic Environmental and Social Assessment (SESA), Environmental and Social Management Framework (ESMF), EFMA, R-Package, the carbon fund, etc. This review shall look into key areas relating to respect for the rights and traditional knowledge of indigenous peoples in the following critical issues:
 - Forest land tenure;
 - Sustainable livelihoods, including traditional livelihoods;
 - Equitable Benefit sharing;
 - Full and effective participation of indigenous peoples including the implementation of Free Prior and informed Consent (FPIC);
 - Governance;
 - MRV.



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3. FAO shall engage indigenous peoples in the review of its proposal submission to become a delivery partner, particularly its policy of environmental impact assessment and proposal for an accountability mechanism.
 4. FCPF will ensure information and awareness of indigenous peoples on the safeguards, accountability mechanisms and related guidelines of the delivery partners and the sustained engagement of indigenous peoples with delivery partners at all levels (national-regional and international).
 5. FCPF will require review of the guidelines for the stakeholders involvement to include the commitment to implement the UNDRIP in FCPF and UNREDD countries, the ILO Convention 169 in countries that have ratified the Convention and the other applicable international human rights instruments where they have been ratified or adopted.
 6. FCPF will establish regional recourse mechanisms with the full and effective participation of indigenous peoples in designing the regional recourse mechanisms and in defining the ToR.
 7. FCPF will carry out a thorough information dissemination to and consultations with indigenous peoples on the carbon fund set up under the FCPF to ensure that their concerns and issues as rights holders are fully accounted.

ACTION NEEDED FROM FCPF: Allocation of adequate financial resources to support this action plan on securing rights of indigenous peoples through effective implementation of the safeguards and monitoring of performance indicators.

In particular, the PC and FMT shall enable the conduct of regional workshops and subsequently a global meeting within 2012 with indigenous peoples to address the following:

1. Review FCPF guidelines and instruments particularly the Common Guidelines on Stakeholders Engagement, the Strategic Environment and Social Safeguards (SESA), the Environmental and Social Management Framework (ESMF), the Readiness (R)-Package relating to safeguard implementation, performance indicators, monitoring, assessment tools and related concerns.
 2. Establishment of regional process of engagement of indigenous peoples on FCPF with the participation of FCPF delivery partners including presentation of their specific safeguard policies, guidelines and related documents; and the establishment of recourse mechanisms at the regional level
 3. Presentation and discussions on the carbon fund with a view of ensuring that concerns of indigenous peoples are effectively addressed
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C. Allocation of Adequate and Dedicated Resources for indigenous peoples

1. The FCPF increases its indigenous peoples' capacity building fund from US\$1 million (200,000 per year) to \$4 million for the readiness phase (2011-14) to enable the implementation of the indigenous peoples action plan. A Global Advisory body with a decision-making power shall be created and to be composed of the following: Two (2) indigenous peoples representatives from each of these regions—Africa, Latin America, Asia and one (1) IP representative from the Pacific region: two (2) representatives of the PC and two (2) representatives from the FMT. The indigenous representatives shall be chosen through a self-selection process.

ACTION NEEDED FROM FCPF: Approving additional \$3 million for the readiness phase.

2. FCPF shall ensure full and effective, participation of indigenous peoples with financial support to indigenous peoples representatives at the regional and international processes, relating to FCPF.



Annex IV

Staff with Specific Responsibility for Working with Indigenous Peoples

FCPF/World Bank

- Haddy Sey, Bangkok office, is working on social inclusion in Asia-Pacific
- Gernot Brodnig is focal point for indigenous peoples and local communities, and manager of capacity building programs
- World Bank Indigenous Peoples adviser will join in 2013.

Regional focal points for indigenous peoples

- Africa: Afshan Khawaja <Zkhawaja@worldbank.org> and Carole Megevand <cmegevand@worldbank.org>
- Latin America: Mi Hyun Miriam Bae <mbae1@worldbank.org>
- Asia: Haddy Jatou Sey <hsey@worldbank.org>

UN-REDD/UNDP

Regional stakeholder engagement specialists are now in place.

- Africa: Anne Martinussen, Nairobi <anne.martinussen@undp.org>
- Asia-Pacific: Celina Yong, Bangkok <kin.yii.yong@undp.org>
- Latin America & Caribbean: Jose Arturo Santos, Panama <jose.arturo.santos@undp.org>



The Global Indigenous Peoples'
Dialogue with the FCPF
was organized by:

Global Indigenous Peoples' Steering
Committee

&



With support from:

