



Ministry of Climate Change
Government of Pakistan

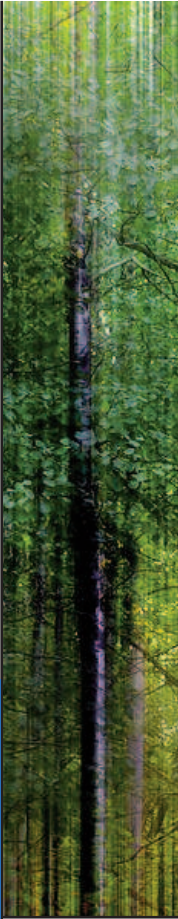


PAKISTAN'S APPROACH TOWARDS MEETING UNFCCC AND WORLD BANK SAFEGUARD REQUIREMENTS





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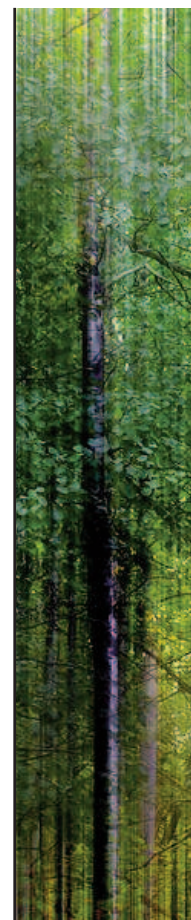
Layout: Azhar Saeed, Communications Unit, IUCN Pakistan

Printed by: Press (Private) Limited, Islamabad, Pakistan

Available from: Ministry of Climate Change
Government of Pakistan

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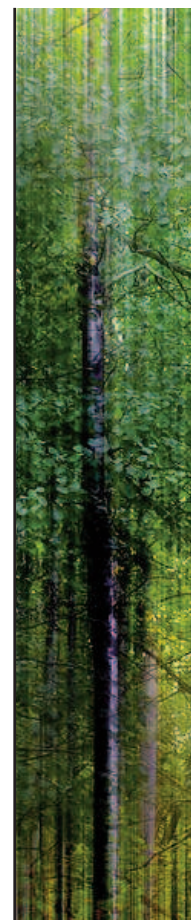
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ABBREVIATIONS

AJK	Azad Jammu Kashmir
CBD	UN Convention on Biological Diversity
CC	Climate Change
CITES	Convention on International Trade in Endangered Species
COP	Conference of the Party
EA	Environmental Assessment
EIA	Environmental Impact Assessment
EPA	Environmental Protection Agency
ER PIN	Emission Reductions Program Idea Note
ESMF	Environmental and Social Management Framework
FATA	Federally Administration Tribal Areas
FCPF	Forest Carbon Partnership Facility
FGRM	Feedback and Grievance Redress Mechanism
FPIC	Free, Prior and Informed Consent
GB	Gilgit-Baltistan
GCF	Global Climate Fund
GEF	Global Environment Facility
IPP	Indigenous People Plan
IPPF	Indigenous Peoples Planning Framework
KP	Khyber Pakhtunkhwa
MDGs	Millennium Development Goals
MDP	Ministry for Planning and Development
MoCC	Ministry of Climate Change
MRV	Measurement, Reporting and Verification
NFMS	National Forest Monitoring System
NGO	Non-Governmental Organisation
NRO	National REDD+ Office
NSC	National Steering Committee
NTFP	Non-Timber Forest Product
P&D	Planning and Development
Paki-INDC	Pakistan's Intended Nationally Determined Contribution
PAMs	Polices and Measures
PES	Payment for Ecosystem Services
PFI	Pakistan Forest Institute
PRAP	Provincial REDD+ Action Plan
PRMC	Provincial REDD+ Management Committee

PRMU	Provincial REDD+ Management Unit
REDD+	Reducing Emissions from Deforestation and Forest Degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries
R-PP	Readiness Preparation Proposal
SDGs	Sustainable Development Goals
SESA	Strategic Environment and Social Assessment
SFM	Sustainable Forest Management
SIS	Safeguard Information System
SoI	Summary of Information
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNFCCC	United Nations Framework Convention on Climate Change





OBJECTIVE AND STRUCTURE OF THE REPORT

Responding to the requirement in the United Nations Framework Convention on Climate Change (UNFCCC) Decision 12/CP. 19 paragraph 4, Pakistan is expected to submit the most recent Summary of Information (Sol) that describes the country's overall approach to safeguards implementation, and in particular, how the seven UNFCCC REDD+ Safeguards have been addressed and respected.

This document is a draft Sol, intended to provide information on how Pakistan has committed to addressing and respecting the UNFCCC REDD+ Safeguards throughout the implementation of REDD+.

We note that this initial Sol is prepared prior to REDD+ implementation and therefore only provides information on the measures in place in Pakistan, rather than on the outcomes of implementation.

The following report is structured in the following manner:

- **Part I: Introduction**

Provides an introduction to UNFCCC and Forest Carbon Partnership Facility (FCPF) safeguard requirements; and to Pakistan's REDD+ Strategy; and activities carried out so far by Pakistan to meet UNFCCC and FCPF safeguard requirements.

- **Part II: What do the UNFCCC REDD+ Safeguards mean in the country context?**

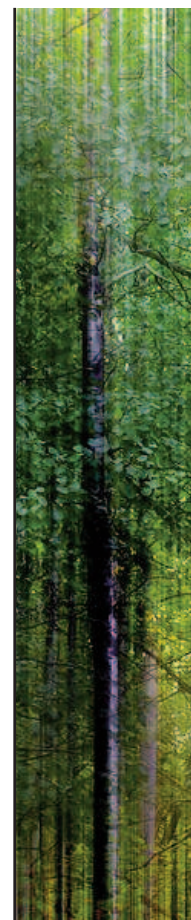
Provides the interpretation of the UNFCCC REDD+ Safeguards in accordance with the country context, including the components/elements identified for safeguards.

- **Part III: How will the UNFCCC REDD+ Safeguards be implemented?**

Provides an identification of how the relevant legal and institutional framework will be used to ensure UNFCCC REDD+ Safeguards are implemented, and a description of the Feedback, Grievance and Redress Mechanism (FGRM) that will be used to address grievances throughout the implementation of REDD+.

- **Part IV: How will we report on the implementation of the UNFCCC REDD+ Safeguards?**

Provides information about the design of the safeguard information system (SIS), and the types of information that will be provided to demonstrate they have been addressed and respected.





1 INTRODUCTION

1.1 UNFCCC Safeguards Requirements

Although REDD+ is primarily a mechanism to incentivise forest-based climate change mitigation, it is broadly agreed that it should, as a minimum, ‘do no harm’, and where possible go beyond this to ‘do good’ and achieve multiple (carbon and non-carbon) benefits. Given the potential environmental risks and benefits of REDD+ implementation, parties to the UNFCCC recognised the need to ensure that the rules and guidance for REDD+ include measures to protect those potentially at risk, particularly indigenous peoples, local communities and biodiversity. For this reason, they agreed to the adoption of seven safeguards for REDD+ at the 16th Conference of the Parties (COP16) also known as the ‘Cancun Safeguards’ (see Box 1).

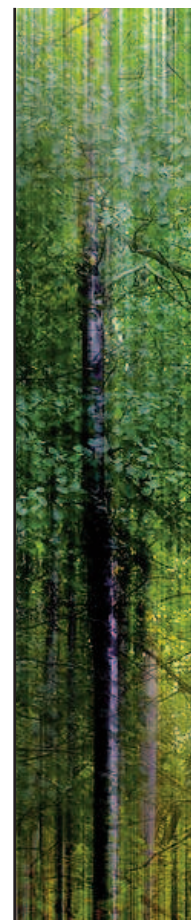
Table 1: The Cancun Safeguards¹

When undertaking the activities referred to in paragraph 70 of this decision, the following safeguards should be promoted and supported:

- (a) That actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements;
- (b) Transparent and effective national forest governance structures, taking into account national legislation and sovereignty;
- (c) Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples;
- (d) The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities, in the actions referred to in paragraphs 70 and 72 of this decision;
- (e) That actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions referred to in paragraph 70 of this decision are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits;²
- (f) Actions to address the risks of reversals;
- (g) Actions to reduce displacement of emissions

1. UNFCCC Decision 1/CP.16 Appendix 1 paragraph 2.

2. Taking into account the need for sustainable livelihoods of indigenous peoples and local communities and their interdependence on forests in most countries, reflected in the United Nations Declaration on the Rights of Indigenous Peoples, as well as International Mother Earth Day.



The UNFCCC recognises that safeguards are a key part of REDD+ implementation, and links the Cancun safeguards to results-based payments, requiring that countries demonstrate how they have addressed and respected them throughout the implementation of their REDD+ activities.³ The specific UNFCCC safeguard requirements are the following:

Requirement 1: Implement REDD+ activities in a manner consistent with the Cancun safeguards

REDD+ activities, regardless of their type of funding source, are to be implemented in such a way that is consistent with the Cancun safeguards.⁴ This implies that countries should take steps to define how the Cancun safeguards will be implemented, and to ensure compliance with the safeguards throughout the implementation of REDD+ activities.

Requirement 2: Establish a system to provide information on how the Cancun safeguards are being addressed and respected

The governments of countries implementing REDD+ activities are required to establish a system to provide information on how the seven Cancun safeguards are being addressed and respected in all of the phases of implementation of REDD+ activities.⁵ This is commonly referred to as the Safeguard Information System, or SIS.

According to the UNFCCC guidelines, the SIS should:⁶

1. Be consistent with guidance in decision 1/CP.16, appendix I, paragraph 17;
2. Provide transparent and consistent information that is accessible by all relevant stakeholders and updated on a regular basis;
3. Be transparent and flexible to allow for improvements over time;
4. Provide information on how all the safeguards are being addressed and respected;
5. Be country-driven and implemented at the national level;
6. Build upon existing systems, as appropriate.

