

**CARE Nepal**  
New Road, Pokhara

---



# **REDD+ SOCIAL AND ENVIRONMENTAL STANDARDS (SES)**

## **FIRST ASSESSMENT REPORT**

**(MAIN VOLUME)**



## **NARMA Consultancy Private Limited**

39- PrachinMarga, NayaBaneshwor, Kathmandu, Nepal;  
Tel: +977 (1) 4463021/; Fax: +977 (1) 4483427  
Email: [narma@narma.org.np](mailto:narma@narma.org.np)

## List of tables

<b>1. INTRODUCTION .....</b>	<b>6</b>
1.1 BACKGROUND .....	6
1.2 OBJECTIVES .....	7
1.3 METHODOLOGY .....	7
1.4 REPORTING .....	11
<b>2. FINDINGS .....</b>	<b>12</b>
PRINCIPLE 1: THE REDD+ PROGRAM RECOGNIZES AND RESPECTS THE RIGHTS TO LANDS, TERRITORIES AND RESOURCES .....	12
PRINCIPLE 2: THE BENEFITS OF THE REDD+ PROGRAMS ARE SHARED EQUITABLY AMONG ALL RELEVANT RIGHTS HOLDERS AND STAKEHOLDERS .....	16
PRINCIPLE 4: THE REDD+ PROGRAM CONTRIBUTES TO GOOD GOVERNANCE, TO BROADER SUSTAINABLE DEVELOPMENT AND TO SOCIAL JUSTICE .....	20
PRINCIPLE 6: ALL RELEVANT RIGHTS HOLDERS AND STAKEHOLDERS PARTICIPATE FULLY AND EFFECTIVELY IN THE REDD+ PROGRAM. ....	25
PRINCIPLE 7: THE REDD+ PROGRAM COMPLIES WITH APPLICABLE LOCAL AND NATIONAL LAWS AND INTERNATIONAL TREATIES, CONVENTIONS AND OTHER INSTRUMENTS .....	33

## Abbreviation

ANSAB	Asian Network for Sustainable Agriculture and Bio-resources
CBD	Convention on Biological Diversity
CDO	Chief District Office
CF	Community Forest
CFUGs	Community Forestry Users Groups
COP	Conference of the Parties
CSO	Civil Society organizations
DADO	District Agriculture Development Office
DANAR	Dalit Alliance for Natural Resources
DDC	District Development Committee
DFO	District Forest Office
DFRS	Department of Forest Research and Survey
DFSCC	District Forest Sector Coordination Committee
NDC	National Dalit Commission
DRPMU	District REDD+ Program Management Unit
DSCO	District Soil Conservation Office
EIA	Environmental Impact Assessment
EOS	Extension and Outreach Section
ER-PD	Emissions Reduction Program Document
ER-PIN	Emission Reduction Program Idea Note
ESMF	Environmental and Social Management Framework
ESMPs	Environmental and Social Management Plans
FCPF	Forest Carbon Partnership Facility
FECOFUN	Federation of community Forestry Users Nepal
FGD	Focus Group Discussion
FNCCI	Federation Of Nepalese Chamber Of Commerce & Industries
FPIC	Free, Prior and Informed Consent
GESI	Gender Equality and Social Inclusion
GoN	Government of Nepal
GRM	Grievance Redress Mechanism
HIMAWANTI	The Himalayan Grassroots Women's Natural Resource Management Association
I/NGOs	International Non-Governmental Organization
ICIMOD	International Centre for Integrated Mountain Development
IEE	Initial Environmental Examination

IIED	International Institute for Environment and Development
ILO	International Labor Organization
IPO	Indigenous People Organization
IPs	Indigenous Peoples
IUCN	International Union for Conservation of Nature and Natural Resources
LAPA	Local Adaptation Plan of Action
LHF	Leasehold Forestry
LRMP	Land Resource Mapping Project
M & E	Monitoring and Evaluation
MEA	Millennium Ecosystem Assessment
MoFSC	Ministry of Forests and Soil Conservation
MRV	Monitoring , Reporting and Verification
MTR	Mid-Term Review
NAFIMS	National Forest Information Management System
NAPA	National Adaptation Plan of Action
NBSAP	Nepal Biodiversity Strategy and Action Plan
NEFIN	Nepal Federation of Indigenous Nationalities
NFDIN	National Foundation for the Development of Indigenous Nationalities
NGOs	Non-Governmental Organization
NIWF	National Indigenous Women's Federation
NTFPs	Non Timber Forest Products
OP	Operational Plan
REDD	Reducing Emissions from Deforestation and Forest Degradation
REDD+ CSO-IPO Alliance	REDD+ Civil Society organizations and Indigenous People Organization Alliance
REDD+ SES	REDD+ Social and Environmental Standards
RIC	REDD Implementation Centre
R-PP	Readiness Preparation Proposal
RWG	REDD Working Group
SEPC	Social and Environmental Principles and Criteria
SESA	Strategic Environmental and Social Assessment
SIS	Safeguard Information System
SOs	Strategic Options
TISC	Tree Improvement and Silviculture Component
TWG	Technical Working Group
TYIP	Three Year Interim Plan

UN	United Nations
UNFCCC	United Nations Framework Convention on Climate Change
VDC	Village Development Committee
WB	The World Bank
WCO	Women and Children Offices
WOCAN	Women Organizing for Change in Agriculture and Natural Resources Management
WWF	World Wide Fund for Nature

# 1. Introduction

## 1.1 Background

Initiatives on Reducing Emission from Deforestation and Forest Degradation (REDD+) are relatively new in Nepal. Formal actions officially started after the country developed its Readiness Preparation Proposal (R-PP) in 2010. Some of the flagship works include: a) identification of drivers of deforestation and forest degradation, b) preparation of national REDD+ strategy, c) designing Monitoring, Reporting and Verification (MRV) system, and d) Strategic Environmental and Social Assessment (SESA) and Environmental and Social Management Framework design. Development of REDD+ has been considered as one of the major initiatives delivering multiple benefits while also combating climate change. For example, climate Change Policy 2011 has envisaged REDD+ as a mechanism for optimal utilization of international, regional and local funding sources for sustainable management of natural resources.

Based on the provisions under the R-PP, Nepal aims to apply the safeguard standards. There are two such safeguard standards aimed by Nepal namely Strategic Environmental and Social Assessment (SESA) and REDD+ Social and Environmental Standards (SES). While SESA aims to address the potential adverse impact of REDD+ program under Forest Carbon Partnership Facility funding mechanism, REDD+ SES assesses the performance of REDD+ programs in meeting standards relating to biodiversity conservation and human rights among other issues. The country is also preparing Safeguard Information System (SIS) that can be enriched by the outcomes of these two assessments. Setting up SIS is a key to complying with the expectations of the Warsaw REDD+ Framework (COP 19). According to the provisions of the Warsaw Framework, after 2020 countries can have access to finance based upon performance against such key standards.

Government of Nepal has started developing REDD+ SES in 2009 as its first initiative towards addressing REDD+ safeguard issues following country led multi-stakeholder process. All the countries participating in the REDD+ SES initiative must follow a common procedural approach that involves a ten step process organized around three core elements: governance, interpretation and assessment. Nepal has already completed two out of the three stages and six out of the ten steps.

This guideline was developed following the ten methodological steps and addressing the three core elements as discussed earlier. Some other established international guidelines were also reviewed and taken into consideration. This guideline has seven different principles within which there are numerous respective criteria and indicators. The seven principles were adapted from REDD+ SES template while indicators were adjusted to make them more relevant to the country context. Each country aiming to meet the REDD+ SES standards have to work on revisiting these international indicators and customize them for individual country.. Information on indicators depends upon the progress of a particular country in implementing REDD+ programs. According to the 'Nepal Specific REDD+ SES indicators published in 2012, each of the participating countries revised the SES indicators to a) streamline the principles, criteria and indicators to reduce duplications and redundancy; b) address gaps so that REDD+ SES all social and environmental elements of the Cancun safeguards are fully addressed; c) make the indicators simpler to understand and translate; d) reduce the overall number of indicators; and e) maintain the quality and comprehensiveness of the REDD+ SES framework. Technical Working Group took the leading role and reviewed all of these internationally agreed upon criteria and generated countries' specific indicators for preparing the first REDD+ SES

assessment report. This was done following participatory methods by involving stakeholder ranging from government official, civil society organization, community federations, right holders representatives, community members, private sector etc.

In that process a multi-stakeholder meeting was held in Kathmandu in May 2014 to discuss on the overall principle, criteria and indicators of REDD+ SES. This meeting had representation from government officials, civil society organization and indigenous federations among others. This meeting was a national effort to validate and verify the exhaustive list of indicators postulated and to select those that have relevancy at this stage of Nepal's REDD readiness.

During this consultation, participants were presented with the list of indicators corresponding to each standard principles and criteria under REDD+ SES. In the first step the concept of '*relevancy*' was clearly defined and explained to the participants. Then for each of the indicators, participants were asked to score between 0 to 3 based on relevancy, 3 being highly relevant in the current context of Nepal's REDD readiness and 1 being very less relevant and 0 being irrelevant. A threshold was defined based on the average value and those getting low score below the average threshold were neglected. This exercise was repeated for each of the REDD+ SES principles to come up with final list of the indicators to be incorporated into the 'first assessment report'.

A monitoring plan was developed for deriving information for these indicators. The plan was discussed with the Technical Working Group (TWG) for approval and was applied for data collection. **Annex 1.1** presents the monitoring plan of REDD+ SES first assessment report finalized by the technical working group.

This first assessment report presents the progress against the finalized REDD+ SES indicators. A draft report was presented to the TWG and kept for public comment for a period of 30 days. Those comments were reviewed and incorporated into 'First Assessment Report'.

## **1.2 Objectives**

The main objective of this 'Assessment Report' is to present the status of Nepal in meeting the REDD+SES standards. In addition, the report also assesses whether Nepal has followed the provisions stipulated under the REDD+ SES guideline while developing the REDD+ SES indicators.

## **1.3 Methodology**

### **1.3.1 Methods**

The study applied two basic methodological approaches including a) review of the literature and b) consultations with relevant stakeholders as discussed below

**Review of the literature:** In order to develop wider understanding on REDD+ SES and related issues, available literatures, published and unpublished documents from government and non-government sources, were reviewed. In particular, the review focused on existing forest policy and measures like Acts, laws, policies, strategies, guideline, rules, plans and reports relating to natural resources management in general and REDD+ in particular. Both national and international publications were reviewed with major emphasis given to the REDD+ planning, implementation, monitoring and evaluation discourse in Nepal. In addition, documents published by other governmental agencies having implication on REDD+ were also compiled and reviewed. Likewise publications having implications on REDD+ done by civil societies such as

Nepal Federation of Indigenous Nationalities (NEFIN, Himalayan Grassroots Women's Natural Resource Management Association (HIMAWANTI) Nepal were also compiled and reviewed. Relevant papers and other scientific journals containing relevant information on REDD+ implementation in Nepal were also reviewed. Reports from organizations such as International Center for Integrated Mountain Development (ICIMOD), Asian Network of Sustainable Agriculture and Bio-Resources (ANSAB), Federation of Community Forest Users of Nepal (FECOFUN, Rupantaran, Practical Action, WWF Nepal that have significant experience working in REDD+ sector has also been reviewed. A standard checklist (refer to **Annex 1.2**) was used for collecting information during the review .

Flagship documents that were reviewed include:

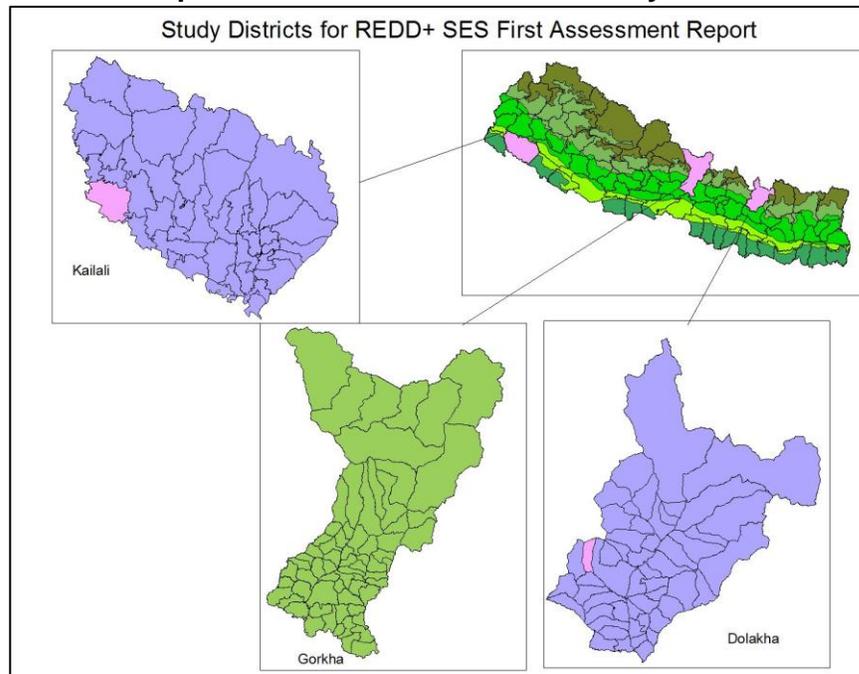
- REDD+ Social and Environmental Standards Guideline (2014)
- REDD+ Strategy (draft) – October 2015
- Nepal's Readiness Preparation Proposal (2010-2013)
- Emission Reduction Project Idea Note (ER-PIN) – March 2014
- Nepal Mid-Term Report (MTR) submitted to the Forest Carbon Partnership Program (FCPP) of the World Bank (WB)
- Strategic Environmental and Social Assessment (SESA) and Environmental and Social Management Framework (ESMF) – August 2014

The review involves 'content analysis' technique - first fixing key issues to be reviewed guided by study indicators and second seeking information in the relevant documents against the devised framework.

**Consultations:** Information related to several indicators was derived through consultations with relevant stakeholders from central level officials to the grass-root communities. **Annex 1.3** presents the checklist used during consultation at the central and district levels.

- **Central level:** In Kathmandu, the study team visited key government agencies such as RIC, Ministry of Forests and Soil Conservation and the Ministry of Population and Environment. In addition to government, various non-governmental organizations were also visited.
- **District level workshop:** Information of many indicators were derived through discussions with the district level stakeholders such as District Forest Office (DFO), District Soil Conservation Office and District Level NGOs. A half-day workshop was organized in three districts Dolakha, Gorkha and Kailali to learn about the status of REDD+ program implementation. Map 1 shows the district selected for the study.

**Map 1: Districts selected for the study**



- These workshops were crucial in collecting information from district and local level stakeholders as the district FECOFUN and experts from District Forest Office played a key role by sharing their experiences of REDD+ initiatives in the districts. Table 1.1 presents the number of participants consulted during the workshops. Participants were initially made aware about the concept of REDD+ SES that helped to create a common understanding on the type of information anticipated from the discussion. In the second half, participants were divided into several groups. A checklist that narrated SES indicators into the form of understandable questions was provided to each of the groups. These groups were given the same sets and they dedicated about two hours for discussion on those questions. At the end, each group presented their answers on the questions. Each group had mix nature of participant to ensure that representative type of information is generated across gender, indigenous groups, government officials etc. Table 1 depicts the diversity of participants.

**Table 1: Details of participants during the district level workshop**

SN	Name of District	Date of the workshop	No. of participants
1	Dolakha	09 August 2015	29
2	Gorkha	13 September 2015	30
3	Kailali	21 February 2016	33

*Annex 1.4 presents the list of participants of these district level workshops.*

- **Community meetings:** Community level interaction was carried out as the key method to derive the actual voice of the indigenous communities on REDD+ implementation. Dolakha and Kailali districts that were selected after consultation with RIC and FECOFUN. Table 2 presents the details about the community institutions that were consulted.

Table 2: Community Institutions consulted for the study

SN	Name of District	Name of the Institutions	Address	Date of Visit
1	Dolakha	Bhitteri Community Forest User Group	Boach-2,3&5	9 August 2015
2	Kailali	Debariya Community User Group	Dhangadi -7	22 February 2016

Districts and communities for the consultations were selected using purposive selection approach. Sampling was done to select the districts and the communities. Key criteria applied for the purposive selection were. (a) area where REDD+ program have been implemented (b) area with diversified performance (good in Dolakha and Gorkha versus poor in Kailali (c) representing different physiographic regions .

