

REDD+ SOCIAL AND ENVIRONMENTAL PRINCIPLES AND CRITERIA

**For development and implementation of programs and
projects in the Brazilian Amazon**

July 2010

This document is the product of a broad process that started with the development of a first version in October of 2009 by a multi-stakeholder group of the Brazilian society. This version was submitted to a period of 150 days of public consultation, during which it received hundreds of comments. These comments were then revised by the same multi-stakeholder group and incorporated in the current version of the document. For more information, please access www.reddsocioambiental.org.br.

Introduction

Mechanisms to reduce emissions from deforestation and forest degradation (REDD) are earning an important place in the international debate about climate change. Studies suggest that the emission of greenhouse gases generated by changes in land use represent between 10 and 20% of the total global emissions caused by humans. The growing importance of REDD in climate change discussions is creating opportunities for action against deforestation, both at the government (federal and state) and at the demonstration project levels.

However, governance mechanisms necessary to translate these opportunities into **effective deforestation reduction, biodiversity conservation benefits, social benefits** and **respect for the rights of indigenous peoples, small land owners and local communities** are not yet in place. This creates a risky situation where carbon projects, as well as government programs may negatively impact traditional populations and biodiversity, or simply not effectively reduce deforestation rates.

It was within this context that, during the Katoomba Group Workshop (Cuiabá, Brazil, April 2009), various civil society organizations – including NGOs, rural producers and social movements – came together and decided to initiate a process to develop social and environmental safeguards for REDD+¹ programs and projects in Brazil. In order to create a document widely recognized in Brazil, this development process should involve all stakeholders and sectors affected by REDD+, and it should be transparent and inclusive of public participation.

To this end, a Steering Committee was established composed of people who are knowledgeable about the theme and represent the various sectors working with the subject, such as: social movements, small land owners, private sector (rural producers and forestry producers), environmental NGOs and research institutions. This committee was supported by Imaflora as the organization facilitating the development process.

Objective

The REDD+ Social and Environmental Principles and Criteria shall be used as reference for the development and application of forest carbon projects, REDD+ government programs, to orient the application of national and international financial resources, and for the evaluation and independent validation of REDD+ projects in Brazil.

¹ Reduction of emissions from deforestation and forest degradation (REDD) combined with conservation actions, sustainable forest management and the enhancement of forest carbon stocks (REDD+).

This document is not intended to become the basis of a national certification mechanism for market based carbon projects, but rather to complement international carbon certification systems already in place, or others that are yet to come.

The main objective of this initiative is to strengthen forest governance, valorizing information transparency, public participation in the decision making process, action coordination among stakeholders, and respect and recognition of the rights of traditional populations and Indigenous Peoples. To improve the level of governance in REDD+ initiatives, it is critical to follow the principles and criteria described in this document.

Steps of the development process

1. Creation of a multistakeholder steering committee for development and revision of the Principles and Criteria;
2. Development of version 1.0 of Principles and Criteria by this committee;
3. Submission of version 1.0 to public consultation for a period of 150 days (December 1st, 2009, to April 31st, 2010), open to all sectors of society involved with the subject;
4. Completion of regional meetings in the Amazon with representatives of traditional communities and Indigenous Peoples to present the document and record the contribution of these stakeholders;
5. Completion of meetings with the various sectors involved in or affected by REDD issues in Brazil to present the documents and record their contributions;
6. Development of the final version of the Principles and Criteria by the steering committee, incorporating all comments received during public consultation.

Note for the interpretation and use

This document describes social and environmental safeguards, structured as Principles and Criteria that are **minimum requirements** to ensure that REDD+ actions **effectively benefit climate, biodiversity conservation and local populations, and minimize the risks that such actions result in negative social and environmental impacts**. This process does not intend to define criteria and indicators that are used to differentiate and reward REDD+ programs and projects that demonstrate high social and environmental performance.