Requirement 3: Provide a summary of information on how the Cancun safeguards are being addressed and respected

In order to receive results-based payments, countries must present their most recent summary of information demonstrating how the safeguards have been addressed and

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3. UNFCCC Decision 2/CP.17, Paragraphs 63 and 64, which should be read along with UNFCCC Decision 1/CP.16, Paragraph 69 and Appendix 1, Paragraph 2.
 4. "Agrees that, regardless of the source or type of financing, the activities referred to in decision 1/CP.16 paragraph 70, should be consistent with the relevant provisions included in decision 1/CP.16, including the safeguards in its appendix I" UNFCCC Decision 2/CP.17 paragraph 63.
 5. UNFCCC Decision 1/CP.16 Paragraph 71(d).
 6. UNFCCC Decision 12/CP.17 Paragraph 2.
 7. Which states that REDD+ activities should: (a) Contribute to the achievement of the objective set out in Article 2 of the Convention; (b) Contribute to the fulfilment of the commitments set out in Article 4, paragraph 3, of the Convention; (c) Be country-driven and be considered options available to Parties; (d) Be consistent with the objective of environmental integrity and take into account the multiple functions of forests and other ecosystems; (e) Be undertaken in accordance with national development priorities, objectives and circumstances and capabilities and should respect sovereignty; (f) Be consistent with Parties' national sustainable development needs and goals; (g) Be implemented in the context of sustainable development and reducing poverty, while responding to climate change; (h) Be consistent with the adaptation needs of the country; (i) Be supported by adequate and predictable financial and technology support, including support for capacity-building; (j) Be results-based; (k) Promote sustainable management of forests;

respected (subsequently referred to as the summary of information or SOI).⁸ The UNFCCC also establishes that the summary of information should be provided periodically, and be included in national communications or other communication channels identified by the COP. An additional and voluntary format for providing information to the UNFCCC is through the UNFCCC REDD+ web platform.⁹

In the final series of decisions on REDD+, agreed in Paris at COP 21, Parties to the UNFCCC developed some further guidance “on ensuring transparency, consistency, comprehensiveness and effectiveness when informing on how all the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected.”¹⁰

As part of this guidance, the COP “strongly encourages” developing country Parties, when providing the summary of information on how the Cancun safeguards are being addressed and respected, to include, inter alia, “[a] description of each safeguard in accordance with national circumstances.”¹¹

1.2 FCPF Safeguard Requirements

Once sufficient progress has been made in the implementation of their Readiness Preparation Proposals (R-PPs), countries may apply, or authorise an entity within their country to apply, to the Carbon Fund by submitting an Emission Reductions Program Idea Note (ER PIN), as a step towards the completion of an Emission Reduction Programme (ER Programme) and ultimately, results-based payments.¹² Countries are also expected to submit a Readiness Package, a document that summarises its readiness process and outcomes from development of activities outlined in its R-PP (including safeguards).¹³

The FCPF safeguard requirements have two dimensions: substantive, and procedural.

1.2.1 Substantive Requirements

Countries receiving FCPF funding for readiness preparation through the World Bank are required to ensure compliance with the FCPF Readiness Fund’s common approach to environmental and social safeguards for multiple delivery partners (Common Approach).¹⁴ According to the Common Approach, participating countries are expected to achieve “substantial equivalence” to the “material elements” of the World Bank’s environmental and social safeguard policies and procedures applicable to the FCPF Readiness Fund.¹⁵

8. Decision 9/CP, Paragraph 4, UNFCCC Decision 2/CP.17, op cit, Paragraph 63 and 64.

9. Decision 12/CP.19, Paragraph 2 and 3.

10. UNFCCC Decision 17/CP.21, see also UN-REDD [brief on summaries of information](#)

11. Ibid, paragraph 5(b) see also UN-REDD [brief on summaries of information for further analysis](#)

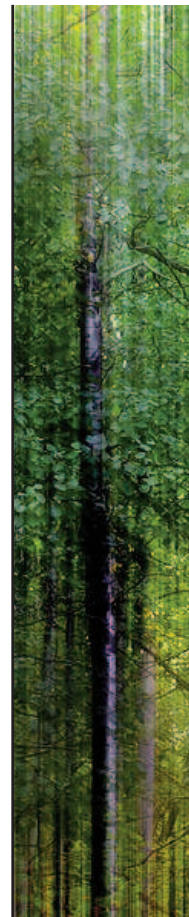
12. Ibid.

13. Forest Carbon Partnership Facility Carbon Fund (2012) Process Guidelines for the Carbon Fund of the Forest Carbon Partnership Facility. FMT Note CF-2012-1-Rev p.2:

<http://www.forestcarbonpartnership.org/sites/fcp/files/Documents/tagged/FMT%20Note%20CF-2012-1%20CF%20Process%20guidelines%20rev%20after%20CF4%20-%20final.pdf>

14. UN REDD FCPF (2012) R-PP Template Annexes Version 6, for Country Use p. 44.

15. FCPF (2011) Readiness Fund Common Approach to Environmental and Social Safeguards for Multiple Delivery Partners. https://www.forestcarbonpartnership.org/sites/forestcarbonpartnership.org/files/Documents/PDF/Nov2011/FCPF%20Readiness%20Fund%20Common%20Approach%20_Final_%2010-Aug-2011_Revised.pdf



1.2.2 Procedural Requirements

The Readiness Fund has two procedural safeguard requirements, namely the:

1. Strategic Environmental and Social Assessment, or SESA, and
2. Environmental and Social Management Framework, or ESMF.

The SESA stems from environmental assessment (EA) requirements of the World Bank.¹⁶ It is intended to be an inclusive process whereby the REDD+ country, with the participation of all potentially affected stakeholders, seeks to “identify likely impacts and risks, as well as opportunities,” among different strategic REDD+ options. During the SESA process, these impacts, risks and opportunities are assessed and weighed by the various stakeholders. Activities that form part of the SESA include:¹⁷

1. Identifying and prioritising the drivers of deforestation and the key social and environmental issues associated with the drivers. This assessment also includes looking at how issues such as land tenure, benefit-sharing and access to resources are dealt with in Pakistan. A preliminary examination of the likely social and environmental impacts of the REDD+ strategy options identified in the R-PP is also necessary;
2. Analysing the legal, policy and institutional “aspects” of REDD+ readiness;
3. Assessing existing capacities and gaps to address the identified environmental and social issues; and
4. Establishing outreach, communication and consultative mechanisms with relevant stakeholders throughout the process.

8

The SESA should conclude with the production of an ESMF as a means for managing environmental and social risks as REDD+ countries develop their REDD+ national strategies.

All REDD+ countries must produce an ESMF as a direct output of the SESA process.¹⁸ The ESMF lays out principles, rules, guidelines and procedures for assessing issues and impacts associated with planned REDD+ activities that may occur in the future but are not presently known or are uncertain.¹⁹ It largely provides a framework for REDD+ countries to address environmental and social issues in their REDD+ Strategy as it is implemented.

The ESMF is completed and presented, to the extent possible, as part of the REDD+ country’s Readiness Package (R-Package). However, if REDD+ investments have not yet been specifically identified, the ESMF remains a general principles-based document, leaving specific details for later.

16. See OP 4.01 – Environmental Assessment, para. 7; and Annex A, para. 10.

17. Ibid

18. R-PP Template, Component 2d, p. 44.

19. Common Approach, p. 47, para. 23.



1.3 Overview of the Strategies related to REDD+

The ultimate goal of a National REDD+ Strategy is the effective reduction of greenhouse gases emissions coming from deforestation and forest degradation, the conservation and enhancement of carbon stocks, and the promotion of sustainable forest management. To achieve such goal, the efforts should be circumscribed in a broad policy framework, which at the same time is integral and has a long-term scope. In this sense, a national vision for REDD+ should be oriented to incorporate these characteristics.

Vision 2025 (Ministry of Planning Development & Reform 2014)²⁰ is a document that provides the vision for Pakistan for the coming decades. Pakistan's Intended Nationally Determined Contribution (Paki-INDC) is also based on the Vision 2025. Vision 2025 sets out important elements that prioritise people, inclusive growth, governance, water, energy and food, as well as recognises the high priorities of developing a knowledge economy, regional connectivity and having the private sector participate in the economy. In this sense, there is a strong alignment between Pakistan's Vision 2025 with the Millennium Development Goals (MDGs) and the Sustainable Development Goals (SDGs) (Ministry of Planning Development & Reform 2014).

Pakistan's forests can play an important part in the country's ability to mitigate and adapt to climate change. Pakistan has been working on REDD+ readiness for several years, and different stakeholders have been discussing views and expectations for the implementation, process and results arising from REDD+. Pakistan's vision for forests and people is a culmination of extensive consultations that seek to align the national REDD+ vision with the vision of Pakistan. As a result, the national REDD+ vision is based on Vision 2025 and the SDGs, in which relevant stakeholders should play a key role in the target and goal setting of the national REDD+ Strategy.

A National REDD+ Strategy has been developed. The development of Pakistan's National REDD+ Strategy by the consultancy company INDUFOR,²¹ followed several methodological approaches. Throughout the development process, consultations were carried out, including:

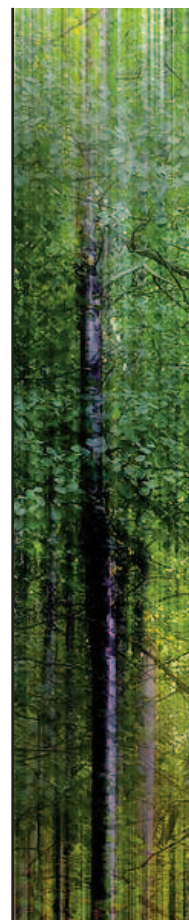
- Interviews with key experts and stakeholders
- Focal group discussions with identified strategic stakeholder groups, and disadvantaged groups such as women, poor, ethnic minorities and people with disabilities
- Community consultations
- Workshops

The whole consultation process was guided by the UN REDD/FCPF Guidelines on Stakeholder Engagement for REDD+. The stakeholders involved in the process included:

- Government at Federal and Provincial levels
- Private sector – forest enterprises, industry and producer associations
- Civil society and universities – including local and international NGOs
- Development partners – multilateral and bilateral donors

20. Pakistan 2025: One Nation – One Vision. Pakistan Vision 2025 Secretariat. Ministry of Planning, Development and Reform. Government of Pakistan (www.pc.gov.pk).

21. For a more detailed explanation of INDUFOR's methods, see March 2017 Pakistan REDD+ Strategy Inception report.



These consultations were supplemented by diagnostic assessments of drivers of deforestation and forest degradation. Following these two phases, strategy options and an initial implementation framework were developed, alongside a risk analysis, gender mainstreaming and capacity building needs assessment.

Due to the diversity and complexity of drivers of deforestation and forest degradation in the country, there is no one size fits all solution, so a combination of alternatives should be designed in order to effectively and sustainably achieve REDD+ objectives, including multiple benefits and ensuring long term resilience and adaptation to climate change. Additionally, Pakistan already has successful experiences and projects, at various scales and funding sources; in the topics proposed as strategy options. The National REDD+ Strategy needs to be built on that basis in order to support, expand, scale-up or adjust current initiatives and projects. Some of these initiatives include (but are not limited to): Sustainable Forest Management to Secure Multiple Benefits in High Conservation Value Forests by GEF, Green Pakistan Project at the national level, and the Billion Tree Tsunami Afforestation Project in Khyber Pakhtunkhwa province.

Most of the anthropogenic drivers of deforestation and forest degradation occur because the economic, legal and social conditions favour activities that result in deforestation. In other words, currently it is easier to behave unsustainably than in a sustainable manner.

Strategy options are intended to modify productive practices to improve sustainability and are designed with the logic of creating appropriate incentives, encouraging the owner or user and other stakeholders to behave sustainably. This requires not only a good design of the activities but also a complex set of supporting conditions to make them occur and sustain over time, known as implementation framework and presented in the next chapter. These actions might include, but are not limited to, changes in legal framework, improved governance, land use planning at national, provincial, district and local levels, awareness raising and capacity building, which also have to be province-specific and related to forest categories and land tenure.

Acknowledging the different conditions across provinces and territories, not all strategy options are suitable for all of them, or at least not at the same level or having the same supporting actions to perform them. The same strategy options might need to be implemented through different mechanisms in different provinces according to their circumstances. It could also be the case that some provinces or territories come out with additional actions or strategy options that could support REDD+ objectives. It is important to highlight that any action undertaken for REDD+ must also take into account and respect traditional practices and cultures.