#### 1.4 Challenges and Limitations

Following were the key challenges faced by the study team while preparing the assessment report. The main context for readers is that the findings of this study cannot be generalized for the entire country. Given the limited number of REDD+ programs in Nepal, data had to be derived from these locations only. On top of that, in order to generate data for particular indicators, the sites had to be selected in such a manner that information of such indicators could be generated. Hence the findings do not necessarily reflect the situation of the nation rather it indicates the scenario of the selected districts. Even within a selected district, REDD+ projects have been implemented in only selected watershed. Hence the ultimate findings of the SES are just particular to those piloted watersheds. Apart from that there were several other challenges identified by the study as shown in Table 3.

Table 3: Challenges faced during the study and the actions taken

Challenges	Actions Taken
Lack of proper REDD+ projects leading to higher reliance on piloting sites for assessment	Selection of districts/sites such that both good and poor performing place are represented as well as ensuring geographical representation of both terai and hills
Less institutional memory of REDD+ initiatives especially in the districts	Most informed individuals in the districts were consulted (mainly FECOFUN staff/members)
Difficulty in getting a Reference/standard format of assessment report	A sample of Acre was used; Given the differences in Acre's approach, only few lessons were drawn. Their system of reporting by principle and generating a summary table within those principles was built in by this study.
Limited awareness about REDD+. Awareness at the central level was also limited.	During district consultations, initial half of the workshop was dedicated to raising awareness followed by data gathering; Prevailing awareness about REDD+ was the greatest advantage to make the case;
Disturbance due to Earthquake and aftershocks	Time extension granted

Challenges	Actions Taken
(Beyond our control but had implications on timing and deadlines)	
Political Turmoil (Beyond our control but had implications on one district level consultation)	Field work of Terai district conducted when the condition was relatively conducive

## 1.5 Reporting

There is limited experience in REDD+ SES Assessment reporting. REDD+ SES TWG of Nepal has decided to produce two sections in report. The first report presents result at the criteria and principle level whereas second report presents detailed findings by indicators. It should be however noted that not all the indicators are relevant at the stage of REDD+ development in Nepal. Each of the indicators has been rated at three levels based on its performance. This categorization was shared and approved during the draft-sharing meeting jointly done to REDD RIC, CARE, WWF, FECOFUN and the international experts of REDD+SES secretariat. Table 4 presents these three levels of categorization:

Table 4: Three level of categorization used for reporting

Level	Description
Achieved	When the performance of the Indicators have been fully achieved (Either policy, regulations etc are already in place' or either institutions have been created, established or built on)etc ; Yes or No type response
Partially achieved	If the performance under the indicators are currently being achieved (Either policies /institutions are being made; Either studies are in progress etc); Progress well, further development required
Not achieved	Not yet demonstrating

## 2. FINDINGS

Findings are presented in two levels. First is at the level of ‘principle’, providing a broader outlook on how the principles have performed. There are seven principles and this assessment will touch upon each of the criteria under the respective principles. Second is at the level of ‘criteria’, which presents overall progress of each criterion. Information on indicators under respective criteria has been presented as a separate Annex to this report.

### Principle 1: The REDD+ program recognizes and respects the rights to lands, territories and resources

It can be inferred that the government of Nepal has taken good strides in achieving the provisions under this principle. Key REDD+ documents such as REDD+ Strategy (draft) as well as other important documents such as SESA- that are the framework for future REDD+ program implementation, has given major emphasis on recognizing and respecting the rights to territories and resources while implementing REDD+ programs. Most importantly, REDD+ programs in Nepal have been implemented through community forests and that the provisions of the Forest Act 1993, Forest Rules 1995 and CF Guidelines provide rights to territories and resource use. Rights to land are owned by the government whereas communities are given management and use rights.

There are three criteria under the first Principle. The first criterion deals with the issue of process used to identify the different right holders and their rights to land, territories and resources relevant to the REDD+ program. In the piloting sites, all the different right holders have been identified. There was however room for improvement to make the identification more comprehensive, representative and inclusive. The second criterion deals with the issue of recognition and respect to the customary and statutory rights to land, territories and resources. In the selected REDD+ project implementation site, there has been no case of conflict or dispute over statutory and customary rights. The third criterion deals with the consent taking mechanism under REDD+ programs. Even though formal FPIC forms have not been signed, communities have been made fully aware about the REDD+ project prior to implementation.

**Table 2.1: Summary of progress of the criteria under Principle 1**

Criteria	Indicators	Status of Progress
1.1 The REDD+ program effectively identifies the different rights holders (statutory and customary) and their rights to lands, territories and resources relevant to the program.	1.1.1 An effective and transparent process is established to inventory and map rights to lands, territories and resources relevant to the REDD+ program.	Achieved (in piloting sites)
1.2 The REDD+ program recognizes and respects both statutory and customary rights to lands, territories and resources which Indigenous Peoples or	1.2.1 Policies of the REDD+ program include recognition of and protection and respect for customary rights as per prevailing laws.	Achieved
	1.2.2 Land-use plans used by the REDD+ program recognize and respect rights of Indigenous Peoples and local communities. Includes customary and statutory rights.	Partially Achieved
	1.2.3 The REDD+ program promotes establishing and securing statutory rights to lands, territories	Achieved

Criteria	Indicators	Status of Progress
local communities have traditionally owned, occupied or otherwise used or acquired.	and resources.	
	1.2.4 The REDD+ program gives priority to community-based forest management systems for the sustainable management of forest. Includes governance, inclusion, gender balance and equity, equitable benefit sharing, regular monitoring and reporting in such systems	Achieved
1.3 The REDD+ program requires the free, prior and informed consent of Indigenous Peoples and local communities for any activities affecting their rights to lands, territories and resources.	1.3.1 Policies of the REDD+ program promote and uphold the principle of free, prior and informed consent of Indigenous Peoples and local communities.	Achieved
	1.3.2 Land-use plans used by the REDD+ program recognize and respect rights of indigenous territories and resources (applying to customary and statutory rights).	Achieved
	1.3.3 Free, prior and informed consent is obtained from Indigenous Peoples	Not Achieved (only some provisions practiced by few REDD+ programs)
	1.3.4: Free, prior and informed consent is obtained from local communities	
	1.3.5 Status of relocation and displacement	Achieved

**Criteria 1.1: The REDD+ program effectively identifies the different rights holders (statutory and customary) and their rights to lands, territories and resources relevant to the program.**

Given the limited number of REDD+ programs in Nepal, information on this indicator could be derived from only few selected sites where the programs were piloted. The REDD+ pilot programs assessed under this study were led by Community Forestry Users Groups (CFUGs). A regular planning process of the CF was used while planning and implementing the REDD+ projects. Prior to implementing the REDD+ project, series of consultations were carried out in different clusters of the community forest to communicate the overall idea of the REDD+ interventions. These discussions also involved indigenous people that were traditionally using the resources. Resource use system and the pertaining rights of the indigenous communities were understood which were duly considered while designing the projects.

Not only the CFUGs, indigenous people that were traditionally using the resources were involved in each of the REDD+ projects' pre implementation phase. Resource use system and rights of the indigenous people were duly considered. Even though precise definition of right holders is not provided, the SESA report details the list of stakeholders' quite thoroughly as primary and secondary stakeholders in which the indigenous people, women, *Dalits* etc have been incorporated.

At a policy level, conflict does exist between the Forest Act and Land Use Policy and Planning (2010:27) that mention that even the land tenure of community forest is with the government and not with the users. There is however a debate on whether right to land should be entirely handed over to the groups. Given the increasing trend of deforestation and encroachment, retaining rights of land by the government does provide a room to avoid forest degradation. Rapid land use changes (esp for agriculture and settlement) have had major impacts in forest

cover-ultimately impact resource usage to people whose livelihoods depend upon forests. Community Forestry Development Guideline, 2008 (revised 2015) has a clear provision to provide authority to the community to respect the rights of its members without harming to the condition of the forest. Also, as Nepal is a signatory to ILO Convention 169 it has to give certain rights to IPs for management and use of forest resources. Should there be complaints on the resource use and rights issues under the REDD+ programs, there exists a Grievance Redress Mechanism to ensure rights for effective participation of right holders into the program. Thus it can be inferred that there are provisions to properly involve all the pertinent stakeholders while implementing REDD+ program. In the selected sites, since REDD+ has involved community forest users group and other community-based forest management groups in its implementation, the entire community level planning to national level documents have carefully addressed the issue of transparent and effective planning process that respects the rights of indigenous people and local communities.

**Criteria 1.2: The REDD+ program recognizes and respects both statutory and customary rights to lands, territories and resources which Indigenous Peoples or local communities have traditionally owned, occupied or otherwise used or acquired.**

During the interaction with community members in the selected sites, right holders' group and various district level stakeholders, it was reported that REDD+ program recognized and respected both statutory and customary rights to lands, territories and resources which the indigenous people and local communities have been using in the past. There were no cases of complaints regarding REDD+ taking over the traditional rights and practices of the right holders.

Even though the users only have rights to access, withdrawal and management of forest i.e., use rights only (Forests Act 1993, Section 67 in REDD+ Strategy 2015:74 & 110), the strategy does emphasize recognizing traditional and customary practices in forest management for enhancing governance and accountability. And that the ownership of all lands, except private ones, rests with the government. Section 5.3 of the Community Forestry Development Guideline 2008, has a clear provision to give high priority to indigenous people, *Dalits*, women and other marginalized groups to ensure rights of use of the forest. Likewise, Annex 3 of the same guideline provides 13 different activities to ensure that such groups' needs are addressed. The issue that ownership of forest and land belongs to the government has not been an impending factor while implementing REDD+ programs. Even though such provisions exist, there were no reported cases of conflict during REDD+ program implementation on the issues of rights of right holders. Communities implementing REDD+ program have not seen their rights being curtailed or limited.

In the same line, SESA (2015:13) puts customary practices under 'key institutional negative issues' and advocates that customary practices might be displaced under implementing strategic options (SOs) for a REDD+ regime. The draft REDD+ Strategy (2015) also indicates that the current forest management regimes, do not explicitly recognize customary forest usages—except by the Community Forest Guidelines (2008). Nevertheless, CFUG guideline does respect customary rights and indigenous knowledge. Even though such provisions could potentially limit the rights of practice of right holders, there was absence of any complaints from the communities where REDD+ is being currently piloted. Good mutual relationship between REDD+ program and forest management regime is also a reason behind lack of conflict.

Most importantly, REDD+ programs implemented in Nepal are largely in pilot stage and are being run through community forests under direct coordination and supervision with the

government. This makes the REDD+ piloting consistent with the existing rules and regulations of the government including the rights of users.

**Criteria 1.3 The REDD+ program requires the free, prior and informed consent of Indigenous Peoples and local communities for any activities affecting their rights to lands, territories and resources.**

In the selected REDD+ piloting sites, concerned stakeholders such as government line agencies and community members were oriented about the REDD+ programs and its benefits to the community. Communities that were interviewed reported that representatives of the key district line agencies stakeholders such as District Forest Office (DFO) and FECOFUN, NEFIN, ACOFUN and other stakeholders oriented about the goals, methods and provisions (rights, duties, legal) of the REDD+ programs to the community members. Community members included key political leaders, social workers, executive and general members of the community forests, schoolteachers, leader farmers etc. They were persuaded about the details of the REDD+ and its benefits to the forests and the community. Even though an official FPIC process was not signed in any of the visited program sites, the communities understood and agreed upon the provisions.

In addition to the process adopted at community level, the study also assessed the legal provisions of FPIC in the various documents. There are strategic directions to obtain FPIC form as well. The REDD+ Strategy includes a clear provision of FPIC by engaging the affected stakeholders in stakeholder analysis and their engagement in planning, disclosure of information—in local language and culturally apt way. The Strategy does advocate developing information disclosure, consultation and participation plan engaging communities and individuals affected by REDD+ and also with the civil society in general in order to get timely inputs for designing the projects.

Likewise, ER-PIN answers very explicitly to the inquiry on FPIC by stating that the planned outreach and consultation process would follow the “Guidelines on Stakeholder Engagement in REDD+ Readiness” on topics ranging from institutional arrangements, benefit sharing, roles of stakeholders, and implementation strategies (ER-PIN 2014:27).

Existing policy and mechanisms related to REDD+ in Nepal are inline with the FPIC provision required by UNFCCC and other international REDD+ policy documents. Also Nepal is a signatory to ILO 169. FPIC need to be included in the design and implementation of the REDD+ projects (ESMF 2014). There are some legal provisions in line with FPIC requirements as prescribed by REDD decisions under the UNFCCC and applied by financing institutions and donor organizations. WB policy focuses more on consultation rather than consent. REDD+ Strategy has the provision of providing detailed information about the likely impacts to the potentially affected communities. A joint monitoring body, acceptable at district level, and comprising experts and representatives of both government and civil society with equal representation of women (ESMF 2014:71) has also been envisaged for assessing compliance of obtaining FPIC. SESA (2014) citing an IIED (2013) finding states that few women at the local level knew about REDD+. Even at the national level, only those very few women know about REDD+ who are working in REDD+ related activities. This situation was further validated during the field visits where majority of the participants both during district workshop and community level consultations, reported the views and male counterparts usually dominate opinions.

The study also assessed the issue of transparency while obtaining FPIC. ESMF (2014) has many provisions to make the process transparent viz. accessible language of the target group

used in giving information, ample time (3 months) for internal consultation to affected groups, joint monitoring of impacts, promotion of a social accounting mechanism within the ESMF via social audits, citizen score cards or a combination of these as needed, participatory processes linked with ‘Ward citizen’s Forum’ within the local self-governance and establishment of a joint monitoring body acceptable at district level with a joint monitoring framework with specified criteria and indicators ensuring equality and equity at the end. There were no complaints or problems identified related to transparency at the community level where REDD+ projects were implemented.

Since REDD+ projects are in piloting stages, there were no such cases of relocation and displacement of local communities due to the implementation of REDD+ projects in Nepal. The study did carry out an assessment of the various legal provisions related to relocation and displacement. The ESMF (2014:79) states that the WB best practice involuntary resettlement guidelines should be followed in REDD+ implementation to address any gaps or limitations in Nepal’s legislation.

**Principle 2: The benefits of the REDD+ programs are shared equitably among all relevant rights holders and stakeholders**

It can be seen that most of the REDD+ programs have been implemented through the financial assistance of external agencies and through partnership with community forests. Communities consulted under this study were found to have deposited the benefits from REDD+ program into the user groups funds and have utilized this benefit for the management of the forest. As REDD+ is in its very earlier stage in the country, no quantitative studies were carried out at household level so judging benefit sharing mechanisms to right holders is very premature.

There are two criteria under this principle. First criterion deals with the issue of transparency and use of participatory techniques during assessment of predicted and actual benefits, costs and risk of REDD+ program with particular focus on right holder and stakeholder group. There are provisions to ensure such transparency in strategies and policies. Agencies piloting the REDD+ programs have done required assessment of benefit and cost analysis. Similarly, the second criterion assess the issue associated with transparent, participatory, effective and efficient mechanism for equitable sharing of benefits of the REDD+ program among and within relevant right holder and stakeholder groups by taking into account the socially differentiated benefits, costs and risk. The provision within this principle has been addressed in places where REDD+ program have been jointly implemented by community forests. Table 2.2 presents the summary on these indicators.

