

# **Review of the Strategic Environmental and Social Assessment and the Environmental and Social Management Framework in the REDD+ Readiness Process**

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# LIST OF ABBREVIATIONS

<b>BioCF</b>	BioCarbon Fund
CF	FCPF Carbon Fund
<b>C&amp;I</b>	Criteria and Indicators
CN REDD	Coordination Nationale REDD (DRC)
<b>COP</b>	Conference of the Parties (to the UNFCCC)
CSO	Civil Society Organization
<b>DGM</b>	Dedicated Grant Mechanism
DP	Delivery Partner (of the FCPF)
<b>DRC</b>	Democratic Republic of Congo
ER	Emission Reductions
<b>ERPA</b>	Emission Reductions Payment Agreement
ERPD	Emission Reductions Program Document
<b>ER-PIN</b>	Emission Reductions Program Idea Note
ESMF	Environmental and Social Management Framework
<b>EU</b>	European Union
FCPF	Forest Carbon Partnership Facility
<b>FGRM</b>	Feedback and Grievance Redress Mechanism
FIP	Forest Investment Program
<b>FLEGT</b>	Forest Law Enforcement, Governance and Trade (initiative of the EU)
FMT	Facility Management Team
<b>GCF</b>	Green Climate Fund
GHG	Greenhouse gas
<b>GP</b>	Global Practice
GRM	Grievance Redress Mechanism
<b>GRM Report</b>	Grant Reporting and Monitoring Report
IDB	Inter-American Development Bank
<b>IFC</b>	International Finance Corporation
IPs	Indigenous Peoples



<b>IPO</b>	Indigenous Peoples Organization
ISFL	BioCarbon Fund Initiative for Sustainable Forest Landscapes
<b>M&amp;E</b>	Monitoring and Evaluation
MF	Methodological Framework
<b>MRV</b>	Measurement, Reporting and Verification
NGO	Non-Governmental Organization
<b>PA</b>	Participants Assembly
PMF	Performance Measurement Framework
<b>PC</b>	FCPF Participants Committee
PROFOR	WB Program on Forests
<b>REDD</b>	Reducing Emissions from Deforestation and Forest Degradation
REDD+	REDD plus conservation of forest carbon stocks, sustainable management of forests, and enhancement of forest carbon stocks
<b>R-PP</b>	Readiness Preparation Proposal
SESA	Strategic Environmental and Social Assessment
<b>SFM</b>	Sustainable Forest Management
SIS	Safeguards Information System
<b>SMART</b>	Specific, Measurable, Achievable, Relevant and Time-bound Indicators
TAP	Technical Advisory Panel
<b>TTL</b>	Task Team Leader
UNDP	United Nations Development Program
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
UN-REDD	United Nations Collaborative Program on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries
<b>WB</b>	World Bank

# 1. Executive Summary

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**The Forest Carbon Partnership Facility (FCPF) is a global partnership of governments, businesses, civil society and indigenous peoples, which seeks to assist developing countries to: (i) reduce emissions from deforestation and/or forest degradation; (ii) conserve forest carbon stocks; and (iii) promote sustainable forest management. The BioCarbon Fund (BioCF) Initiative for Sustainable Forest Landscapes (ISFL) is a multilateral facility sustained by a select number of donor governments and administered by the World Bank (WB) in support of similar goals in a subset of FCPF member countries. As part of REDD+ Readiness Preparation, the FCPF requires its member countries to implement Strategic Environmental and Social Assessments (SESAs) and prepare Environmental and Social Management Frameworks (ESMFs) to assess and manage the environmental and social risks of REDD+ interventions. This is supposed to be done in an inclusive, participatory and informed manner through the engagement of key stakeholders and translating their perspectives, opinions and interests into concrete planning and policy-making outcomes. After ten years of World Bank-based support to REDD+ countries, including with respect to the SESA, a wealth of available experience now exists to show how the countries have gone about implementing this process.**

This Report is the result of a comparative evaluation of SESA-ESMF for FCPF and ISFL that captures important lessons for their application to newer REDD+ countries entering the Readiness Preparation phase. It analyzes trends and highlights similarities and differences in order to standardize and streamline the SESA-ESMF approach going forward. Findings relating to the evaluation have been supported by interviews with a wide range of stakeholders and cross-referenced to existing FCPF and ISFL documentation and diverse secondary sources. Five country-specific “deep dive” reviews were completed, three of which involved in-country visits and extensive interviews with participants involved in the SESA-ESMF process (in the DRC, Nepal and Costa Rica). A further desktop review of documents and key informant interviews were undertaken in relation to the two other countries (Ethiopia and Indonesia).

The status as of end-June 2019 of SESA and ESMF in all 47 FCPF and ISFL countries was determined from a review of available documentation on the websites of these initiatives, country progress reports, as well as some first-hand accounts. About 27 REDD+ countries have either currently implemented or completed stages of SESA and/or ESMF. At least nine countries have validated both their SESA and ESMF (Cameroon, DRC, Ghana, Liberia, Madagascar, Mozambique, Nepal, Nicaragua and Uganda).

The evaluation assessed SESA-ESMF in six

areas: (i) SESA Preparation (section 6); (ii) ESMF Preparation (section 7); (iii) Consultation and Stakeholder Engagement, including Grievance Redress Mechanisms (section 8); (iv) Gender and Social Inclusion (section 9); (v) Land and Resource Tenure Analysis (section 10); and (vi) Institutional Analysis and Governance (section 11). The findings and recommendations provided in each section were triangulated against the results of participant interviews and reviews of existing documentation.

One of the central findings of the evaluation is that, despite its challenges and shortcomings as noted in this Report, SESA is an essential tool in the analysis of environmental and social risks of REDD+ interventions, and additionally provides guidance on how these risks should be managed through the ESMF. There is no other similar process or tool available in impact assessment practice that can accomplish this early risk evaluation of REDD+ interventions, and stimulate the inclusive participation of the wide range of stakeholders that are, or should be, involved in the design and implementation of REDD.

Some of the key benefits of the SESA process noted in this evaluation include:

- SESA provided a forum, or platform, to discuss key environmental and social issues and risks of REDD+ interventions. In many cases, this was the first opportunity many forest-dependent stakeholders had to engage in collective discussion on these issues.

- In some cases, participation in the SESA process reached the grassroots level, and involved impacted rural communities and indigenous populations.
- Drivers of deforestation and degradation were frequently identified and elaborated on during SESA workshops.
- SESA-ESMF processes during the Readiness Phase shed light on key land tenure and resource rights issues and, in some cases, have led to advances on land and resource rights clarification in national policy and legislation.

On the more negative side, various aspects of SESA were found to be too technical and, as a result, both national counterparts and stakeholder participants sometimes found it difficult to fully understand and obtain value from the process.

Recommendations for improving the SESA and ESMF follow:

- SESA planning can be improved at the outset through advance scoping of key REDD+ issues, stakeholder identification and evaluation, national institutional capacity assessment and evaluation of budgets, resources and logistical constraints. This should be done prior to the initial SESA workshop.
- Both Delivery Partners (DPs) and national counterparts should provide dedicated personnel who are wholly engaged in overseeing and/or implementing (as the case may be) the SESA-ESMF process.
- SESAs were conducted either by an external consultant selected by the FCPF national counterpart or by the national counterpart itself, either with its own staff or by hiring one or more external contractors. The evaluation noted that the process had similar outcomes, regardless of who implemented the SESA and prepared the ESMF. The SESA should be conducted by a competent entity with significant SEA experience, whether a private firm or government entity. Whatever approach is used, it is important to ensure: (i) coordination of the consultant team and the national counterpart; and (ii) ownership over the SESA and ESMF documents by the national counterpart after the process is completed.
- FCPF and ISFL, DPs and UNFCCC should work together to standardize approaches to REDD+ safeguards application. Simple cross-reference systems should be developed between the multiple sets of safeguards and communicated more effectively to national governments and SESA participants.
- The preparation and adoption of a structured Consultation and Participation Plan at the outset of the Readiness process can lead to a more effective and inclusive consultation process for SESA and ESMF.
- Greater efforts are needed to ensure that SESA participants are engaged iteratively, and that there is extensive follow up and reporting back on the outcomes of the SESA.
- More efforts should be made to make information on the SESA process and its findings available in local indigenous languages, or in a form and content readily understood by indigenous peoples (IPs).
- SESA budgets should be large enough to allow for inclusive consultation and participation at national, regional, and most importantly, local levels. Consultation, outreach and capacity building allocations should form a significant part of the overall SESA budget.
- Both SESA and ESMF processes should involve a more thorough analysis of vulnerabilities within community and other stakeholder groups to ensure greater levels of gender-inclusive participation.
- More focus should be provided in the SESA on identifying underlying causes that negatively impact forest and land use governance.
- REDD+ countries should use the SESA and ESMF to make progress on clarifying land and resource tenure as part of REDD+ Implementation.
- More effective participation of forest-dependent communities should be sought throughout the SESA and ESMF to ensure that they have a voice in resulting legislative or policy processes.
- More efforts should be made in both the SESA and the ESMF to strengthen national environmental and social risk management frameworks, particularly with respect to the rights of IPs and forest-dependent communities.



## 2. Background

**The Forest Carbon Partnership Facility (FCPF), a global partnership of governments, businesses, civil society and indigenous peoples is administered by the World Bank. It is intended to: (i) “assist developing countries in their efforts to reduce emissions from deforestation and/or forest degradation”; (ii) conserve forest carbon stocks; and (iii) promote sustainable management of forests and enhancement of forest carbon stocks (“REDD+”). This is to be done “by building their capacity and developing a methodological and policy framework that provides incentives for the implementation of REDD+ programs”.<sup>1</sup>**

The FCPF currently has 17 financial contributors and has worked with 47 developing countries to form the global partnership. Committed funding is now about US\$ 1.3 billion between the Readiness Fund for capacity building, analytical work and strategic planning, and the FCPF Carbon Fund that plans to pilot performance-based payments for REDD+ activities in a subset of those developing countries.

The BioCarbon Fund (BioCF) Initiative for Sustainable Forest Landscapes (ISFL) is a multilateral facility supported by a select number of donor governments and administered by the World Bank. It seeks to promote reduced greenhouse gas emissions from the land sector, including REDD+, more sustainable agriculture, as well as smarter land use planning and policies. The design of the BioCF ISFL builds on the lessons of pioneering carbon finance projects in the land-use sector as well as on the experience of REDD+ partnerships, e.g. the FCPF, and on past and ongoing World Bank investments in sustainable land management and climate-smart agriculture initiatives. The ISFL currently has five financial contributors and a capital of US\$ 360 million.

Social inclusion and social/environmental and gender sustainability have long been key cornerstones of FCPF and BioCF programming. The success of REDD+ requires the full and effective participation of forest-dependent IPs, other forest-dwelling communities, civil society organizations (CSOs), governments and additional stakeholders. In operational terms, the countries engaged in REDD+ Readiness are addressing the current and future social and environmental risks and opportunities associated with the implementation of REDD+ projects, activities and policies.

To ensure that these risks are addressed early in the planning process, beginning in 2010, the FCPF began to require countries to conduct SESAs and prepare ESMFs. With its iterative combination of analysis

and stakeholder participation, the SESA became the FCPF's chosen tool to bring stakeholder views, needs and interests to the attention of national REDD+ authorities when it was enshrined in the FCPF “Common Approach to Environmental and Social Safeguards for Multiple Delivery Partners” in 2012. The Common Approach states that the “strength of a SESA for REDD+ is that it combines analytical work and consultation in an iterative fashion to inform the preparation of the REDD+ strategy. The SESA helps to ensure compliance with the applicable safeguards by integrating key environmental and social considerations relevant to REDD+, including all those covered by the applicable safeguards, at the earliest stage of decision-making”.<sup>2</sup>

The adoption of what has come to be known as the “SESA-ESMF approach” for FCPF-supported REDD+ Readiness operations did not happen by chance. In 2001, the World Bank Environment Strategy recognized strategic environmental assessment (SEA) as a key tool for integrating environmental concerns early in the planning and decision-making process, and a key tool for promoting sustainable development.<sup>3</sup> In 2011, in response to the increasing use of SEA/SESA in Bank-supported operations, the Bank's Operational Policy on Environmental Assessment (OP 4.01) was revised to include SEA and SESA. For the first time SEA and SESA were listed as possible instruments to be used to satisfy the Bank's environmental assessment requirement. In 2012, lessons learned from recent experiences and challenges in SEA were compiled by the Bank.<sup>4</sup>

Today, the World Bank SEA is mainly, but not exclusively, referred to as SESA (Strategic Environmental and Social Assessment) to stress the inclusion and relevance of social issues, as well as environmental ones. SEA/SESA is an umbrella term for assessment processes that aim to integrate environmental and social considerations into strategic decision-making through the use of

<sup>1</sup> FCPF Charter 2015 p. 1., <https://www.forestcarbonpartnership.org/fcpf-governance>

<sup>2</sup> See: FCPF. 2012. Common Approach to Environmental and Social Safeguards for Multiple Delivery Partners. Washington, D.C.: World Bank. Available at: <https://www.forestcarbonpartnership.org/system/files/documents/FCPF%20Readiness%20Fund%20Common%20Approach%208-9-12.pdf>

<sup>3</sup> Making Sustainable Commitments: An Environment Strategy for the World Bank, <http://documents.worldbank.org/curated/en/664471468765300779/pdf/279480PAPER0En1mmary0see0also023084.pdf>

<sup>4</sup> Loayza, Fernando (ed.), 2012, Strategic Environmental Assessment in the World Bank: Learning from Recent Experience and Challenges. Washington, D.C: World Bank.

an impact-centered approach, which originated in EIA practice, or a policy- and institution-centered approach that focuses on institutions and systems for environmental and social management.