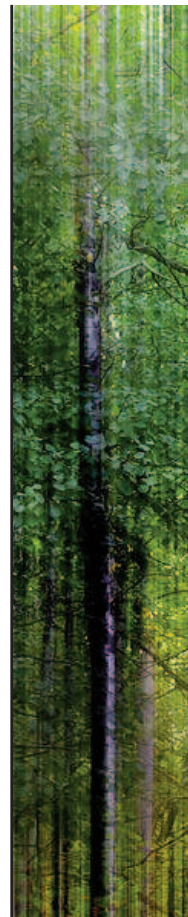
1.4 Activities carried out by Pakistan to meet UNFCCC and Forest Carbon Partnership Facility (FCPF) REDD+ Safeguard Requirements

The Government of Pakistan has committed to meeting the UNFCCC and FCPF REDD+ safeguards requirements in a coordinated and cost-effective manner.

The grant agreement between FCPF and Government of Pakistan was signed on May 4, 2015, and since then the Readiness Preparation Activities have been carried out through the Office of Inspector General of Forests under Ministry of Climate Change.

Under FCPF grant, the following REDD+ safeguards activities were completed by June 2018:

- 1) Conducting analytical work to determine how the UNFCCC and FCPF safeguards will be implemented. This included carrying out:
 - a. Analyses of legal and institutional and governance capacity to address safeguards
 - b. Preparation of a clarification/interpretation of the UNFCCC REDD+ safeguards in accordance with Pakistan's national circumstances
 - c. Assessment of historical social and environmental issues in the forest/land use sector
 - d. Mapping of relevant stakeholders and platforms to be involved in the evaluation of potential risks and benefits associated with the implementation of REDD+ activities
- 2) Conducting Strategic Environmental and Social Assessment (SESA), preparing an Environmental and Social Management Framework (ESMF),
- 3) Assessing existing Feedback and Grievance Redress Mechanism (FGRM) and developing a FGRM framework for REDD+; and
- 4) Designing a Safeguard Information System. This included carrying out:
 - a. Identification of SIS information needs
 - b. Identification and assessment of existing sources of information for the SIS
 - c. Creation of a web-based platform for SIS and mobile app



2 WHAT DO THE UNFCCC REDD+ SAFEGUARDS MEAN IN THE COUNTRY CONTEXT?

This section provides a preliminary and indicative clarification of the UNFCCC REDD+ safeguards in accordance with Pakistan's national context.

Parties to the UNFCCC agreed to a set of seven broad principles that are expected to be applied in accordance with national context and circumstances. In the final series of decisions on REDD+, which were agreed upon in Paris at COP 21, Parties to the UNFCCC developed some further guidance "on ensuring transparency, consistency, comprehensiveness and effectiveness when informing on how all the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected."²²

As part of this guidance, the COP "strongly encourages" developing country Parties, when providing the summary of information on how the Cancun safeguards are being addressed and respected, to include, inter alia: "A description of each safeguard in accordance with national circumstances."²³

The purpose of the clarification is to specify how the principles/objectives encompassed in the UNFCCC REDD+ safeguards translate into concrete rights and obligations in the context of Pakistan. In other words, the clarification is expected to contextualise the general principles outlined in the UNFCCC REDD+ safeguards into specific principles and objectives that are to be followed and promoted in the context of the implementation of REDD+ activities in Pakistan, and which are anchored in the country's policies, laws and regulations (PLRs).

A description of each safeguard in accordance with national circumstances can be achieved by identifying the various rights and obligations that are embodied in the Cancun safeguards, and examining how these are reflected in the specific country context. Studies have already been undertaken to identify/unpack these rights and obligations as reflected under international law,²⁴ but the national circumstances are particular to each country. It is also important that the description be the result of a shared or 'common' understanding among different stakeholder constituencies within a country, so as to facilitate their implementation.

22. UNFCCC Decision 17/CP.21, see also UN-REDD [brief on summaries of information](#)

23. Ibid, paragraph 5(b) see also UN-REDD [brief on summaries of information for further analysis](#)

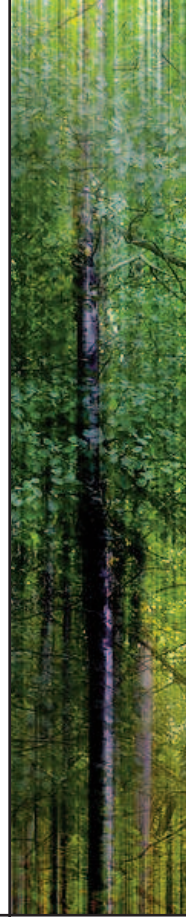
24. See Rey, D., Roberts, J., Korwin, S., Rivera., & Ribet, U. (2013) *A Guide to Understanding and Implementing the UNFCCC*, ClientEarth, London, United Kingdom. Available from: <http://www.clientearth.org/reports/a-guide-to-understanding-and-implementing-unfccc-redd+-safeguards.pdf>



UNFCCC REDD+ Safeguard A: 'That Actions Complement or are Consistent with the Objectives of National Forest Programmes and Relevant International Conventions and Agreements.'

Core Elements	Legal Basis	Narrative Clarification
<p>1. The REDD+ strategy is consistent with the objectives of national forest programmes</p>	<p>The legal framework in Pakistan sets out clear objectives for its forest programmes under the Forest Act, KPK Forest Ordinance, the Pakistan Environmental Protection Act, and Pakistan Climate Change Act, which set out specific targets relating to the protection, conservation, management and sustainable development of Pakistan's forests.</p>	<p>"The REDD+ Strategy is designed in compliance with the objectives of national forest programmes, and consistent to the provisions of the relevant treaties and international conventions Pakistan is party to"</p>
<p>2. The REDD+ strategy is consistent with relevant and applicable international conventions and agreements</p>	<p>Pakistan is party to fourteen (14) relevant international conventions and agreements.</p>	

25. Forest Act, 1927.
 26. KPK Forest Ordinance, 2002.
 27. Pakistan Environmental Protection Act, 1997.
 28. Pakistan Climate Change Act, 2017.
 29. International Plant Protection Convention, Rome, 1951, Plant Protection Agreement for the South-East Asia and Pacific Region (as amended), Rome 1956, Agreement for the Establishment of a Commission for Controlling the Desert Locust in the Eastern Region of its Distribution Area in South-West Asia (as amended), Rome, 1963. Convention on Wetlands of International Importance Especially as Waterfowl Habitat, Ramsar, 1971 and its amending Protocol, Paris, 1982. Convention Concerning the Protection of World Cultural and Natural Heritage (World Heritage Convention), Paris, 1972. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Washington, 1973. Convention on the Conservation of Migratory Species of Wild Animals, Bonn, 1979. Convention on the Law of the Sea, Montego Bay, 1982. Vienna Convention for the Protection of the Ozone Layer, Vienna, 1985. Montreal Protocol on Substances that Deplete the Ozone Layer, Montreal, 1987 and amendments thereto. Agreement on the Network of Aquaculture Centres in Asia and the Pacific, Bangkok, 1988. Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal, Basel, 1989. Convention on Biological Diversity, Rio De Janeiro, 1992. United Nations Framework Convention on Climate Change, Rio De Janeiro, 1992.





UNFCCC REDD+ Safeguard B: 'Transparent and Effective National Forest Governance Structures, taking into Account National Legislation and Sovereignty.'

Core Elements	Legal Basis	Narrative Clarification
<p>1. Right to access information is recognised and protected in the context of the implementation of the REDD+ strategy</p>	<p>The Right of Access to Information is a qualified right under the National Constitution of Pakistan.³⁰</p>	<p>"Transparency and effectiveness of forest governance structures, including the right of access to information, accountability, access to justice, gender equality and the recognition and protection of land use rights are promoted and regulated in the scope of the application of the National REDD+ Strategy through the relevant PLRs of the country."</p>
<p>2. Accountability is guaranteed in the context of the implementation of the REDD+ strategy</p>	<p>National Accountability Ordinance, 1999 was promulgated to eradicate corruption and corrupt practices and hold accountable all those persons accused of such practice.</p>	
<p>3. Right to access justice is recognised and protected in the context of the implementation of the REDD+ strategy</p>	<p>The Constitution of Pakistan ensures that to enjoy the protection of law and to be treated in accordance with law is the inalienable right of every citizen. For the determination of his civil rights and obligations or in any criminal charge against him, a person shall be entitled to a fair trial and due process.³¹</p>	

³⁰ Article 19-A of the Constitution of Pakistan, 1973

³¹ Article 4 and 10-A of the Constitution of Pakistan, 1973

Core Elements	Legal Basis	Narrative Clarification
<p>4. Rights over forest land are recognised and protected in the context of the implementation of the REDD+ strategy</p> <p>5. Gender equality is promoted and protected in the context of the implementation of the REDD+ strategy</p>	<p>The Constitution of Pakistan guarantees that every citizen shall have the right to acquire, hold and dispose of property in any part of Pakistan, subject to the Constitution and any reasonable restrictions imposed by law in the public interest.³² It also provides the basis for just compensation to be awarded in the event of acquisition of land/resources from them.³³</p> <p>Forestry laws in Pakistan ensure tenure and rights of local communities over state owned forests including right of way, water, firewood, etc.³⁴</p> <p>The Constitution recognises Gender Equality³⁵ and the right of women citizens to participate in all economic activities.³⁶ This is further recognised and encouraged in specific forest PLRs at the national level.³⁷</p>	

32. Article 23 of the Constitution of Pakistan 1973

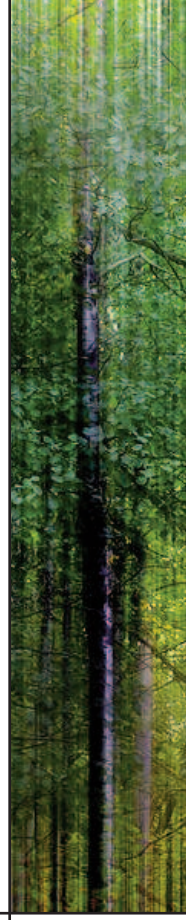
33. Article 24 of the Constitution of Pakistan 1973

34. Section 11 of the Forest Act, 1927, and Section 23 of the KPK Forest Ordinance 2002

35. Article 25 of the Constitution of Pakistan, 1973

36. Article 34 of the Constitution of Pakistan, 1973

37. Section 99 (3) of the KPK Forest Ordinance, 2002.





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

Core Elements	Legal Basis	Narrative Clarification
<p>1. The rights of Indigenous and Tribal Populations are promoted and protected in the context of the application of the REDD+ strategy, in consistency with relevant and applicable international conventions and treaties.</p>	<p>Pakistan ratified Indigenous and Tribal Populations Convention, 1957 in the year 1960.</p> <p>KPK Forest Ordinance of 2002 was promulgated for the promotion of the economic, social and ecological wellbeing of local people.</p> <p>The constitution states all citizens are equal before law and are entitled to equal protection of law.³⁸</p>	<p>"The recognition of, and respect for the rights of Indigenous and Tribal Populations in accordance with the relevant PLRs is applicable to the implementation of the National REDD+ Strategy; including the rights to non-discrimination, traditional knowledge and culture, self-determination, benefit sharing and collective tenure rights."</p>
<p>2. Traditional knowledge is recognised and protected in the context of the application of the REDD+ strategy.</p>	<p>Traditional knowledge has always been an aspect of customary law which is recognised under the Constitution but not defined. It is associated with intangible matter.</p>	

38 Article 25 of the Constitution of Pakistan, 1973

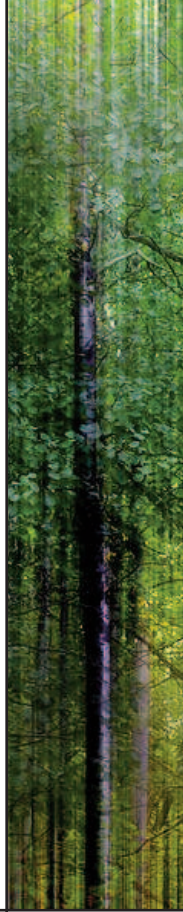
UNFCCC REDD+ Safeguard D: ‘The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities, in the actions referred to in paragraphs 70 and 72 of this decision.’