Reference documents

- Katoomba conference letter (April, 2009, signed by various civil society organizations, including environmental organizations, social movements, rural producers, etc...)
- Letter of the Indigenous Peoples of the Brazilian Amazon about Climate Change (Brazilian Indigenous Federation or *Coordenação das Organizações Indígenas da Amazônia Brasileira* – COIAB , September, 2009)
- Letter of principles for REDD – Sustainable Amazon Forum;
- Key Messages from Accra Caucus, Bangkok, October, 2009;
- Criteria and indicators of REDD Projects – LEEDS and Bangor Universities (United Kingdom);
- Manaus Declaration – April, 2008;
- Draft REDD+ Social & Environmental Standards – Climate, Community & Biodiversity Alliance - CCBA, October, 2009.

Scope

The *REDD+ Social and Environmental Principles and Criteria* shall be applied in REDD+, or REDD, government programs or projects to be implemented in the Brazilian Amazon (see highlighted Note below), developed and executed by governments, private entities or civil society organizations, financed by government funds or market based mechanisms (compulsory or voluntary)². Their use is also not restricted to a group or specific sector of society; rather, is applicable for REDD+ actions that are conducted by (or in partnership with) Indigenous Peoples, local communities, small landowners, private landowners and government.

Note about the geographic scope: *These Principles and Criteria were developed with a main focus on REDD+ actions taking place in the Brazilian Amazon. Members of the Development and Revision Steering Committee demonstrate more experience with issues relating to this biome, and the public consultations were also more focused on actions that will take place in the Brazilian Amazon. Therefore, the Committee decided not to consider these Principles and Criteria as having a national scope and being more widely applicable, in recognition that the remaining biomes have distinct social and environmental issues that need to be discussed more in depth and incorporated in the text.*

² Along the Principles and Criteria, the term “REDD+ actions” was adopted to refer to these various initiatives.

Hierarchy and format of Principles and Criteria³

- Principles represent guiding values relevant to REDD+ actions.
- Criteria specify the Principle, containing the necessary elements to ensure the Principle is met. Each Criterion has a specific element, that is, a theme that is critical to guarantee conformance with the Principle.
- The term “shall” used in the criteria indicates a sense of obligatoriness, that is, it means that the action **must** be conducted so the criterion can be considered met.
- All Principles are of equal value amongst themselves, and all criteria are of equal value amongst themselves. Principles and criteria shall be combined and used in a complementary way, therefore not having any meaning if used separately.

³ Indicators are specifications to the Criteria, containing elements that verify conformance with the Criteria. Normally, they are specific to a certain situation or region. This version of the standard purposefully does not include indicators, because: i) their scope is very generic, including various stakeholders, scales and regions; ii) this document is not expected to be used in the field by itself, (not used with another standard/norm), to evaluate REDD+ projects or programs.

Principles and Criteria

1 LEGAL COMPLIANCE: conformance to legal requirements and relevant international agreements.

1.1. REDD+ actions shall respect the Brazilian labor legislation, including requirements on health and safety and repression of any form of slave and child labor, while respecting the distinctiveness of the organization of labor of Indigenous Populations, small landowners and local communities.

1.2. REDD+ actions shall respect the Brazilian environmental legislation.

1.3. REDD+ actions shall respect all international social, environmental, cultural, labor and commercial agreements ratified by Brazil.

2. RIGHTS RECOGNITION AND GUARANTEE: recognition and respect to rights to lands, territories and natural resources.

2.1. There shall be the recognition and respect of the constitutional, statutory and customary rights associated with land ownership, the official designation of occupied lands, and the use of natural resources of Indigenous Peoples, small landowners, including complete respect to the UN Declaration on the Rights of Indigenous Peoples, to the FAO Treaty on Agriculture and Food, and to the ILO Convention 169.

2.2. REDD+ actions shall recognize and value the socio-cultural systems and traditional knowledge of Indigenous Peoples, small landowners and local communities.

2.3. REDD+ actions shall respect the rights to self-determination of the Indigenous Peoples and local communities.

2.4. In the areas where REDD+ actions are implemented, lawful ownership and possession rights shall be respected, as well as those rights associated with the use of land and natural resources.