The SESA for FCPF (and also, eventually, for ISFL) was developed to consist of two largely sequential stages that combine policy- and impact-centered approaches. In the first stage, the equivalent of a policy SEA—which includes an extensive and comprehensive consultation and participatory process—is undertaken to integrate environmental and social considerations into the preparation of a country's REDD+ strategy. Out of a recognition that at that moment a comprehensive assessment of potential impacts and risks arising from the REDD+ strategy is not feasible, an environmental and social management framework (ESMF) compliant with the relevant World Bank safeguard policies is then prepared. This is left for the final steps of the SESA process. The ESMF lays out the processes and procedures for managing potential environmental and social impacts of specific policies, investments and actions to be undertaken during the subsequent "Implementation" phase of REDD+, when the country implements its finalized REDD+ strategy.<sup>5</sup>

Early experiences in SEA revolved around the application of either policy-centered or impact-centered approaches in relation to government-sponsored policies, plans and numerous other sectoral programs.<sup>6</sup> But the emerging SESA-ESMF approach for REDD+ quickly appeared to many observers as something quite new and useful to the FCPF Readiness Preparation Proposal (R-PP). At the time, it was felt that policy- and impact-centered SEA approaches could complement each other, and promote environmental and social sustainability at

different levels of the decision-making ladder.<sup>7</sup> On the other hand, some FCPF member countries regarded the emerging approach with a certain wariness, as they were unfamiliar with what it involved; yet, even while some questions lingered, a handful of early moving REDD+ countries were soon advancing implementation of the approach at a rapid pace.

In October 2016, the FCPF Secretariat organized a workshop with representatives of Southern CSOs and IPs on REDD+ for the purpose of discussing progress on stakeholder engagement in the design of Emission Reductions Programs (ER-Ps) for the FCPF Carbon Fund and other World Bank REDD+ initiatives, including the BioCF ISFL and the Forest Investment Program (FIP). The workshop produced several follow up proposals, one of which was to compile lessons learned from SESA-ESMF processes worldwide. At the same time, the second independent FCPF evaluation recommended that the Secretariat produce recommendations on sequencing SESA-ESMF activities with other components of the REDD+ Readiness implementation process, and especially with respect to the development of the national REDD+ strategy. The evaluation also called to produce a well-structured SESA-ESMF template with detailed guidance, requirements, and steps for implementation.<sup>8</sup>

The activity culminating in this Report was commissioned in response to the observations in the "Strategic Environmental Assessment in the World Bank" report, the SESA-related proposal from Southern CSOs and IPs in the stakeholder engagement workshop, and the recommendations coming out of the second independent FCPF evaluation.

<sup>5</sup> Ibid.

<sup>6</sup> An impact-centered SEA approach focuses on the physical and human impacts of a proposed development plan. A policy- or institution-centered SEA approach focuses on a project or program's managing body and highlights the proper management techniques to sustainably implement it.

<sup>7</sup> Loayza, Fernando (ed.), *Op. cit.* (2012), p.11.

<sup>8</sup> Clarke M, Mikkolainen P, Camargo M, and Elhassan N. 2016. Second Evaluation of the Forest Carbon Partnership Facility. Helsinki, Finland: Indufor. Available at: <https://www.forestcarbonpartnership.org/system/files/documents/Second+FCPF+Evaluation+Final+Report+Nov+2016+%28ID+94139%29.pdf>



# 3. Objectives

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**The overall goal of this review has been to conduct a comparative case study-based analysis of SESA-ESMF processes in FCPF and ISFL countries. The review sought to:**

- Update progress among the 47 FCPF and ISFL countries regarding use and effectiveness of the SESA and ESMF tools in relation to the REDD+ strategy.
- Assess the quality, relevance and level of implementation of SESA and ESMF within REDD+ design and assess its success and outcomes from the perspective of project stakeholders.
- Identify and analyze key lessons learned and good practices, major trends, challenges, barriers, similarities and differences in relation to SESA-ESMF processes.
- Assess how the environmental and social risk analysis that formed part of the SESA-ESMF was incorporated into the REDD+ planning process.
- Identify ways to improve the effectiveness of these processes within REDD+ countries supported by the FCPF and ISFL.



## 4. Organization of the Report

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**Five country-specific “deep dive” reviews were carried out as part of this evaluation, three of which involved in-country visits and extensive interviews of participants involved in the SESA-ESMF process (Costa Rica, Democratic Republic of Congo and Nepal). A further desktop review of documentation and key informant interviews were undertaken for the other two countries (Ethiopia and Indonesia).<sup>9</sup> The findings of the evaluation have been supported by the results of these interviews and desk reviews and have been cross referenced to existing FCPF and ISFL documentation.**

The sections of the Report that correspond to the Terms of Reference for the review are broken down as follows:

- Current Status of SESA-ESMF Implementation (section 5);
  - SESA Preparation (section 6);
  - ESMF Preparation (section 7);
  - Consultation and Stakeholder Engagement (section 8),
  - Gender and Social Inclusion (section 9);
  - Land and Resource Tenure Analysis (section 10);
  - Institutional Analysis and Governance (section 11).
- These findings-oriented sections are followed by a “Conclusions” section and two Annexes.

### **Evaluation Limitations and Assumptions**

Like many evaluations, this exercise faced certain limitations with respect to the time and resources available to carry out the assignment. Despite these limitations, however, the authors of this Report believe the evaluation represents a fair and balanced assessment of SESA-ESMF processes supported by the FCPF and ISFL.

The main limitations observed by the authors were the following:

- In-country visits were constrained in terms of both time and scope—five days in country were allotted. Field visits to a subnational area were made in both Costa Rica and Nepal. Field visits were not possible in DRC due to security and logistical reasons.
- 

- The analysis of the two countries that were not visited (Ethiopia and Indonesia) involved a desktop review of publicly available country information and secondary literature coupled with a handful of interviews, where possible. This analysis was not as comprehensive as it was for in-country visits.
- Some interviews were conducted with individuals with little first-hand experience of the SESA-ESMF process, as many of the original participants (e.g. government staff, consultants, etc.) had moved on to other jobs, as the SESA process had been launched many years before. While some interviewees did participate in the original round of SESA workshops, many other governmental and non-governmental REDD+ stakeholders who participated had moved on to other positions or areas of work.

Citations made in this Report contain comments made in support of evaluation findings and are presented at the end of the findings. The citations reflect opinions and comments made by interviewees during sessions, and come from a variety of stakeholders, including private sector organizations, DP representatives, governments, Indigenous Peoples Organization (IPO) and CSO members. In some cases, citations have been paraphrased either for the sake of clarity or as a result of translation, without changing the underlying meaning. Names have been omitted for the sake of confidentiality.

<sup>9</sup> For more details on the conceptual framework and methodology underlying the evaluation, please see Annex 1.



# 5. Current Status of SESA-ESMF

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Nowadays, SESAs for REDD+ are being carried out in tandem with other Readiness activities and, in some countries, in parallel with the Implementation phase of REDD+. According to the original vision of the FCPF (which was subsequently signed onto by the ISFL), SESA would contribute towards identifying the social and environmental impacts/risks associated with different national REDD+ strategy options, while the ESMF—a key product of SESA— would be used primarily during the Implementation phase to guide the mitigation and management of environmental and social impacts associated with the implementation of the final strategy. As time passed, the approach became more pragmatic, with a number of analytical and participatory actions of SESA-ESMF oriented towards the potential impacts and risks associated with just the activities in the ER Programs, at least in some of the countries that were designing these Programs.

As of mid-2018, 46 countries recognized as REDD+ Country Participants had joined the FCPF (17 in the Africa region, 11 in the Asia-Pacific region, and 18 in the Latin America & Caribbean region). Almost without exception, these are developing countries located in subtropical or tropical areas that have signed a Participation Agreement for the Readiness Fund.<sup>10</sup> As of mid-2018, the ISFL was providing support to programs in five countries (Colombia, Ethiopia, Indonesia, Mexico and Zambia)—with the exception of Zambia, all FCPF member countries.<sup>11</sup>

The current status of FCPF and ISFL countries in relation to REDD+ strategy preparation and SESA-ESMF processes was assessed using four categories:

- **Preparation** – This stage includes all the steps involved in preparing for SESA as a process, meaning that the REDD+ country has not started the preparation of actual documents (strategy, SESA or ESMF). At this stage, it is possible (or not) to develop ToRs.
- **Execution** – This stage spans the initial steps in document preparation to the final discussions or reviews of the advanced draft SESA-ESMF documents.

- **Completion** – The advanced draft SESA or ESMF documents are ready for submission (or have already been submitted) to the Bank, to FCPF, to national authorities, and/or to key stakeholders, but they have not been officially validated by any of these entities.
- **Validation** – This stage considers some formal validation or accreditation of the SESA Report or ESMF by some entity (e.g. FCPF or ISFL, DP no objection, government body, etc.). Evidence of document validation is objective—most of the time, it includes the entity involved and/or date of validation. Sometimes, there are other terms used by the REDD+ country in its Country Progress Sheet, or Grant Reporting and Monitoring (GRM) Report, to indicate that this stage and the whole process have been finalized, e.g. “agreed”, “approved”, “disclosed”, “published” or “cleared”. The country could also be updating previously validated documents.

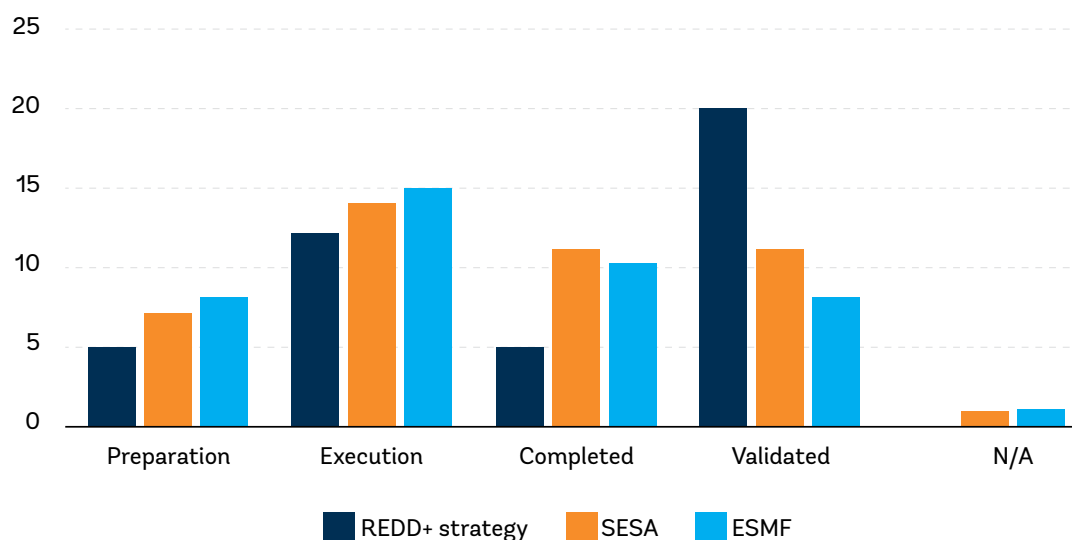
The status of 47 REDD+ countries status in relation to REDD+ strategy and SESA-ESMF processes is presented in Annex 2. As shown in Figure 4.1, about half of all FCPF and ISFL member countries have already completed or validated their REDD+ strategy.

<sup>10</sup> <https://www.forestcarbonpartnership.org/redd-countries-1>

<sup>11</sup> <https://www.biocarbonfund-isfl.org/about-us>



Status as of June 2018



### Current Status of REDD+ Strategy, SESA and ESMF in REDD+ Countries (see also Annex 2)

In addition, most REDD+ countries are still in the middle stages of SESA-ESMF processes, while others are near, or have reached the end of the processes. As of end-June 2019, about 27 countries were in the execution and/or completion stages of SESA

and ESMF. At least nine countries have validated both the SESA and ESMF (Cameroon, DRC, Ghana, Liberia, Madagascar, Mozambique, Nepal, Nicaragua and Uganda).<sup>12</sup>

<sup>12</sup> In a few cases, the information available about the process is not from 2019, but was taken from information posted on the respective FCPF member country website. Not all REDD+ countries have posted or otherwise submitted fully up-to-date information to the FCPF.



## 6. SESA Preparation

This section presents finding and recommendations on the preparation of the SESA.

### 6.1. Findings

#### F6.1: Prior planning for the SESA-ESMF process could be improved

SESA was initiated in each country through a series of stakeholder workshops coordinated by the Bank, government counterparts, and/or SESA consultants/ counterparts. The workshops were the first time that the SESA process and methodology was presented to stakeholders. Although the Readiness Preparation Proposals (R-PPs) discussed the objectives of SESA, identified drivers of deforestation, and while they often involved initial stakeholder consultations, they did not feature a level of logistical detail that would be required for a successful SESA workshop. Consequently, participants would often arrive with little knowledge on the SESA process and its role in advancing the development and improvement of the REDD+ strategy.