Core Elements	Legal Basis	Narrative Clarification
<p>1. The right to participate in the design and implementation of the REDD+ strategy is recognised and promoted.</p>	<p>National PLRs³⁹ mandate that environmental impact assessments be carried out with public participation. Provincial PLRs⁴⁰ define an “interested party” having bonafide interest in the sustainable development of the forest and natural resources.</p>	<p>“The right to participate, in particular for relevant local communities and vulnerable groups, is recognised and promoted under the National REDD+ Strategy through the relevant PLRs of the country, which include the promotion of the right to free, prior and informed consent.”</p>
<p>2. Relevant local communities, indigenous and tribal populations, and vulnerable groups have the right to participate in the application of the REDD+ Strategy.</p>	<p>Provincial PLRs⁴¹ facilitate the effective participation of local communities in the management of forests; and the participation of village communities and interested parties in the sustainable development of forests and wastelands. The Provincial Government will make efforts to encourage women to participate in the management process.</p> <p>Provincial PLRs also mandate cooperation between the Provincial Government and community-based organisations, village-based organisations, village development committees, and the like, in managing forests.</p>	
<p>3. Right to free, prior and informed consent is recognised and protected in accordance with the relevant legal obligations.</p>	<p>Pakistan is a signatory to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p>	

39. Environmental Protection Act, 1997

40. Khyber Pakhtunkhwa Ordinance, 2002

41. Khyber Pakhtunkhwa Ordinance, 2002





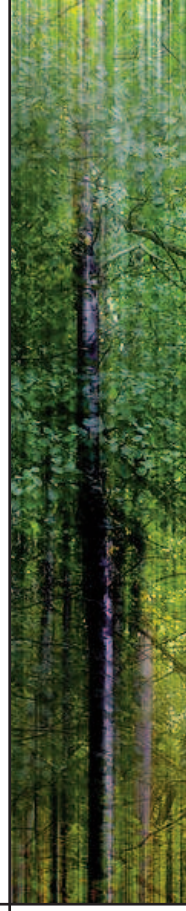
UNFCCC REDD+ Safeguard E: 'That actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions referred to in paragraph 70 of this decision are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits.'

Core Elements	Legal Basis	Narrative Clarification
<p>1. The conservation of natural forests and biological diversity is recognised and protected in the context of the implementation of the REDD+ strategy.</p>	<p>The policy objectives of the National Forest Policy of 2015, however, include (1) the implementation of a national level mass afforestation programme to expand and maintain forest coverage to meet international standards, and (2) controlling deforestation through the regulation of timber and inter-provincial trade of timber.</p> <p>Pakistan is a Party to the Convention on Biological Diversity.</p> <p>The National Forest Policy of 2015 includes among its objectives the establishment and management of protected areas and networking through ecological corridors.</p> <p>Draft National Biodiversity Strategy and Action Plan.</p>	<p>"REDD+ activities under the National REDD+ Strategy will promote the conservation of natural forests and biodiversity, the enhancement of social and environmental benefits, and will not result in the conversion of natural forests, in accordance with the relevant PLRs in the country."</p>
<p>2. The REDD+ strategy will not incentivise the conversion of natural forests.</p>	<p>The Pakistan Environmental Protection Council has the mandate to provide guidelines for the protection and conservation of species, habitats, and biodiversity in general, and for the conservation of renewable and non-renewable resources. Further, the Pakistan Climate Change Authority under the Climate Change Act, 2017 also has a similar provision of the law.</p> <p>Draft National Biodiversity Strategy and Action Plan.</p>	

Core Elements	Legal Basis	Narrative Clarification
<p>3. Enhancement of ecological, biological, climatic, and socio-cultural benefits is recognised and protected in the context of the implementation of the REDD+ strategy.</p>	<p>No legal basis. If our recommendations are adopted (i.e. rec 71 and 79 in Annex I- Analyses of Legal, Institutional and Governance Capacity to Address Safeguards in Pakistan), then they will provide the legal basis for this safeguard commitment.</p> <p>Draft National Biodiversity Strategy and Action Plan.</p>	

UNFCCC REDD+ Safeguard F & G, respectively: Actions to address the risks of reversals and Actions to reduce displacement of emissions

Core Elements	Legal Basis	Narrative Clarification
<p>1. Addressing risks of reversals is required by the REDD+ strategy.</p> <p>2. Addressing risks of displacement of emissions is required by the REDD+ strategy.</p>	<p>The Forest Act 1927, as well as the Khyber Pakhtunkhwa Forest Ordinance 2002, prohibit setting of fires or abetting in setting fires in a forest or leaving any fire burning in such a manner as may endanger forests.</p>	<p>"Risks of reversals and displacement of emissions of the proposed REDD+ actions are addressed through measurement, reporting and verification (MRV) and national forest monitoring system."</p>



3 HOW WILL THE UNFCCC REDD+ SAFEGUARDS BE IMPLEMENTED?

3.1 Framework for the Implementation of UNFCCC REDD+ Safeguards

It is now generally considered by most countries that identifying, assessing, and strengthening existing governance arrangements relevant to the safeguards (e.g. PLRs, institutional frameworks, information systems, etc.) forms the basis through which they can ensure consistency with the UNFCCC REDD+ safeguards throughout the implementation of their REDD+ actions.

Given that the legal framework of the country generally protects and regulates many of the objectives enshrined in the UNFCCC REDD+ safeguards, the identification of the relevant aspects of the legal framework in Pakistan was the basis to be able to determine 'how' the country will ensure REDD+ activities are carried out in consistency with the UNFCCC REDD+ safeguards.

The identification and detailed analysis of Pakistan's legal and institutional framework demonstrates that Pakistan's PLRs are largely consistent with the UNFCCC REDD+ safeguards.⁴² However, specific legal gaps were identified, for which gap filling recommendations were identified. These gap-filling recommendations will be adopted in order to ensure Pakistan's legal and institutional framework is fully consistent with the UNFCCC REDD+ safeguards and can therefore be utilised as Pakistan's national policy response to meet its international safeguards commitments for REDD+.

The following section is structured in relation to each UNFCCC REDD+ safeguard and provides:

- UNFCCC REDD+ safeguard language;
- Clarification of the UNFCCC REDD+ safeguard in accordance to Pakistan's national context and circumstances; and
- In tabular format, the identification of Pakistan's relevant policies, laws and regulations (PLRs) that are to be used to ensure the application of the safeguard, and additional and novel REDD+-specific governance arrangements (e.g. protocols, guidelines, etc.)

UNFCCC REDD+ Safeguard A

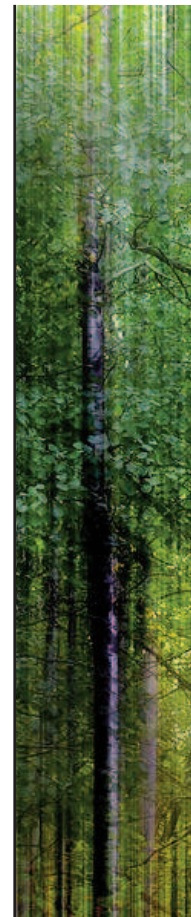
'That actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements.'

42. CLP and HBP (2018) Analyses of legal and institutional capacity to address safeguards.



Pakistan Clarification of UNFCCC REDD+ Safeguard A: “The REDD+ Strategy is designed in compliance with the objectives of national forest programmes, and consistent with the provisions of the relevant treaties and international conventions Pakistan is party to.”

Relevant PLRs to be Used to Ensure the Implementation of REDD+ Safeguards	Additional Measures
<ul style="list-style-type: none"> ● Although there is no single document identified as “national forest programme” the legal framework in Pakistan sets out clear objectives for its forest programmes under the Forest Act,⁴³ the Pakistan Environmental Protection Act,⁴⁴ and Pakistan Climate Change Act,⁴⁵ which set out specific targets relating to the protection, conservation, management and sustainable development of Pakistan’s forests. There is no specific legal requirement for new policies, programmes, or plans (including REDD+) to be consistent with these targets/objectives, it is implied within forestry PLRs and Forest Act⁴⁶ which seek to establish the conditions for development of forests in Pakistan. ● All REDD+ interventions and investments will need to ensure consistency with relevant PLRs, which include Forest Act,⁴⁷ KPK Forest Ordinance,⁴⁸ the Pakistan Environmental Protection Act,⁴⁹ and Pakistan Climate Change Act,⁵⁰ which set out specific targets relating to the protection, conservation, management and sustainable development of Pakistan’s forests. 	<p>N/A</p>



43. Forest Act, 1927.
 44. Pakistan Environmental Protection Act, 1997.
 45. Pakistan Climate Change Act, 2017.
 46. Forest Act, 1927.
 47. Forest Act, 1927.
 48. KPK Forest Ordinance, 2002.
 49. Pakistan Environmental Protection Act, 1997.
 50. Pakistan Climate Change Act, 2017.

- Pakistan is party to fourteen (14) relevant international conventions and agreements⁵¹ that are to be recognised and applied to contribute to the safeguards application.
- The REDD Strategy may incorporate a form of a follow up mechanism, which would ensure that national policies and procedures remain up to date and compliant with relevant international instruments and developments.
- Capacity building activities for legislators and other stakeholders to improve the legislation and awareness.

UNFCCC REDD+ Safeguard B

‘Transparent and effective national forest governance structures, taking into account national legislation and sovereignty.’

Pakistan Clarification of UNFCCC REDD+ Safeguard B: “Transparency and effectiveness of forest governance structures, including the right of access to information, accountability, access to justice, gender equality and protection of land use rights/benefits are recognised, promoted and regulated in the scope of the application of the National REDD+ Strategy through the relevant PLRs and customary laws and practices of the country.”