2.5. There shall be formal mechanisms for conflict resolution associated with REDD+ actions, through dialogs that include the effective participation of all involved stakeholders.

3. BENEFIT SHARING: fair, transparent and equitable benefit sharing generated by REDD+ actions.

3.1. Benefits generated by REDD+ actions shall be accessed in a fair, transparent and equitable form by those who hold the rights to the use of land and/or natural resources and promote activities related to conservation, sustainable use and forest restoration⁴.

4. ECONOMIC SUSTAINABILITY, IMPROVEMENT IN QUALITY OF LIFE AND POVERTY ALLEVIATION: contribution to economic and sustainable diversification of the use of natural resources.

4.1 REDD+ actions shall promote economic alternatives based on standing forest valorization and on the sustainable use of natural resources and deforested areas.

4.2 REDD+ actions shall contribute to poverty alleviation, social inclusion and improvement of livelihoods for people who live in REDD+ implementation areas and in areas affected by it.

4.3 REDD+ actions shall contribute to the empowerment and autonomy of populations involved, based on participatory planning and local development tools.

4.4 REDD+ actions shall consider adaptation measures to minimize the negative impact of climate change on Indigenous Peoples, small landowners and local communities.

5. ENVIRONMENTAL CONSERVATION AND RECOVERY: contribution to conservation and recovery of natural ecosystems, biodiversity and environmental services.

5.1 REDD+ actions shall contribute to the conservation and recovery of natural ecosystems and avoid causing significant negative impacts to biodiversity and ecosystem services.

5.2 Species or ecosystems that are rare, endemic or threatened with extinction, as well as any other high conservation value attribute, shall be previously identified, protected and monitored.

5.3 In case of restoration activities in degraded areas, REDD+ actions shall use native species.

4. For the application purposes of this document, the expression "forest restoration" does not include any type of homogeneous forest plantation.

6. PARTICIPATION: participation in the development and implementation of REDD+ actions and in decision making processes.

6.1. Conditions for the participation of the beneficiaries shall be ensured in all phases of REDD+ actions and in the decision making processes, including the identification, negotiation and distribution of benefits.

6.2. Decision making processes relating to REDD+ actions shall effectively ensure the right to free, previous and informed consent, considering local representations and respecting the traditional forms of electing representatives by Indigenous Peoples, small landowners and local communities.

6.3. Populations living in areas affected by REDD+ actions shall be informed about them.

7. MONITORING AND TRANSPARENCY: complete availability of information related to REDD+ actions.

7.1 Beneficiaries shall have free access to information relating to REDD+ actions, in simple language, so they can participate in the decision making process in a previously informed and responsible manner.

7.2 Transparency of information about REDD+ actions shall be guaranteed, including at least those related to the methodology, location and size of the area, definition and participation of involved and affected stakeholders, activities to be executed, time length of the project and conflict resolution mechanisms.

7.3 In public lands, protected areas and in other areas that involve Indigenous Peoples, small landowners and local communities, or in REDD+ actions supported by public funds, there shall be ensured transparency of information regarding the raise, use and distribution of benefits generated by REDD+, as well as periodic financial reporting.

7.4 There shall be periodic monitoring of the socio-environmental, economic and climate related impacts and benefits of REDD+ actions, while respecting the traditional way of life and practices of Indigenous Peoples, small landowners and local communities, and results of this monitoring shall be made publicly available.

8. GOVERNANCE: fostering of better governance, coordination and alignment with national, regional and local policies and guidelines.

8.1 REDD+ actions shall be coordinated and be consistent with national, state, regional and municipal policies and program on climate change, conservation, sustainable development and deforestation prevention.

8.2 REDD+ actions shall meet the requirements of state or national REDD+ policies.

8.3 Emissions reduction and carbon sequestration generated by REDD+ actions shall be quantified and registered in a way to avoid double counting.