##### Citations:

*"I think an initial scoping visit prior to beginning the SESA would have given more credibility to design the SESA process, to identify key issues and then make sure that they are covered during follow up and implementation."*

Private Sector Representative

#### F6.2: Issues in the timing of preparation of the SESA and of the national REDD+ strategy did not typically blunt the usefulness of SESA

Ideally, the SESA should identify and assess key environmental and social issues and impacts of the REDD+ strategy before it is finalized, or even before an advanced draft is available. However in some countries, for example Nepal and the DRC, there was no REDD+ strategy in place at the time of onset of the SESA. Instead, the SESA was used to identify key issues, strategies and actions to help further the development of the REDD+ strategy and to identify associated potential environmental and social risks and impacts. While not optimal in terms of timing, the SESA in these cases were usually fundamental to the development of REDD+ strategies. Many

of the SESA recommendations in support of the management of environmental and social risk of REDD+ interventions were directly incorporated into these strategies.

##### Citations:

*"In [x country], the SESA came first, then the forest policy, then the forest strategy and then the REDD+ strategy. The SESA was a driver for the forest policy and REDD+ strategy."*

Government Official

*"I think the SESA should have been done at the same time as the [REDD+] strategy. The strategy has not been the subject of a SESA. When the SESA was done the consultant was led to describe the strategy activities. The consultant somewhere imagined the activities. He made assumptions of which [REDD+] activities should be led, while the advantage of the strategy is that the activities are [already] described. For me it's very clear."*

Government Official

*"It is the SESA process that generated the [national REDD+] strategy. When the consultant came there was no strategy. The consultant identified the key drivers of deforestation. This programmatic framework [that was prepared by the Consultant] took many things into account, but the Ministry of Environment removed a lot of them. The consultant did a lot of progress without having the strategy. His contract was lengthened because he had to wait for the strategy to be prepared"*

CSO Member

*"I wouldn't say it was totally the other way around [SESA first then the national REDD+ strategy]. The SESA informed the strategy and the strategy has a specific section on safeguards. I think that the safeguards component has been internalized in the government system".*

Government Official

### **F6.3: There were differences as to who prepared the SESA and ESMF, but the outcome was similar**

There were two ways of preparing the SESA and the ESMF. The first was to contract an external consultant with SESA-ESMF experience (as was the case for Nepal). That consultant was likely an international versus a national consultant, as the expertise for SESA did not exist at the time within most of the countries surveyed.

The second way was to have the SESA prepared by a national counterpart agency with the assistance of external consultants, usually a national of the country concerned (as was the case in Costa Rica, via FONAFIFO). In this case, consultants were used because there was little capacity within the government counterpart on SESA and ESMF preparation.

Of these two approaches, neither seemed to be more effective than the other in the generation of a successful SESA. The most important factor in determining who should prepare and lead the SESA was the capacity to understand and execute existing best practice for strategic environmental assessment. It may well be that expertise in SEA is now available at the national level compared to when the SESA process began in 2009-2010. However, there was little demonstrated capacity relating to SESA preparation in the three visited countries (Costa Rica, DRC, Nepal).

### **F6.4: There was a lack of overall capacity and understanding of the SESA process and methodology**

Interviewees commented on differences in the capacity and understanding of both the SESA methodology and process amongst practitioners, DP staff, national governments, and participants in the

SESA-ESMF process. Differences in understanding by stakeholder group are presented below.

### **National Counterparts**

- Many national counterparts interviewed were aware of the existence of the SESA and ESMF; however, they were generally not aware on how the SESA and ESMF process and methodology should be applied to the REDD+ strategy and process. Furthermore, the practice of SEA/SESA was neither embedded in national legislation, nor frequently used in national environmental assessment practice, and neither was it a widely used tool that governments were familiar with.

### **Participants and Stakeholders**

- Participants in all three visited countries stated that they received little or no training in SESA methodology and process, and the role of the SESA-ESMF, in relation to the REDD+ strategy. Workshops were initiated with little discussion of the SESA methodology, delving straight into issues, such as drivers of deforestation, with little explanation of the "bigger picture". Participants did, however, comment on the benefits of the roundtable workshops as a useful forum for multi-stakeholder group discussions of key issues important to REDD+ and strategy development.

### **DP Staff**

- A comment frequently offered by interviewees was that, while World Bank staff involved in the FCPF or ISFL understood the SESA and ESMF, their ongoing diverse areas of responsibility and other work within the Bank meant that they were frequently not available to help in its development or evaluation throughout the entire SESA-ESMF process. Additionally, participants commented on the relatively high turnover of Bank staff and their lack of availability throughout the SESA-ESMF process. This made it difficult for participants to identify a continuous "go to" person as the process unfolded. This was further exacerbated by the length of time that elapsed between development of the SESA and the preparation of the ESMF, in some cases spanning several years.



#### **F6.5: The SESA process was often lacking in training and capacity building opportunities**

Many participants commented on the lack of training or capacity building in the concepts, process and methodology of the SESA and the ESMF. The entire SESA and ESMF process was considered too technical. Workshops were initiated with little discussion of the SESA methodology and the larger purposes of why the SESA-ESMF should be conducted, and where it fit in to the overall REDD+ process. There was also minimal, if any, follow up after the workshops. The points that were brought up by the participants regarding their capacity to understand the SESA concepts presented in the workshops included:

- Lack of a content template, process clarity and materials for the SESA-ESMF.
- Training of national counterparts in SESA concepts and ESMF objectives prior to the SESA workshop was limited.
- Training in SESA techniques and processes was needed for workshop participants.
- No indication was provided as to where the process was going after the workshops were concluded.
- Capacity building should be a sustained process and not a “one-off” activity; it should be continued throughout the SESA and ESMF process.

Interviewees also commented on the challenges in deciphering the technical jargon associated with SESA-ESMF, and understanding the purpose and process involved in the SESA assessment methodology. It was stated that DP staff and consultants often spoke in an “extraterrestrial language” in describing the SESA process, and that they resorted to extensive use of acronyms that were unfamiliar to participants.

#### **Citations:**

**“REDD+ is not just about carbon, it is about capacity building and learning.”**

Government Official

**“I think people have forgotten about SESA because there is no follow up. Nothing has come out indicating that SESA has been followed up. The document that was prepared was a good document. An institutional set-up to carry out the recommendations of the SESA was proposed.”**

CSO Member

#### **F6.6: The relationship between World Bank safeguard policies and the Cancun safeguards was sometimes difficult to understand**

The relationship of the Cancun safeguards to the SESA-ESMF and the World Bank safeguard policies, which served as the basis for the FCPF Common



Approach, were not clearly explained.<sup>13</sup> While many stakeholders had participated in a range of UNFCCC and UN-REDD forums and were familiar with the Cancun safeguards, most were not familiar with the World Bank safeguard policies, and little or no training was provided on these policies in SESA workshops. Similarly, many government counterparts were not familiar with the DP operational policies in relation to the SESA or the ESMF.

Interviews with FCPF personnel in Indonesia provided insights into the challenges with the integration of multiple sets of REDD+ safeguards. The Indonesian SIS-REDD+ is designed in such a way as to allow synergy and integration with other parallel safeguards-related initiatives that may be on-going in the country, namely: PRISAI (Prinsip, Kriteria, Indikator Safeguards Indonesia), REDD+ SES, World Bank social and environmental Operational Policies and REDD+ PGA (Participatory Governance Assessment). This was the subject of more than two years of dialogue between the Bank, the Indonesian government and other stakeholders.<sup>14</sup>

**F6.7: Despite multiple claims of budget constraints affecting the SESA, particularly in relation to consultations, there was insufficient evidence for presenting this as a finding**

A common theme that emerged in interviews was that there were limited budgets established for implementation of the SESA. As understood by some national counterparts, during the R-PP, the Bank allocated funds for preparation of the SESA and added additional funds to later components that became necessary, e.g. the establishment of a Grievance Redress Mechanism (GRM). CSO representatives further underlined this point by saying insufficient funds were made available for consultation during SESA, and that the only opportunity for their voices to be heard was during the initial SESA preparatory workshops. In the midst of these differing perceptions, some evidence of insufficient consultation budgets emerged in all three visited countries.

It is difficult to assess the significance of this evidence as the team did not have access to detailed SESA budget information as part of the evaluation. Based on the response of interviewees, two issues require further consideration: (i) the availability of funds for widespread consultations beyond the initial workshops (especially at the regional and local levels)

during SESA preparations; and (ii) funds to follow up on the outcomes of the initial SESA workshops and, ultimately, on ESMF preparation.

**Citations:**

*“The Bank at the start of the whole Readiness process had allocated funding [for the SESA ESMF process], and afterwards the Bank added additional funding for the GRM, but finally the Bank did not tell us how we will follow up the implementation of all the instruments. For the implementation and monitoring of the instruments, the Bank did not allocate a specific amount.”*

Government Official

**F6.8: Despite its perceived shortcomings and challenges, the SESA contributed significantly both to refining the national REDD+ strategy and facilitating needed discussions on key issues**

Interviewees in all three visited countries commented on the following benefits and good outcomes of the SESA process:

- The SESA provided a valuable forum for discussions among multiple stakeholders with different interests in relation to the REDD+ Readiness process.
- The drivers and causes of deforestation, in some cases, were clearly identified and good discussions ensued on causal factors and how they could be mitigated.
- In some of the assessed countries, there was more of a social focus than environmental focus which was considered quite positive by many participants, particularly CSOs and IPOs.
- Although this happened to a much lesser extent in the DRC and Nepal, in Costa Rica representatives from the rural communities and indigenous populations that were expected to be directly impacted by REDD+ were included as part of the SESA workshop process, and this eventually led to the emergence of an innovative cadre of Cultural Mediators (see sub-section 8.1).
- More often than not, the SESA was instrumental in the development of an effective REDD+ strategy.

<sup>13</sup> Braña Varela, J., Lee, D., Rey Christen, D., and Swan, S. 2014. REDD+ Safeguards: Practical Considerations for Developing a Summary of Information. Prepared with support from the Government of Norway's International Climate and Forest Initiative. Available at: [www.merid.org/reddsafeguards](http://www.merid.org/reddsafeguards)

<sup>14</sup> Interview 19 October 2018.



## 6.2. Recommendations

### **R6.1: A preparatory scoping mission should be undertaken in advance of the initial SESA workshop**

The typical SESA process was for the SESA team to arrive and undertake workshops with interested stakeholders. Little time was allotted beforehand to plan for the scope and logistics involved in the SESA. Ideally, a scoping mission should be undertaken prior to initiation of a SESA-ESMF in a host country to allow for better SESA planning. This will assist in identifying in-country capacity for SESA-ESMF implementation, national counterparts and stakeholders, and to identify key issues in the SESA process. It could also assist in finalizing the SESA terms of reference. It would also allow for ensuring participation at both national and local/regional levels, and ensure that sufficient budgetary resources were available.

Issues that could be addressed as part of the scoping mission include:

- Identification of key stakeholders – if possible, meet to discuss potential issues and concerns;
- Budget and logistics;
- Definition of key issues, e.g. drivers of deforestation;
- Confirmation of legal and administrative / framework;
- Geographical boundaries – regional vs national;
- Capacity of country counterparts in SESA-ESMF – readiness for the process;
- Capacity of stakeholders in SESA and needs for training;
- Consultation extent and timing; and
- Format of the workshops, i.e. time dedicated to capacity building vs discussion.

### **R6.2: The timing of the SESA and the national REDD+ strategy should be iterative depending on the state of country preparedness**

There is no specific recommendation as to what should come first, the SESA, or the national REDD+ strategy. Rather, that determination should be iterative and based on the preparedness of the country in the Readiness Phase. An adaptive approach should be taken as to how the SESA

assesses the environmental and social risks of the REDD+ strategy, or how it should help direct development of the final REDD+ strategy, in such a manner that environmental and social risks are fully addressed.

### **R6.3: The SESA should be carried out by a competent entity (whether a private firm or government entity) with relevant expertise**

The evaluation did not find any significant differences in SESA preparation, either when conducted under contract by an independent consultant, or by a national counterpart agency. Given that global understanding of SEA practice has increased markedly since the adoption of SESA by the FCPF, the most successful SESA-ESMF team is a combination of an international consultant, with significant SEA capacity, together with a national consultant. This is beneficial from a budgetary perspective, and ensures that a national understanding of cultural nuances, sensitivities and linguistic differences is a core part of the SESA-ESMF team. Ideally, one organization should be contracted to complete both the SESA and the ESMF, with a minimal amount of time between contracts. In either case, the SESA team should include individuals with significant experience in SEA.

SESA ownership and empowerment, however, were more evident when national counterparts managed the SESA process. It is important that the use of external consultants involves transfer of ownership and responsibility to the national counterpart at the conclusion of the process.

### **R6.4: Standardized SESA-ESMF templates should be developed<sup>15</sup>**

Having standardized materials and templates for SESA-ESMF would greatly help this process and assist in building capacity in national consultants and counterpart government agencies. It would also ensure consistency between FCPF countries.

### **R6.5: More attention is required throughout the SESA process to building capacity and understanding of key concepts**

Recommendations for improvement in both capacity and understanding of SESA processes are made at three levels:

- **DP Staff** – Staff turnover at the World Bank was mentioned by both governments and stakeholders as a factor that decreased the effectiveness of the SESA. On future SESAs, DP

<sup>15</sup> This recommendation is not new. The second FCPF evaluation made a similar recommendation, namely: "...produce a well-structured SESA-ESMF template with detailed guidance, requirements and steps for implementation. The template could include guidance on how to synergize SESA-ESMF to comply with Delivery Partner, FIP and UNFCCC safeguard requirements". See Clarke M, et al. (2016), p. 118.

staff involved in the SESA process should ensure their availability and continuity over the entire SESA process. They should be able to provide SESA stakeholders with a comprehensive understanding of SESA methodology and process, as well as how the World Bank safeguard policies in particular (and the FCPF Common Approach, in general) can be applied alongside the Cancun Safeguards.