**Table 2.2: Summary of progress of the criteria under Principle 2**

Criteria	Indicators	Status of Progress
2.1 There is transparent and participatory assessment of predicted and actual benefits, costs, and risks of the REDD+ program for relevant rights holder and stakeholder groups at all levels, with special attention to women and marginalized and/or vulnerable people.	2.1.1 Benefits, costs and risks of the REDD+ program are assessed during program design and implementation.	Achieved (Green)
2.2 Transparent, participatory, effective and	2.2.1 Relevant rights holders and stakeholders participate in defining the decision-making process	Achieved

Criteria	Indicators	Status of Progress
efficient mechanisms are established for equitable sharing of benefits of the REDD+ program among and within relevant rights holder and stakeholder groups taking into account socially differentiated benefits, costs and risks.	and distribution mechanism for equitable benefit-sharing.	
	2.2.3 Clear policies and guidelines for equitable benefit-sharing are established.	Partially Achieved

**2.1 There is transparent and participatory assessment of predicted and actual benefits, costs, and risks of the REDD+ program for relevant rights holder and stakeholder groups at all levels, with special attention to women and marginalized and/or vulnerable people.**

Participants in Dolakha, Gorkha and Kailali district level workshops reported that transparent and participatory awareness tools were used to communicate the cost, benefits and likely risks about the REDD+ program. It was also noted that such assessment did not involve detailed economic analysis and predictions rather were mostly done using qualitative tools through moderation of the implementing parties including government representatives.

Key legal documents were also reviewed to assess whether they have mentioned the provision to undertake such benefits, risks and costs assessments. The fact that the GoN has already conducted SESA (2014) of the impending REDD+ Strategy and that the formulation of ESMF (2014) also depicts the necessary social and economic assessment were part of the overall REDD+ strategy formulation and its future implementation discourse. Furthermore, REDD+ strategy (2015:138) shows that such assessment has been done for each of the right holders and stakeholders group where as SESA (2014) was found to be silent on the coverage of right holders.

It can be said that government's commitment to adhere to the provisions of SESA and ESMF gives testimony to the GoN 's commitment to ensuring inclusion of benefits, costs and risks related to social, cultural, economic and environmental aspects to the community. Likewise, efforts to achieve SES under the REDD+ program can be considered as a good step forward. The Strategy also stress for incorporating FPIC principles and meaningful consultation with affected stakeholders including IPs and other vulnerable communities, in a culturally apt and gender and inter-generationally inclusive manner.

Likewise, the study assessed the performance of criteria relating to information on the attention given to the differentiation of benefits, costs and risks to women, poor and marginalized and/or vulnerable people. It was found that all actors who want to implement REDD+ activities would be required to take steps specified in ESMF to ensure that risks are mitigated as part of the implementation process, through periodic monitoring, reporting and evaluation. A detailed differentiation however has not been done.

**Criteria 2.2 Transparent, participatory, effective and efficient mechanisms are established for equitable sharing of benefits of the REDD+ program among and within relevant rights holder and stakeholder groups taking into account socially differentiated benefits, costs and risks.**

At the district and community level it was clearly observed that REDD+ program are not running in isolation. Even though the program was only piloted in the area, it did take fully participatory and inclusive approach from planning to monitoring phases including ensuring effective and accountable decision making processes. In REDD piloting district, REDD+ coordination

committee was built which was facilitated by project implementing partners in the piloting sites. This body not only coordinated the overall planning, but also assisted the community in implementing and monitoring phases. Likewise, all the decision making processes including those concerned with equitable benefit sharing mechanism were duly agreed upon. In Gorkha and Dolakha, the seed grants which provided for piloting purpose was deposited into the accounts of the community forests users group and all the decisions regarding its use and distribution was decided by the overall executive committee through series of consultations with the general members. Thus it can be inferred that the process followed participatory approach in decision-making systems and benefit distribution mechanism. The study also reviewed REDD+ Strategy to assess where clear policies and guidelines for equitable benefit sharing were established.

There is clear provision in the draft REDD+ Strategy that though people-centric, gender and socially inclusive practices and approaches (Principle 6) are there, a detailed benefit sharing mechanism needs to be agreed upon between the GoN and the sub-national level actors if and when an international financial incentive is received (draft REDD+ Strategy 2015:14). It can be thus inferred that the need to undertake detailed assessment of cost and benefits of REDD+ programs to right holder, indigenous people, women, the strategy has been emphasized.. REDD+ projects implemented prior to the promulgation of the strategy have also ensured proper awareness to the communities on the costs and benefits of the program in a transparent manner.

**Principle 3: The REDD+ program improves long-term livelihood security and well-being of Indigenous Peoples and local communities with special attention to women and the most marginalized and/or vulnerable people**

There are two criteria under this Principle. A first criterion assesses whether REDD+ program generates additional, positive impacts on the long-term livelihood security and well-being of Indigenous People and local communities with special attention to women and the most marginalized and/or vulnerable people. The REDD+ programs have addressed the issues of livelihood security in their plan and access to forest resources have been prioritized for communities particularly for marginalized and poor households. Marginalized and vulnerable groups have not been left out in the program. REDD+ Strategy also addresses the need to prioritize livelihood improvement of such groups while implementing REDD+ programs. It should however be noted that it is too early to judge the impacts of REDD+ program on livelihoods as benefits have so far been given to forest users groups. Whether such funds have made actual livelihood impacts to the right holders is yet to be studied through quantitative tools. There are three indicators under first criterion among which only (3.1.1) is relevant for this assessment and needs further examination. Likewise, second criterion assesses whether the REDD+ program is adapted based on assessment of predicted and actual impacts such that it can mitigate negative and enhance positive impacts on indigenous people and local communities with focus on vulnerable groups. Even though no such detailed assessment were noticed for the piloting projects, various interactions and workshops were conducted with communities to communicate about the likely impacts of the piloting. Table 2.3 presents the summary of the progress of the indicators under principle 3.

**Table 2.3: Summary of progress of the criteria under Principle 3**

Criteria	Indicators	Status of Progress
3.1 The REDD+ program generates additional, positive impacts on the long-term livelihood security and well-being of	3.1.1 The objectives and policies of the REDD+ program include improving long-term livelihood security and well-being of	Achieved

Criteria	Indicators	Status of Progress
Indigenous Peoples and local communities, with special attention to women and the most marginalized and/or vulnerable people.	Indigenous Peoples and local communities.	
3.2 The REDD+ program is adapted based on assessment of predicted and actual impacts in order to mitigate negative, and enhance positive, impacts on Indigenous Peoples and local communities with special attention to women and the most marginalized and/or vulnerable people.	3.2.1 The REDD+ program is adapted in order to mitigate negative, and enhance and sustain positive, impacts on Indigenous Peoples and local communities.	Achieved

**3.1 The REDD+ program generates additional, positive impacts on the long-term livelihood security and well-being of Indigenous Peoples and local communities, with special attention to women and the most marginalized and/or vulnerable people.**

The component of livelihoods has been well covered in both the draft REDD+ strategy and management plans of community forests selected under this study. More specifically, the strategy three states increasing livelihood assets and food security along with diversifying employment opportunities of forest dependent communities particularly women, Dalits, poor and the most marginalized and/or vulnerable people. Likewise, in both the REDD+ projects economic benefits achieved due to its contribution on reducing carbon emission and strengthening social outcomes were used in various livelihood activities of the community forests. Given the stage of REDD+ program in Nepal, it is too early expecting major outcomes in the livelihoods of the indigenous people, local communities and other right holders.

**3.2 The REDD+ program is adapted based on assessment of predicted and actual impacts in order to mitigate negative, and enhance positive, impacts on Indigenous Peoples and local communities with special attention to women and the most marginalized and/or vulnerable people.**

In order to reduce the negative aspects and to enhance the positive impacts to the groups various activities have been implemented through the assessment of actual and predicted impacts of REDD programs.

There were no such assessments conducted to understand the actual and predicted impacts of the REDD+ programs prior to their implementation. During the consultations with the community members including indigenous people, women, marginalized community representatives, it was noted that REDD+ program provided clear provisions of how the program could potentially generate positive impacts to the community especially due to the incorporation of the livelihood component among its interventions. In case of Bocha VDC in Dolakha district, one of the activities of REDD+ pilot project was to promote non-timber forest product through which even today (almost three years since the program ended) people are deriving the benefits. Impacts on households needs to be understood through proper assessments.

Review of the related key legal documents shows several mechanisms to assess outcomes and impacts of program particularly to the IPs and local communities. On the issue of assessment of impacts undertaken in accordance with criterion 5.4, Grievance Redress Mechanism(2014:33) clearly mentions this provision. Likewise the REDD+ Strategy has already done an analysis of the possible impacts, both positive and negative, of all the 14 strategies. However, for project specific REDD+ implementation, a more detailed and focused

Environmental and Social Management Plans (ESMPs) on the basis of ESMFis advocated (REDD strategy, 2015).

Likewise, REDD+ strategy (p. 138) clearly mentions that social and environmental safeguards would empower relevant stakeholders by ensuring their full and effective participation. It also mentions that REDD+ activities should include design and implementation of measures to address the risk of reversal and adverse impacts that might lead to a reduction in the benefits achieved by REDD+ program. The strategy references the UNFCCC REDD+ Cancun Safeguards and mentions that REDD+ activities will be carried out with an aim to mitigate the risk of adverse social and environmental impacts of REDD+ activities and the risk of reversal (draft REDD+ Strategy 2015:138).

**Principle 4: The REDD+ program contributes to good governance, to broader sustainable development and to social justice.**

There are seven criteria under the fourth Principle out of which only five were found to be relevant for this assessment. At the principle level, it can be inferred that REDD+ programs have contributed to good governance to expand sustainable development and social justice. From strategies to site level implementation, stakeholders have been communicated about the governance structure of REDD+ programs.. Table 2.4 presents the summary of the progress of the indicators under principle 4.

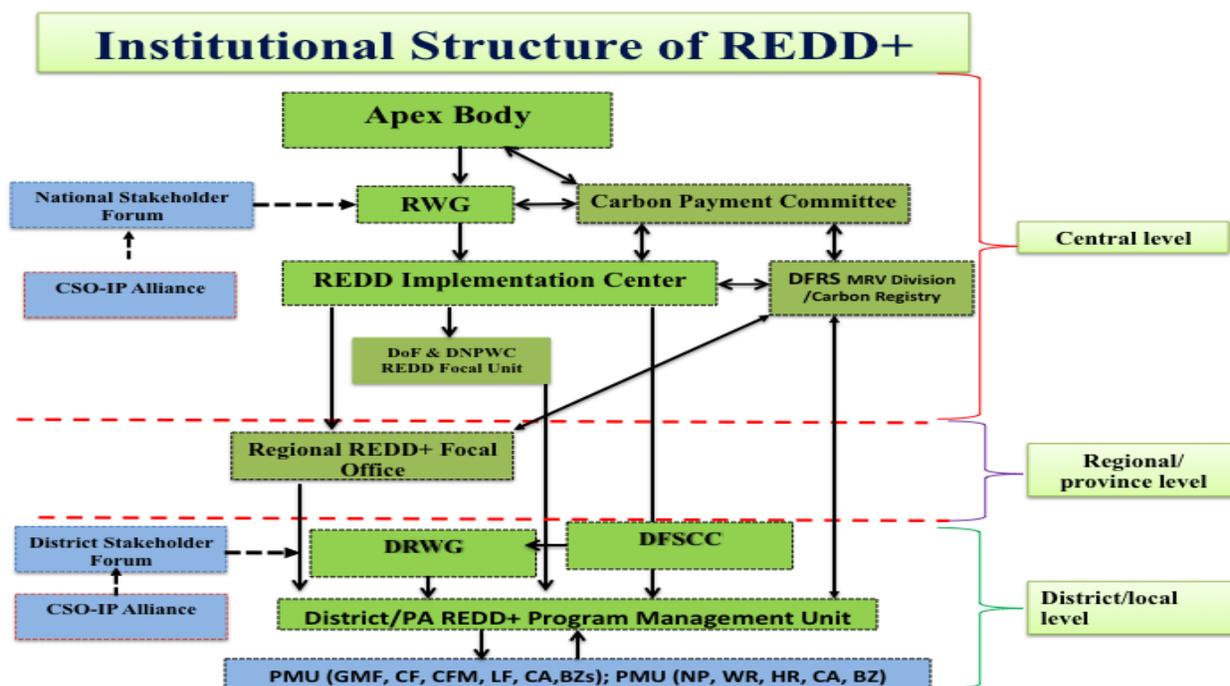
**Table 2.4: Summary of progress of the criteria under Principle 4**

Criteria	Indicators	Status of Progress
4.1 The governance structures of the REDD+ program are clearly defined, transparent, effective and accountable.	4.1.1 Information on the roles, responsibilities and decision- making processes, of REDD+ program governance structures is publicly accessible.	Achieved
	4.1.2 Decisions of the REDD+ program are made in accordance with defined roles, responsibilities, regulations and policies.	Achieved
	4.1.3 There are effective mechanisms for oversight of the governance structures of the REDD+ program.	Achieved
4.2The REDD+ program is coherent with relevant policies, strategies and plans at all relevant levels and there is effective coordination between agencies/organizations responsible for the design, implementation and evaluation of the REDD+ program and other relevant agencies/organizations.	4.2.1 The REDD+ program is integrated into the broader policy framework of the forest sector and other relevant sectors.	Achieved
	4.2.2 Inconsistencies between the REDD+ program and other relevant policies, strategies and plans are identified and resolved.	Partially Achieved
	4.2.3 There is effective and efficient coordination between the REDD+ program and all relevant agencies/organizations.	Partially Achieved
4.3 Adequate information about the REDD+ program is publicly available.	4.3.1 Adequate information about the REDD+ program is publicly available.	Partially Achieved
4.4 Finances of the REDD+ program are managed with integrity, transparency and accountability.	4.4.2 Audited financial reports for the REDD+ program are published regularly.	Achieved
4.7 The REDD+ program contributes to respect, protection and fulfilment of human rights.	4.7.2 The REDD+ program monitoring and evaluation plan includes key human rights indicators.	Achieved

**Criteria 4.1: The governance structures of the REDD+ program are clearly defined, transparent, effective and accountable.**

REDD+ strategy has clearly mentioned the provision of allowing public access to information on the roles, responsibilities and decision-making processes of the REDD+ program governance structure.

The Strategy proposes a REDD+ institutional structure that has meaningful representation of the right holders at all three possible levels; national, regional and district. The right holders are represented in REDD+ Stakeholder Forum—at national and district levels. There is also the representation of Civil Society organizations and Indigenous People Organization Alliance (REDD+ CSO and IPO Alliance) at national and district levels. The proposed institutional structure is as follow:



There is a provision to review the Apex Body’s structure and functions as well as the regularity of meetings of RWG, RIC and REDD+ Multi-stakeholder Forum. The strategy also has a provision to review Central Carbon Registry and guidance to the Carbon Payment Committee along with the provision of liaison of REDD+ Focal Unit with the REDD IC, Regional REDD+ Focal Office and DRPMU. There is also a similar mechanism in place at the district level involving the DFSCC. Despite the structural mechanism for overall monitoring, the Strategy does advocate a Safeguard Information System, and a National Forest Information System.

**Criteria 4.2: The REDD+ program is coherent with relevant policies, strategies and plans at all relevant levels and there is effective coordination between agencies/organizations responsible for the design, implementation and evaluation of the REDD+ program and other relevant agencies/organizations.**

The need to integrate REDD+ program with other interrelated sectors has been addressed by various legal documents and reports. The Strategy (p.15) states sustainable development as the point of integration of the REDD+ concept with sectors like forestry, agriculture, road, hydropower, irrigation and environment. It further states that the coverage of these sectoral laws, regulations and policies and adaptation plans ensures comprehensiveness in the context of REDD+. Also, the chair of the REDD+ Apex Body is a member of the Climate Change Council—the council has mandate of providing guidance for the integration of climate change related aspects in the policies, plans and programs.

Regarding inconsistencies between the REDD+ program and other relevant policies, REDD+ Strategy does state that there are inconsistencies and weaknesses in the current forest law and policy in the context of REDD+ (p.97). For instance, the Local Self Governance Act authorizes the local bodies to carry out functions including conservation of forests within their areas and protection of environment, overlapping with the Forests Laws (SESA 2014:101). Same is the case with National Park and Wildlife Conservation Act-1973 (SESA 2014: 79).

In relation to the right to forest carbon, according to the Forest Act 1993 and Forest Regulation 1995, the ownership of the forest land rests with the government and only the use rights of forest and forest resources is given to the users. This leaves the forest carbon ownership issue unattended. Though, based on the Constitution of Nepal 2015, the central government can regulate the matter related to carbon service. The REDD+ Strategy also states that it is still unclear whether forest carbon is a forest product or simply an ecosystem service. However, the proposed amendment bill of Forest Act has counted to forest carbon as an environmental service.

