

**Arbeitsgemeinschaft Regenwald und Artenschutz (ARA) · Bank Information Center · CAPP
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de Pueblos Indígenas (CADPI) · Client Earth · Environmental Investigation Agency · Forest
Management Trust · Forest Peoples Programme · Friends of the Earth US · Friends of the Earth Norway
Greenbelt Movement Europe · Greenpeace International · La Maison de l'Enfant et de la Femme
Pygmees (MEFP) · National Association of Professional Environmentalists (NAPE) · Nepal Federation of
Indigenous Nationalities (NEFIN) · Pro Natura · Rainforest Action Network · Rainforest Foundation
Norway · Rainforest Foundation UK · SONYA · Tebtebba Foundation**

August 12, 2011

Dear Policy Board Members,

Over the past two years the UN-REDD Programme has made an encouraging start in addressing the need for strong safeguards under the Global Programme, including pioneering global consultations on FPIC, important collaborations on REDD+ governance and the harmonized set of guidelines on stakeholder engagement. However, the Social and Environmental Principles and Criteria (SEPC) and corresponding risk assessment tools threaten to undermine work undertaken thus far and risk creating a race to the bottom in global REDD standards.

The UN-REDD Programme Social and Environmental Principles and Criteria and associated Risk Identification and Mitigation tool (RIMT) are intended “to support countries in operationalizing the UNFCCC agreements on safeguards for REDD+” and to ensure that activities funded by the UN-REDD Programme “promote social and environmental benefits and reduce risks from REDD+.” However, the SEPC do not represent a robust, comprehensive or useful elaboration of the REDD+ safeguard provisions of the Cancun decisions in relation to providing REDD finance. We also consider that they have not been developed in a sufficiently transparent or participatory manner to be viewed as credible by stakeholders in the UN-REDD process.

The first complete version of the SEPC was only made available to the Policy Board at its 6th meeting in March 2011 and has yet to be made available for public comment. At the 5th meeting of the Policy Board in November 2010, a public comment period was included in the proposed process for elaboration of the SEPC in 2011, yet to our knowledge no such public consultation period is being planned prior to consideration of a final draft of the SEPC at the 7th Policy Board meeting this October. The process for developing the RIMT has been even less transparent and inclusive. To our knowledge, these tools have not been subject to any formal review by the Policy Board or the broader group of stakeholders. Tools such as the SEPC and RIMT, which are to be used for assessing national programme delivery, need to be developed and evaluated together in a transparent and participatory process to ensure legitimacy and efficacy in their stated aims.

The SEPC contain significant gaps in their interpretation of the Cancun safeguards and lack sufficient detail in those elements that have been elaborated. Principles 1 and 2 on democratic governance and stakeholder rights, for example, are most notable for their deficient interpretation of the relevant Cancun safeguards. Given the now widespread recognition of the importance of land issues and indigenous rights, the failure to include reference to either tenure reform or to the UN Declaration on the Rights of Indigenous Peoples is a serious omission. More broadly, all the criteria are insufficient, both in terms of the breadth of the interpretation and the detail concerning procedures that would be used in applying the criteria. There are a number of important processes that could be considered when

looking especially at the first four Cancun safeguards, including related international agreements and practices, the UN-REDD Programme's own work in developing Guidance for the Provision of Information on REDD+ Governance and work by the World Bank and FAO on a framework for assessing and monitoring governance, or the REDD Social and Environmental Standards. We suggest a place to start may be looking at these documents.

In addition we are very concerned with any language that indicates that this document could be used by countries in their interpretation of the Cancun language on safeguards, or "in identifying the information needed to report on how the safeguards are being addressed and respected." Apart from the incomplete interpretation of the safeguards themselves, the document provides a selective interpretation of the implementation language on the safeguards (i.e. paragraphs 69 and 71(d), which need to be interpreted completely and together). We note that Parties and observers to the UNFCCC are currently in the process of developing guidance on the provision of information on how the safeguards are addressed and respected. We are concerned that this language in the SEPC risks undermining that process by developing incomplete and deficient guidance in a non-inclusive manner. In their present form the SEPC do not provide a useful elaboration of the Cancun safeguards or of the safeguard provisions. The process and outputs so far have not convinced us that the SEPC has any value added relative to other processes where safeguards are being elaborated.

We think that for this document to be more useful, it should focus on providing clarity as to *how* the UN-REDD Programme will ensure that social, environmental and governance risks are addressed. Specifically, it should be clear how the Cancun safeguards will be applied to existing and future National and Global Programme activities being implemented through the three participating UN agencies. Additionally, it should also be clear how the UN Declaration on the Rights of Indigenous Peoples and existing international obligations and commitments are being adhered to in the UN REDD Programme. Meaningful implementation will require the elaboration of a more detailed framework and indicators along with policies and procedures to ensure adequate monitoring, oversight and accountability for how the standards are followed.

Lastly, there is an urgent need to develop a common set of high standards for use by agencies involved in REDD+ finance when addressing social, environmental and governance risks. Common standards will increase the efficacy of implementation and help ensure that REDD countries are not overburdened by a proliferation of disparate REDD standards. The Forest Carbon Partnership Facility has recognized this need by requiring delivery partners to agree to implement a Common Approach to social and environmental safeguards, including the use of an independent accountability mechanism. We note that as part of this process, it was identified that UNDP lacks an independent accountability mechanism equivalent to that of the World Bank. We welcome UNDP's decision to develop such an institution-wide mechanism and urge other UN agencies to examine gaps in their policies and procedures. The UN-REDD Programme must make more systematic efforts to ensure the full application of the UNDRIP, including the right to lands, territories and resources as well as the right to free, prior, informed consent. This will help the UN-REDD Programme to ensure that a strong set of high common standards are applied to the activities it funds.

We therefore strongly urge the Policy Board to:

- Establish a robust, transparent and inclusive consultative process at its 7th meeting to develop high common standards on social, environmental and governance safeguards as well as independent accountability mechanisms, across the three UN-REDD implementing agencies, incorporating work done by other relevant processes;

- Ensure that any standards developed represent a comprehensive and robust elaboration of the Cancun safeguards, and are based on a complete interpretation of the safeguard provisions;
- Elaborate detailed indicators for the standards, drawing on work by other relevant processes, and clarify what policies and procedures will be adopted by the Programme to ensure adequate monitoring, oversight and accountability for how standards are being adhered to; and
- Review work undertaken through such a process at its 8th meeting in 2012.

Yours sincerely,

Arbeitsgemeinschaft Regenwald und Artenschutz (ARA), Germany
 Bank Information Center, US
 CAPP Foundation, Indonesia
 Center for Environment and Development (CED), Cameroon
 Centro Para la Autonomía y Desarrollo de Pueblos Indígenas (CADPI), Nicaragua
 Client Earth, UK
 Environmental Investigation Agency, US
 Forest Management Trust, US
 Forest Peoples Programme, UK
 Friends of the Earth, Norway
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 Greenbelt Movement Europe
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 La Maison de l'Enfant et de la Femme Pygmees (MEFP), Central African Republic
 National Association of Professional Environmentalists (NAPE), Uganda
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