- **National Counterparts** – On-going reinforcement of the usefulness implementing both the SESA and ESMF process and methodology during REDD+ would be welcomed by national counterparts, as many FCPF countries have limited experience in SEA, nor is the process widely legislated. A recent UN report on environmental impact assessment (EIA) and SEA stated that “despite some promising developments in different parts of the world, uptake and in particular implementation of SEA legal requirements has been slow in many countries”.<sup>16</sup> At least 40 countries now have systems in place (including all 28 EU Member States).<sup>17</sup>
- This training should be carried out on a continuous basis, not only during the onset of the SESA, but also during preparation of the ESMF and also during its application in the REDD+ Implementation phase.
- **SESA Stakeholders** – At the outset of the SESA, training on the purpose, methodology and process of the SESA should be provided, not only at a national scale but, ideally, at the local and regional scale as well. More time should be dedicated in the SESA workshops to accomplish this rather than engaging immediately in a series of meetings and dialogues to identify key strategic issues and drivers of deforestation associated with REDD+ implementation. Training on the SESA-ESMF should be simple, comprehensive and presented in a language and format that requires little prior understanding of environmental and social assessment, nor strategic environmental assessment. If there is no understanding of EIA, training in its fundamentals should also be provided.

Furthermore, the purpose of the SESA should be explained in relation to the ESMF and the ERPA, for those countries in the process of developing REDD+ ER Programs.

- Training on the SESA-ESMF methodology and process should be extended to the regional and local levels where the implementation of REDD+ interventions will ultimately take place. This should be planned for at the onset of the SESA process.

#### **R6.6: More explanation should be provided on the SESA and World Bank safeguards policies in relation to the Cancun safeguards**

Greater effort needs to be made to define the relationship of the seven Cancun safeguards to the applicable World Bank safeguards, and to determine how the SESA process can help with this. Within the UNFCCC, countries must ensure that REDD+ activities, regardless of the source and type of funding, are implemented in a manner consistent with the Cancun safeguards. Many FCPF involved countries are doing this through the development of national-level Safeguard Information Systems (SIS).<sup>18</sup> Thus, there is the impression that there are two safeguard systems in place—one the Cancun safeguards, which almost all participants are familiar with, and the World Bank safeguard policies, which very few participants are familiar with. The superimposition of additional initiatives in several of the countries surveyed, such as REDD+-SES, has only added to the confusion.

For future SESAs to be as valuable to REDD+ countries as possible, they should lay out how the Cancun safeguards are to be interpreted and cross-referenced to the Bank safeguard policies considered most relevant to REDD+ implementation in those countries. (Alternatively, this could be included in the ESMFs coming out of the SESA process, see the next section.) A simple cross-referencing system should be developed between the two sets of safeguards and this should be communicated more effectively to national governments and SESA participants.

<sup>16</sup> UN Environment. 2018. Assessing Environmental Impacts - A Global Review of Legislation. Nairobi: UN Environment. Available at: <https://www.unenvironment.org/resources/assessment-report/assessing-environmental-impacts-global-review-legislation>

<sup>17</sup> H. T. Hipondoka, D. B. Dalal-Clayton & H. van Gils. 2016. Lessons learnt from voluntary strategic environmental assessments (SEAs) in Namibia. Impact Assessment and Project Appraisal, 34:3, 199-213, DOI: 10.1080/14615517.2016.1192829.

<sup>18</sup> Clarke M, et al. Op cit., (2016), p.93.

# 7. ESMF Preparation

This section describes findings and recommendations relating to the preparation of the ESMF in relation to the SESA process.

## 7.1. Findings

### F7.1: Sometimes there were excessive time lags in the preparation of the ESMF

A major challenge in one of the three countries visited—Costa Rica—was the extensive time lag between the onset of the SESA and preparation of the ESMF, up to nine years (between 2009-2018) in the case of Costa Rica. Many of the original participants in the SESA process remembered the initial workshops but commented that they were not informed about any workshop outcomes, or how the ESMF was to be developed. Additionally, informants commented that too much time was spent on the evaluation and the development of the SESA-ESMF, and that while there was much theoretical discussion, there was little follow up and implementation.

In case of the other two countries visited, the DRC and Nepal, the ESMF was developed either at the same time or very shortly afterwards.

### F7.2: There was a lack of understanding of the relationship between the SESA and ESMF

Some participants commented that the links between the SESA and the ESMF were not made clear by DP staff, or by national counterparts. This often related to how the SESA and the ESMF “fit” into the national regulatory framework, or whether there was a perceived benefit in doing the ESMF. There was little explanation and capacity building provided by the DPs to national counterparts regarding the links between the two processes and documents.

#### Citations:

*“If a country wants to undertake REDD+, they have to prepare SESA, others have to prepare ESMF (sic), so there are many criteria.”*

Government Official

*“We would welcome tools and follow up from SESA specialists to ensure we are on track as the process to complete these steps got lost between*

*all the moving parts of the SESA-ESMF and REDD+ strategy. It was not a seamless integration with our stakeholders.”*

Government Official

### F7.3: There was little or no discussion on the relationship between the ESMF and benefits to be provided by REDD+ ER Programs

Part of the issue here was that there was little or no discussion during the SESA of the relationship between the ESMF and REDD+ Emission Reductions Programs that could eventually be supported by the FCPF Carbon Fund, the ISFL and other donor initiatives. In some of the countries surveyed, the design of these Programs was still a ways off even at the time of ESMF preparation, so the consultations on the Framework omitted concrete discussions of the financial payment and benefit-sharing arrangements under the Emission Reductions Payment Agreements (ERPAs) for these Programs. And yet, having access to this information was often mentioned by participants as one of the main reasons for their participation in the discussions.

### F7.4: There were significant challenges in integrating the ESMF in established national environmental and social management frameworks

In all five countries surveyed, there were significant challenges in incorporating the SESA-ESMF into the national environmental and social issues management framework. As noted by Loayza, “in many countries SEA is seen as an unnecessary and bureaucratic exercise that takes time away from a limited, and often overstretched EIA capacity”.<sup>18</sup> The ESMF provided a sufficiently accessible means by which the REDD+-related SESA risk management recommendations could be operationalized by national governments. However, in the countries surveyed, the challenges started with the SESA

<sup>18</sup> Clarke M, et al. Op cit., (2016), p.93.

<sup>19</sup> Loayza, Fernando (ed.), Op. cit. (2012), p.17.

itself, as SEA was not mainstreamed into the national development planning and decision-making framework, which in most cases still relies heavily on a project-focused EIA approach.

It was mentioned on several occasions that the main reason SESA-ESMF was implemented in-country is that it was imposed. The overall process tended to be poorly understood (and therefore undervalued) by the governments involved, but to move on to REDD+ Implementation with the support of the FCPF Carbon Fund, the understanding was that the SESA, and especially the ESMF, had to be implemented. So, while few synergies were seen from an institutional standpoint, there was value noted in the capacity building and development of a common understanding among stakeholders in the SESA-ESMF process.

## 7.2. Recommendations

**R7.1: Wherever possible, time lags between the preparation of the SESA and the ESMF should be avoided**

The SESA-ESMF process should be planned and carried out in such a manner as to avoid lags in the preparation of the SESA and its companion ESMF; ideally, both documents should be completed and validated within one to two years of each other. Ongoing consultation on both products should be conducted during this time. This will serve to avoid SESA “fatigue” and ensure that the momentum of the process is maintained through to the preparation of the ESMF.

**R7.2: The contents of ESMFs should be more closely aligned with national environmental and social management frameworks, to boost the value proposition of the overall SESA-ESMF process**

National REDD+ authorities and DP staff alike need to provide clearer explanations of the benefits of the ESMF on, for instance, national policy and land use/tenure planning associated with REDD+ activities. More consideration should be given as to how the ESMF can be integrated into national environmental and social issues management frameworks, the national REDD+ strategy and national SIS.





# 8. Consultation and Stakeholder Engagement

This section describes findings and recommendations relating to consultation and stakeholder engagement at the national, regional and local levels in the SESA-ESMF process.

## 8.1. Findings

### F8.1: Consultation with and engagement of stakeholders in the SESA-ESMF process did not always completely fulfill their expectations

One of the salient characteristics of REDD+ is its emphasis on inclusive stakeholder engagement when designing programs and initiatives aimed at reducing deforestation and land degradation. Inclusive participation of stakeholders considered more vulnerable in the forestry context, particularly IPs and forest-dependent communities, is central to REDD+. The Common Approach of the FCPF Readiness Fund reflects this in the requirements it sets out for stakeholder engagement in REDD+ Readiness, which are basically the same as those depicted in the FCPF-UNREDD “Guidelines on Stakeholder Engagement in REDD+ Readiness”.<sup>20</sup> EIA/SEA consultants or government units working on forestry issues do not always have a tradition of working under this participatory inclusive approach.

In all of the surveyed countries, consultation and participation processes went from “less to more”. The inclusiveness and iterative nature of the process became better understood by stakeholders, particularly those in government, as the SESA-ESMF unfolded. This was the case in the DRC, where IPs were initially expected to participate through the civil society platform, where they felt their interests were not duly represented, rather than through their own representative organization. In response to IP demands, the government rectified this and endorsed the independent participation of IPs under their own umbrella organizations. In all surveyed countries, this type of mobilization and social demands has progressively led to a more participatory and inclusive process, though not always to the extent that IPs, forest-dependent communities and CSO representatives expected.

Among the more notable achievements, we can include the participation of the Congolese IP umbrella organization in all formally established committees working on the REDD+ agenda, including the national-level committee. The ISFL-supported SESA-ESMF process in Ethiopia succeeded in devolving participation to the smallest unit of administration, known as the Kebele. The Nepal SESA Report contains some of the strongest social analysis of all the reviewed instruments, and most of the government stakeholders interviewed there considered this was the result of the active participation of IPs and other forest-dwellers’ organizations in the consultation process.

On the other hand, in the case of Nepal many indigenous stakeholders themselves felt their participation and contributions were weak and not duly considered in the SESA-ESMF process. Possible financial barriers to extending consultations beyond the national level, as well as the lack of full understanding of comprehensive participatory approaches and methodologies, and the absence of political will appears to explain why the expectations of certain stakeholders, in terms of inclusive and full participation, were not fulfilled. In Costa Rica, even though a multi-stakeholder engagement process took place, some interviewees commented that their participation was not readily valued as much as it could have been. Based on interviewee responses from IPs, a full consideration of indigenous views and interests does not appear to have taken place in that case.

#### Citations:

*“The national REDD+ strategy heavily takes inputs from the SESA. You must see what would have happened without the SESA, if the SESA was not developed. If the SESA was not here, it would have been a classic bureaucratic approach,*

<sup>20</sup> Available at: <https://www.unredd.net/documents/global-programme-191/stakeholder-engagement-295/key-documents-1095/6862-final-joint-guidelines-on-stakeholder-engagement-april-20-2012-6862/file.html>



without taking much into consideration the views of stakeholders.”

Government Official

“At the Ministry of Environment level, [name of the indigenous peoples’ organization] is not excluded from the decision-making process. This is a very positive aspect. It is very positive that there is indigenous representation in all committees, including the national committee. All members vote. [The national committee] works by consensus.”

IPO Member

“On the basis of FCPF approved budget, a very limited budget was granted. During the preparation of the R-PP, we managed to organize consultations at the local level. Based on this experience, we drew some lessons that it would be important to be organized even in the form of an informal alliance between indigenous peoples and CSO members. The objective was to influence the REDD+ strategy. When the strategy finalized, the alliance finalized.”

CSO Member

“The technical working group has a SESA task force. CSOs actively participated in the SESA task force. They had a chance to review the preparation of the SESA documents. They have been active and been providing required inputs.”

CSO Member

“Civil society has insisted on also doing every national level consultation at the provincial regional level. But here we used the top-down approach and not bottom-up.”

CSO Member

“Indigenous peoples in the forest sector were not consulted; only after the national indigenous peoples’ organization lobbied ... the government [did this happen].”

IPO Member

## **F8.2: Amidst the emergence of distinct set of good practices, capacity building and consultation efforts included in the SESA-ESMF process were not always effective**

One of the good practices regarding stakeholder-led capacity building is the Cultural Mediators Program in Costa Rica.<sup>21</sup> The Program aims to strengthen indigenous stakeholders’ knowledge and skills on climate change and REDD+ through their own indigenous leaders.<sup>22</sup> The leaders are first trained and then pass on this information to communities during the pre-consultation phase. This early capacity-building process helped the IPs involved to enter into exchanges with government officials on a more-equal footing. The success of this initiative was noted during site visits and discussions with indigenous communities in the Talamanca region of Costa Rica.

However, the different concepts, methodologies, requirements and outputs linked to the SESA-ESMF process were not always successfully conveyed to IPs, forest-dependent communities and CSOs. In the three countries visited, this was especially the case for those living and working at the local level, who often still do not fully understand the purpose of the process. In general, REDD+ processes seem to face the challenge of how to permanently and effectively engage stakeholders at subnational levels. This applies in Nepal, for example, where all locally based indigenous, vulnerable and forest-dependent constituencies consistently highlighted weak consultation and participation at the local level during the implementation of SESA-ESMF.<sup>23</sup> In some cases, this included local government agencies engaged in the REDD+ process. In the DRC, additional challenges arose due to its large surface area, expensive and difficult/non-existent transportation infrastructure, and insecure conditions in some parts of the country.