8.4 REDD+ government actions shall contribute to strengthen public instruments and processes for forestry and territory management.

Glossary

Affected stakeholders: Any person or entity that is affected, positively or not, by activities of the proposed and/or implemented project.

Beneficiaries of REDD+ actions: For the purposes of this document, they are defined based on criteria 3.1 as those who hold the rights to the use of land and/or natural resources and promote activities related to conservation, sustainable use and forest restoration.

Benefits from REDD+ actions: Refer to any type of benefit that is delivered to the beneficiary in exchange for his or her conservation and forest restoration actions, and not only the exchange of financial resources. These shall also include other types of benefits, such as actions of social capacity building and organization, infrastructure, support to education, health, etc...

Conservation: Management of human use of nature, encompassing preservation, maintenance, sustainable use, restoration and recovery of the natural environment, in order to provide maximum benefits, in a sustainable way, to present generations, while maintaining the potential to fulfill the needs and aspirations of future generations, and ensuring the survival of life in general. (As defined by Brazilian Law 9958/2000).

Consultation: Process through which governments consult their citizens about a specific policy or action of any nature. Only those processes that offer people the opportunity to manifest their opinion and influence decision making can be considered consultation.

Customary or Consuetudinary Right: Norms that the Indigenous Peoples and local populations usually apply to members of their own communities. In general, this right is not statutory, or stated by legislation, and it is not always recognized by the legal system of the countries where they live. In the case of Brazil, Article 231 of the Federal Constitution of 1988 states that the social organization, customs, language, beliefs and traditions of Indigenous Peoples are recognized by the State. For the application purpose of these Principles and Criteria, and according to the decree of Law 6040/2007, which establishes the National Policy for Sustainable Development of Traditional Peoples and Communities, customary rights of non-Indigenous traditional communities (referred here as "local communities") also must be recognized and respected.

Empowerment: Strengthening of communities and other social groups, based on the acquisition of appropriate knowledge, in a process of reflection and awareness rising about their current status, in a clear statement of desired changes and condition to be created. To these variables, one should

add the changes in attitude that motivates the person, group or institution to take practical, methodical and systematic action, regarding the identified objectives and goals, abandoning the merely reactive or receptive previous position. (SCHIAVO & MOREIRA, 2005)⁵

Endemic ecosystem: Ecosystem restricted to a particular geographic region.

Endemic species: A species which is native and restricted to a particular geographic region.

Environmental Services: Services provided by natural ecosystems and the species that they encompass, for sustaining and fulfilling the conditions for the existence of human life on Earth (DAILEY, 1997).

Equitative distribution: For the purposes of this document, equitative distribution means that which is proportional to the contribution of each actor to the final result of the action.

Free, prior and informed consent: Indigenous Peoples, as well as other traditional populations or groups, make use of this legal instrument to ensure the autonomy of their decision before any action of the State or society, that affects them. This decision shall be preceded by all necessary information, from written documents or gathered through public hearings, and shall respect the processing timeline and format of each people or community, so they can freely make a decision about the action in question. This decision cannot be made, in any circumstance, under duress, coercion or threat, that is, consent shall be given, or not, in a good-faith relationship between the parties and shall be freely manifested.

Governance or good governance: A shared power system, where stakeholders with different interests coordinate their actions in an unstable environment. It is related to the processes or the way various stakeholders interact to create and modify rules and how these rules are implemented by these stakeholders. It is based on principles of transparency, participation, accountability, coordination among different stakeholders, and the capacity that such stakeholders have to participate effectively in the decision making processes and to use the available information. (Adapted from World

⁵ SCHIAVO, Marcio R. and MOREIRA, Eliesio N. Glossário Social. Rio de Janeiro: Comunicarte, 2005. Please note that this definition is based on the concept proposed by Paulo Freire, which, in turn, is different from the concept based on the English term "Empowerment", meaning "to give power". The main difference is that, in the definition used in this document, the empowered person, group or institution is the one that, on its own, realizes the changes and actions that lead to its evolution and strengthening.