Relevant PLRs to be Used to Ensure the Implementation of REDD+ Safeguards

Additional Measures

- The Right of Access to Information is a qualified right under the National Constitution of Pakistan⁵² and several PLRs must be upheld and applied throughout the implementation of the proposed REDD+ actions, including the Khyber Pakhtunkhwa Right to Information Act,⁵³ the Sindh Transparency & Right to Information Bill/Act,⁵⁴ the Freedom of Information
- Regulating the right and process of access to information through an access to information protocol. Depending on the political feasibility, this instrument could have a scope applicable to the environment, forestry or limited to the context of REDD+. The protocol on access to information should clearly set the rules for providing access to information in the context of



51. 1) International Plant Protection Convention, Rome, 1951. 2) Plant Protection Agreement for the South-East Asia and Pacific Region (as amended), Rome 1956. 3) Agreement for the Establishment of a Commission for Controlling the Desert Locust in the Eastern Region of its Distribution Area in South-West Asia (as amended), Rome, 1963. 4) Convention on Wetlands of International Importance Especially as Waterfowl Habitat, Ramsar, 1971 and its amending Protocol, Paris, 1982. 5) Convention Concerning the Protection of World Cultural and Natural Heritage (World Heritage Convention), Paris, 1972. 6) Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Washington, 1973. 7) Convention on the Conservation of Migratory Species of Wild Animals, Bonn, 1979. 8) Convention on the Law of the Sea, Montego Bay, 1982. 9) Vienna Convention for the Protection of the Ozone Layer, Vienna, 1985. 10) Montreal Protocol on Substances that Deplete the Ozone Layer, Montreal, 1987 and amendments thereto. 11) Agreement on the Network of Aquaculture Centres in Asia and the Pacific, Bangkok, 1988. 12) Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal, Basel, 1989. 13) Convention on Biological Diversity, Rio De Janeiro, 1992. 14) United Nations Framework Convention on Climate Change, Rio De Janeiro, 1992.

52. Article 19-A of the Constitution of Pakistan, 1973.

53. Section 2 (e), 2013.

54. Section 2 (e), 2016.

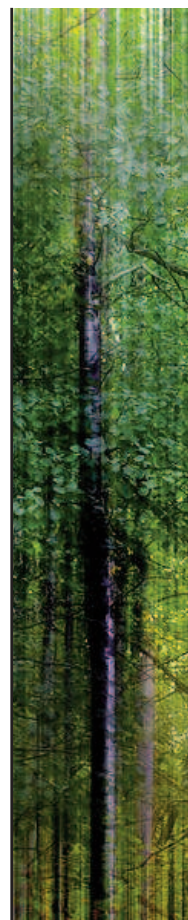
55. Freedom of Information Ordinance, 2002.

56. Section 3 and 15 of the Freedom of Information Ordinance, 2002.

Ordinance⁵⁵⁻⁵⁶, Freedom of Information Act of 2005, the Punjab Transparency and Right to Information Act 2013, the Sindh Transparency and Right to Information Bill of 2016.

- Under specific Acts of Parliament, all public institutions are bound to designate an officer who will have the authority to dispose of the requests of individuals pertaining to disclosure of information. Any person aggrieved of the decision of officer, may approach the respective Ombudsman for redressal of his / her grievance. Pakistan Environmental Protection Agency has also mandated to provide information and guidance to the public on environmental matters.
- Accountability is regulated by the National Accountability Ordinance of 1999. In addition, Climate Change Authority will provide annual audited accounts and performance evaluation based on the progress reports to maintain transparency and accountability.⁵⁷
- The agencies which have existing registries should ensure all conditions restricting the ease of access to relevant information be revised to ensure access is not unduly restricted in favour of industry/private interests.
- Consideration of measures aimed at ensuring public institutions have trained staff and adequate administrative units to support relevant stakeholders (especially vulnerable groups) to exercise their right of access to information.
- Establishment of a procedure for ensuring the accountability of resource management associated with REDD+ activities. This process may be derived from the National REDD+ Strategy. Such an instrument could take the form of a protocol or guidelines for accountability, and its scope will depend on the political will, but it may be sectoral or focused solely on resources derived from REDD+ activities.
- If politically feasible, we also recommend amendments to the Forest Act which provide for a clear and thorough budget approval process to be stipulated. This should ensure scrutiny by key financial agencies prior to its endorsement.

access to information in the context of REDD+, the applicable exceptions and the procedure to be followed to request, obtain and access the information required.



55. Freedom of Information Ordinance, 2002.

56. Section 3 and 15 of the Freedom of Information Ordinance, 2002.

57. Section 13(4) of the Pakistan Climate Change Act, 2017.

- The Constitution of Pakistan guarantees that every citizen shall have the right to acquire, hold and dispose of property in any part of Pakistan, subject to the Constitution and any reasonable restrictions imposed by law in the public interest.⁵⁸ It also provides the basis for just compensation to be awarded in the event of acquisition of land/resources from them⁵⁹.
- Forestry laws in Pakistan ensure tenure and rights of local communities over state owned forests including right of way, water, firewood, etc.⁶⁰
- Benefit Sharing arrangements are stipulated broadly on the Constitution of Pakistan⁶¹ and will be followed.
- Adoption of clear procedural guidelines concerning land registration, especially in relation to REDD+ projects. This should establish an acceptable standard for doing so, based on international best practice on what constitutes transparent, social and gender adequate access and fair processes when acquiring customarily owned land, but applicable to the national context. The above should include a clarification about the ownership of carbon rights.
- Issues of resettlement or land acquisition, restrictions of access to natural resources need to be addressed. The dedicated resettlement framework (See Section II) must be followed.
- Adoption of an instrument for ensuring the equitable/fair distribution of the benefits associated with the implementation of the REDD+ activities. This process may be derived from the National REDD+ Strategy. Such an instrument could take the form of a protocol or guidelines.
- Ministry of Climate Change leads the adoption of a standard of conditions for determining what is 'equitable' distribution of benefits in the context of the implementation of the REDD+ activities. These standards should consider relevant existing legislation.

58. Article 23 of the Constitution of Pakistan 1973.

59. Article 24 of the Constitution of Pakistan 1973.

60. Section 11 of the Forest Act, 1927, and Section 23 of the KPK Forest Ordinance 2002.

61. Article 38 of the Constitution of Pakistan, 1973.

- The Constitution recognises Gender Equality⁶² and the right of women citizens to participate in all economic activities.⁶³ This is further recognised and encouraged in specific forest PLRs at the national level.⁶⁴
- Adoption of specific provisions promoting gender equality within forest law and broader natural resource law, clearly outlining and establishing measures to enforce or achieve this right.
- Adoption of an instrument for promoting gender equality associated with the implementation of the REDD+ activities. This process may be derived from the National REDD+ Strategy, and such an instrument could take the form of a protocol or guidelines. These can be developed as part of organisational directives or as part of implementing its core activities.
- Awareness raising of these rights within the public service overall, but especially within the agencies in charge of the implementation of the National REDD+ Strategy.
- Capacity building activities in the field of gender equality, both at the institutional level (training of public officials) and on the ground, through campaigns and/or informational workshops (conducted in a culturally appropriate and sensitive manner).
- The Constitution of Pakistan ensures that to enjoy the protection of the law and to be treated in accordance with the law is the inalienable right of every citizen. For the determination of his civil rights and obligations or in any criminal charge against him, a person shall be entitled to a fair trial and due process.⁶⁵ A process of appeal is also provided.⁶⁶
- Provide access to all relevant stakeholders to the dedicated 'Feedback Grievance Redress Mechanism' for addressing complaints or unconformities with regards to REDD+

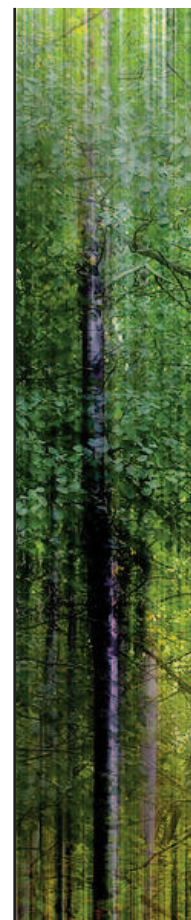
62. Article 25 of the Constitution of Pakistan, 1973.

63. Article 34 of the Constitution of Pakistan, 1973.

64. Section 99 (3) of the KPK Forest Ordinance, 2002.

65. Article 4 and 10-A of the Constitution of Pakistan, 1973.

66. According to Forest Law, 1927 any person aggrieved of an Order passed by the Forest Officer or Forest Settlement Officer, may file an appeal before the District Officer Revenue/Forest Court. Thereafter, if the aggrieved person is not satisfied with the order of the Forest Court, then he/she may file a Revision under the law. Section 59 of the Forest Act, 1927.



- The Pakistan Environmental Protection Act requires an environmental impact assessment, and the approval from the Federal Agency for any project.⁶⁷ Legislation also requires the regular environmental monitoring of all projects in respect of which it has approved an initial environmental examination or environmental impact assessment to determine whether the actual environmental impact exceeds the level predicted in the assessment and whether the conditions of the approval are being complied with.⁶⁸
- Adoption of 'Consultation Guidelines' when dealing with the approval of REDD+ activities/projects and engaging with customary landowners. The Ministry of Climate Change is to compel all relevant agencies involved in REDD+ activities/projects to ensure that this Guideline is used.

UNFCCC REDD+ Safeguard C

'Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples.'

Pakistan Clarification of UNFCCC REDD+ Safeguard C: "The recognition of, and respect for the rights of native communities and tribal populations in accordance with the relevant proposed PLRs is applicable to the implementation of the National REDD+ Strategy; including the rights to non-discrimination, traditional knowledge and culture, self-determination, benefit sharing, accessibility and participation and collective tenure rights."



67. Section 12 of the Environmental Protection Act, 1997.

68. Section 19 of the Sindh Environmental Protection Act, 2014.

Relevant PLRs to be Used to Ensure the Implementation of REDD+ Safeguards	Additional Measures
<ul style="list-style-type: none"> ● Rights of native communities and tribal populations are recognised by the Indigenous and Tribal Populations Convention of 1957 in 1960. ● The Constitution states all citizens are equal before the law and are entitled to equal protection of the law,⁶⁹ that every citizen shall have the right to enter upon any lawful profession or occupation, and to conduct any lawful trade or business.⁷⁰ Additionally, the Constitution states no person shall be deprived of his property save in accordance with the law.⁷¹ ● Relevant PLRs include the KPK Forest Ordinance of 2002, which was promulgated for the promotion of the economic, social and ecological well-being of local people. 	<ul style="list-style-type: none"> ● Adoption of a protocol/guidelines applicable to REDD+ activities to provide guidance on how their rights (rights to non-discrimination, traditional knowledge and culture, self-determination, benefit sharing, accessibility and participation and collective tenure rights) should be respected, protected and promoted when undertaking REDD+ activities. ● The Indigenous People’s Framework and Resettlement Plan (See section II) are used.

