



Jamaica REDD+ Stakeholder Information Packet

Briefing Module 2: Required Social and Environmental Safeguards



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Simone Mangal-Joly
IIED-Led Team
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Key Acronyms

FPIC	Free Prior and Informed Consent
REDD+	Reducing Emissions from Deforestation and Forest Degradation and Conservation, Sustainable Management of Forests and Enhancement of Forest Carbon Stock
UNFCCC	United Nations Framework Convention on Climate Change

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Introduction

Jamaica is an Annex 2 party to the United Nations Convention on Climate Change and its 2015 Paris Agreement. Annex 2 countries may earn results-based payments for maintaining or improving carbon stocks in standing tropical forests through Reducing Emissions from Deforestation and Degradation Plus (REDD+) programmes. REDD+ involves reducing emissions from deforestation and degradation as well as conservation, sustainable management of standing forests, and enhancements of forest carbon stock through initiatives such as agroforestry, reforestation, and afforestation. REDD+ creates an incentive for protecting and restoring forests ecosystems by creating market value for the carbon they sequester.

The Government of Jamaica is desirous of developing a national REDD+ programme to earn results-based payments from forest protection. The International Institute of Environment and Development (IIED) is assisting the government with the development of the National REDD+ Strategy in what is known as Phase 1 of REDD+ programme development.

REDD+ offers Jamaica an opportunity to attract non-official development assistance finance not only for forest protection but also national development goals. Through participation in UN REDD+, Jamaica may have the opportunity to enrich carbon stocks by promoting agroforestry and sustainable timber production on unused agricultural land in a manner that addresses chronic development challenges such as providing greater access to lands for small farmers, especially youth and women, reducing the outflow of foreign currency by lowering the food import bill and producing timber for the construction sector where imports now fill the demand, and increasing economic activity in rural areas through community-based management of REDD+, agroforestry, value-added processing, and ecotourism linked to REDD+ and collaborative forest management. REDD+ also offers the country the opportunity to go beyond forests to brand Jamaica as a climate responsible destination with potential spin offs in tourism and to leverage its REDD+ efforts to attract finance for integrated national sustainable development.

In the last two years, research and analyses were conducted to help craft a REDD+ strategy that responds to international requirements and local social, economic, environmental, and cultural needs. These analyses were done in participatory manner with key stakeholder groups across Jamaica. The draft strategy is now ready for broader multi-stakeholder scrutiny and feedback and the conduct of a participatory Strategic Environmental and Social Assessment of the strategy to ensure that potential positive impacts are amplified, and negative impacts addressed.

This stakeholder information packet provides essential background information on REDD+ to help stakeholders understand the requirements of a REDD+ programme, situation in Jamaica, and how the proposed REDD+ strategy responds to requirements and local situational needs. During the last two years, essential information on REDD+ was provided on a rolling basis in all stakeholder engagements conducted. Feedback on findings were also shared in this manner. This packet documents that information and provides a background for stakeholders that are newly engaged. All planned engagement sessions will also provide explanations to reinforce the information provided here and give stakeholders an opportunity to clarify any matters.

The packet is organised into four Briefing Modules. Four of these are contained in this document, and the fifth on the is contained in a stand-alone accompanying document.

The modules herein are: The modules herein are:

- (1) Briefing Module 1: UN REDD+ and how it is governed at the international and national levels
- (2) Briefing Module 2: Required REDD+ Social and Environmental Safeguards
- (3) Briefing Module 3. Components of a REDD+ Strategy; and
- (4) Briefing Module 4: Summary of National Situation, Overview of Work in Progress REDD+ strategy, Stakeholder Engagement Process and Next steps.

This is the second in the sequence of modules. It provides information on the 'Cancun' social and environmental safeguards, which each country's REDD+ programme must adhere to.

‘Cancun’ Social and Environmental Safeguards

Parties to the UNFCCC acknowledge that REDD+ has the potential to have positive and negative effects and agreed that it should at a minimum “do no harm” and strive to go well beyond this to ‘do good by achieving multiple benefits related to carbon and non-carbon aspects of forest management. They agreed to the adoption of seven safeguards for REDD+ at the 16th Conference of the Parties (COP16) held in Cancun, Mexico. These are rules and guidance for developing and implementing a REDD+ programme known as the ‘Cancun Safeguards’. Regardless of the source of funding for REDD+ activities, all activities must be implemented in a manner that is consistent with the Cancun Safeguards and countries must establish a system to provide information on how the Cancun safeguards are being addressed and respected.