Resources Institute - WRI, Instituto do Homem e do Meio Ambiente da Amazônia - Imazon, and Instituto Centro de Vida - ICV, 2009)

High conservation value: Element(s) of extreme environmental, socio-economic and scenic importance, such as: rare and endemic species, areas important for reproduction of fauna, ecological stations, biological reserves, vulnerable areas due to their physical characteristics, biological and ecological corridors, areas of special cultural and religious value, areas of scenic value.

Interested party: Any person or entity that may have an interest in the proposed and/or implemented project activity.

Involved stakeholders: Any person or entity who is directly involved in activities of the proposed and/or implemented project.

Legal ownership: For the purposes of this document, legal ownership is that obtained in agreement with the legal structure, through a process that was not violent, clandestine or precarious, devoid of any malice in its investiture and, therefore, fulfilling its legal purposes

Official designation of occupied lands: Refers to all steps of the process of demarcation of Indigenous territory and of creation of protected areas and settlements for direct use of traditional communities. In addition to the demarcation and creation phases, it includes all steps for effective implementation of the area, which enable it to reach its original objectives.

Participation: Participation refers to the involvement of the various stakeholders in the decision making processes. Contribution from these stakeholders help decision makers seek more appropriate solutions to problems involving forest resources, because they promote addition of new knowledge, integration of societal concerns in the decision making process, and management of social conflict during the initial stages of decision making process, while changes are still possible. The elements that compose public participation include formal spaces for public participation, use of proper mechanisms to advertise the opportunity for public participation, and the incorporation of suggestions offered by the civil society into government laws and policies. (WRI, Imazon and ICV, 2009)

REDD+: Acronym for: Reduction of Emissions from Deforestation and forest Degradation. Defined in the Bali Action Plan, paragraph 1 (b) iii as policies and financial incentives for reduction of emissions from deforestation and forest degradation in developing countries, including conservation, sustainable management of forests and the enhancement of forest carbon stocks.

REDD+ actions: For the application purposes of this document REDD+ actions refer to any initiative, among the various existing possibilities related to REDD+ mechanisms, government programs and projects of including REDD+, or REDD, developed and executed by governments, private entities or civil society organizations, financed by government funds or market based mechanisms (regulatory or voluntary).

Right of use: Is defined by local customs, mutual agreements or stipulated by other institutions with land tenure rights. These rights may restrict the use of certain resources to specific levels of consumption or to specific exploration techniques.

Self determination: The right Indigenous Peoples have to deliberate freely over their own matters, with complete liberty to promote their economic, political, social, cultural, educational and judicial development, as well as any other aspect regarding their life and destiny, including the right to autonomy and self-governing, and the right to travel freely across borders.

Traditional communities: Groups who are culturally differentiated and recognize themselves as such, who have their own forms of social organization, and who occupy and use territories and natural resources as a condition for their cultural, social, religious, ancestral and economic reproduction, using knowledge, innovations and practices generated and transmitted by tradition. (As defined by Brazilian Decree-Law 6040/2007). In the English version of the document, simply referred as "local communities".

Traditional territories: The geographic space designated for or recognized as necessary for cultural, social and economic reproduction of traditional peoples and communities, whether permanently or temporarily, observing, when regarding Indigenous Peoples and *quilombo* dwellers, respectively, what is stated in the articles 231 of the Constitution and 68 of the Constitution's Transitory Provisions, as well as other regulation. Decree-Law 6040/2007.

Transparency: Transparency consists in divulging the actions of governments and other actors enabling the knowledge and evaluation by others. Ensuring access to information is essential to enable participation of the civil society in the decision making process. Some aspects of transparency include the scope of information, the time allowed for availability of data, the format of the information divulged, as well as the efforts realized to ensure the information reaches the affected and more vulnerable groups. (World Resources Institute - WRI, Instituto do Homem e do Meio Ambiente da Amazônia - Imazon, and Instituto Centro de Vida - ICV, 2009)