REDD+ Strategy (p.22) states that though the Forest Act 1993 has strict provisions regarding use of forest land for other purpose such as development activities, due to less clear land allocation policy there is arbitrariness in allocation of forest land for infrastructure like schools, hydropower, roads —which would result in difficulty in maintaining carbon stock (SESA 2014:103). In addition, it also does not have any compensatory measures to discourage development projects in forest areas. Environmental Protection Act 1997 Section 17 has a provision to compensate affected parties/communities from development proponents if a complain is filed by the victims. On a broader scale, there are inconsistencies in governance, management and benefit sharing mechanisms of conservation areas, buffer zone forestry and other forms of community based forestry due to different acts, by-laws, institutional and benefit sharing modalities —this is outside the protected area system (Strategy 2015:98). Citing many more such policy and institutional contradictions at the national level, the SESA (2014:102) also have stated that contradictions and overlaps in the mandates of local bodies and forest administration at the district level need to be removed or resolved through a harmonized mechanism

Regarding effective and efficient coordination between the REDD+ program and all relevant agencies/organizations, no instances of improper coordination or conflict between their regular program/projects and REDD+ program were noted.

#### **Criteria 4.3: Adequate information about the REDD+ program is publicly available.**

Information about REDD+ programs is available to public through the respective agencies implementing these programs. Many programs have made the information available through websites for public consumption. The recently drafted REDD+ Strategy (2015:122-130) clearly mentions the REDD+ program design, implementation and evaluation system and structure.

Likewise, SESA (2014:159) provides information on socially differentiated assessment of predicted and actual impacts on rights holders and stakeholders related to social, cultural, environmental and economic aspects. It also provides information on such impacts to human rights and rights to lands, territories and resources. Information on predicted and actual impacts on biodiversity and ecosystem due to REDD+ program and the status of availability of that information to public was assessed. At the community level, FUG members have limited idea about such information. They also could not provide reference as to whether such assessments were carried out or not. During the district level consultation, the participants speculated that central level agencies facilitating REDD+ program implementation might have kept such information.

SESA (2014:41) addresses the issue of predicted and actual impacts. It states that the predicted impact on biodiversity and ecosystem services would be a) increased extent (and value of) biodiversity, b) conservation of ecosystems and better ecosystem services to people and environment and c) an enhanced resilience of the ecosystems to climate change. Similarly, REDD+ strategy (2015:15) advocates biodiversity conservation as a potential benefit along with securing the provision of ecosystem services viz. water regulation, timber production, erosion control and supply of NTFPs.

Assessment of information on availability of 'benefit-sharing mechanism including availability of other procedures and guidelines' was also assessed and it was noted that a specific REDD+ benefit sharing mechanism is not yet fully developed (p. 83). Likewise, there is a provision in ESMF (p. 139) that highlights the requirement of undertaking FPIC and making it publicly available for others to access if the impact due to the program is high. On this issue, The Strategy does advocate for an accessible NAFIMS (National Forest Management Information System) for the general public via Internet. In addition, according to the provision of the strategy, REDD+ project information would be provided to affected communities, in various formats and languages, and be disseminated and communicated at varying frequencies, depending on national and local circumstances (p.151). All of this information on processes and documents related to REDD+ are on the REDD IC websites and can be downloaded for free. Hard copies are also available at the main office of REDD IC.

The government of Nepal enacted the 'Right to Information Act 2007' that mandates all the public bodies to disclose information to the public. Under the provision of the law, a citizen of Nepal upon submitting an application form will be provided access to information from public agencies. There are few exceptions on information related to national security, sovereignty etc which the state can control. Based on the provision of this Act, any citizen can have access to information related to REDD+.

#### **Criteria 4.4: Finances of the REDD+ program are managed with integrity, transparency and accountability.**

Among the REDD+ programs that were studied, all had done their annual audit in compliance with the rules and regulations of the government and the reports have been published regularly. As donors have directly supported most of these projects, their internal and external audits have also been conducted- which ultimately is also reviewed and approved by the government. At the local level, CFUGs and other groups who are the ultimate implementing partners of the REDD+ program are also mandated to undertake annual audits based on the prevailing rules of the government. Hence it can be inferred that audits are regular and are made available to public upon request. Auditing in Nepal cannot be done without have a standard license issued by the government which indicates that persons or entities undertaking the audits are authorized

parties to undertake such auditing. To make the auditing processes and the financial transactions more effective and transparent, REDD IC commissioned a study for detailed design of the financial mechanism and architecture that will be used during future REDD+ implementation. Ensuring right accountability mechanism is a central component of REDD programs. Implementing parties have been accountable during events of conflict and disputes. REDD programs assessed in the district did not have any significant accountability related issues.

**Criteria 4.7: The REDD+ program contributes to respect, protection and fulfilment of human rights.**

The guiding principles of the REDD+ Strategy (p.45) depict human right issues particularly 6 out of the total 10 principles viz. Principle 2, 3, 6, 7, 8 and 10. Principle 10 has given more emphasis on the issue of human rights. Furthermore, whether REDD+ program’s policies and measures contribute to improved respect, protection and fulfillment of human rights was assessed. It was found out that the 10 guiding principles of the Strategy are in general contributing to improving respect, protection and fulfillment of human rights. In particular, the principle number 2, 3, 6, 7, 8 and 10 (Strategy 2015: 45) focuses on human rights issues. Principle 6 clearly states that people will be at the heart of every REDD+ mechanisms, considering the issues and concerns of IPs, poor, women, Dalits, and marginalized groups along with GESI sensitivity.

Likewise, the study assessed whether REDD+ program’s monitoring and evaluation plan include the human rights identified by national and international laws along with special attention to rights of women, Dalit and marginalized vulnerable people. It was found out that the project document of the REDD+ piloting program had indicators that related to human rights. Such provisions are also addressed by the REDD+ strategy. However, Principle 6 of the guiding principles of the Strategy (p.45) categorically states that the people centric practices and approaches with GESI sensitivity will be considered in all REDD+ related monitoring and evaluation. This reflects the soundness of the strategy to respect the issues of human rights in the current and upcoming REDD+ programs.

**Principle 5: The REDD+ program maintains and enhances biodiversity and ecosystem services**

Out of the five criteria under the fifth principle, only criteria one and two are relevant at the current stage. First criteria- Biodiversity and ecosystem services potentially affected by the REDD+ program are identified, prioritized and mapped- has been partially achieved as not all the ecosystem services are mapped and prioritized. Even though detailed studies have not been carried out for the REDD+ piloting, it can be inferred from consultations that forest conditions have improved – particularly because of improved management practices. This also speaks for the second criteria -REDD+ program maintains and enhances the identified biodiversity and ecosystem service priorities. Table 2.5 presents the summary of the progress of indicators under the criteria under principle 5.

**Table 2.5: Summary of progress of the criteria under Principle 5**

Criteria	Indicators	Status of Progress
5.1 Biodiversity and ecosystem services potentially affected by the REDD+ program are identified, prioritized and mapped.	5.1.1 Biodiversity and ecosystem services potentially affected by the REDD+ program are identified, prioritized and mapped.	Partially Achieved

Criteria	Indicators	Status of Progress
5.2 The REDD+ program maintains and enhances the identified biodiversity and ecosystem service priorities.	5.2.1 The objectives and policies of the for REDD+ program include making a significant contribution to maintaining and enhancing biodiversity and ecosystem services.	Achieved

**Criteria 5.1: Biodiversity and ecosystem services potentially affected by the REDD+ program are identified, prioritized and mapped.**

Review indicates that many plans, policies and strategies have identified and mapped the key biodiversity and ecosystems that could potentially be affected by REDD+ program. This has also been recognized by the draft REDD+ strategy. REDD+ program and REDD+ strategy has reflected upon and recognized the different efforts done by the government for biodiversity conservation. As Nepal Biodiversity Strategy and Action Plan 2014 and SESA has mentioned that REDD provides positive contribution to biodiversity conservation, it can be said that this indicator is reflective upon the achievements of this principle.

**Criteria 5.2: The REDD+ program maintains and enhances the identified biodiversity and ecosystem service priorities.**

Information of this criteria was obtained through both review and field visit. Various documents particularly the REDD+ strategy were reviewed and visits were made in three districts to assess the information. Review indicated that REDD+ strategy stresses the need to enhance biodiversity and ecosystem services. It can be noted that of the five objectives set by the REDD+ Strategy, the spirit of maintaining and enhancing biodiversity and ecosystem services has been prioritized virtually by all objectives and particularly by the first objective.

The strategy mentions that by intensifying and expanding sustainable management of forest resources, the forest dependent communities while enhancing their livelihoods can generate revenue collection for the state and ensure easy supplies of forest products at the local level. There is a provision to both use and conserve the resources-bringing mutual benefits to communities and the ecosystem.

**Principle 6: All relevant rights holders and stakeholders participate fully and effectively in the REDD+ program.**

There are six criteria under the sixth principle of REDD+ SES out of which five are relevant at current stage for the assessment. The first criterion is on identification of right holders and stakeholders groups with characterization of their rights and interests. It was found out that in the REDD+ program sites such categorizations have been done. Likewise, the second criteria assesses whether the need for such the identification of relevant stakeholders has been recognized in the relevant documents. It revealed that relevant legal documents have recognized the need for such identification. As assessed by the third criteria, even though the need for identification has been addressed, actual involvement of such right holders and stakeholders is limited. Lack of awareness about the REDD+ program among the indigenous people is also responsible for limited information and lack of involvement. Likewise, due to limited awareness about the REDD+ programs, information dissemination to the grass root has been difficult. Table 2.6 presents the summary of the progress of the indicators under each of the criteria under principle 6.

**Table 2.6: Summary of progress of the criteria under Principle 6**

Criteria	Indicators	Status of Progress
6.1 The REDD+ program identifies all rights holder and stakeholder groups and characterizes their rights and interests and their relevance to the REDD+ program.	6.1.1 Rights holder and stakeholder groups are identified and their rights and interests and relevance to the REDD+ program are characterized.	Achieved
	6.1.2 There is a procedure to enable any interested party to apply to be considered a relevant rights holder or stakeholder.	Achieved
6.2 All relevant rights holder and stakeholder groups that want to be involved in REDD+ program design, implementation, monitoring and evaluation are fully involved through culturally appropriate, gender sensitive and effective participation.	6.2.1 A process and institutional structure for full and effective participation are established and functional.	Achieved
	6.2.2 Consultations use socially and culturally appropriate approaches.	Achieved
	6.2.3 All relevant levels of government are involved in the REDD+ program.	Achieved
	6.2.5 Rights holder and stakeholder groups select their own representatives.	Achieved
	6.2.6 Rights holder and stakeholder group representatives involve and are accountable to the people and groups they represent.	Achieved
6.3 The REDD+ program builds on, respects, supports and protects rights holders' and stakeholders' traditional and other knowledge, skills, institutions and management systems including those of Indigenous Peoples and local communities.	6.3.1 The REDD+ program builds on, respects, supports and protects the decision-making structures and processes of Indigenous Peoples and local communities.	Achieved
	6.3.2 The REDD+ program identifies, builds on, respects and supports relevant traditional and other knowledge, skills and management systems.	Achieved
	6.3.3 Free, prior and informed consent is obtained for any use of traditional knowledge, innovations and practices of Indigenous Peoples and local communities.	Partially Achieved
6.5The REDD+ program ensures that rights holders and stakeholders have the information that they need about the REDD+ program, provided in a culturally appropriate, gender sensitive and timely way, and the capacity to participate fully and effectively in program design, implementation and evaluation.	6.5.1 Rights holders and stakeholders have access to relevant information about the REDD+ program.	Partially Achieved
	6.5.2 The most effective means of dissemination of information about the REDD+ program are identified and used for each rights-holder and stakeholder group.	PartiallyAchieved
	6.5.3 Constraints to effective participation are addressed through capacity building.	PartiallyAchieved
6.5 Rights holder and stakeholder representatives collect and disseminate all relevant information about the REDD+ program from and to the people they represent in an appropriate and timely way, respecting the time needed for inclusive decision making.	6.6.1 Rights holder and stakeholder representatives collect and disseminate all relevant information from and to the people they represent.	PartiallyAchieved

**Criteria 6.1: The REDD+ program identifies all rights holder and stakeholder groups and characterizes their rights and interests and their relevance to the REDD+ program.**

Information on this criterion was derived from review of secondary source and from field visits. Provisions to identify and characterize the rights and interests of right holders and stakeholder groups were assessed in some of the major legal documents that impact REDD+ program in future. Likewise, some of the REDD+ projects implemented in Nepal were also analyzed.

SESA is one of such documents that did a major task of identifying such right holders and stakeholder groups. However, due to the budget limitation, the SESA team was able to visit only Makawanpur--a mid-hill district, as well as Bara and Chitwan--Terai and Inner-Terai districts. A much fuller sampling of the country was required covering different physiographic zones, geographic regions that would ensure the complexity of ethnic and forest users. and would coordination with the REDD+ strategy consultation process. This was however not possible given the limited resources. Nonetheless, it can be inferred that nearly all the different types of stakeholders have been identified apart from indigenous communities that vary by site. As list of indigenous communities have already been published in the legislation related to IPs, this can be later tallied while implementing new programs in new locations.

The stakeholder analysis in SESA updated the similar analysis in the R-PP and identified primary and secondary stakeholders amongst government, civil society and the private sector - at national to local levels, and included those often marginalized in consultative processes and often the most affected viz. the poor, Dalits, women, children and remote communities.

Also, though the SESA report gives a list of stakeholders—updated from the RPP (2010), it is largely silent on who are or should be called right holders. It has defined and divided stakeholders as primary stakeholders-- those likely to be directly affected by the REDD+ Strategy and/or are directly responsible for implementation of the REDD activities and secondary stakeholders-- those likely to be affected only indirectly and/or those who have an interest in REDD+, and/or knowledge about the likely effects of REDD+ implementation

SESA explicitly mentions that the stakeholder analysis conducted while preparing the SESA was greatly downsized due to budgetary constraints. In a country that has a wide IP presence—which will include women, poor and marginalized vulnerable groups, just sampling three accessible districts certainly is inadequate. Hence, there are high chances that the biggest barrier was the inadequacy of sample district during SESA. Nonetheless, the categories of different right holders groups have been identified.

The study assessed the issue relating to whether there are provisions and procedure to enable any interested party to apply to be considered a relevant rights holder or stakeholder. ESMF (2014:11) recommends that an Assessment and Monitoring Unit be established at the national level and that stakeholder be identified by a coordination mechanism through the REDD+ Coordinating Division of MoFSC. Apart from this mentioning, there is no clear direction for this process mentioned in any relevant documents. On the issue of whether the process to apply and involve diverse actors in a transparent, impartial, safe and accessible for all relevant stakeholders, with special attention to women, poor and marginalized and/or vulnerable people, ESMF (2014:71) recommends establishing a joint monitoring framework, acceptable at district level with specified criteria and indicators.

REDD+ programs in Dolakha and Gorkha have mapped such right holders and indigenous people. Since both of these project used community forests to implement the program, the participants inventory was used to segregate the right holders groups.

It can be concluded that under the expectation of this criteria, looking at the legal provision and site visit, good homework has been done to identify the proper right holders while implementing REDD+ program even though large-scale studies could have made the identification more comprehensive. Likewise, the available time and resources of the piloting projects also influenced identification.

**Criteria 6.2: All relevant rights holder and stakeholder groups that want to be involved in REDD+ program design, implementation, monitoring and evaluation are fully involved through culturally appropriate, gender sensitive and effective participation.**

RIC has not only facilitated meaningful participation of indigenous people, local communities, women, dalit and other marginalized groups but also created a system to place problems, issues and impact faced by the local communities during REDD+ program implementation. This facilitation process requires undertaking stakeholders analysis by taking into account their cultural, gender as well as inter-generation issues. REDD+ program discourse has highlighted the need to work hand in hand with the different stakeholders.