UNFCCC REDD+ Safeguard D

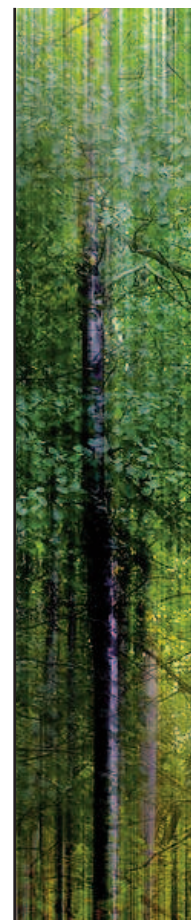
‘The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities, in the actions referred to in paragraphs 70 and 72 of this decision.’

Pakistan Clarification of UNFCCC REDD+ Safeguard D: “The right to participate, in particular for relevant native communities and vulnerable groups, is recognised, protected and promoted in a meaningful way under the National REDD+ Strategy through the relevant PLRs of the country, which include the promotion of the right to free, prior and informed consent.”

69. Article 25 of the Constitution of Pakistan, 1973.

70. Article 18 of the Constitution of Pakistan, 1973.

71. Article 24 of the Constitution of Pakistan, 1973.



Relevant PLRs to be Used to Ensure the Implementation of REDD+ Safeguards

- National PLRs⁷² mandate that environmental impact assessments be carried out with public participation.
- Relevant Provincial PLRs⁷³ facilitate the effective participation of relevant stakeholders in the management of forests; and the participation of village communities and interested parties in the sustainable development of forests and wastelands.
- The Provincial Government must also facilitate the participation of village communities and interested parties in the sustainable development of forests and wastelands and ensure the participation and assistance of communities in the regeneration of cut-over areas, particularly owners, right holders, users, and women.

Additional Measures

- Information concerning the implementation of the National REDD+ Strategy should to be released via quarterly or bi-monthly newsletters/reports to the public, on its webpage, to ensure public are aware, and able to have their say on important matters on a frequent basis.
- Adoption of protocol or guidelines to provide guidance on the manner in which full and effective participation should be carried out, including how stakeholders should be identified in the context of the implementation of a REDD+ activity, and recognise and promote the participation of native communities and vulnerable groups, in accordance with their traditional structures and customary law.
- Awareness-raising and information sharing is carried out on various implications of the proposed REDD+ activities/projects, prior to its development.
- If feasible, amend PLRs to clarify/make explicit reference to participation of indigenous peoples, and to establish the need to incorporate traditional/customary structures and processes in forest management and environmental decision-making processes.
- Adopt guidelines for applying free, prior and informed consent (FPIC) in applicable REDD+ activities. If politically feasible, enact legislation on the right to FPIC and regulating its application.

72. Environmental Protection Act, 1997.

73. Khyber Pakhtunkhwa Ordinance, 2002.

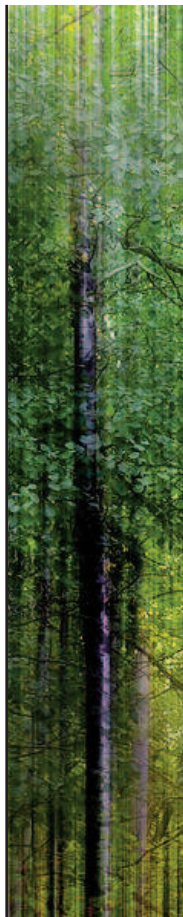


UNFCCC REDD+ Safeguard E

‘That actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions referred to in paragraph 70 of this decision are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits.’

Pakistan Clarification of UNFCCC REDD+ Safeguard E: “REDD+ activities under the National REDD+ Strategy will promote the conservation and development of natural forests and biodiversity, the enhancement of provisional, regulating and environmental, recreational, cultural and socio-economic benefits, and will not result in the conversion of natural/untouched forests, in accordance with the relevant PLRs in the country.”

Relevant PLRs to be Used to Ensure the Implementation of REDD+ Safeguards	Additional Measures
<ul style="list-style-type: none"> ● REDD+ activities will be guided by Section 34-A of the Forest Act, 1927, through which the Government shall not allow change in land use of a protected forest, except for the purposes of right of way, building of roads and development of a forest park, but the Government shall not allow construction of concrete building or permanent structure in the protected forest. ● The Pakistan Trade Control of Wild Fauna and Flora Act of 2012, enacted to implement CITES, (Convention on International Trade in Endangered Species) regulates the export, re-export and import of the species listed in the CITES Appendix. Penalties in the form of fines and/or imprisonment are indicated in the same instrument. ● Draft National Biodiversity Strategy and Action Plan. 	<ul style="list-style-type: none"> ● Offer a specific definition for the terms 'natural forests', 'primary forest', or 'native forest', and 'ecosystem services', ensuring that all definitions are consistent with the UNFCCC, CBD (UN Convention on Biological Diversity) and Rio Declarations signed/ratified by the government of Pakistan, and which will be used in the context of the application of the REDD+ activities. It will be important to make this distinction relation to the recently adopted definition of forest in Pakistan. A 'primary forest' is a forest that has never been logged and has developed following natural disturbances and under natural processes, regardless of its age. It is referred to "direct human disturbance" as the intentional clearing of forests by any means (including fire) to manage or alter them for human use. Also included as primary, are forests that are used inconsequentially by indigenous and local communities living traditional lifestyles relevant for the conservation and sustainable use of biological diversity.





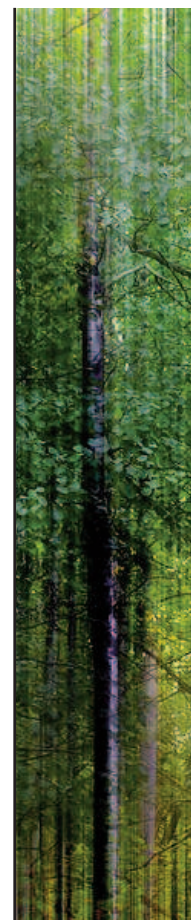
- If politically feasible, we also recommend defining 'natural forests' within national/federal forestry, agriculture and Climate Change (CC)/environment legislation and to ensure there is a clear distinction between this definition and the definition for forest plantations/plantations. This also applies to the need to define what constitutes 'ecosystem services' within the forestry, environment and CC legislation ensuring that all definitions are consistent with the UNFCCC, CBD and Rio Declarations ratified.
- Apply the environmental framework (see section II).
- We recommend the development of a new Forest Policy, or a revision/update of an existing one to cater to the many recent developments within Forestry especially in relation to the technological advancements achieved as part of REDD+ related programmes with international organisations. These revisions should clearly set definitions which include 'natural forests' as a clear basis for measuring what constitutes deforestation. There should also be some attempt to capture these terms within Project Agreements as well so that it is easier to identify the preservation of these kinds of forests from the outset.
- Recommend the amendment/revision of relevant forestry legislation, in order to adopt a framework to address the protection of biodiversity and natural forests in the context of REDD+ in a complementary manner across relevant sectors.

UNFCCC REDD+ Safeguard F & G

'Actions to address the risks of reversals and actions to reduce displacement of emissions.'

Pakistan Clarification of UNFCCC REDD+ Safeguards F&G: Risks of reversals and displacement of emissions of the proposed REDD+ actions are addressed in the REDD+ Strategy through MRV and national forest monitoring system and addressed through appropriate redressal mechanisms.“

Relevant PLRs to be Used to Ensure the Implementation of REDD+ Safeguards	Additional Measures
<ul style="list-style-type: none"> ● Forest Act authorises provincial governments to notify a monitoring committee, which would then monitor and evaluate afforestation plans. 	<ul style="list-style-type: none"> ● Development of detailed land use and forest inventories, and the monitoring of land use and land use change; ● Monitoring of entire forest product supply chains; ● The provision of law enforcement bodies with adequate mandates, sources and expertise to conduct routine monitoring; ● Regular monitoring and reporting on social and environmental impacts of forest programmes linked to REDD+ activities. ● Integration of a framework/measures meant to explicitly address reversals and displacements related to deforestation and forest degradation (including measures that need to be devised for addressing the risks such as primary and secondary leakages) in the National REDD+ Strategy in a section on MRV. ● Adoption or amendment of climate change and forest-related PLRs to reflect measures relevant to reversals and displacement as part of a national MRV framework across sectors.



3.2 Pakistan's Feedback Grievance Redress Mechanism

The introduction of REDD+ in Pakistan will have a significant impact on the dynamics of conflicts over forest resources, and on land, oil, gas, minerals and other valuable resources in forested areas.

A national feedback and grievance redress mechanism (FGRM or GRMs) needs to be effectively available, and if necessary strengthened, as part of the country's REDD+ institutional arrangements. Such a mechanism needs to be available to REDD+ stakeholders from the earliest stages of REDD+ implementation in order to facilitate handling of any request for feedback or complaint by any relevant stakeholders, with particular attention to providing access to geographically, culturally or economically isolated or excluded groups.

The FGRM in Pakistan is intended to be accessible, collaborative, expeditious, and effective in resolving concerns through dialogue, joint fact-finding, negotiation, and problem solving. It is designed to be the "first line" of response to stakeholder concerns that have not been prevented by proactive stakeholder engagement. The FGRM in Pakistan is intended to complement, not replace, formal legal channels for managing grievances (e.g., the court system, organisational audit mechanisms, etc.).

The existence of the FGRM shall not prevent citizens or communities from pursuing their rights and interests in any other national or local forum, and citizens should not be required to use the FGRM before seeking redress through the courts, administrative law procedures, or other formal dispute resolution mechanisms.

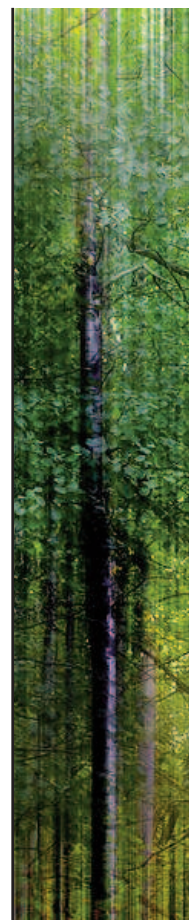
The FGRMs is designed according to the following principles:

- a) **Legitimate:** Enabling trust from the stakeholder groups for whose use they are intended, and being accountable for the fair conduct of grievance processes. Accountability for ensuring that the parties to a grievance process cannot interfere with its fair conduct is typically one important factor in building stakeholder trust.
- b) **Accessible:** Being known to all stakeholder groups for whose use they are intended and providing adequate assistance for those who may face particular barriers to access. Barriers to access may include a lack of awareness of the mechanism, language, literacy, costs, physical location and fears of reprisal.
- c) **Predictable:** Providing a clear and known procedure with an indicative timeframe for each stage, and clarity on the types of processes and outcomes available and means of monitoring implementation. In order for a mechanism to be trusted and used, it should provide public information about the procedures it offers.
- d) **Equitable:** Seeking to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms. Where imbalances are not redressed, perceived inequity can undermine both the perception of a fair process and the GRM's ability to arrive at durable solutions.