The Cancun safeguards are: (1) Actions that are consistent with or complementary to the objectives of national forest programmes and relevant international conventions and agreements such as the Convention on Biological Diversity (CBD); (2) Transparent and effective forest governance; (3) Respect for the rights and knowledge of indigenous peoples and local communities; (4) Full and effective participation of relevant stakeholders, in particular local communities in and around forests and indigenous peoples; (5) Actions that are consistent with the conservation of natural forests and biological diversity, ensuring that REDD+ is used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits; (6) Actions to address risk of reversals in REDD+ strategy design and implementation (not maintaining the agreement on amount of forest cover); and (7) Actions to address risk of displacement (of people and carbon emissions) in REDD+ strategy design and implementation.



Safeguard A: Actions that complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements

- Countries must ensure that their REDD+ actions are consistent with the objectives of their national forest programmes as well as relevant international conventions and agreements.
- This safeguard does not by itself involve new commitments, rather it reaffirms already existing commitments and international obligations, and seeks compliance with these to qualify for results-based payments.
- During Phase 2 of REDD+ Jamaica will need to close any gaps between forest management practice and existing domestic forest policies and international obligations.
- Jamaica has committed to the following **international agreements** that touch upon REDD+ safeguards:
 - The Convention on Biological Diversity (1993)
 - Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (2014)
 - Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (1986)
 - Specially Protected Areas and Wildlife Protocol (SPAW) (2000)
 - United Nations Convention to Combat Desertification (1996)
 - Convention Concerning the Protection of the World Cultural and Natural Heritage (1972)
 - United Nations Strategy for Disaster Risk Reduction (1999)
 - Convention on Migratory Species (Bonn Convention)
 - Convention on Wetlands of International Importance Especially Waterfowl Habitat (RAMSAR Convention (1975)
 - Convention on International Plant Protection (2005)
 - The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)
 - International Covenant on Civil and Political Rights (ICCPR)
 - International Covenant on Economic, Social and Cultural Rights (ICESCR)
 - Convention on the Rights of Persons with Disabilities (CRPD)

- Convention on the Rights of the Child (CRC)
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD)
- Cartagena Protocol (2003)
- Stockholm Convention on Persistent Organic Pollutants (2004)
- Voluntary Sustainable Development Goals (2015); and
- Land-based Sources of Marine Pollution Protocol (2010).

Safeguard B: Transparent and effective national forest governance structures, considering national legislation and sovereignty

- This safeguard is concerned with forest governance structures, particularly with regards to fairness, transparency, and effectiveness.
- Governance encompasses policy, laws, regulations, operational procedures at the institutional levels, and practice.
- **Transparent Governance** should meet the following standards:
 1. Provide a right of access and ease of access to information, especially to vulnerable groups such as indigenous peoples and local forest communities
 2. Have clear systems and procedures for institutional accountability and preventing corruption with guaranteed access and distribution of information to members of the public on relevant matters; and
 3. Actively promote public awareness of the right of access to information, and ability to exercise that right. The system should not place the burden on the public to have to seek out information.
- **Effective Governance** should meet the following standards:
 1. Laws and regulations relating to governance and sustainable use of forests
 2. Equitable distribution of burdens and benefits of forest management between different stakeholder groups
 3. Clear rights of ownership and possession (land tenure) of lands related to REDD+ as well as evidence of long-term commitment to sustainable forest management
 4. Enforcement of laws and regulations

5. Adequate institutions and administrative frameworks, including judicial or administrative procedures providing for an effective remedy for infringement of rights, especially for indigenous peoples and local communities and for addressing grievances of any nature related to forest management
 6. Adequate provision of funds for forest protection and conservation, including for Local Forest Management Committees to discharge their functions
 7. Functional coordination between different sectors affecting forests to reduce forest impact
 8. Integration of social and environmental considerations into decision-making processes; and
 9. Stakeholder representation and participation in decision making at all levels, including forest dependent communities.
- To achieve these standards countries must re-assess and potentially strengthen their domestic systems by enacting and/or strengthening laws, policies, institutions, and operational procedures to ensure that the United Nations Framework Convention on Climate Change REDD+ Safeguards are being addressed and respected.