Furthermore, the provision to ensure effective participation during REDD+ program design, implementation and evaluation was also assessed. It was noted that participation of relevant stakeholder has been made substantially from the RPP formulation which has been continued in the REDD readiness processes viz. in the preparation of SESA and ESMF. Though SESA report itself hints that there were limitations (See Limitations of SESA 2014).

In Boach, REDD+ implementation is done by BhitteCFUG. Under the clause of the constitution and operational plan of the CF, there is a provision describing that executive committee of the CF has to have 33 percent women. Despite the fact that the provision of ensuring participation of women (50%), marginalized and vulnerable groups has been mentioned in the community forestry guideline, actual implementation was not adequately seen. There is a positive trend in participation of these groups but social elites –particularly socially and economically well-off groups continue to dominate in decision-making system.

Participation was highly encouraging in Boach (Dolakha district) and representation of poor and marginalized groups was ensured right from the beginning stage. This site was one of the piloting sites of REDD+ piloting. During the design stage, pilot project executing agencies namely ICIMOD, ANSAB and FECOFUN conducted series of discussions at various clusters within the CFUCs to collect information for planning. During implementation, those marginalized groups were also involved during plantation, micro-enterprise and other livelihood programs. Likewise, under REDD+ pilot project there was a mechanism to undertake periodic monitoring that had mandatory provision of including right holders and marginalized groups. Despite their inclusion in the structure, their participation is not very active-mainly due to their level of awareness and capacity to be involved in discussions. It can however be said that REDD+ has mainstreamed local norms and has made provision to bring these groups in the planning, implementation, monitoring and evaluation stage.

The REDD+ Strategy does advocate that the information related with REDD+ needs to be disclosed in local language(s) and in a manner that is accessible and culturally appropriate. This has to take into account any specific needs of groups that may be differentially or

disproportionately affected by the REDD+ projects because of their socioeconomic status or groups of the population with specific information needs such as, literacy, gender, differences in language or accessibility of technical information. This said, however, meaningful consultation with stakeholders including forest dependent IPs, Dalits and other vulnerable communities following the principles of Free, Prior and Informed Consent (FPIC) is required to be included in the ESMF. The approaches of meaningful consultation based on the FPIC require undertaking an engagement process with affected stakeholders including IPs and other vulnerable communities.

The study also assessed whether the REDD+ programs involved all relevant levels of government agencies. The REDD+ programs that were sampled for the study were operating under full coordination with the government agencies and their involvement was sought from planning to monitoring stages. The Strategy states that due to representation from different related ministries and other stakeholders and similar institutional arrangements at the sub-regional and district level, it has strengthened not only participatory process in decision making but also enhanced the scope of improved coordination. The REDD+ Strategy mentions the need to define the roles and responsibilities of the government stakeholders and go steps ahead in defining them making the coordination more formal and standard.

The study assessed the current process to select the representative of right holders group and stakeholders with special attention to the participation of women, poor and vulnerable and/or marginalized people in the selection of representatives. The REDD+ strategy very clearly mentions that at the central level the coordination will have to be through the REDD+ Coordinating Division of MoFSC and at district level through District REDD+ Stakeholder Forum and CSO-IPO Alliance- both having the task of selecting their representative.

Furthermore the study examined the procedure to make the selection process of right holder groups and stakeholders transparent, impartial, safe and accessible for all relevant stakeholders, with special attention to women, poor and marginalized and/or vulnerable people. REDD+ strategy is not clear about the mechanism to make such a multi-stakeholders committee. However, the process to make this mechanism transparent is very important. The tendency that such multi-stakeholder forum are transparent is also very likely.

In addition, each of the sites that were visited, REDD+ program follows the existing system of community forest. The operational plans of community forests have the provision of undertaking public auditing where the income and expenditure of the CFUG is communicated to the entire participants. Likewise, during general assembly meetings, community members regardless of their gender, caste, ethnicity are given time to raise their voice and report complains if community members have issues on the decision making processes. Based on such provisions, it can be inferred that there has been key achievements in this criteria in terms of involving the different stakeholders.

**Criteria 6.3: The REDD+ program builds on, respects, supports and protects rights holders' and stakeholders' traditional and other knowledge, skills, institutions and management systems including those of Indigenous People and local communities.**

As also dealt in the fourth criteria, committee and mechanism have been built at the central, district and community level (at the REDD+ project piloting sites) that have included the federations, members and associations that represent indigenous people and local communities. These groups speak on behalf of such marginalized communities while designing processes, supporting and protecting decision making systems under the REDD+ program. Particularly at the district level, the awareness of such right based organization towards their

rights and responsibilities have increased quite significantly. While there is a lot to be done at the grass-root level to enhance cooperation and participation of indigenous and local communities, these organizations have been playing key roles in the REDD+ program planning, implementation and monitoring. Communities implementing REDD+ program did not report any complains about the negative impacts of the program on their traditional knowledge, skills and management system.

While new and innovative ways of capitalizing existing forest product (such as NTFPs, medicinal plants etc) were taught by the REDD+ program, it also respected the existing knowledge base and skills. This is also consistent with some key provisions within the existing legal documents that are related to REDD+ implementation. The REDD+ strategy emphasizes recognizing traditional and customary practices in forest management for enhancing governance and accountability based results and delivery. The Strategy's Guiding Principle no. 8 clearly states that the customary rights and practices of Indigenous People and people's rights to free, prior and informed consent will be duly recognized. Even though the under Land Use Policy and Planning (2070:23), forests of Nepal has given limited recognition to the rights of IP during forest management, community forest and other forms of community based forest management practices have recognized such traditional practices.

SESA (2015:13) puts customary practices under 'key institutional negative issues' and advocates that customary practices might be displaced under implementing strategic options (SOs) for a REDD+ regime. The REDD+ Strategy (2015) also indicates that the indigenous traditional customary practices related to land and forest areas, under the current forest management regimes, do not explicitly recognize customary forest usages—except by the Community Forest Guidelines 2008 (revised 2015), but whose implementation is hardly seen on ground. Nevertheless, this Guideline does have some inklings of respecting customary rights and indigenous knowledge.

The REDD+ Implementation Framework does not specifically refer to such traditional knowledge, skills and management, but do have representation from the CSO-IPO Alliance and REDD+ Stakeholder Forum as important entities in the institutional structure.

Though there are many legal provisions in line with FPIC, its effective implementation is lacking particularly in reference to traditional knowledge. The Strategy advocates development of REDD+ project specific information disclosure, consultation and participation plan (p.55) and also refers to the UN-REDD SEPC Guidelines for FPIC. This has been based on the information collected from the district level interactions.

The UNFCCC REDD+ Safeguards do have consideration for the conservation of biodiversity (p.174) while the UN\_REDD Safeguards' SEPC also have provision according to Cancun mandate of conserving biological diversity (p. 175). However, the Grievances Redresal Mechanism (GRM (2015:31) states that though consultation with all relevant stakeholders, particularly Indigenous Peoples is emphasized, yet the World Bank Operational Policies, FCPF Charter and Guidelines on Stakeholder Engagement do not expressly mandate consent in FPIC.

**Criteria 6.5 The REDD+ program ensures that rights holders and stakeholders have the information that they need about the REDD+ program, provided in a culturally appropriate, gender sensitive and timely way, and the capacity to participate fully and effectively in program design, implementation and evaluation.**

A total of eleven different issues have been assessed under these criteria as presented in the table below. There existed key difference between other stakeholders and ‘right holders’ where the indigenous people have relatively less information about the various natures of information relevant under the REDD+ program. For some type of information such as FPIC, program implementation, processes etc, both categories of parties have information whereas on technical issues such as ‘predicted and actual impacts of biodiversity and ecosystem’, grievances mechanism etc, the local communities have relatively less information.

SN	Right holders and stakeholders have access to information on	Stakeholders*	Right Holders**
1	REDD+ program design, implementation and Evaluation;	Yes	No
2	REDD+ program governance structures and processes including opportunities to participate in decision-making, and in design, analysis, monitoring and evaluation processes;	Yes	Partially
3	Socially differentiated assessment of predicted and actual impacts on rights holders and stakeholders related to social, cultural, environmental and economic aspects and to human rights and rights to lands territories and resources;	Yes	No
4	Assessment of predicted and actual impacts on biodiversity and ecosystem services;	Yes	No
5	The requirement for free, prior and informed consent;	Yes	Yes
6	Benefit-sharing including procedures and guidelines;	Yes	Yes
7	Grievance handling mechanisms at the following levels;	-	
7.1	Local	Yes	Yes
7.2	National	Yes	No
7.3	International	Yes	No
8	Relevant local and national laws and international treaties, conventions and other instruments including legal processes and implications and associated rights with special attention to rights of Indigenous People, women, <i>Dalit</i> , poor and marginalized and/or vulnerable people;	Yes	No
9	The global, national and local context for the REDD+ program.	Yes	No
10	Ensuring adequate time between information dissemination and decision-making to enable rights holders and stakeholders to coordinate their response.	No	No
11	Rights holders and stakeholders know what information is available about the REDD+ program and how to access it.	Yes	No

Note: This Table has been generated based on the discussions at the districts in the piloting sites \* Stakeholder include parties such as district agencies, civil society organizations, NGOs, federations etc. \*\* Right holder includes indigenous and local communities who are the direct beneficiaries of the REDD+ program.

The RIC takes the lead in designing and disseminating REDD+ information, extension and capacity building activities for different stakeholders and also gives feedbacks to the RIC and the stakeholders to ensure that concerns are addressed (SESA 2014:122).

The EOS frequently organizes meetings with the REDD Stakeholder Forum- established in 2009--to update the participants and discuss progress with REDD+ Readiness, and to seek feedback from participants. The Forum includes representatives from the private sector, civil society, media, government organizations, community-based organizations, local and international NGOs, donors, academia, research organizations and all other stakeholders interested in REDD+ activities. However the representation of dalit and women have not been very prominent. The Forum meets at least twice a year.

Similarly, to discuss and develop a common understanding on REDD+ on behalf of wide spectrum of Indigenous People Organizations, Women, Dalit and Civil Society Organizations a platform named the REDD+ CSOs and IPOs Alliance Nepal have been formed. Established in 2009, this alliance, initiated by FECOFUN, NEFIN and other relevant CSOs, now has 43 organizations actively involved in the alliance. The main objective of this alliance is to empower and enhance the capacity of stakeholders on REDD+ related issues. This alliance can contribute in achieving the indicators discussed here in this assessment report. Such alliance has been envisaged in each of the district. This provision contributes in enhancing the capacity of IP, ethnic groups, women, dalit, poor and marginalized groups in relation to REDD+ programs.

The REDD+ Strategy (2015 draft) states, with regards the REDD+ Safeguard Information System—which the country is required to develop—information would need to be provided to the UNFCCC and other donors and among key stakeholders including REDD+ project affected communities in various formats and languages and be disseminated and communicated at varying frequencies, depending on national and local circumstances—with special mentioning of accessibility and availability in local language.

Apart from these provisions in the relevant legal documents concerning information dissemination, the study also assessed the status of information access at the community level and it was somewhat challenging where access to information is hampered by other external factors such as lack of education, lack of technological outreach, lack of familiarity with upcoming technologies such as internet etc. Nonetheless, representative organization of the indigenous communities do keep record of the development. In several places, it was seen that due to limited awareness about REDD+, communities could face difficulty in implementing similar programs

During the community level interaction, it was found out that the main problem of REDD+ is lack of awareness and knowledge about REDD+ program from villages to the districts. Larger population in rural communities lack basic knowledge of REDD+. Only few community members mostly representing elite groups have basic understanding.

**Criteria 6.6: Rights holder and stakeholder representatives collect and disseminate all relevant information about the REDD+ program from and to the people they represent in an appropriate and timely way, respecting the time needed for inclusive decision making.**

In both of the sites that were visited, FECOFUN – which is the CFUG representative and an umbrella agency of the CFUG implementing REDD+, has collected data from the CFUG during REDD+ implementation. They have maintained information like households benefited, number of capacity building training etc. This data was the basis for evaluating the impact of REDD+ program. Likewise, community forests during its annual assembly and public audits have mandatory provision of communicating their progress with the general members. Likewise, any member of a community forest has the right to inquire about the progress and achievement of the activities. These provisions can be regarded as the approach of information dissemination to the local people they represent including women and marginalized/or vulnerable people.

NEFIN had strong presence in all the three districts visited. They have been part of these projects either directly or indirectly- with main function of working like a watchdog on issues of IPs, women and other marginalized groups. NEFIN was very active during district level consultations in providing critical assessment of REDD+ piloting. This group can be seen as a body that helps ensure that REDD+ programs do not compromise the rights of IPs.

**Principle 7: The REDD+ program complies with applicable local national laws and international treaties, conventions and other instruments**

There are two criteria under this Principle. Under the first criteria, it can be stated that as all of the REDD+ programs have been implemented in direct partnership and coordination with the MoFSC, REDD+ programs comply with applicable laws. It should be however noted that REDD+ program have just been piloted in Nepal. Thus policies and strategies are evolving. Unless a fully independent REDD+ program runs, it could be too early to be making conclusions in this criterion. Nonetheless Nepal is one among the few countries that have taken good strides in implementing REDD+ programs – an indication that prevailing laws, policies and strategies do not have direct conflict with the concept and approach. Out of the total indicators, only three have been identified as relevant to Nepal in the current context. Table 2.7 presents the summary of the progress of the criteria under principle 7.

**Table 2.7: Summary of progress of the criteria under Principle 7**

Criteria	Indicators	Status of Progress
7.1 The REDD+ program complies with applicable local law, national law and international treaties, conventions and other instruments ratified or adopted by the country.	7.1.1 Local and national laws and international treaties, conventions and other instruments ratified or adopted by the country relevant to the REDD+ program are identified.	Achieved
	7.1.2 The REDD+ program recognizes and respects the human rights of Indigenous Peoples and local communities.	Achieved
7.2 Where local or national law is not consistent with the REDD+ SES or relevant international treaties, conventions or other instruments, a process is undertaken to reconcile the inconsistencies.	7.2.1 Gaps and inconsistencies between local or national law and the REDD+ SES or relevant international treaties, conventions or other instruments are identified.	Partially Achieved

**Criteria 7.1: The REDD+ program complies with applicable local law, national law and international treaties, conventions and other instruments ratified or adopted by the country**

This assessment has identified key national laws and ratified international conventions and treaties related to REDD+ program. REDD+ Strategy (p.48-49 and 161-176 and 177-178) gives the list of policies, acts, regulations and strategies relevant to the REDD+ programs in particular and forestry in general—the Forest Act 1993, Forest Regulations 1995 and Forest Sector Policy 2013 being the major ones. The list of national policies is as follows:

- Land Use Policy 2012
- Climate Change Policy 2011
- Rangeland Policy 2010:
- National Parks and Wildlife Conservation Acts and Regulations, 1973 and 1974
- National Biodiversity Strategy and Action Plan 2014
- National Wetlands Policy 2011
- Water Resources Act 1993 and Water Resources Strategy 2002
- National Irrigation Policy 2013
- National Hydro-power Policy 2001

- Environment Protection Act 1997 and Regulations (EIA guidelines for sectors)
- National Adaptation Plan of Action (NAPA) 2010 and Local Adaptation Plan of Action (LAPA) 2011

As the REDD+ programs are nationally led by MoFSC, it can be inferred that related policies, strategies and activities are all consistent with the prevailing rules and regulations under the aforementioned policies. There have not been instances of conflict of legal prosecutions while implementing REDD+ programs.

REDD+ Strategy contains the list of following national and international policies and regulations, presented under three headings. Again, as REDD+ projects are implemented under direct coordination with the government, its provisions are consistent with these legal documents of Nepal.