- e) **Transparent:** Keeping parties to a grievance informed about its progress and providing sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake. Providing transparency about the mechanism's performance to wider stakeholders, through statistics, case studies or more detailed information about the handling of certain cases, can be important to demonstrate its legitimacy and retain broad trust. At the same time, confidentiality of the dialogue between parties and of individuals' identities should be provided where necessary.
- f) **Rights compatible:** These processes are generally more successful when all parties agree that outcomes are consistent with applicable national and internationally recognised rights. Grievances are frequently not framed in terms of rights and many do not initially raise human rights or other rights concerns. Regardless, where outcomes have implications for rights, care should be taken that they are consistent with applicable nationally and internationally recognised standards and that they do not restrict access to other redress mechanisms.
- g) **Enabling continuous learning:** Drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms. Regular analysis of the frequency, patterns, and causes of grievances; strategies and processes used for grievance resolution; and the effectiveness of those strategies and processes, can enable the institution administering the GRM to improve policies, procedures, and practices to improve performance and prevent future harm.

From the moment the complaint is received until a resolution is issued on the dispute, 30 working days are contemplated. A systematic process is followed that consists of four steps: i) Receipt and registration, ii) Investigation, iii) Resolution, and iv) Monitoring.



4 HOW WILL WE REPORT ON THE IMPLEMENTATION OF THE UNFCCC REDD+ SAFEGUARDS?

The development of a safeguard information system (SIS) is one of the three safeguard-related requirements⁷⁴ outlined by the United Nations Framework Convention on Climate Change (UNFCCC) and is linked to the delivery of results-based payments.⁷⁵ The SIS is generally understood to be a domestic institutional arrangement for providing information as to how the country specific safeguards⁷⁶ are being addressed and respected in the context of the implementation of its proposed REDD+ actions (referred to as Policies and Measures or PAMs). According to UNFCCC guidance, the SIS should:⁷⁷

- Provide transparent and consistent information that is accessible by all relevant stakeholders and updated on a regular basis;
- Be transparent and flexible to allow for improvements over time;
- Provide information on how all of the safeguards referred to in appendix I to decision 1/CP.16 are being addressed and respected;
- Be country-driven and implemented at the national level; and
- Build upon existing systems, as appropriate.

4.1. Objectives for the SIS in Pakistan

Pakistan considers that the design of a SIS is an iterative undertaking. Over time, Pakistan may wish to consider additional objectives for their SIS.

Based on the analysis of existing and relevant information systems and sources and on the inputs gathered through consultations with relevant stakeholders, the objectives adopted for SIS in Pakistan are as under:

1. Reporting to domestic stakeholders

Proposed SIS is expected to provide information that is accessible by all relevant stakeholders to demonstrate that the seven Cancun safeguards are being addressed and respected throughout REDD+ implementation.

2. Reporting to the UNFCCC

Pakistan intends to utilise the information gathered and managed by the SIS as the basis for the preparation of their summary of information to the UNFCCC.

74. The other two being: 1) ensuring consistency of the REDD+ interventions with the Cancun safeguards throughout the implementation of REDD+, and 2) the provision of a summary of information demonstrating how the safeguards have been addressed and respected to the UNFCCC.

75. Decision 2/CP. 17, paragraph 64.

76. The country-specific safeguards is what will be produced as the outcome of the process of clarifying the Cancun safeguards in accordance with the national context.

77. UNFCCC Decision 12/CP.17 paragraph 2.



3. Reporting to FCPF

Information managed by the SIS would also be used to report to the FCPF with regards to the implementation of Pakistan's safeguards plans and the ESMF.

4. Multiple domestic purposes

In addition, the system is expected to serve to:

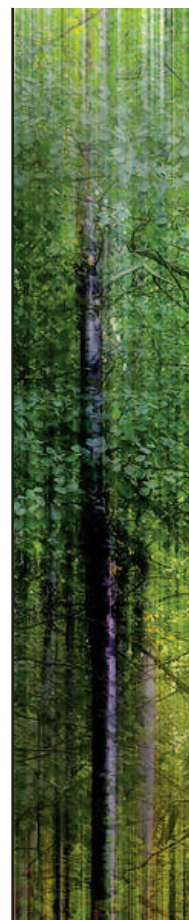
- Build domestic support for REDD+. By making the SIS a part of the curriculum, foresters will get to know SIS as much as the entire forestry discipline.
- To contribute to a range of domestic objectives, such as law enforcement, policy development and governance. The collection of updated information will help to facilitate the decisions and policies.
- The system will provide a transparent and accessible space for all levels of forest department officials for providing their valuable inputs.
- It will facilitate conceptual and philosophical discussions to improve understanding and definition of new concepts, such as indigenous and tribal populations and local wisdom/indigenous knowledge as well as eradication of confusing, contradictory and non-scientific approaches.
- It will contribute to a transparent coordination between provincial and national REDD+ offices.

4.2 Functions and Institutional Arrangements of the SIS

The UNFCCC does not offer any guidance on what specific functions the SIS should perform, e.g. information compilation, analysis, validation, dissemination, etc., beyond the need to 'provide transparent and consistent information' on how all the Cancun safeguards are being addressed and respected 'that is accessible by all relevant stakeholders and updated on a regular basis'.

Defining the functions of the SIS is likely to be an iterative undertaking, with an initial definition of 'core functions', which can be expanded, as appropriate, depending on the chosen objectives of the SIS. The functions of the SIS are closely linked to the institutional arrangements, as the functions may be carried out by a single, or multiple agencies/institutions. Core functions that countries have been considering for their SIS include:

- **Collection:** Process of collecting raw data by relevant information systems. For the purposes of the SIS, enabling this function requires identifying relevant information sources and tasking them with the responsibility of collecting and providing information for the purposes of the SIS.
- **Compilation:** Process of acquiring requested information from the relevant systems and sources. For the purposes of the SIS, enabling this function requires defining the specific information required by the SIS, and agreeing on the information sharing arrangements.
- **Aggregation:** Process of aggregating, into a central repository/database, the information provided by the relevant sources and systems for the purpose of analysis.



- **Analysis:** Process of undertaking a qualitative assessment of the information in order to determine to what extent the safeguards are being addressed and respected.
- **Dissemination of information:** Process of disseminating, both internally (national level) and externally (international reporting) through appropriate means (e.g. website, reports, meetings with relevant stakeholders, etc.)

Pakistan has already made significant progress on this component. Drawing on the analysis of existing and relevant information systems and sources and through consultations with relevant stakeholders, the following institutional arrangements are proposed for each core function of the SIS. See Figure 1 and 2 for the SIS process.

The functions of the REDD+ Office will be taken over by Pakistan Climate Change Authority established under Section 5 of the Climate Change Act, 2017.

In addition, a technological platform has been created (http://webdemo.creatives.pk/redd_demo/#)



Figure 1: Institutional Arrangements of SIS in Pakistan

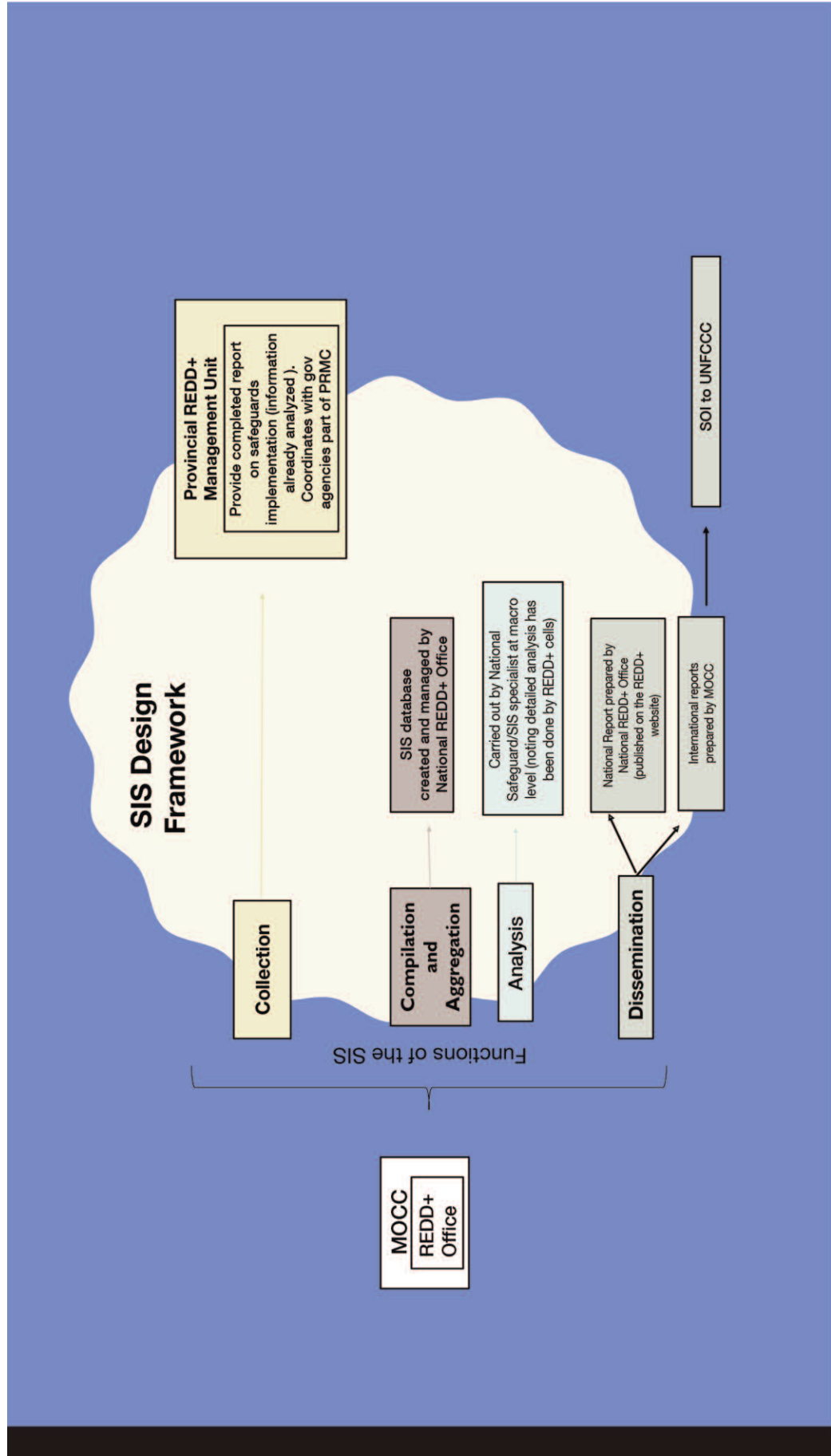
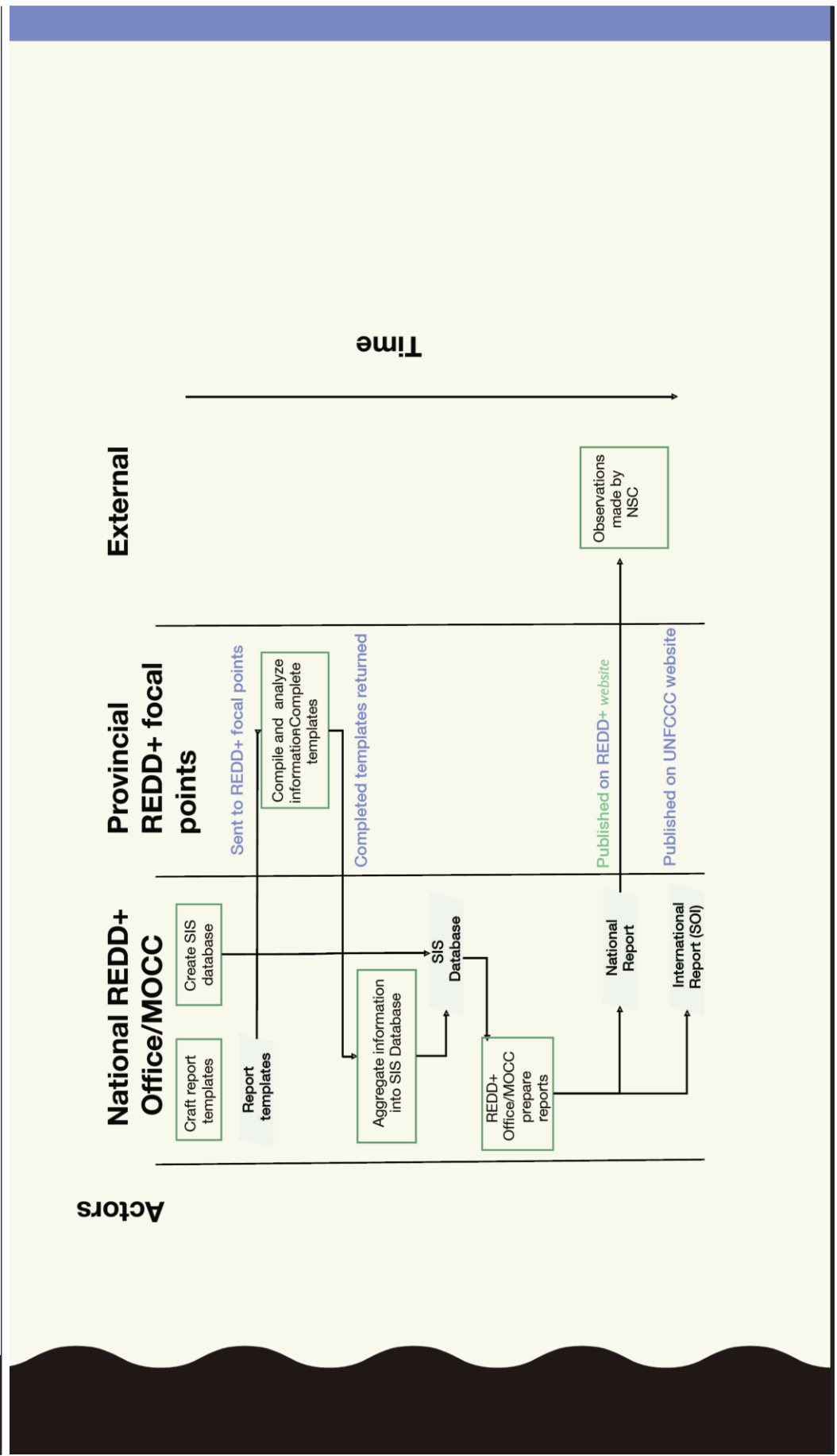