Several participants indicated that while they remembered the consultation workshops, they did not necessarily remember the information that was communicated to them, as reflected in surveys conducted in Costa Rica. It would have been more useful if follow-up capacity building activities with representatives from the different stakeholder groups would have occurred. As already mentioned, the retention of concepts in the initial SESA workshops was hindered by a lack of follow up, or information-sharing sessions, on SESA outcomes. Many stakeholders expressed concern as to whether and how their opinions were being captured and incorporated into decision-making processes for REDD+.

<sup>21</sup> REDD/CCAD-GIZ Program Technical Team (El Salvador). 2014. Programa formacion de mediadores cultural. Available at: <http://www.reddccadgiz.org/mediadores/>

<sup>22</sup> Bank Information Center. 2014. Indigenous Involvement in REDD+ in Costa Rica. Available at: <https://bankinformationcenter.org/en-us/project/indigenous-involvement-in-redd-in-costa-rica/>

<sup>23</sup> It must be noted once again the authors of this Report were not able to undertake field visits to the DRC, which has limited the consistency of findings in this regard.

### Citations:

"[T]he problem is the language barrier and the technical complexity of the subject matter. Participants are not using this knowledge in practical life. The outcome of the consultation is not so effective. I don't have the ability to capture all the things you tell me. I need to understand the things you tell me."

IPO Member

"Every time someone, like you, are here you think that other indigenous groups or individuals are better as they can do better written presentations than us. But our culture is about telling stories and passing them on from generation to generation. These documents you spoke about are for our future, so why not do as we do and talk with us. We have something to say too."

IPO Member

"Trainers come from [the capital city] from 10 to 4 p.m. and then they fly back to [the capital city], whether you learn or not. Consultation meetings are organized in a structured way, with very strict management. Many times, participants do not

understand the objective of the consultation."

IPO Member

"Another aspect that we did not know is how the validations were made from the local and provincial levels to feed the safeguards instruments. There was no transparency. [The consultants] arrived in [the] territories, met the customary chiefs and that ended there. The report does not indicate how the validations were done."

IPO Member

"We only went to two places for field consultations."

Government Official

"The SESA and the ESMF did not take into account the observations of civil society. We worked on the observations, but we did not know if the recommendations were considered. Finally, we received the final document and we did not receive an answer on whether our recommendations were incorporated."

CSO Member





### **F8.3: Despite variations in the use of Consultation and Participation Plans for Readiness across countries, the evaluation found several relevant examples of good consultation and participation planning**

The SESA-ESMF process in Ethiopia initially developed a thorough stakeholder mapping, which led to the establishment of a multistakeholder task force that provided technical support to the overall SESA-ESMF process. In Costa Rica, the national agency responsible for REDD+ (FONAFIFO) supported the design of a national indigenous consultation plan with financial support from the FCPF, which established an organizational and operational framework to implement a national consultation of the future national REDD+ strategy. The plan was designed by Costa Rican IPs themselves, and was ultimately validated by 19 of the country's indigenous territorial entities and by a national indigenous women's NGO, the only non-territorial indigenous constituency that participated in the process.<sup>24</sup>

Although the FCPF-UNREDD "Guidelines on Stakeholder Engagement in REDD+ Readiness" have been in place since 2012, consultation and participation processes in some countries did not have well-delineated deliverables, nor did they have methodologies to incorporate stakeholder views and recommendations, nor did they have strategies for ensuring that iterative participation processes were in place. For example, the DRC prepared a Communication Plan, but not a Consultation and Participation Plan. Despite the cited achievements on IP participation and consultation, interviewed CSO and indigenous stakeholders considered the engagement process was an often disorganized top-down exercise, which sometimes made it difficult for their voices to be heard. In contrast, the R-Package for DRC asserted that the Communication Plan, which was developed with broad stakeholder participation, was being implemented on a continuous basis and ensured the effective dissemination of information related to all decisions, as well as the production of tools and their implementation.<sup>25</sup>

In some cases, stakeholders mentioned they were only called to participate in a workshop or meeting when the government needed to deliver a product that was part of the FCPF process, and that the views of IPs, forest-dependent communities and civil society needed to be incorporated. At the same time, lack of clarity on Consultation and Participation Plans and outcomes may have led to unreal expectations.

### **Citations:**

*"A thorough stakeholder mapping that considered the underserved communities was conducted. This was informed by factors driving deforestation, and forest degradation, as well as those conserving forest, different ecosystems, livelihoods, etc. At the end, this gave a rich mix of stakeholders, and this was further validated by a stakeholder task force that was providing oversight to SESA. This multi stakeholder task force also provided technical support by reviewing each and every step of the SESA process. By doing so, the responsibility and oversight was bestowed upon this group that was diverse and technical in different areas."*

World Bank Representative

*"The REDD+ Working Group is the platform where we discuss all these issues. This Group has not had any meetings for a long time."*

IPO Member

### **F8.4: In most cases, the consultation and engagement process was not complemented by fully functional grievance redress mechanisms (GRMs)**

In all three countries visited, GRM did not appear to be developed until the later phases of the Readiness process. The FCPF Common Approach and associated guidance dictates that setting up and operating a GRM should be part of a continuous improvement effort. While countries must commit to putting in place a GRM by the end of the Readiness Phase, they were encouraged to do so as early as possible. It was furthermore expected that they would continue to strengthen and improve this GRM during REDD+ Implementation, as the issues addressed by GRMs during the Readiness Phase and FCPF Carbon Fund, would be different.<sup>26</sup>

Moreover, not all GRMs are fully functional. In the DRC, the GRM has been designed but is not operational. In countries that are not expecting to receive further support for the REDD+ Implementation phase from the FCPF, or where the FCPF-supported REDD+ process has come to a halt for different reasons, the GRM is not operational. Two of the already designed GRMs are linked to Forest Investment Program (FIP) financing in the DRC and Ethiopia.

<sup>24</sup> Bank Information Center. 2014. Indigenous Involvement in REDD+ in Costa Rica. Available at: <https://bankinformationcenter.org/en-us/project/indigenous-involvement-in-redd-in-costa-rica/>

<sup>25</sup> Forest Carbon Partnership Facility (FCPF). 2015. Participatory Self-Assessment of the REDD+ Readiness Package in the Democratic Republic of the Congo. Available at: <https://www.forestcarbonpartnership.org/system/files/documents/DRC%20R-Package%20English.pdf>

<sup>26</sup> <https://www.forestcarbonpartnership.org/grievance-redress>

In the case of Ethiopia, the GRM establishes roles and responsibilities of relevant institutions. The country's GRM system involves the Ethiopia Institute of Ombudsman, as well as all other relevant traditional and formal institutions at various levels. In connection with REDD+ activities, the safeguard instruments have also been integrated into the grievance redress mechanism. The Oromia Landscape Program adapted the GRM to its specific context.

Several of the national agencies responsible for coordinating REDD+ Readiness and Implementation actions highlighted that financial support to prepare the GRM came late in the Readiness phase. Hence, though there were grievances related to financial support for stakeholder inclusion, the extent of consultations and/or stakeholders' representativeness during the Readiness Phase, these were largely solved by ad hoc procedures frequently involving the national REDD+ focal agency.

#### Citations:

*"We have a GRM. A guide has been developed and validated by all stakeholders. The GRM is not operational. There is no responsible person yet."*

Government Official

*"During the SESA we didn't have a GRM. Except for one incident, we didn't have claims of lack of participation."*

Private Sector Representative

*"There is no FGRM on REDD+. Consultations are on the way, but they have not been able to come up with the FGRM. At the field level there is an existing GRM for communities. They can present their grievances but it's not for the REDD+. These are formal [existing] mechanisms."*

Government Official

*"We agreed on the procedure [for the GRM]. The government consulted with different groups during the Readiness phase. They have the mechanism, but it will be established phase by phase."*

CSO Member

## 8.2. Recommendations

### **R8.1: The preparation of a structured Consultation and Participation Plan at the onset of REDD+ Readiness can lead to more effective and inclusive consultation processes**

The Readiness process should include: (i) the preparation of a Consultation and Participation Plan; and (ii) early planning for the inclusion of provisions for determining objectives, outcomes, deliverables, iterative participatory methodologies, responsibilities of governmental and non-governmental actors, as well as tools for capturing stakeholder feedback. The inclusion in such Plans of downward accountability measures and provisions for an interactive engagement process with both nationally and locally based stakeholder groups should dovetail directly with the stakeholder engagement process used for SESA-ESMF.

It is also important to ensure that the interests of disadvantaged and vulnerable stakeholder groups, such as IPs and forest-dependent communities, are represented directly, and not by other more powerful or better-connected governmental or non-governmental stakeholders.

### **R8.2: Wherever possible, financially and technically feasible approaches should be pursued to engage with stakeholders at subnational levels**

Engaging stakeholders at the local and regional levels remains an on-going and unresolved challenge for the SESA process. It is not realistic to expect that all issues or documents will be consulted at the regional and local levels every time, as was sometimes proposed. One way to address this challenge is to have include regional and local representatives of communities in SESA consultations as they would benefit directly from intensive capacity-building activities, and whose time and effort investment would be recognized, and whose participation and tasks would be supported financially. Besides their spokesperson and consultation partner role, these representatives should have clearly established responsibilities, to include transmitting information to their constituencies and being held accountable for doing so. Such approaches would have to be agreed upon with relevant IPs, forest-dependent communities and CSOs at the national, regional and local levels.

<sup>19</sup> Loayza, Fernando (ed.), Op. cit. (2012), p.17.

**R8.3: Stakeholder confidence in the SESA consultation process could be improved by implementing a documented process of issues tracking**

During SESA-ESMF preparation, it is important that the identification and analysis of key stakeholders including prioritization of their main issues and concerns, is completed. This should include documentation of suitable engagement processes and of key issues, concerns and opinions. Ideally this information should be reported back to stakeholders on a quarterly basis, or at a minimum on a bi-annual basis.

**R8.4: Information on the SESA process and its findings should be made available in local indigenous languages, or otherwise in a form readily understood by the indigenous peoples involved**

Indigenous peoples often commented that information on SESA concepts and constructs was not clearly conveyed to them. Those leading the SESA-ESMF process should employ culturally sensitive communication methods, and consider multiple means of information dissemination, e.g. cross-platform messaging. Many rural communities use this mode for communicating and fact-finding.

Effective follow up and the opportunity for future input will avoid participants' feeling that they are not being listened to, as well as dampen any unrealistic expectations they may have on the outcomes of the SESA process.

Lessons stemming from FCPF- and ISFL-supported consultation and participation processes in different countries should be systematized, as they will offer a comprehensive source of appropriate approaches for future or ongoing SESA-ESMF processes. The identification and transmission of such concrete experiences can complement the more general guidance on consultation, participation and stakeholder engagement.

**R8.5: Grievance Redress Mechanisms should be available as soon as possible during the Readiness Phase, not at the end**

While the SESA process itself can reasonably be expected to take up and address certain grievances, it does not replace a fully functional, REDD+-oriented GRM. Even if such a mechanism were to take on an initial, temporary structure rather than a final one, in line with stakeholder preferences, that would still be better than allowing the Readiness process to proceed too far without one.





## 9. Gender and Social Inclusion

This section describes findings and recommendations relating to the intersection between gender and social inclusion issues and the SESA-ESMF process.

### 9.1. Findings

**F9.1: Attention to gender and social inclusion was not so evident in the early days of SESA-ESMF implementation, but has tended to improve over time**

Gender differences in the control over, and management of, forest resources was not always selected as a topic of analysis in the initial SESAs. In some cases, this shortcoming was eventually amended; in others, as in the case of the DRC, proper gender analysis is still missing. Comments from both CSOs and IPs in Costa Rica indicated that gender imbalances as an issue was not addressed early on in the SESA process, but that it did come to be addressed over time. Ethiopia was the only country program to highlight gender in a separate section of its completed SESA Report.

Although there were certain variations, in all the countries surveyed there was a clear gap in the active participation of women at the onset of SESA process, compared with that of men. The evaluation found that SESA-ESMF processes often lacked concrete measures to facilitate gender and social inclusion. For example, separate women's groups, particularly targeting indigenous and forest-dependent community women, were not always formed as part of the SESA workshop sessions, to encourage their separate input during discussions. Also, conducting sessions in a more comfortable and less bureaucratic setting would have encouraged some stakeholders to feel more at ease and potentially provide more honest feedback.

#### Citations:

*"There was a major chunk of women's voice missing. There was not much space for gender issues, they were not part of the working groups. They were never part of the group. There were women but not anyone to take on the gender agenda."*

IPO Member

*"We had a Gender Expert (first person to write a book on gender in the country). She took women to another group to collect their views. It's better to take them to a separate room when men are not around."*

Private Sector Representative

*"Stakeholders, including women and indigenous peoples, have participated throughout the SESA process through their organizations in a broad and transparent way."*

DP Representative

**F9.2: The quality of assessments on cultural diversity and vulnerability issues has not always been consistent**

In most of the surveyed countries where IPs are present, the analysis of barriers and other issues relating to their communities did not form a prominent part of the SESA, as would seem to be required. Nor has there been consistent analysis of the issues facing non-indigenous, forest-dependent social groups, as in the case of Dalits in Nepal. Gender, indigeneity and similar social characteristics leading to marginalization and discriminatory restrictions of access to forest resources or to land tenure rights have also not been consistently addressed (for more details, see section 10).