Safeguard C: Respect for the knowledge and rights of indigenous peoples and members of local communities, by considering relevant international obligations, national circumstances, and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples

- REDD+ actions and activities must be implemented in accordance with international law regarding indigenous peoples and local forest communities, and international human rights law. These rights apply both to individuals and to group.
- Note: The UN REDD+ recognition or identification of certain groups of people as “Indigenous Peoples” is not dependent on whether a national government has recognized them as such.
- **Indigenous Peoples** share the following characteristics:
 - They self-identify as indigenous and in some cases are recognised by other groups, or by State authorities, as having a distinct collective identity

- They have ancient historical ties with respect to living in and using a specific territory
- Their cultural distinctiveness is voluntary and handed down through generations. This may include aspects of language, social organization, religion and spiritual values, modes of production, laws, and institutions; and
- They have experienced or are experiencing subjugation, marginalization, dispossession, exclusion, or discrimination.
- **Rights** include:
 - The right to equal enjoyment of internationally recognised human rights
 - Respect and protection of rights regarding land tenure—including statutory, customary, and traditional and right to use natural resources
 - Self-determination (ability to make their own decisions on the fate of their lands)
 - Non-discrimination
 - Participation in benefit-sharing
 - Full participation at all levels of REDD+ planning and management, including decision making
 - Respect for traditional knowledge and intellectual property rights (Knowledge handed down from generation to generation); and
 - Entitlement to Free, Prior and Informed Consent (FPIC).
- **Free Prior and Informed Consent**
 - A principle protected by international human rights standards that state, ‘all peoples have the right to self-determination’ - to freely pursue their economic, social, and cultural development’. This is enshrined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the Convention on Biological Diversity, and the International Labour Organization Convention 169.
 - The UN REDD requires FPIC even if a country is not signatory to the various agreements.

Understanding Free Prior and Informed Consent

Free - A process self-directed by a community agreement / consent given voluntarily and without force, intimidation, manipulation expectations, or timelines that are externally imposed.

Community members are rights-holders, and they determine the process, timeline and decision-making process that will be used. Under a free process:

- Information is provided transparently and objectively and at the request of the rights-holders;
- The decision-making process is free from conditions, bribery or rewards, bias or force;
- Community members decide the meeting locations and times, languages that will be used and the format of the meetings; and
- All community members are free to participate regardless of gender, age, standing, infirmity, disability etc.

Prior - Community agreement/consent is sought sufficiently in advance of any authorization or commencement of activities and at early stages of planning. Additionally:

- Time is provided to community members to obtain, understand, and analyze information on the proposed activity;
- The decision-making timeline established by the community must be respected, as well as the time the community needs to assess information and make decisions according to its own customs; and
- Information on any activity must be provided before any activities can be initiated with a community.

Informed - Refers mainly to information on the activity and type of information that should be provided prior to seeking a community's agreement

Information should be:

- Accessible, clear, consistent, unbiased, accurate, and transparent;
- Delivered in the local language;
- Delivered in a culturally appropriate format (e.g., radio, traditional/local media, oral presentations, video etc.);
- Accessible to the most remote communities as well as different type of community members - including youth, women, the elderly, and persons with disabilities etc.;
- Objective including a full assessment of possible negative and positive effects of the proposed activity;
- Complete and full information on the purpose, nature, and scope of any proposed activity; and
- Delivered with sufficient time to be understood and verified.

Consent - A freely given decision that may be a "Yes", a "No", or a "Yes but with certain conditions" that is made through collective customary decision-making processes. Importantly:

- Consent may include the option to reconsider if the proposed activities change or if new information relevant to the proposed activities emerges; and
- Is not necessarily a one-time process, it may be given for a period of time with the right to evaluate down the road and withhold consent.

Safeguard D- Full and effective participation of relevant stakeholders, in particular indigenous peoples, and local communities, in REDD+ development and implementation