**a) Land Acquisition, Compensation and Resettlement**

- The Constitution of Nepal 2015
- Land Acquisition Act, 2034 (1977)
- Land Reform Act, 1964
- Guthi Corporation Act, 1977
- Forest Act, 1993
- Water Resources Act, 1993
- Local Self-Governance Act, 1999
- World Bank Policy on Involuntary Resettlement (2013 Revised)
- World Bank Policy on Cultural Property (2013 Revised)

**b) Safeguard of Indigenous Peoples (IPs) and other Vulnerable Communities**

- The Constitution of Nepal 2072 (2015)
- The Tenth Five Year Plan (2002-2007) & Three Year Interim Plan (TYIP) (2007-2010)
- Three-Year Plan (2009/10 - 2012/13)
- National Foundation for the Development of Indigenous Nationalities (NFDIN) Act, 2058 (2002)
- Local Self-Governance Act, 1999
- The Forests Act (1993), Forest Regulation 1995 and CF Guidelines
- The National Dalit Commission (NDC) (2002)
- Labor Act, BS 2048 (1992)
- National Parks and Wildlife Conservation Act, 1973
- Buffer Zone Regulations, 1996
- Climate Change Policy (2011)
- Forestry Policy (2015)
- GoN Policies on Gender Mainstreaming
- Review Guidelines for EIA and IEE of Forestry Sector (2002) and IEE Manual for Forestry Sector (2005)
- Buffer Zone Management Guidelines, 1999
- Wildlife Damage Relief Guideline, 2009
- National Adaptation Program of Action, 2010
- Policies on Gender Mainstreaming (Gender mainstreaming strategy of MoFSC)
- International Labor Organization (ILO) Convention (169), 1989
- United Nations Declaration on the Rights of Indigenous Peoples, 2007
- WB Policy on Indigenous People (OP 4.10)

### c) **Good Governance, Social Accountability and Public Consultation**

- Right to Information Act, 2064 (2007)
- Good Governance (Management and Operation) Act, 2064 (2008)
- The Forests Act (1993) and Forest Regulation 1995
- Environment Protection Rules, 2054 (1997)
- Land Acquisition Act, 2034 (1977)

As, Nepal is a signatory to UNFCCC since 1992 and the Kyoto Protocol since 1997, signatory to ILO Convention No. 169, 1989 and the UN Declaration on the Rights of Indigenous People, both ratified in 2007, the key issues of social and environmental standards are built into the REDD+ programs.

The study also assessed whether the REDD+ program recognizes and respects the human rights of Indigenous Peoples and local communities. Principle 6 clearly states that people will be at the heart of every REDD+ mechanisms, considering the issues and concerns of poor, women, Dalits, IPs and marginalized groups along with GESI sensitivity. The Strategy does mention women, Dalits and tribal as more vulnerable than others as they have disadvantage in terms of a) access to livelihood, assets and services; b) social inclusion and empowerment; c) legal inclusion and representation in government and d) economic marginalization (Strategy p.53).

The study also assessed whether REDD+ program ensure right to self-determination for Indigenous Peoples according to prevailing laws, and the requirement for free, prior and informed consent in relation to the adoption of legislative or administrative measures as well as other relevant decision-making processes that may affect them. It was seen that the REDD+ Strategy states that though some legal provisions are in line with the FPIC requirement, as under UNFCCC and applied by World Bank and the UN, in practice, the procedures and processes are not followed as per FPIC standards (p.55). One of the studies carried out by RIC entitled 'Traditional Practices in Forest' draws attention to the fact that not all the issues/cases being raised for IPs and local communities under REDD+ could be addressed.

There has been gradual initiation to bring coordination between national and international laws of REDD+. Assessing the performance of these indicators is somewhat premature at this stage where REDD+ is just under initiation in the country.

**Criterion7.2: Where local or national law is not consistent with the REDD+ SES or relevant international treaties, conventions or other instruments, a process is undertaken to reconcile the inconsistencies.**

It is somewhat premature at this stage as the country is just gaining from experience in the sector. REDD+ programs have not been halted due to reasons of inconsistencies in the prevailing laws. As such programs have utilized CF as the platform, all the prevailing rules have been complied.

### **3. CONCLUSION**

Nepal is among the few countries that have prepared REDD+ SES assessment report. This report is an outcome of the review of various documents related to REDD+ and the findings of the field visit in the REDD+ piloting sites. This report has been prepared based on the REDD+ SES monitoring plan prepared by the Hariyo Ban Program.

**Policy and Processes indicators:** Policy discourse of Nepal has gradually started to address and recognize programs like REDD+. Just recently, while preparing the safeguard standards within REDD+ strategy, certain provisions of SES have been internalized. It should be noted that Nepal is among the few countries that have taken good strides in terms of achieving REDD+ SES. The government through the leadership of RIC and in partnership with Federation of Community Forest Users Nepal (FECOFUN), civil society organization, right holder group has taken key steps in formulating strategies and has followed standard processes. One of the major reasons why majority of the indicators have been rated as 'achieved' is due to this particular fact that preparatory exercise has been done quite significantly. It should be however noted that there is a lot still be done to translate these policies, strategies and processes into meaningful actions.

**Outcome Indicators:** REDD+ program implementation is relatively new in Nepal. It is thus premature at this stage to judge the outcomes. As for the current piloting, since all of the REDD+ piloting programs collaborated with community forests, the achievements look progressive in the present context. The benefits drawn in these piloting sites have been deposited in the community funds thus actual impacts on households are limited. Actual REDD+ program need to be first implemented and through quantitative studies, outcome level assessment need to be conducted. Following table presents the findings by principles and criteria.

Principle	No. of Criteria	No. of Indicators			
		Total	Achieved	Partially Achieved	Yet to be achieved
1	3	10	7	1	2
2	2	3	2	1	-
3	2	2	2	-	-
4	5	9	6	3	-
5	2	2	1	1	-
6	5	14	9	5	-
7	2	3	2	1	-

In the current stage, there have been achievements against many indicators. Under effective implementation of REDD+, future achievements against the indicators can be made.

### Annex 1.1: Monitoring Plan of REDD+ SES

COUNTRY SPECIFIC INDICATOR (What)		SOURCE (Where)	METHOD (How)	RESPONSIBILITY (Who)
1.2.1	Existing customary practices related to forest resource	MoFSC, REDD Cell, FECOFUN, NEFIN, HIMAWANTI, customary institutions etc. National REDD+ Strategy, Forest Act, Regulations, Forestry Policies, NBSAP, Land use policy	Primary-Interview, FGD, consultations, Secondary Desk Review	REDD+ SES TWG, National Facilitation Team, Consultant (Consultant will assess the indicator in close supervision of REDD+ SES TWG and National Facilitation Team)
1.3.1	Provision of FPIC	National REDD+ Strategy, ER-PIN, ER-PD	SecondaryDesk Review	Consultant
1.1.1	Inventory and mapping of REDD+ program related land tenure and <b>applied process</b>	IPOs, CBOs, Survey Department Report of traditional practices related to forestry Land measurement act Land use policy	PrimaryInterview, FGD SecondaryDesk Review	REDD+ SES TWG, National Facilitation Team, Consultant (Consultant will assess the indicator in close supervision of REDD+ SES TWG and National Facilitation Team)
1.2.2	Provision of rights in land use plan related to REDD+ program	REDD+ related Land use plans	SecondaryDesk review	Consultant
1.3.3	FPIC status	Govt. (national entity related to REDD+), respective organization of IPs FPIC document	PrimaryConsultations, interview Secondary, Desk Review	REDD+ SES TWG, National Facilitation Team, Consultant (Consultant will assess the indicator in close supervision of REDD+ SES TWG and National Facilitation Team)
1.2.3	Legislative rights in REDD+ program and its consistency to national legislation & ratified treaties, conventions	REDD+ strategy & its program related documents	SecondaryDesk Review	Consultant
1.2.4	Provision of community based forest management (formal and informal) in REDD+ program related documents	REDD+ related program documents Forest Act, regulations Forest Strategy	SecondaryDesk Review	Consultant
1.3.4	FPIC status	Govt. (national entity related to REDD+), respective organization of local communities FPIC document	PrimaryConsultations, interview SecondaryDesk Review	REDD+ SES TWG, National Facilitation Team, Consultant (Consultant will assess the indicator in close supervision of REDD+ SES TWG and National Facilitation Team)
1.3.5	Status of relocation and displacement	Respective agreements Govt. (national entity related to REDD+), respective organization of affected communities, groups & individuals	Secondary Desk Review PrimaryInterview, FGD	REDD+ SES TWG, National Facilitation Team, Consultant (Consultant will assess the indicator in close supervision of REDD+ SES TWG and National Facilitation Team)
1.3.2	FPIC status	Govt. (national entity related to REDD+), respective organization of right holders FPIC document	PrimaryConsultations, interview Secondary, Desk Review	REDD+ SES TWG, National Facilitation Team, Consultant (Consultant will assess the indicator in close supervision of REDD+ SES TWG and National Facilitation Team)
2.1.1	Status of cost, benefit and risk assessment of REDD+ program with focus on its	Govt., Consultants involved in SESA SESA report, ER-PD, REDD+ strategy	PrimaryConsultations; SecondaryDesk Review	Consultant

COUNTRY SPECIFIC INDICATOR (What)		SOURCE (Where)	METHOD (How)	RESPONSIBILITY (Who)
	process			
2.2.3	REDD+ benefit sharing policy and its mechanism	REDD+ Strategy Guideline	SecondaryDesk Review	Consultant
2.2.1	Processes followed to define REDD+ benefit sharing policy and its mechanism	Govt., relevant stakeholders Meeting minutes, study reports REDD+ strategy	PrimaryInterview, consultations SecondaryDesk Review	Consultant
3.2.1	Proposed REDD+ activities and interventions	SESA report, REDD+ strategy, ER-PD	Desk Review	Consultant
3.1.1	Objectives of REDD+ strategy	REDD+ strategy	Desk Review	Consultant
4.1.1	Accessibility of information on REDD+ governance	REDD+ strategy; updated websites; Public notice Publications; Meeting minutes	PrimaryConsultationsSecondaryDesk review	Consultant
4.3.1	Shared information of REDD+ program	REDD+ strategy; updated websites; Public notice Publications; Meeting minutes	PrimaryConsultationsSecondaryDesk review	Consultant
4.1.2	REDD+ program related decisions at various levels	RPP, REDD+ strategy, Meeting minutes	Desk Review	Consultant
4.1.3	Existence of REDD+ governance structure monitoring mechanism	RPP, REDD+ strategy	Desk Review	Consultant
4.7.2	Human rights related M & E indicators	M & E Framework, RPP	Desk review	Consultant
4.2.1	REDD+ program integration with other relevant policies	Forest sector strategy, NBSAP, Agriculture development strategy, low carbon economic development strategy	Desk review	Consultant
4.2.2	Resolution of conflicts arose due to inconsistency of REDD+ program and other relevant policies	Policy, strategies and plans related to hydropower, energy, mining, water resources, infrastructures MoFSC, REDD Cell, other concerned ministries	PrimaryConsultationsSecondaryDesk review	Consultant
4.2.3	Existing coordination mechanism between REDD program and other relevant agencies	RPP, REDD+ strategy, relevant decisions REDD Cell, MoFSC and other relevant agencies	PrimaryInterview, consultations SecondaryDesk review	Consultant
4.4.2	Published REDD+ program related audit reports	Annual reports of Auditor General	Desk review	Consultant
5.1.1	Identified and mapped potential impacts on ecosystem services and biodiversity	SESA ReportLanduse plans	Desk review	Consultant
5.2.1	Provision for maintaining and promoting ecosystem services and biodiversity	R-PP; REDD Strategy; ER-PIN; ER-PD SESA/ESMF	Desk Review	Consultant
7.1.1	List of local and national laws and ratified international conventions and treaties related to REDD+ program	REDD Strategy; R-PP; ER-PIN SESA/ESMF	Desk Review	Consultant
7.1.2	Provisions related to human rights of IPs and local communities	REDD Strategy; R-PP; ER-PIN SESA/ESMF	Desk Review	Consultant

COUNTRY SPECIFIC INDICATOR (What)		SOURCE (Where)	METHOD (How)	RESPONSIBILITY (Who)
7.2.1	Safeguard system in REDD+ Program	REDD Strategy; R-PP; ER-PIN; SESA/ESMF Decision of RWG	Desk Review	Consultant
6.1.1	List of right holders and stakeholders and their characterized rights, interests and relevancy	REDD Strategy; R-PP; ER-PIN; SESA	Desk Review	Consultant
6.2.1	Functional process and structure and for participation	REDD Strategy; R-PP; ER-PIN; RWG Meeting Minutes; REDD Stakeholder Forum	Primary: Interview, Consultations, Secondary: Desk Review	Consultant
6.2.2	Applied process for Consultation	Outreach and Communication Plan of R-PP Government Agencies and other REDD relevant stakeholders/organizations	Primary: Interview, Consultations Secondary: Desk review	Consultant
6.3.1	Provisions related to decision making for REDD+ programs by IPs and local communities	REDD Strategy; R-PP; Benefit sharing related documents; Minutes of IPOs and local community organizations	Primary: Interview, Consultations Secondary: Desk review	Consultant
6.2.3	REDD+ program implementation framework	REDD Strategy; R-PP; Organogram of MoFSC MRV Report; SESA Report; ER-PIN	Primary: Interview Secondary: Desk review	Consultant
6.2.6	Roles and responsibility of concerned representatives Norms and values of the concerned organizations	Relevant organizations(Eg. Members of RWG ) Reports of meeting minutes and publications	Primary: Interview	Consultant
6.3.2	Provisioned traditional and customary practices in REDD+ program	REDD+ strategy, RPP, SESA, ER-PIN, ER-PD Concerned communities involved in forest management practices	Primary Interview; Secondary Desk Review	Consultant
6.3.3	Provisioned FPIC with special focus to traditional knowledge, skills, and practices of IPs and local communities	Respective organization of right holders Local communities; NBSAP	Primary Interview; Secondary Desk Review	Consultant
6.5.1	Shared information related to REDD+ program to right holders and stakeholders	Relevant IPs, local communities	PrimaryInterview Consultations	Consultant
6.5.3	Capacity building program on REDD+ for right holders and other relevant stakeholders	REDD+ program documents; RPP; REDD+ strategy	PrimaryInterview SecondaryDesk Review	Consultant
6.1.2	Procedure to identify right holders and other relevant stakeholders	RPP, REDD+ strategies, MRV report, SESA report,	Desk review	Consultant
6.2.5	Selection process to identify institutional representative for REDD+ program	Meeting minutes, invitation letters,	Desk review	Consultant
6.6.1	Reporting and sharing mechanism by representatives of concerned organizations and vice versa	Relevant organizations(Eg. Members of RWG ) Reports of meeting minutes and publications	Primary: Interview	Consultant
6.5.2	Outreach and communication process	Outreach and communication plan of R-PP	Desk review	Consultant

**Annex 1.2: Checklists for the Review**  
**(All questions in accordance with the REDD+ SES Guideline)**

(Information to be assessed from many sources such legal documents-law, guideline, policies; organizational publication; technical stud reports; REDD+ documents – REDD+ strategy, ER-PIN, RPP, SESA, MTR etc)