#### Citations:

*"Land tenure, traditional knowledge and indigenous women [issues] were not duly addressed in the SESA-ESMF."*

IPO Member

## 9.2. Recommendations

### **R9.1: The SESA-ESMF process should entail more thorough analysis of vulnerabilities within and across rural stakeholder groups to ensure gender inclusive participation**

SESA and ESMF documents should systematically draw attention to any challenges faced by IPs, non-indigenous forest dwellers and rural women with respect to forest management, access to land and territories, and participation in customary and formal decision-making mechanisms. The different assessments conducted as part of the SESA, and the proposed mitigation measures incorporated

into the ESMF, should be thoroughly consulted with vulnerable stakeholder groups, including IPs and rural women at the local level.

### **R9.2: Mechanisms to ensure effective gender and social inclusion should be incorporated into the SESA consultation process**

This should be done at the outset, with due attention paid to the establishment of specific targets, indicators and verification processes; in turn, these should allow gender and social inclusion issues to receive the attention they deserve throughout the SESA-ESMF process.



# 10. Land and Resource Tenure Analysis

This section describes findings and recommendations relating to how resource rights and land tenure issues have been addressed in the SESA-ESMF process.

## 10.1. Findings

**F10.1: SESA-ESMF processes not only shed light on key land tenure and resource rights issues, but has also led to advances in the clarification of land and resource tenure in some cases**

One of major social, economic and cultural risks stemming from the implementation of REDD+ is that it will have a negative impact on the already fragile status of the land and resource tenure rights of IPs and forest-dependent communities. As one of the principal means of ensuring that REDD+ implementation at various levels increases social, cultural and environmental benefits, while avoiding or mitigating adverse impacts, land and resource tenure security is probably the most critical social and governance issue to be dealt with in the SESA-ESMF, as well as one of the most important issue to SESA participants. Increased clarity around tenure and resource rights, including securing management and land rights for communities and promoting clearer land tenure arrangements, is a globally recognized REDD+ non-carbon benefit.

In some of the surveyed countries, CSO representatives, forest-dependent communities and IPOs clearly had a stake in the REDD+ Readiness process because they hoped it would result in concrete progress on the recognition of the land and resource rights of IPs and local communities. Still, in their instructions relating to SESA-ESMF and related guidance, the FCPF and ISFL have consistently stated that, as part of Readiness, the SESA-ESMF process is not necessarily expected to support the clarification of land and resource tenure, but rather to provide a thorough analysis of, for instance: (i) the type of

existing land and resource tenure rights, including legal and customary schemes; (ii) categories of right holders; (iii) the legal status of such rights; and (iv) existing contradictions, ambiguities or gaps.

The DRC is one of the countries where forest-dependent stakeholders have succeeded in using SESA-ESMF to put land and resource tenure on the agenda for positive government action, despite the FCPF and World Bank's more cautious positions on this issue. In 2015, the DRC R-Package pointed to the integration of REDD+ into the Economic Governance Matrix (May 2013), which included land-use criteria, as a noteworthy achievement.<sup>27</sup> The issuance of a Decree on community forestry targeting land use and access to forest resources was also mentioned as a relevant result in the land tenure field.<sup>28</sup> However, such access has not benefited all communities practicing community forestry.

Article 2 of the DRC Forest Code determines that community forest concessions are established in the Protected Forests domain, which is essentially a "shopping cart area" that can be converted to other uses, such as concessions for industrial exploitation of timber or protected areas. This automatically prevented thousands of communities, which occupy or use the land belonging to other categories of forests, from establishing community forests within these areas.<sup>29</sup> The enactment of Ministerial Order 025 in February 2016 established specific provisions for the operationalization and management of local community forest concessions.<sup>30</sup> Despite their limitations, these new laws have made it possible for communities to hold forest concessions of up to 50,000 hectares, which is ten times more than the maximum area allowed in other regional countries,

<sup>27</sup> Forest Carbon Partnership Facility (FCPF). 2015. Participatory Self-Assessment of the REDD+ Readiness Package in the Democratic Republic of the Congo. Available at: <https://www.forestcarbonpartnership.org/system/files/documents/DRC%20R-Package%20English.pdf>

<sup>28</sup> Prime Minister's Decree 14/1018 defining the modalities for the allocation of 'forest concessions of local communities', promulgating Article 22 of the 2002 Forest Code.

<sup>29</sup> Rainforest Foundation-UK. 2014. Nouveau décret relatif à la foresterie communautaire en République Démocratique du Congo : Opportunités, risques et enjeux pour la gouvernance des forêts. Available at: <https://www.rainforestfoundationuk.org/media.ashx/nouveau-decret-fc-2014.pdf>.

<sup>30</sup> Ministerial Order 025 establishing specific provisions for the management and operation of Local Communities' Forest Concessions of February 2016.



making them a major milestone in tropical forest legislation in the Congo Basin.<sup>31</sup> Although this Ministerial Order 025 was issued until 2016, it is linked to the Readiness Phase policy and land tenure results, which themselves would not have been as strongly established had it not been for the SESA.

Assuming additional key land reforms take place in the DRC, these laws could possibly facilitate the transition towards securing land rights by recognizing existing possession rights of forest-dependent communities, and the role of traditional chiefs. But other actions not necessarily related to land tenure would need to be undertaken in parallel for these laws to be effective on the ground. Such institutional and governance arrangements include: (i) the consolidation of the decentralization process and the strengthening of capacities and technical; (ii) and financial resources of local and provincial forestry administrations to coordinate and monitor the process.<sup>32</sup>

Civil society and IPs in the DRC are aware that these legal reforms need to take place and expect to participate in the process. In fact, a land tenure reform process that recognizes collective customary rights has been one of the key reforms requested by civil society.<sup>33</sup> As per key information interviews and focus groups, the DRC National Fund for REDD+ (often referred to by its French acronym, FONAREDD) has funds to support land tenure and planning reforms. Notwithstanding existing legislative limitations

and an unfinished agenda on land tenure reforms, the DRC has made progress in establishing clarity on, and strengthening of, tenure and forest access rights.

In Costa Rica, indigenous groups commented that as a result of SESA, progress has been made on incorporating five key points of importance to indigenous peoples into the REDD+ process, namely: (i) land tenure; (ii) benefit sharing; (iii) natural resource management in indigenous territories; (iv) participatory monitoring; and (v) the overlap between protected areas and indigenous territories. While resolution has not been achieved on all the issues, SESA has been recognized for its contribution to putting these issues on the table for discussion.

In Indonesia, unclear tenure rights remain a constraint to the implementation of land-use regulations. Lack of coordination among institutions providing land use licenses has contributed to overlapping land claims, this, in turn, has contributed to underinvestment in the forestry sector and to a lack of accountability in the use of large tracts of forest. Overlapping land claims can in part be attributed to a lack of clarity in the underlying legal framework; in the meantime, land cover analysis shows that about 11 percent of the deforestation that has occurred through land uses since 2016 took place outside of their legally designated areas.<sup>34</sup> The interim findings of the Indonesia SESA established that limited access to livelihoods is resulting from environmental

<sup>31</sup> Rainforest Foundation-UK. 2016 Note sur les forêts communautaires en RDC : Vers une gestion équitable et durable des forêts. Available at: <https://fr.rainforestfoundationuk.org/media/ashx/briefing-forets-communautaires-rdc-2016.pdf>.

<sup>32</sup> Rainforest Foundation-UK. 2016. Op. cit.

<sup>33</sup> Ibid.

<sup>34</sup> Forest Carbon Partnership Facility (FCPF) Carbon Fund. 2019. Emission Reductions Program Document (ER-PD), East Kalimantan Jurisdictional Emission Reductions Program, Indonesia. Available at: <https://www.forestcarbonpartnership.org/system/files/documents/Revised%20ERPD.pdf>





degradation, a lack of predictability of seasonal changes due to climate change, as well as land tenure conflicts, have encouraged communities to engage in unsustainable practices in the utilization of forest resources.

In all the surveyed countries it was nevertheless recognized that the SESA-ESMF process did shed light and, in some cases, facilitated dialogue on some key land and resource challenges, particularly those faced by vulnerable forest-dependent communities. Moreover, many IP representatives stressed that they looked forward to participating in the institutional bodies responsible for land law reforms and the recognition of their territorial and cultural rights, which is something they would not have necessarily been poised to do had it not been for the SESA process.

#### Citations:

*"The SESA process pointed out the [land tenure] risks. It did not solve them. The consequence of all this is that the problem exists, and we expect to modify the Land Law."*

Government Official

*"My experience is that land tenure is a very critical issue in REDD+. Most of indigenous peoples in X area do not have a land title. They have been living there for centuries and they consider this is their land."*

IPO Member

*"We are still very far away [from solving land tenure problems]. Land issues are also due to the Law and we have a lot of problems [with the existing Land Law]. We expect the land reform to bring legal improvements. [A national fund] has a small budget to improve the Land Law."*

Government Official

*"The SESA-ESMF process had some benefit for us [indigenous peoples] in terms of recognition of our rights in the different documents."*

IPO Member

#### **F10.2: There were significant differences in the quality of assessment of land and resource tenure issues in the SESA Reports**

The quality of the land and resource tenure

assessments did not prove to be consistent across countries. The review found different scenarios, including addressing land tenure issues marginally as part of efforts to identify gaps in policies or recommendations for legal reforms, as well as systematic analysis of issues, for example an examination on legal tenure which specifically includes vulnerability issues impacting IPs and forest-dependent communities. How countries resolved the formulation and drafting of the SESA Report itself may have some influence on the divergent outputs. While some countries (e.g. the DRC) chose to assign this responsibility to an individual consultant, firm or government agency, others (e.g. Nepal) went for an interdisciplinary team responsible of the coordination of the SESA and the drafting of the final Report.

In fact, the use of interdisciplinary teams was found to result in more comprehensive land and resource tenure analysis as part of the SESA. In some countries, other instruments linked to the ESMF, such as the Indigenous Peoples Planning Framework, included a more thorough land and resource tenure analysis, including rights recognized in the international human rights instruments the country has ratified. This is the case of the DRC's Indigenous Peoples Planning Framework, which benefited from the contributions of IPOs.

#### **F10.3: Political sensitivities and competing priorities at the national level have proven to be major constraints on the clarification of the land and resource rights of forest-dependent communities**

Some participants stated that REDD+ activities and their expected strengthening of land and resource tenure rights frequently compete with other economic activities that have a greater priority for national governments. Such competing interests and priorities on land and resource rights were found to be a constraint on actual possibilities for advancing the rights of forest-dependent communities, including IPs. Stakeholders representing civil society and forest-dependent communities highlighted how land and resource tenure issues are politically sensitive; in some cases, these same stakeholders questioned whether governments were sincerely interested in REDD+ due to the on-going granting of major concessions for logging, agricultural expansion, mining or infrastructure construction in other parts of the country, or sometimes even in the same parts where the REDD+ ER Program would be implemented.

### Citations:

“The revision of these [forest] policies has prevented indigenous peoples from having legal recognition of land ownership.”

IPO Member

“The priority is development. Dams and energy companies do not fulfill their duty of planting trees. This complicates things for REDD+.”

Government Official

“We are still very far away [from solving land tenure conflicts]. Land issues are also due to national legislation and we have a lot of problems with it. We expect a land reform that will bring legal improvements. However, there is a lot of land grabbing by political leaders.”

CSO Member

“The Ministry wants to award an [extractive activity] concession in a national park.”