- In international legal instruments, full and effective participation is generally associated with the recognition and implementation of ‘procedural rights’ (also known as access rights) such as access to information, participation, and justice.
- Effective participation is also associated with ‘distributive rights’ – those stakeholders benefit in a fair and equitable and burdens are also distributed in a fair and equitable manner.
- Participation covers all stages of an activity - from identifying problems and deciding on solutions, implementing, monitoring, and evaluating impacts.
- Participation applies to all relevant stakeholders with particular attention to the most vulnerable. The term ‘relevant stakeholder’ is understood to include all members of the public potentially affected by a specific decision. Additionally, this safeguard specifically recognises vulnerable groups such as indigenous peoples, local communities, and women. Vulnerable groups may also include the poor, disabled persons, and youth.
- To implement this safeguard, it is necessary to carefully identify stakeholders and create an enabling environment in which they are engaged on an informed basis; their views and interests are considered and there is public accounting for uptake of such views and interests.
- Many of the safeguard activities and approaches to developing Jamaica’s REDD+ strategy is aimed at ensuring effective participation. These include:
 - Identifying and notifying potentially affected persons, individuals, and groups as early as possible (Stakeholder Analysis & Strategic Social and Environmental Assessment &)
 - Active dissemination of pertinent information at all levels in a timely, culturally appropriate, and accessible manner (Stakeholder Engagement Strategy & Communications Strategy)
 - Promoting awareness-raising, information sharing, and capacity building for participation (Training and Communications Strategy)
 - Cross checks to ensure that views are taking into consideration in the decision-making process (sequence of stakeholder engagements that allow for transparent reporting, plus National validation Workshop to review REDD+ Strategy and safeguard elements); and
 - Mechanisms to ensure access to justice for instances where participation is not enabled and to address conflicts (Feedback Grievance Redress Mechanism).

Safeguard E- Actions are consistent with the conservation of natural forest, biological diversity, incentivize the protection and conservation of natural forests and their ecosystem services, and enhances other social and environmental benefits

- REDD+ actions must not be used for the conversion of natural forests to plantations and other managed forests.
- The REDD+ strategy must protect existing natural forests and their ecosystem services (soils, water, flora and fauna, hydrogeological structures). These protections must be incorporated into REDD+ actions and incentivized.
- REDD+ actions should also integrate 'enhancement' of existing environmental and social benefits, such as ecosystem services and sustainable livelihoods.
- Actions that contribute to the conservation of natural forest and biological diversity include:
 - Identification, mapping and monitoring of natural forests and biodiversity and ways in which they are used
 - Regulation of land use to promote biodiversity
 - Effective protection and enforcement of laws and regulations
 - Support for conservation research
 - Awareness-raising; and
 - Integration of forest biodiversity concerns into other national sectors.

Safeguard F- Actions to address the risks of reversals

- Reversals are situations in which a country commits to a national forest reference level and amount of protection, receives payment, and then permits degradation of the forest resource or deforestation. Reversals can result in the country failing to adhere to the agreed Forest Reference Level and not qualifying for results-based payments.
- The risk of reversal is strongly linked to market demand for forest land, inadequate policy and legal frameworks for forest and land use management beyond the forest sector, inadequate political commitment and leadership, lack of security of land tenure, lack of enforcement, and lack of adequate governance checks and balances that give individual office holders vast power to make decisions about land use. The increase in economic return from activities in other sectors such as agriculture, mining that increase the risk of reversal to forest commitment.
- Actions to address the risk of reversal include:
 - Analysis of such risks and design of the REDD+ strategy to avoid risks of reversals as well as a Social and Environmental Framework to monitor and address risks
 - Development of a consistent and robust national spatial land use plan integrated with the REDD+ objectives and national sustainable development objectives backed by adequate legal protections and an effective data management system
 - Securing political commitment at the highest leadership levels in both the government and opposition parties to REDD+ to avoid a change in course of governments change
 - Transparent decision-making systems that dampen the power of a single authority/individual to make or reverse decisions that affect forests
 - Ensuring secure tenure of land (rights to ownership and use) to guarantee that agreements will be kept in the long-term horizon of 25-30 years; and
 - Developing fair and worthwhile co-management and benefit sharing agreements with landowners and communities contributing to REDD+ actions so that they see real benefit and remain committed in the long term.

Safeguard G - Actions to reduce displacement of emissions

- Displacement of carbon dioxide emissions can occur if REDD+ actions strongly protect one part of the country without considering how this may cause forest users to move and reduce forests in other parts.
- Action to reduce the risk of displacement include:
 - National level planning with full cooperation of different agencies and sectors as well as local government bodies
 - Adequate identification of resource users (yam stick harvesters etc.) in specific areas and integration of their needs into REDD+ to prevent marginalisation
 - Full integration of local communities in all aspects of REDD+ programme – planning, management, and monitoring
 - Social and Environmental Management Framework that explicitly addresses the risk of displacement with REDD+
 - Geospatial monitoring of forest cover change across the country
 - Ground monitoring and verification exercises; and
 - Strengthening institutional and governance frameworks.

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