Indicator Number	Name of Indicator	Questions								
1.2.1	Existing customary practices related to forest resource	<ul style="list-style-type: none"> <li>• What are the current customary practices relevant to forest resources that have been contributed or contradicted with REDD+ concept or approach?</li> <li>• What is the provision of respecting customary practices of forest resource management in National REDD+ strategy, forest policies, Forest Act, Regulations, Nepal Biodiversity Strategy Action Plan and Land Use poly?</li> </ul>								
1.3.1	Provision of FPIC	<ul style="list-style-type: none"> <li>• Have the documents such as REDD+Strategy, ER-PIN and ER-PD dealt with the issue of FPIC? If yes, how?</li> </ul>								
1.1.1	Inventory and mapping of REDD+ program related land tenure and applied process	<p><b>Government Officials</b></p> <ul style="list-style-type: none"> <li>• Are there REDD+ program related to land tenure under implementation? If so, please answer the following: Is there an effective and transparent process established to inventory and map rights to lands, territories and resources relevant to the program?</li> </ul> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">• Is the process gender sensitive, socially acceptable and participatory including representative of women, poor, disadvantaged and vulnerable groups?</td> <td style="width: 20%;"></td> </tr> <tr> <td>• Does it include statutory and customary rights?</td> <td></td> </tr> <tr> <td>• Does it include individual and collective right issues?</td> <td></td> </tr> <tr> <td>• Includes rights of women, poorand marginalized and/or vulnerable people.</td> <td></td> </tr> </table>	• Is the process gender sensitive, socially acceptable and participatory including representative of women, poor, disadvantaged and vulnerable groups?		• Does it include statutory and customary rights?		• Does it include individual and collective right issues?		• Includes rights of women, poorand marginalized and/or vulnerable people.	
• Is the process gender sensitive, socially acceptable and participatory including representative of women, poor, disadvantaged and vulnerable groups?										
• Does it include statutory and customary rights?										
• Does it include individual and collective right issues?										
• Includes rights of women, poorand marginalized and/or vulnerable people.										
1.2.2	Provision of rights in land use plan related to REDD+ program	<ul style="list-style-type: none"> <li>• Has there been a provision of formulating land use plan for REDD+ programs? If so, has it recognized the rights of indigenous people and local communities? If yes, please describe.</li> </ul>								
1.2.3	Legislative rights in REDD+ program and its consistency to national legislation & ratified treaties, conventions	<ul style="list-style-type: none"> <li>• What are the different provisions/approach/inclusions of legislative rights seen in the current REDD+ strategy and programs?</li> <li>• Are these provisions consistent with the other existing legal instruments?</li> </ul>								
1.2.4	Provision of community based forest management (formal and informal) in REDD+ program related documents	<ul style="list-style-type: none"> <li>• What are the different provisions of community based forest management in REDD+ programs and related documents?</li> </ul>								
1.3.5	Status of relocation and displacement	<ul style="list-style-type: none"> <li>• This indicator might not be very relevant at this stage because large scale REDD+ initiatives that requires relocation of displacement of people have not been done in Nepal.</li> <li>• However, government has removed many settlements in the process of restoring forest or for declaration of protected areas etc, but they have occurred not in relations to REDD+ program but as a regular task of the government. As those removed settlements were mainly due to illegal encroachment, the</li> </ul>								

Indicator Number	Name of Indicator	Questions
		government did not have to compensate the people through any means.
1.3.2	FPIC status	<ul style="list-style-type: none"> <li>• If in case there is a practice of obtaining FPIC, is it defined by the collective right holders?</li> <li>• If so has it defined its traditional institution's representative?</li> <li>• If so, is the process transparent?</li> <li>• If so, while defining the process of obtaining FPIC, are the views of all the community members (women, dalit, poor etc) included?</li> <li>• If so, is the process gender sensitive and socially inclusive?</li> </ul>
2.1.1	Status of cost, benefit and risk assessment of REDD+ program with focus on its process	<ul style="list-style-type: none"> <li>• Is there a provision of undertaking detailed benefit, costs and risk assessment during the design and implementation of REDD+ programs? If so please answer the following: <ul style="list-style-type: none"> <li>• Is it done for each relevant rights holder and stakeholder group?</li> <li>• Is the assessment timely and participatory in accordance with Principle 6?</li> <li>• Does it include direct and indirect benefits, costs and risks.</li> <li>• Does it includes benefits, costs and risks related to social, cultural, economic and environmental aspects and to human rights and rights to lands, territories and resources?</li> <li>• Does it pay attention to the differentiation of benefits, costs and risks to women, poor and marginalized and/or vulnerable people?</li> <li>• Is the assessment repeated periodically as part of monitoring?</li> </ul> </li> </ul>
2.2.3	REDD+ benefit sharing policy and its mechanism	<ul style="list-style-type: none"> <li>• Has the REDD+ strategy provided strong provision for ensuring equitable sharing of benefits includes women, poor and marginalized and/or vulnerable people?</li> <li>• If so, has it considered the taking into account socially differentiated benefits, costs and risks?</li> </ul>
3.2.1	Proposed REDD+ activities and interventions	<ul style="list-style-type: none"> <li>• Is it based on assessment of impacts undertaken in accordance with criterion 5.4?</li> <li>• Has there been assessment of predicted and actual impacts during REDD+ program design?</li> <li>• Is the REDD+ program paying attention to potential impacts on women, poor and the most marginalized and/or vulnerable people?</li> <li>• Has the proposed REDD+ activities included design and implantation to measures to address the risk of reversals and adverse impacts that might lead to a reduction in the benefits achieved by the REDD+ program.</li> </ul>
3.1.1	Objectives of REDD+ strategy	<ul style="list-style-type: none"> <li>• Has the objectives and policies of the REDD+ strategy included the following provisions: <ul style="list-style-type: none"> <li>• Improving long-term livelihood security and well-being of Indigenous Peoples and local communities. With special attention to women, Dalits, poor and the most marginalized and/or vulnerable people.</li> </ul> </li> </ul>
4.1.1	Accessibility of information on REDD+ governance	<ul style="list-style-type: none"> <li>• Is the information on roles, responsibilities and decision-making processes publicly available?</li> <li>• What is the process of ensuring right holders in the decision making positions?</li> </ul>

Indicator Number	Name of Indicator	Questions
		<ul style="list-style-type: none"> <li>• What is the process of ensuring duty bearers and other stakeholders in decision making positions?</li> <li>• What are other internal regulations and institutional structures for decision making?</li> </ul>
4.3.1	Shared information of REDD+ program	<p>Are the following information of REDD+ publicly available?</p> <ul style="list-style-type: none"> <li>• REDD+ program design, implementation and evaluation;</li> <li>• socially differentiated assessment of predicted and actual impacts on rights holders and stakeholders related to social, cultural, environmental and economic aspects and to human rights and rights to lands, territories and resources;</li> <li>• assessment of predicted and actual impacts on biodiversity and ecosystem services;</li> <li>• benefit-sharing including procedures and guidelines;</li> <li>• the requirement for free, prior and informed consent.</li> <li>• Information is accessible to potentially interested members of the public.</li> <li>• Access is free and timely.</li> </ul>
4.1.2	REDD+ program related decisions at various levels	<ul style="list-style-type: none"> <li>• Are the decision taken on REDD+ program made in accordance with the existing national defines roles, responsibilities, regulations and policies?</li> <li>• Are all the internal regulations and decision-making processes defined by the governance structures complied by?</li> </ul>
4.1.3	Existence of REDD+ governance structure monitoring mechanism	<ul style="list-style-type: none"> <li>• What are the mechanism in place should there be lapses and mistakes in the governance process and structure of the REDD+ program?</li> <li>• What is the monitoring mechanism for assessing such oversights?</li> </ul>
4.7.2	Human rights related M & E indicators	<ul style="list-style-type: none"> <li>• Has the REDD+ program identified human issues that it can address?</li> <li>• Does REDD+ program's polices and measures contribute to improved respect, protection and fulfillment of human rights? If so, please explain.</li> <li>• How does the REDD+ program monitoring and evaluation plan include the human rights identified by national and international laws along with special attention to rights of women, dalit and marginalized vulnerable people?</li> </ul>
4.2.1	REDD+ program integration with other relevant policies	<ul style="list-style-type: none"> <li>• How is the REDD+ program integrated in to the broader policy framework of sectors such as agriculture, roads, hydropower, energy, and mining – those that are drivers of deforestation?</li> </ul>
4.2.2	Resolution of conflicts arose due to inconsistency of REDD+ program and other relevant policies	<ul style="list-style-type: none"> <li>• Are there inconsistencies between REDD+ program and other relevant policies, strategies and plans?</li> <li>• What are the contradiction between REDD+ programs and policies and strategies of sectors such as hydro-power/energy, mining, water resource, watershed, agriculture, infrastructures etc?</li> <li>• How does the agreed process and timeline of REDD+ program contradict with rights of women, poor and marginalized and vulnerable people?</li> </ul>
4.4.2	Published REDD+ program related audit reports	<ul style="list-style-type: none"> <li>• Are the audited financial reports for the REDD+ program published regulars?</li> <li>• Are the audits undertaken by independent accredited auditors in accordance with professional auditing standards of the country?</li> </ul>

Indicator Number	Name of Indicator	Questions
		(both for public and private finance)
5.1.1	Identified and mapped potential impacts on ecosystem services and biodiversity	<ul style="list-style-type: none"> <li>• Are the biodiversity and ecosystem services potentially affected by the REDD+ program identified, prioritized and mapped?</li> <li>• Include those priorities identified by NBSAP, gap analyses of CBD, key biodiversity areas, high conservation value areas, wetlands, grasslands, grazing lands and other relevant systematic conservation planning approaches.</li> <li>• Include hot spots, areas with high concentration of endemic species, climate change adaptation sites, culturally important sites particularly in relation to poor, dalits, women, marginalized and vulnerable groups.</li> <li>• Examine the scale and level of detail appropriate to each element/activity within the program.</li> <li>• Observe with special attention to any plans for afforestation, reforestation and forest restoration and their potential impacts on biodiversity and ecosystem services.</li> </ul>
5.2.1	Provision for maintaining and promoting ecosystem services and biodiversity	<ul style="list-style-type: none"> <li>• Do the objectives and policies of REDD+ programs significantly contribute to maintaining and enhancing biodiversity and ecosystem services?</li> </ul>
7.1.1	List of local and national laws and ratified international conventions and treaties related to REDD+ program	<ul style="list-style-type: none"> <li>• Identification of Local and national laws and international treaties, conventions and other instruments ratified or adopted by the country relevant to the REDD+ program.</li> </ul>
7.1.2	Provisions related to human rights of IPs and local communities	<ul style="list-style-type: none"> <li>• Does the REDD+ program recognize and respect the human rights of Indigenous Peoples and local communities particularly with special attention to the rights of women, Dalit, poor and marginalized and/or vulnerable people?</li> <li>• Does the REDD+ program ensure right to self-determination for Indigenous Peoples according to prevailing laws, and the requirement for free, prior and informed consent in relation to the adoption of legislative or administrative measures as well as other relevant decision-making processes that may affect them.</li> </ul>
7.2.1	Safeguard system in REDD+ Program	<ul style="list-style-type: none"> <li>• What are the gaps and inconsistencies between local or national law and the REDD+ SES or relevant international treaties, conventions or other instruments identified?</li> </ul>
6.1.1	List of right holders and stakeholders and their characterized rights, interests and relevancy	<ul style="list-style-type: none"> <li>• Have the REDD+ program identified the right holders and stakeholders groups along with relevance and interest to the program?</li> <li>• Have the statutory and customary rights to lands, territories and resources and other rights as per prevailing laws been characterized?</li> <li>• Have the indigenous peoples and local communities been identified and considered in entire process?</li> <li>• What are the potential barriers to participation for each rights holder and stakeholder group with special attention to women poor, and marginalized and/or vulnerable groups?</li> </ul>
6.2.1	Functional process and structure and for participation	<p>Literature Review and Consultations</p> <ul style="list-style-type: none"> <li>• What is the planned mechanism and institutional structure for full and effective participation of relevant rights holder and</li> </ul>

Indicator Number	Name of Indicator	Questions
		<p>stakeholder groups with special attention to women, Dalit, poor and marginalized and/or vulnerable people?</p> <ul style="list-style-type: none"> <li>• How is their participation ensured during REDD+ program design, implementation and evaluation?</li> <li>• Have this participation accounted statutory and customary institutions and practices?</li> </ul>
6.2.2	Applied process for Consultation	<ul style="list-style-type: none"> <li>• Have the current documents on REDD+ explicitly spelled out the need to have culturally acceptable, locally tailored and socio-culturally appropriate approach and method during consultations?</li> </ul>
6.2.3	REDD+ program implementation framework	<ul style="list-style-type: none"> <li>• Have all the relevant level of government involved in the REDD+ program?</li> <li>• Are their roles and responsibilities clearly defined?</li> </ul>
6.3.2	Provisioned traditional and customary practices in REDD+ program	<ul style="list-style-type: none"> <li>• Have the REDD+ program identified, built, respected and supported relevant traditional and other knowledge skills and management system?</li> <li>• Have the entire design, implementation, monitoring and evaluation framework allocated space for such traditional knowledge, skills and management</li> </ul>
6.3.3	Provisioned FPIC with special focus to traditional knowledge, skills, and practices of IPs and local communities	<ul style="list-style-type: none"> <li>• Is there a provision in the main REDD+ documents of obtaining Free, prior and informed consent for any use of traditional knowledge, innovations and practices of Indigenous Peoples and local communities?</li> <li>• How is the FPIC provision from design, implementation, monitoring to evaluation stages?</li> </ul>
6.1.2	Procedure to identify right holders and other relevant stakeholders	<ul style="list-style-type: none"> <li>• What is the current procedure to apply to be considered as a relevant right holders or stakeholders?</li> <li>• Is there clear direction for this process in the relevant documents?</li> <li>• Is the process to apply and involve diverse actors in a transparent, impartial, safe and accessible for all relevant stakeholders, with special attention to women, poor and marginalized and/or vulnerable people?</li> </ul>
6.2.5	Selection process to identify institutional representative for REDD+ program	<ul style="list-style-type: none"> <li>• What is current process to select the representative of right holders group and stakeholders with special attention to the participation of women, poor and vulnerable and/or marginalized people in the selection of representatives?</li> <li>• Is the procedure to make the selection process transparent, impartial, safe and accessible for all relevant stakeholders, with special attention to women, poor and marginalized and/or vulnerable people?</li> <li>• What is the mechanism to ensure that selected representative fulfill their roles and responsibilities?</li> </ul>
6.5.2	Outreach and communication process	<ul style="list-style-type: none"> <li>• What is the mechanism to identify and use the most effective means of dissemination of information about the REDD+ program for each rights-holder and stakeholder group With special attention to Indigenous Peoples and local communities, including women, Dalit, poor and the vulnerable and/or marginalized people among them.</li> <li>• What is the mechanism to ensure that the information is provided in a form that they understand and as possible as in a national and local language?</li> </ul>

**Annex 1.3: Checklist used for Consultations  
(Government officials, NGOs, Key Informants)**

Indicator No.	Indicator	Questions				
1.2.1	Existing customary practices related to forest resource	<ul style="list-style-type: none"> <li>• Is there a relationship between REDD+ approach and your traditional forest management practices? If yes, please explain. Have there been contradictions between how REDD+ interventions are happening and your traditional cultural/customary forest management practices? If yes, please explain.</li> <li>• Do you think that in your community, due to the provisions of REDD+ implementation, the rights of indigenous people have been impacted? If yes, please explain how.</li> </ul>				
1.2.4	Provision of community based forest management (formal and informal) in REDD+ program related documents	<ul style="list-style-type: none"> <li>• How has the REDD+ program prioritized community based forest management system? How has the design incorporated the issues of governance, inclusion, gender balance and equity, equitable benefit sharing, regular monitoring and reporting in such systems</li> </ul>				
1.3.3	FPIC status	<ul style="list-style-type: none"> <li>• Is there a provision in the law that requires obtaining FPIC in the REDD+ program?</li> <li>• Is there a practice of obtaining FPIC? If yes, <table border="1" data-bbox="558 999 1338 1129"> <tr> <td>• It is in accordance with the customs, norms and traditions?</td> <td></td> </tr> <tr> <td>• Has it impacted or affected your rights particularly their rights to own and control traditionally owned lands, territories and resources?</td> <td></td> </tr> </table> </li> </ul>	• It is in accordance with the customs, norms and traditions?		• Has it impacted or affected your rights particularly their rights to own and control traditionally owned lands, territories and resources?	
• It is in accordance with the customs, norms and traditions?						
• Has it impacted or affected your rights particularly their rights to own and control traditionally owned lands, territories and resources?						
1.3.4	FPIC status	<ul style="list-style-type: none"> <li>• Was there a need to obtain FPIC in the current design of REDD+ implementation? If yes,</li> <li>• Have you signed FPIC form prior to being part of the REDD+ program?</li> <li>• Has it help for the protection of rights to land, territories and resources.</li> </ul>				
2.2.1	Processes followed to define REDD+ benefit sharing policy and its mechanism	<ul style="list-style-type: none"> <li>• Do the right holders and stakeholders participate in defining the decision-making process and distribution mechanism for equitable benefit-sharing? If so <table border="1" data-bbox="558 1352 1351 1482"> <tr> <td>• Is the participation full and effective in accordance with Principle 6?</td> <td></td> </tr> <tr> <td>• Has it included women, poor and marginalized and/or vulnerable people in decision making processes?</td> <td></td> </tr> </table> </li> </ul>	• Is the participation full and effective in accordance with Principle 6?		• Has it included women, poor and marginalized and/or vulnerable people in decision making processes?	
• Is the participation full and effective in accordance with Principle 6?						
• Has it included women, poor and marginalized and/or vulnerable people in decision making processes?						
4.2.3	Existing coordination mechanism between REDD programs and other relevant agencies	<ul style="list-style-type: none"> <li>• What is the current status of coordination between REDD+ programs and other programs within the MoFSC?</li> <li>• What is the current status of coordination between non-government and multilateral as well as government agencies/organization?</li> <li>• How is the REDD+ program integrated into their structure for coordination?</li> <li>• Is there any coordination mechanism between REDD+ program and other agencies who regular activities contributes in deforestation related activities?</li> </ul>				
6.2.1	Functional process and structure and for participation	<ul style="list-style-type: none"> <li>• What is the planned mechanism and institutional structure for full and effective participation of relevant rights holder and stakeholder groups with special attention to women, Dalit, poor and marginalized and/or vulnerable people?</li> </ul>				