CSO Member

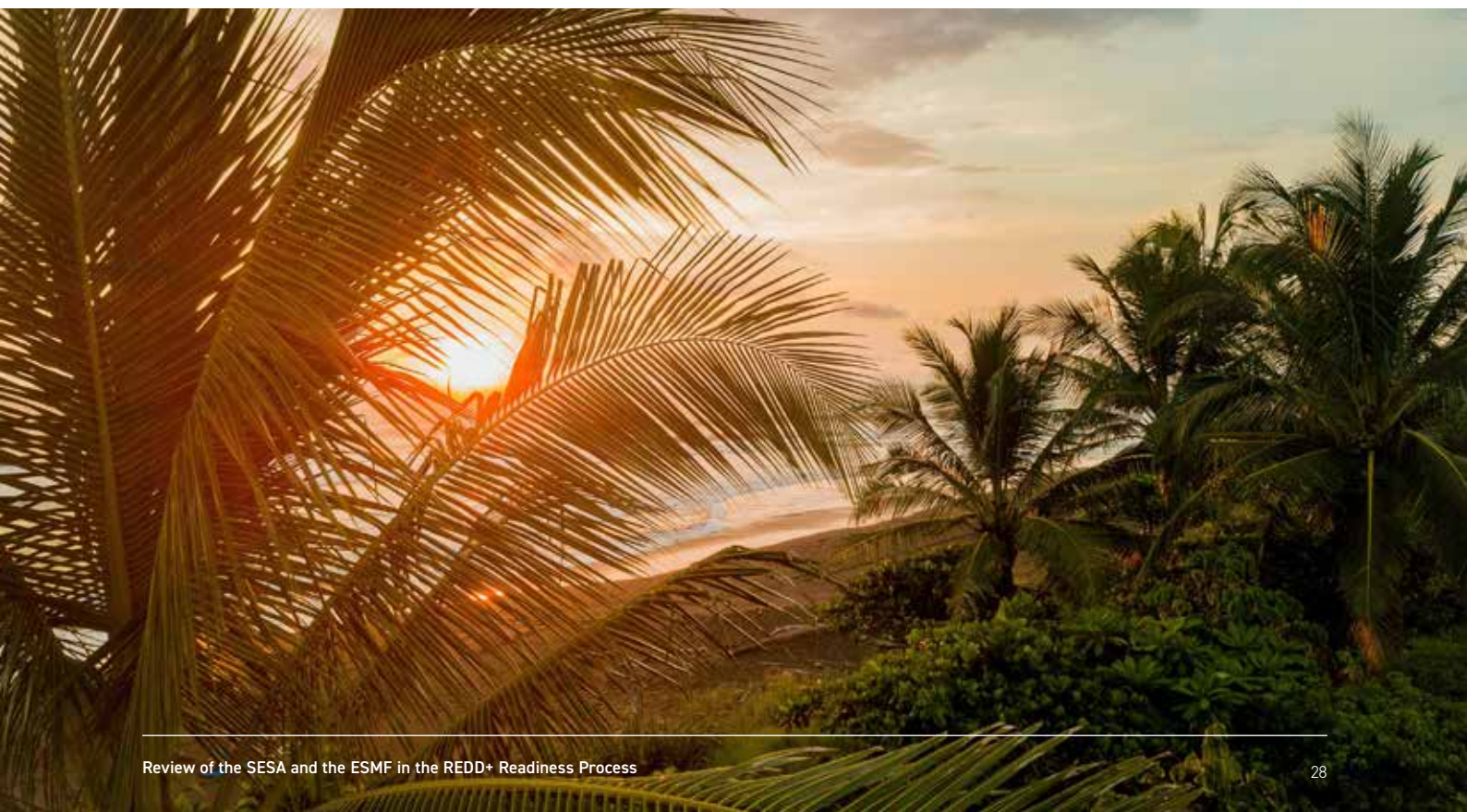
“In relation to the guidance provided by [safeguards] documents, we think it can be effective if [indigenous peoples] participate in the implementation bodies of the land reforms.”

IPO Member

## 10.2. Recommendations

### R10.1: Countries should use the SESA and ESMF to make progress on clarifying land and resource tenure as part of REDD+ Implementation

While it is not a requirement for REDD+ countries to undertake positive action on clarifying land and resource tenure for forest-dependent communities, including indigenous peoples, during the Readiness Phase, countries would do well to prepare to take such action during REDD+ Implementation. For those countries seeking support from the FCPF Carbon Fund, the FCPF Methodological Framework establishes that an ER Program should demonstrate through its design and implementation how it meets relevant World Bank social and environmental safeguards, and promotes and supports the safeguards included in UNFCCC guidance related to REDD+, particularly by paying attention to Decision 1/CP.16 and its Appendix – the “Cancun Safeguards” (Article 24.1). Specifically, the Cancun Safeguards involve: (i) respecting the knowledge and rights of indigenous peoples and members of local communities; and (ii) considering relevant international obligations and national circumstances and legislation. Many IP and CSO stakeholders consider the realization of land and resource tenure rights to covered by these provisions. Moreover, both these and other stakeholders see land and resource tenure as a critical non-carbon benefit. Among the efforts that governments should be to secure management and land rights for communities, and promote clearer land tenure arrangements. The land and resource analysis prepared during the SESA-





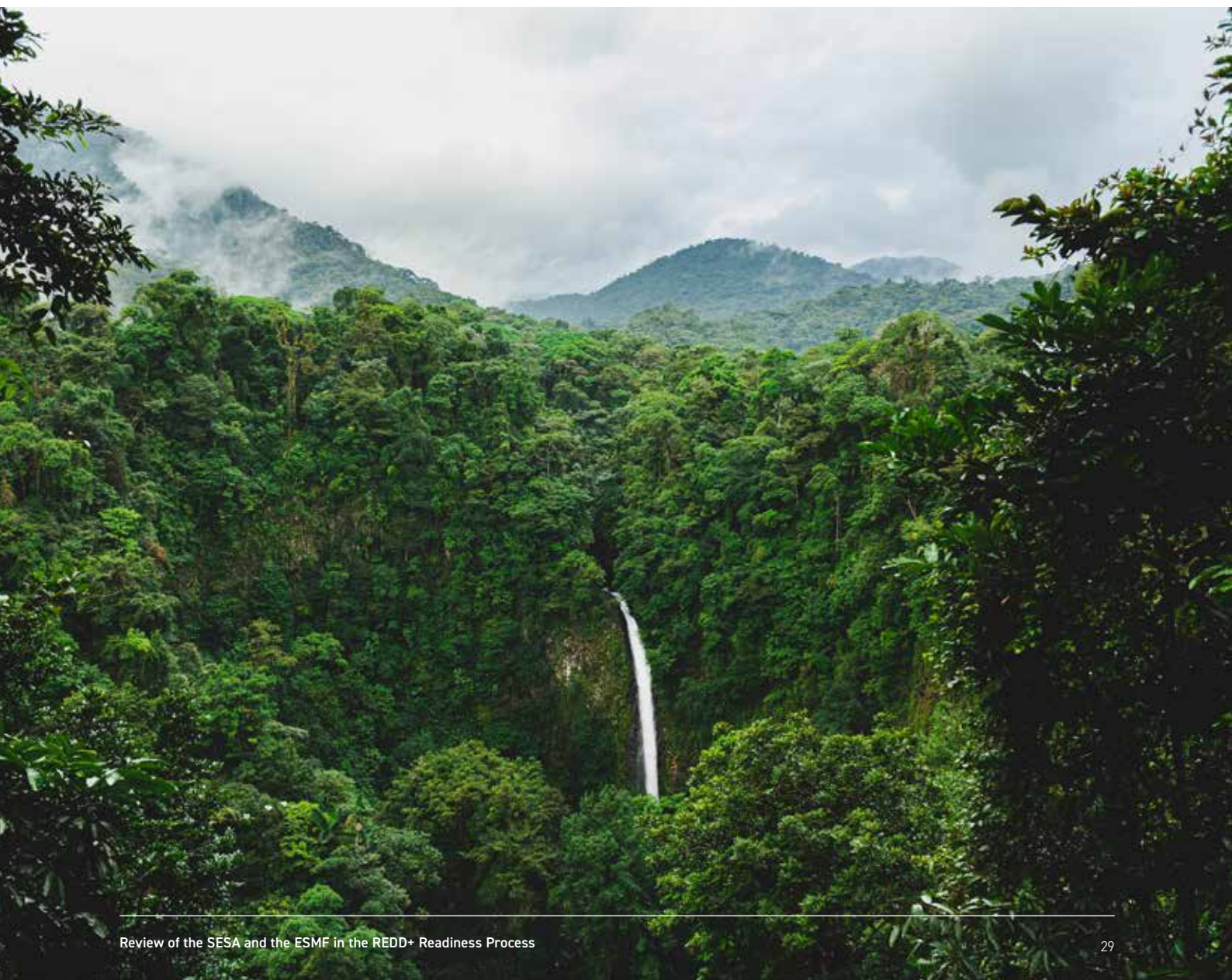
ESMF process should provide a detailed reflection on these issues and, if possible, outline how to increase legal and resource tenure certainty during the Emission Reductions Phase.

**R10.2: Ensure that forest-dependent communities have a voice in legislative and/or policy processes resulting from SESA-ESMF**

In countries engaged in land and/or resource tenure legal and/or policy reforms, IPs and forest-dependent communities should have a voice in the relevant executive or legislative or institutional bodies responsible of these processes. Some IPOs are clearly involved in REDD+ processes not necessarily for the ER payment benefits that may arise, but rather for the increased clarity and commitment it brings to the recognition of their land rights, which they believe the processes should lead to.

**R10.3: More guidance is needed on the minimum acceptable contents of the land and resource tenure assessment in the SESA**

Considering the divergent content and quality of the SESA's land and resource tenure assessments and how central a proper analysis of these issues is in REDD+, the FCPF should provide more guidance on the minimum acceptable contents of the land and resource tenure assessment during the Readiness Phase. This could include: (i) the type of existing land and resource tenure rights to be impacted by the REDD+ strategy, including legal and customary tenure frameworks and how they coexist; (ii) the legal status of such rights and related existing contradictions, ambiguities or gaps; (iii) the categories of right holders and which groups have more difficulties accessing these rights; (iv) the rights of indigenous peoples to their territories and resources; (v) the direct and underlying causes hindering vulnerable groups' full access to land and resource tenure; and (vi) the direct and underlying causes deterring sound land and resource use and management. A vulnerability analysis, including in relation to gender and age, should be a central part of the land and resource tenure assessment.



# 11. Institutional Analysis and Governance

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This section presents findings and recommendations on how institutions and forest governance issues have been analyzed as part of the SESA-ESMF process, and the integration of SESA-ESMF into national forest governance structures.

## 11.1. Findings

**F11.1: The SESAs reviewed opted for descriptive approaches, complemented by recommendations, on the analysis of causes of deforestation, land degradation and land use planning**

SESA Reports in all surveyed countries included thorough descriptions or organigrams explaining different institutional roles and responsibilities, and how the institutions would be expected to interact during an eventual Emission Reductions Phase. In some cases, such dynamics were described as depending on ministerial restructurings, policy reform processes or political decisions. In any case, the prevailing approach has been to describe the different institutions that will be involved in the implementation of REDD+, with corresponding institutional arrangements or capacity-building recommendations.

Conversely, most of the reviewed SESAs and ESMFs lack a more in-depth critical assessment of existing institutional and governance barriers to the construction of successful institutional arrangements for REDD+ implementation, including a thorough analysis of the underlying causes hampering sound forest and land use governance. It would have been relevant to reinforce the analysis of the underlying causes of frequently lacking capacity, or financing within government, to regulate the management of forest lands, including the processing and sale of timber. Similarly, corruption levels are high in the forest sector and, more generally, in the natural resource management activities linked to climate change,<sup>35</sup> but this is barely dealt with in the revised SESAs. In the case of the ESMF, such an institutional analysis would imply an assessment of environmental and social risk management capacities at different institutional levels.

**F11.2: Although the SESA-ESMF approach does not tend to be reflected in national regulations or policies, in some cases the countries where ER Programs are being developed have still managed to make use of SESA outputs and recommendations**

In all five surveyed countries, the SESA-ESMF process, as conceived by the World Bank, is not reflected in national regulations or policies. Some interviewees considered that this absence hindered the potential incorporation of SESA outcomes and recommendations into existing environmental and social risk management frameworks, forest governance structures, or other relevant legal and policy frameworks. Nevertheless, in REDD+ countries where an ER Program supported by the FCPF Carbon Fund, or ISFL, is being pursued, the SESA-ESMF outputs and recommendations are already being used, or have been adapted for use in the ER Program areas. In cases where the ESMF, as an overarching safeguards framework, does not necessarily resonate with national REDD+ authorities (because of the normative environments within which they have to operate), other stand-alone safeguards instruments have been prepared for its complementary application to projects and activities in the Emission Reductions Accounting Area.

### Citations:

*“As long as the country does not have and enforce relevant regulations, it is clear that all projects must comply with the ESMF and different safeguards frameworks. They are mandatory in WB projects as long as the law does not take over--and for the moment it is not the case.”*

Government Official

<sup>35</sup> Transparency International. 2011. Global Report on Corruption and Climate Change. Available at: [https://www.transparency.org/whatwedo/publication/global\\_corruption\\_report\\_climate\\_change](https://www.transparency.org/whatwedo/publication/global_corruption_report_climate_change)



“SESA is not part of the legislation. The government did not want to increase the pressure on the system, and the EIA already places a lot of pressure on the system.”

Government Official

“The template for projects’ presentation is based on the ESMF. Follow up must be at two levels. There is participatory monitoring in the field, followed by monitoring at the state report level.”

Government Official

“Different donors have different approaches and they don’t consider what the country already has. We could have had a customized SESA and built on what the country already had.”

Government Official

“Governments don’t use the SESA-ESMF instruments.”

IPO Member

### **F11.3: REDD+ countries undertook to reform policies and regulations during the Readiness phase, but sometimes there was no clear evidence that this impulse was linked to the SESA-ESMF process**

During the Readiness Phase, the implementation of REDD+ is supposed to deliver concrete reforms at the policy and/or regulatory level. However, the findings are not consistent when it comes to the link between SESA-ESMF and environmental and social risk management outcomes and/or forest governance improvements. While interviewees in some countries highlighted there were no significant reforms undertaken during the Readiness Phase; however, partial forest sector policy reforms have taken place, or land tenure regulations issued, in other countries. In some cases, participants noted that such interventions resulted from the SESA-ESMF process, while others were not so sure. However, in all cases where such land- or forest-related regulations and reforms have taken place, interviewees considered that the links to other pending legal or policy reforms could be strengthened.

### **Citations:**

“There are a lot of improvements [on forest governance], but we don’t know whether they are directly linked to the SESA or other processes.”

CSO Member

“Regarding safeguards there is some improvement. The REDD+ strategy is one of the first forest strategies where customary practices of indigenous peoples were highlighted. There is a negligible level of influence of the SESA-ESMF at the national level.”

IPO Member

“We don’t have any evidence that the SESA-ESMF process really helped governance.”