Indicator No.	Indicator	Questions										
		<ul style="list-style-type: none"> <li>• How is their participation ensured during REDD+ program design, implementation and evaluation?</li> <li>• Has such participation mechanism been discussed, developed and agreed upon with relevant right holders and stakeholders groups?</li> <li>• Have this participation accounted statutory and customary institutions and practices?</li> </ul>										
6.3.1	Provisions related to decision making for REDD+ programs by IPs and local communities	<p>Have the REDD+ programs respected and supported your existing decision-making structure and system or have they introduced something new?</p> <p>Have the decision making processes ensured that customary institutions and practices are not undermined?</p> <p>Have the decision making process ensured that institutions and practices of women, Dalit, poor and marginalized and/or vulnerable groups are not undermined?</p>										
6.3.3	Provisioned FPIC with special focus to traditional knowledge, skills, and practices of IPs and local communities	<ul style="list-style-type: none"> <li>• Is there a provision in the main REDD+ documents of obtaining Free, prior and informed consent for any use of traditional knowledge, innovations and practices of Indigenous Peoples and local communities?</li> <li>• Are they in accordance with the relevant international standards including the Akwé: Kon guidelines of the Convention on Biological Diversity.</li> <li>• How is the FPIC provision from design, implementation, monitoring to evaluation stages? Consultations</li> <li>• Is the process of obtaining FPIC transparent?</li> <li>• While making the FPIC, did it take into account the views of all the community members including those of women, Dalit, poor and of marginalized and/or vulnerable people?</li> <li>• Is the process gender sensitive and socio-culturally appropriate.</li> <li>• Is the process in accordance with relevant customs, norms and traditions?</li> </ul>										
6.2.6	Roles and responsibility of concerned representatives Norms and values of the concerned organizations	<ul style="list-style-type: none"> <li>• What is the mechanism of ensuring accountability of representatives in the decision making posts?</li> <li>• Have these representatives informed the people they represent about how the REDD+ program could potentially affect them by facilitating discussion and giving feedback?</li> <li>• Is there a mechanism to establish some sort of stakeholder forum to discuss on impacts of REDD+ with the involvement of stakeholders.</li> </ul>										
6.5.1	Shared information related to REDD+ program to right holders and stakeholders	<ul style="list-style-type: none"> <li>• Do the right holders and stakeholders have access to the following information about the REDD+ program?</li> </ul> <table border="1" data-bbox="560 1535 1344 1881"> <tbody> <tr> <td data-bbox="560 1535 1344 1570">• REDD+ program design, implementation and evaluation;</td> <td data-bbox="1344 1535 1421 1570"></td> </tr> <tr> <td data-bbox="560 1570 1344 1665">• REDD+ program governance structures and processes including opportunities to participate in decision-making, and in design, analysis, monitoring and evaluation processes;</td> <td data-bbox="1344 1570 1421 1665"></td> </tr> <tr> <td data-bbox="560 1665 1344 1791">• socially differentiated assessment of predicted and actual impacts on rights holders and stakeholders related to social, cultural, environmental and economic aspects and to human rights and rights to lands territories and resources;</td> <td data-bbox="1344 1665 1421 1791"></td> </tr> <tr> <td data-bbox="560 1791 1344 1850">• assessment of predicted and actual impacts on biodiversity and ecosystem services;</td> <td data-bbox="1344 1791 1421 1850"></td> </tr> <tr> <td data-bbox="560 1850 1344 1881">• the requirement for free, prior and informed consent;</td> <td data-bbox="1344 1850 1421 1881"></td> </tr> </tbody> </table>	• REDD+ program design, implementation and evaluation;		• REDD+ program governance structures and processes including opportunities to participate in decision-making, and in design, analysis, monitoring and evaluation processes;		• socially differentiated assessment of predicted and actual impacts on rights holders and stakeholders related to social, cultural, environmental and economic aspects and to human rights and rights to lands territories and resources;		• assessment of predicted and actual impacts on biodiversity and ecosystem services;		• the requirement for free, prior and informed consent;	
• REDD+ program design, implementation and evaluation;												
• REDD+ program governance structures and processes including opportunities to participate in decision-making, and in design, analysis, monitoring and evaluation processes;												
• socially differentiated assessment of predicted and actual impacts on rights holders and stakeholders related to social, cultural, environmental and economic aspects and to human rights and rights to lands territories and resources;												
• assessment of predicted and actual impacts on biodiversity and ecosystem services;												
• the requirement for free, prior and informed consent;												

Indicator No.	Indicator	Questions														
		<ul style="list-style-type: none"> <li>• benefit-sharing including procedures and guidelines;</li> <li>• grievance mechanisms at local, national, international and other relevant levels;</li> <li>• relevant local and national laws and international treaties, conventions and other instruments, legal processes and implications and associated rights with special attention to rights of Indigenous Peoples, women, Dalit, poor and marginalized and/or vulnerable people;</li> <li>• the global, national and local context for the REDD+ program.</li> <li>• Ensuring adequate time between information dissemination and decision-making to enable rights holders and stakeholders to coordinate their response.</li> <li>• Rights holders and stakeholders know what information is available about the REDD+ program and how to access it.</li> </ul>														
6.5.3	Capacity building program on REDD+ for right holders and other relevant stakeholders	<ul style="list-style-type: none"> <li>• What are the prevalent constraints to effective participation that need to be addressed through capacity building with focus on the following aspects?</li> </ul> <table border="1" data-bbox="558 827 1349 1119" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td>• With regards to relevant right holders and stakeholder groups</td> <td></td> </tr> <tr> <td>• Special attention to indigenous people and local communities</td> <td></td> </tr> <tr> <td>• Capacity building is appropriate and effective for the needs of the groups concerned.</td> <td></td> </tr> <tr> <td>• Includes capacity to use relevant grievance mechanisms.</td> <td></td> </tr> <tr> <td>• Includes capacity to understand, implement and monitor the free, prior and informed consent and legal requirements related to the REDD+ program.</td> <td></td> </tr> </table>			• With regards to relevant right holders and stakeholder groups		• Special attention to indigenous people and local communities		• Capacity building is appropriate and effective for the needs of the groups concerned.		• Includes capacity to use relevant grievance mechanisms.		• Includes capacity to understand, implement and monitor the free, prior and informed consent and legal requirements related to the REDD+ program.			
• With regards to relevant right holders and stakeholder groups																
• Special attention to indigenous people and local communities																
• Capacity building is appropriate and effective for the needs of the groups concerned.																
• Includes capacity to use relevant grievance mechanisms.																
• Includes capacity to understand, implement and monitor the free, prior and informed consent and legal requirements related to the REDD+ program.																
6.6.1	Reporting and sharing mechanism by representatives of concerned organizations and vice versa	<ul style="list-style-type: none"> <li>• What is the mechanism that rights holder and stakeholder representatives collect and disseminate all relevant information from and to the people they represent with special attention to women, <i>Dalit</i>, poor and marginalized and/or vulnerable people?</li> <li>• Is adequate time given to enable right holders and stakeholders to coordinate their inputs? Please explain the mechanism in brief.</li> </ul>														

## Annex 1.4: List of participants during the district level consultations

### 1) Dolakha

SN	Name of Participant	Organizations	Designation
1	Mr. Rabindra Maharjan	District Forest Office	District Forest Officer
2	Mr. Govinda Dahal	District Forest Office	Assistant Forest Officer
3	Mr. Harihar Pd. Neupane	CFUG, Simpani	Member
4	Mr. Dharmendra Moktan	NGO Federation	Chairperson
5	Mr. Surya Prasad Chaulagain	CFUG, Nagar	Secretary
6	Ms. Usha Tamang	NEFIN, Dolakha	Member
7	Ms. Gayatr iAcharya	CFUG Dolakha	Member
8	Mr. Amir Poudel	NARMA Consultancy Pvt. Ltd	Consultant
9	Ms. Sanu Thapa	HBP/FECOFUN	Monitoring and Documentation Officer
10	Mr. Dipak Chamrakar	ANSAB, Dolakha	F.C
11	Mr. Bharat Sharma	ANSAB	D.C
12	Ms. Sharmila Basnet	CFUG	Member
13	Mr. Kumar Basnet	CFUG	LRP
14	Mr. Raghu Subedi	Bhimeshowr Municipality	Staff
15	Mr. Sher Bahadur Bhujel	NEFIN	Vice chairperson
16	Ms. Maina Nepali	SitaKunda Community Forest Users Group	Member
17	Mr. BalkrishnaKunwar	SitaKunda Community Forest Users Group	Secretary
18	Mr. Gokul Prasad Neupane	Simpani Community Forest Users Group	Chairperson
19	Ms. Pratibha Ghimire	HIMAWNTI District Office, Dolakha	Joint Secretary
20	Ms. Kabita BK	I.N.F Dolakha	Member
21	Ms. Kamala Basnet	FECOFUN, Dolakha	Chairperson
22	Mr. LalKumari Tamang	FECOFUN, Dolakha	Treasurer
23	Ms. Sabita BK	FECOFUN, Dolakha	Office Assistant
24	Ms. LaxmiKarki	Napkeyanmara Community Forest Users Group	Chairperson
25	Mr. Narayan Prasad Sedai	DDC	Sa.Bi.A
26	Ms. Subash Yonjan	FONIJ Dolakha	Staff
27	Mr. Kumar Bishwokarma	DNF Dolakha	Staff
28	Ms. Srijana Karki	Aawaj Nepal, Dolakha	Staff
29	Mr Jaganath Basnet	FECOFUN	Member

### B) Gorkha

S.N	Participant Name	Organization/Group	Designation	Contact Number
1	Ms. Sanu Thapa	FECOFUN/HBP	Monitoring and Documentation Expert	
2	Ms. Sangita Gyawali	FECOFUN/HBP	District Coordinator	
3	Ms. Mira Kattel	U.Da. Community Forest	Member	
4	Ms. Narmada Kattel	HEMAWANTI	Member	
5	Ms. K Sunar	Uthpidith Ban Bikashtatha Anusandhan Kendra	Member	984660872
6	Ms. Bimala Thapa	Badahare Community Forest	Secretary	9819473129
7	Er. Kul Raj Chalise	DDC	Energy and Environment	9846038301

S.N	Participant Name	Organization/Group	Designation	Contact Number
			Officer	
8	Ms. Kamana K.C	CARE Nepal	Field Officer	9843196176
9	Ms. PabitraJha	CARE Nepal	REDD Specialist	9841776545
10	Ms. Asmita Devkota	HEMAWANTI	Representative	
11	Ms. Rita Devkota	FECOFUN	Secretary	9886377901
12	Ms. Januka Rana	Barbhanjyang Community Forest	General Secretary	9860342962
13	Ms. Goma Bhujel	Ram Laxman Community Forest	Treasurer	9849251841
14	Mr. G. Ghimire	Sa. Community Forest	Chairman	9846106959
15	Mr. Ganesh Thapa	Ram Laxman Community Forest	Chairman	
16	Mr. Ek Bahadur Pariyar	Ram Laxman Community Forest	General Secretary	
17	Mr. Ram Bahadur Khadka	FECOFUN	Focal Person	
18	Mr. Jivan Jyoti Kattel	Ludhi Dumghau Community Forest	Chairman	9846255889
19	Mr. Shyam Bahadur Ramtel	Uthpidith Ban Bikashtatha Anusandhan Kendra	Chairman	9845088720
20	Mr. Shyam Bahadur Kattel	FECOFUN	Chairman	
21	Mr. G. Poudel	DFO	DFO	
22	Mr. Kamal Raj Lamichane	FECOFUN	Sachibalaya	9846071395
23	Mr. Ganesh Bahadur Karki	DFO Gorkha	AFO	9844174105
24	Mr. Dolendra Pd. Panday	FECOFUN	Vice Chariman	9846491589
25	Ms. Kabita Aryal	FECOFUN	Secretary	9846070425
26	Ms. Sita Adhikary	WCO	WDO	9841331710
27	Mr. Amir Poudel	NARMA	Consultant	9851055500
28	Mr. Prem Dhoj Thapa Magar	NEFIN Gorkah	Secretary	9846259302
29	Mr. Indra Lamichane	HEMAWANTI Gorkha	Member	9846527543
30	Mr. Bishnu Rana Magar	NEFIN Gorkha	Chairman	9856024629

### 3) Kailali

S.N	Participant Name	Organization/Group	Designation	Contact Number
1	Mr. Dharmaraj Ojha	Dhangadi FECOFUN, Range post Level	Member	9848424363
2	Mr. Harish Bhatta	Samaj Bikash ma Gatishilata	Manager	9849004800
3	Ms. Sita Chaudari	Chetna Mahila CF	Secretary	
4	Mr. Dev Bahadur Dhama	LNGO Federation	Secretary	9848434236
5	Mr. Hansa BK	Rastriya Bhumi Aa.Munch	Member	
6	Ms. Ganga Adhikari	Bhageshor Sa. 1,3	Secretary	
7	Ms. Fubina Deuba	Bhageshor Sa. 1,3	Member	
8	Mr. Gorak hSarki	Rastriya Dalit Network	Member	9864545595

S.N	Participant Name	Organization/Group	Designation	Contact Number
9	Mr. Tikadatta Joshi		Chairperson	9848423035
10	Mr. Prem B.K	Rastriya Bhumi. Aa. Munch	Representative	9848424220
11	Mr. Keshab Lama	NEFIN	Representative	9848468084
12	Mr. Indra Tamang	NEFIN	Member	9848450309
13	Mr. Dandiraj Subedi	FECOFUN	Secretary	984844954
14	Mr. Surendra Bd. Bam	CARE Nepal	Director	9811646145
15	Mr. Shiv Kumar Wagle	Regional Forest Directorate	Regional Director	
16	Mr. Jung Bahadur Sunar	Nepal Dalit Sangh	Chairperson	9848422752
17	Mr. Tej Tarami Magar	NEFIN Kailali	Chairperson	9858420703
18	Mr. Bharat Prasad Shrestha	DFO	AFO	9847874190
19	Mr. Jagadish Prasad Gupta	DFO	DFO	9855041629
20	Mr. Tekendra Deuba	The Himalaya Times Daily	Senior Reporter	9848431343
21	Mr. Karna Saha	Dhangadi Post Daily	Editor	9858420711
22	Mr. Ratna Kahaystha	HIMAWANTI Nepali		9868411084
23	Mr. Nabal Bd Singh	FECOFUN	Secretary	
24	Ms. Jhuma Chaudari (Anupa)	FECOFUN	Treasurer	
25	Mr. Yadab Prasad Bhandari	FECOFUN	Joint Secretary	
26	Ms. Kausalya BK	FECOFUN Kailali	Chief Secretary	9848463150
27	Mr. Dil R. Khanal	FECOFUN Kathmandu	Policy Consultant	9741217370
28	Mr. Amir Poudel	NARMA Consultancy	Consultant	9851055500
29	Dr. Narendra Bd. Chand	REDD Implementation Center		
30	Mr. Rajesh Prasad Joshi	DDC Kailali	Development Officer	9848454363
31	Mr. Dhirgharaj Upadhaya	Pachhim Today Daily	Editor	9858424622
32	Ms. Sushila Chaudhary	Radio Pachhim Today	Journalist	9848493206
33	Mr. Abinash Chaudhary	Gorkhapatra Daily	Reporter	9848455700