Government Official

### **F11.4: Following the SESA-ESMF process, REDD+ countries expected support for strengthening institutional capacities on environmental and social risk management**

There is limited evidence that capacity building or institutional strengthening on environmental and social risk management have taken place during the Readiness Phase, as a result of the findings on existing capacities coming out of the SESA-ESMF process. Several stakeholders, particularly from government agencies, pointed to the lack of financing or support from the FCPF or ISFL to undertake such tasks. This went contrary to their expectations.

### **Citations:**

“There is no direct impact of SESA, but our Ministry has been sensitized that there are some social issues that need to be addressed. In cases of encroachment, there are sanctions [in national legislation] for people who do encroachment. At least our ministry is concerned about social issues, but there are still contradictions. We haven’t been able to influence that much in terms of social safeguards. When encroachers have cleared forests, or build infrastructure inside the forest, biodiversity is obstructed. Our Ministry is the only one that considers biodiversity and social aspects. The Bank would like us to reconsider these issues because they are funding.”

Government Official

*“If you go and ask people what social and environmental impact is, people don’t know because they have not been engaged in these processes. Unless you have that experience you cannot point out those issues. We need different approaches and processes. The new SESA process and ESMF will be a bit better.”*

Private Sector Representative

*“There are no adjustments coming from the SESA that can be implemented at the national level.”*

CSO Member

## 11.2. Recommendations

### **R11.1: More efforts should be made to strengthen country environmental and social risk management frameworks**

Drawing on SESA findings, the FCPF should further assess, on a case-by-case basis, whether a country’s environmental and social risk management framework allows it to properly address REDD+ risks and impacts. If gaps are identified, which is very likely to be the case, proper application of the Bank’s safeguard policies makes it possible to work with the country to identify measures and actions to address such gaps. This approach should facilitate increased ownership by national governments, IPs, forest-dependent communities and CSOs of the strategic assessment and management of the aforementioned risks and impacts. In addition, considering that REDD+ involves dealing with sensitive social concerns, and that the surveyed countries were found to deal better with environmental risks and related issues,

rather than on social concerns, suggests that this is an area that would need further reinforcement to make it consistent with international good practice and FCPF Methodological Framework requirements, in cases where a country is seeking the support of the FCPF Carbon Fund.

### **R11.2: Promote adequate financial and technical support to follow up**

The SESA-ESMF process should generate concrete recommendations for follow up in terms of the technical and financial resources needed to strengthen environmental and (in particular) social risk management capacity and related institutional arrangements, including the identification of appropriate sources of finance and the specification of sensible monitoring arrangements.

### **R11.3: Fully identify the causes impacting sound forest and land use governance**

Institutional analysis should reinforce the assessment of underlying causes hindering sound forest and land use governance, rather than focusing on the description of institutions that will be involved in the implementation of REDD+. The SESA-ESMF process should propose institutional arrangements and/or capacity building recommendations, particularly regarding corruption and/or misuse of funds, and trace linkages with initiatives, such as FLEGT.

### **R11.4: Include a review of policy and legal reforms in the R-PP**

The finalization of the Readiness phase for a REDD+ country should entail a review of the REDD+ policy and regulatory reforms achieved as a result of the SESA-ESMF process, and the findings of this review should be included in the country’s R-PP.



# 12. Conclusions

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**This comparative review of SESA-ESMF processes was conducted to capture the lessons learned from these experiences, and to inform similar processes that have either been planned, or are currently underway, in newer FCPF and ISFL countries. The intent was to analyze trends, highlight similarities and differences, and standardize and streamline the SESA-ESMF approach going forward. Findings relating to the evaluation have been supported by interviews with a wide range of stakeholders and cross-referenced to existing FCPF and ISFL documentation.**

As noted in this Report, despite challenges and shortcomings, SESA is an essential tool in the analysis of environmental and social risks of REDD+ interventions, as it provides guidance as to how these risks should be managed through the ESMF. There is no other similar process or tool available in impact assessment practice that can accomplish this early risk evaluation of REDD+ interventions, and stimulate the inclusive participation of the wide range of stakeholders that are, or should be, involved in the design and implementation of REDD+.

The key benefits of the SESA process in this evaluation are as follows:

- SESA provided a forum, or platform, to discuss key environmental and social issues and risks of REDD+ interventions. In many cases, this was the first opportunity many forest-dependent stakeholders had to engage in collective discussion of these issues.
- In certain cases, participation in the SESA process reached to the ground level and involved impacted rural communities and indigenous populations.
- Drivers of deforestation and degradation were frequently identified, and elaborated on, during SESA workshops.
- SESA-ESMF processes during Readiness Phase shed light on key land tenure and resource rights issues and, in some cases, led to advances around land and resource rights clarification in national policy and legislation.

On the more negative side, various aspects of SESA were found to be too technical and, as a result, national counterparts and stakeholder participants sometimes found it difficult to fully understand, or

obtain value from the process. Recommendations for improving the SESA and ESMF follow:

- SESA planning can be improved at the outset through advance scoping of key REDD+ issues, stakeholder identification and evaluation, national institutional capacity assessment and evaluation of budgets, resources and logistical constraints. This should be done prior to the initial SESA workshop.
- DPs and national counterparts should provide dedicated personnel who are involved consistently in overseeing and/or implementing (as the case may be) the SESA-ESMF process.
- SESAs were conducted either by an external consultant selected by the FCPF national counterpart or by the national counterpart itself, either from its own staff, or by hiring one or more external contractors. The evaluation noted that the process had similar outcomes, regardless of who implemented the SESA and prepared the ESMF. The SESA should be conducted by a competent entity with significant SEA experience, whether a private firm or government entity. Whatever approach is used, it is important to ensure: (i) coordination of the consultant team and the national counterpart; and (ii) ownership over the SESA and ESMF documents by the national counterpart after the process is completed.
- FCPF and ISFL, DPs and UNFCCC should work together to standardize approaches to REDD+ safeguards application. Simple cross-referencing systems should be developed between the multiple sets of safeguards and this should be communicated more effectively to national governments and SESA participants.



- The preparation and adoption of a structured Consultation and Participation Plan at the onset of the Readiness process can lead to a more effective and inclusive consultation process for SESA and ESMF.
- Greater efforts are needed to ensure that SESA participants are engaged iteratively, and that there is extensive follow up and reporting back on the outcomes of the SESA.
- More efforts should be made to make information on the SESA process and its findings available in local indigenous languages, or in a form and content readily understood by indigenous peoples.
- SESA budgets should be large enough to allow for inclusive consultations and participation at the national, regional, and most importantly, local levels. Consultation, outreach and capacity building allocations should form a significant part of the overall SESA budget.
- Both SESA and ESMF processes should involve a more thorough analysis of vulnerabilities within community and other stakeholder groups to ensure gender inclusive participation.
- More focus should be provided in the SESA on identifying underlying causes that negatively impact forest and land use governance.
- REDD+ countries should use the SESA and ESMF to make progress on clarifying land and resource tenure as part of REDD+ Implementation.
- More effective participation of forest-dependent communities should be sought throughout the SESA and ESMF to ensure that they have a voice in resulting legislative or policy processes.
- More efforts should be made in both the SESA and the ESMF to strengthen national environmental and social risk management frameworks. This particularly applies to the rights and issues of IPs and forest-dependent communities.





# 13. Annexes

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## 13.1. Annex 1: Analytical Framework and Methods

The evaluation of SESA-ESMF processes in REDD+ countries consisted of two main activities: (i) a desktop review of available information of five selected countries (Costa Rica, Democratic Republic of Congo, Ethiopia, Indonesia, Nepal); and (ii) follow-up country visits in three of those five countries (Costa Rica, Democratic Republic of Congo and Nepal), which featured a series of interviews with government officials and other REDD+ stakeholders at the national level (and, where possible, at the subnational and local levels).

The team made use of qualitative data collection instruments to gain an in-depth understanding of SESA-ESMF process achievements, challenges and procedures from the perspective of multiple REDD+ stakeholders. Two types of interviews were used, namely focus groups and key informant interviews (KIIs). The main goal of the focus groups and KIIs was to obtain more detailed and updated information beyond the desktop review, and to better understand the SESA-ESMF design, preparation and implementation process from the perspective of REDD+ stakeholders themselves, and in their own words.

The focus group discussions aimed to obtain data from a selected group of individuals following a semi-structured questionnaire that was used to guide interviewees to explore their perspectives on a series of central subjects and procedures of the SESA-ESMF processes. The team held focus groups with IPs, forest-dependent communities, private sector groups and CSO representatives.

KIIs, on the other hand, also involved recourse to semi-structured questionnaires. In selecting individuals to participate in the KIIs, the team made every effort to ensure the pool of respondents was sufficiently diverse. The overall strategy for carrying out the KIIs involved purposefully sampling individuals from different institutions and non-governmental constituencies to obtain a wide range of perspectives. To triangulate survey results and findings, the team obtained input from a range of individuals across the following groups:

- Government officials from sectors, such as forestry, finance, environmental and social risk management, transport and infrastructure.
- Members of REDD+ government commissions or agencies established to lead FCPF REDD+ Readiness processes.
- IPs, civil society and forest-dependent community leaders.
- Consultants having supported SESA-ESMF processes.
- World Bank staff having supported SESA-ESMF processes.

While interviews were conducted during in-country site visits, specific comments made in this report are not attributed to individuals but are rather summarized to represent citations in support of evaluation findings. Some of these comments have been paraphrased to maintain confidentiality.

### Desktop Review

A desktop review was undertaken for the five “deep-dive” countries. In the case of the Costa Rica, DRC and Nepal, the desk review complemented the in-country field visits. The intent of the desktop assessment was to review key available information on the FCPF website and other publicly available sources pertinent to SESA-ESMF in each country, complemented by telephone or video conference interviews where possible. The information from the assessment was used to triangulate findings arising from the in-country visits and interviews.

### Country Visits

Three visits were made to Costa Rica, DRC and Nepal, representing FCPF countries in Latin America and the Caribbean, Africa and Asia-Pacific. For each of these countries, the team completed interviews with individuals who had been involved in the various stages of the SESA, ESMF, design of the REDD+ strategy and implementation of FCPF REDD+ Readiness grants.

The country visits consisted of the following:

- Initial desktop review of available information;

- Coordination with a local counterpart to facilitate meetings, interviews and site visits;
  - Additional review of documentation and pertinent information provided on-site;
  - Interviews with a wide range of stakeholder groups;
  - Site/field visits to sub-national parts of the country to meet with stakeholders and see areas/projects of importance for REDD+.
- Timing of the visits was as follows:
    - Democratic Republic of Congo: 6-12 May 2018.
    - Nepal: 22-28 July 2018.
    - Costa Rica: 2-8 September 2018.





### 13.2. Annex 2: Update on the SESA-ESMF Implementation Process in FCPF and ISFL Countries

	Country	REDD+ Strategy	SESA	ESMF
1	Argentina	Completed	Preparation	Preparation
2	Belige	Preparation	Preparation	Preparation
3	Bhutan	Execution	Completed	Completed
4	Burkina Faso	Execution	Execution	Preparation
5	Cambodia	Validated	Completed	Completed
6	Cameroon	Validated	Validated	Validated
7	Central African Republic	Execution	Execution	Execution
8	Chile	Validated	Completed	Completed
9	Colombia	Validated	Completed	Execution
10	Congo, Dem. Republic of	Validated	Validated	Validated
11	Congo, Republic of	Validated	Completed	Completed
12	Costa Rica	Completed	Validated	Completed
13	Côte d'Ivoire	Validated	Execution	Execution
14	Dominican Republic	Execution	Completed	Execution
15	El Salvador	Validated	Completed	Completed
16	Ethiopia	Validated	Completed	Completed
17	Fiji	Preparation	Execution	Execution
18	Gabon	Preparation	Preparation	Preparation
19	Ghana	Validated	Validated	Validated
20	Guatemala	Execution	Execution	Execution
21	Guyana	Execution	Preparation	Preparation
22	Honduras	Execution	Preparation	Preparation
23	Indonesia	Validated	Execution	Execution
24	Kenya	Preparation	Preparation	Preparation
25	Lao PDR	Execution	Execution	Execution
26	Liberia	Validated	Validated	Validated
27	Madagascar	Validated	Validated	Validated
28	Mexico	Validated	Completed	Execution
29	Mozambique	Validated	Validated	Validated
30	Nepal	Validated	Validated	Completed
31	Nicaragua	Validated	Validated	Validated
32	Nigeria	Completed	Validated	Validated
33	Pakistan	Execution	Completed	Completed
34	Panama	Completed	Execution	Execution
35	Papua New Guinea	Validated	Execution	Execution
36	Paraguay	Completed	Execution	Execution
37	Peru	Validated	Execution	Execution
38	Sudan	Execution	Execution	Execution
39	Suriname	Execution	Execution	Execution
40	Tanzania	Validated	N/A	N/A

41	Thailand	Preparation	Preparation	Preparation
42	Togo	Execution	Execution	Execution
43	Uganda	Validated	Validated	Validated
44	Uruguay	Preparation	Preparation	Preparation
45	Vanuatu	Execution	Execution	Execution
46	Vietnam	Validated	Completed	Completed
47	Zambia	Validated	Preparation	Validated

**Key:** N/A = Not Applicable

**Notes:**

Data sources include: 1) Delivery Partner staff currently working on the REDD+ Readiness grants for the countries in question; 2) Most recent REDD+ Readiness Country Progress Reports (dated between June-November 2019).