Figure 2: SIS Process



4.3 Types of Information to be provided by the SIS

The key SIS design consideration that countries have identified is determining ‘what type’ of information is needed to demonstrate whether the Cancun safeguards (or country specific safeguards) are being addressed and respected. This is usually referred to as the process of determining the ‘information needs’.

Pakistan has undertaken a clarification of the Cancun safeguards and an identification of the SIS associated information needs.

In this first summary of information, this will only outline what the SIS information needs are in relation to each safeguard. Once the REDD+ Strategy starts to be implemented, the future SOIs in this section will be expected to provide information on:

- Process: For each relevant information need, it should include a narrative overview of the processes followed to respect each safeguard component.
- Outcomes: Outcomes associated with each information need.

Safeguard A

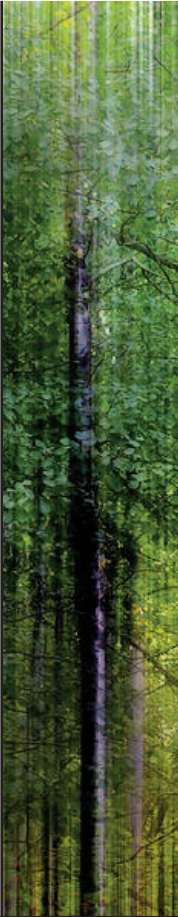
Pakistan’s Clarification of Safeguard A

“The REDD+ Strategy is designed in compliance with the objectives of national forest policy, and consistent to the provisions of the relevant treaties and international conventions Pakistan is party to.”

Types of Information to be Provided for Safeguard A

Qualitative

- a. Description of how the implementation of the REDD+ strategy ensured consistency with the objectives of national forest programmes.
- b. Description of how the implementation of the REDD+ strategy is consistent with the objectives of the various international agreements to which Pakistan is a Party.



Safeguard B

Pakistan's Clarification of Safeguard B

“Transparency and effectiveness of forest governance structures, including the right to access to information, accountability, access to justice, gender equality and land use rights/benefits are recognised, promoted and regulated in the scope of the application of the National REDD+ strategy through the relevant PLRs of the country and customary laws and practices.”

Types of Information to be Provided for Safeguard B

Qualitative

- a. Description of information sharing/dissemination activities undertaken, including requests for access to information and how these were dealt with.
- b. Records of requests for information made by the public (including description of information requested).
- c. Description of improvements in the legal framework and processes concerning access to information.
- d. Records of any REDD+ related denunciation of public officials for corruption, any corruption related investigations and/or prosecutions by the mandated agencies as well as their outcomes.
- e. Description of how REDD+ finance (readiness, implementation and results) has been spent.
- f. Description of transparency of procurement processes (outcomes).
- g. Description of REDD+ related grievances received, process followed to adjudicate and outcomes.
- h. Measures taken for equitable sharing of benefits, gender equity and dealing with social discrepancies.
- i. Description/evidence of how existing land use rights have been recognised and protected during the implementation of REDD+.
- j. If applicable, description of any resettlement process (including procedures followed and compensation provided) for each REDD+ intervention area.

Quantitative

- a. Number of requests for information received and number dealt with (percentage rejected and granted).
- b. Number of meaningful involvement of women in design/implementation of REDD+ PAMs and number of women benefited.
- c. Evidence of how REDD+ finance (readiness, implementation and results) has been spent (internal and external annual audits, projected budgets, audited spending reports).
- d. Number of applications received against implementing authorities (number accepted, number dealt with, and number of REDD+ related grievances received, resolved, number of appeals).
- e. Number of customary rights holders in the area before and after REDD+ interventions.
- f. Number of resettlements (if and as applicable).
- g. Amount of compensation awarded (if and as applicable).



Safeguard C

Pakistan's Clarification of Safeguard C

“The recognition of, and respect for the rights of indigenous, native and tribal communities in accordance to the relevant proposed PLRs is applicable to the implementation of the National REDD+ Strategy; including the rights to non-discrimination, traditional knowledge and culture, self-determination, benefit sharing, accessibility and participation and collective tenure rights.”

Types of Information to be Provided for Safeguard C

Qualitative

- a. Description of how indigenous (when applicable) and tribal populations were included in the design and implementation of the REDD+ Strategy.
- b. Evidence that indigenous (when applicable), tribal and vulnerable local communities were not excluded from the benefits of REDD+ or are not left worse off.
- c. If applicable, description of how (if at all) traditional knowledge has been used/has contributed to REDD+ implementation.

Quantitative

- a. If applicable, number of sources of sacred knowledge/practices in REDD+ intervention areas (before and after implementation).

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Safeguard D

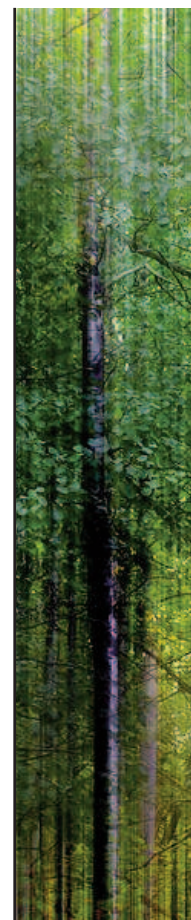
Pakistan's Clarification of Safeguard D

“The right to participate, in particular for relevant native communities and vulnerable groups, is recognised, protected and promoted in a meaningful way under the National REDD+ Strategy through the relevant PLRs of the country, which include the promotion of the right to free, prior and informed consent.”

Types of Information to be Provided for Safeguard D

Qualitative

- a. Description of the general categories of stakeholders involved in the development and implementation of the REDD+ Strategy (documentation and mapping of stakeholders) and how they were involved (information shared, feedback gathered, the format in which it was gathered).
- b. Description of the outcomes of the participation processes (for example how the implementation changed/was influenced by considering the views of the relevant stakeholders).
- c. Description of any conflicts linked to participation (or perceived exclusion from) and outcomes.
- d. Strategy for designing, implementing and monitoring of participation activities (culturally appropriate information produced, capacity building, specific meetings organised for vulnerable groups).



- e. PLRs for protection and promotion of participation rights.
- f. If applicable, description of how Free Prior Informed Consent (FPIC) processes were followed in intervention areas that include Indigenous Peoples, on customary land.
- g. If applicable, description of outcomes of these processes (FPIC granted/withheld) and whether they affected the implementation of REDD+ (interventions cancelled where FPIC withheld).

Quantitative

- a. Number of meetings held, number of participants (organised according to categories of participant).
- b. Number of views gathered (feedback forms, interviews, votes, minutes recorded and disseminated).
- c. Number of complaints lodged in relation to participation (cases accepted/rejected/resolved).
- d. Number of representatives/members from IPs, community forests/associations, local communities and other vulnerable groups involved in REDD+ process in each intervention area.
- e. If applicable, number of FPIC processes followed (FPIC granted, FPIC withheld - resulting in intervention not going ahead).

Safeguard E

Pakistan's Clarification of Safeguard E

“REDD+ activities, under the National REDD+ Strategy, will promote the conservation and development of natural forests and biodiversity, the enhancement of environmental, recreational, cultural and socio-economic benefits, and will not result in the conversion of natural/untouched forests, in accordance with the relevant PLRs in the country.”

Types of Information to be Provided for Safeguard E

Qualitative

- a. Information on how the implementation of REDD+ interventions have impacted natural forests and/or biodiversity if at all and to the extent possible (loss or gain in biodiversity).
- b. Description of how the implementation of each REDD+ intervention has not resulted in the conversion of natural forests.
- c. Description of whether and how the projected socio-cultural, economic and environmental benefits of the REDD+ interventions were realised following implementation.
- d. Description of how benefit sharing arrangements functioned in practice.

Quantitative

- a. Information on the country's natural forest cover before and after REDD+ implementation (e.g. forest inventory, land cover change map of REDD+ interventions sites, confirming no conversion of natural forests to plantations and other land uses has taken place).
- b. Statistics on jobs or businesses created, improved incomes, access to social services, etc.



Safeguards F & G

Pakistan's Clarification of Safeguards F & G

“Risks of reversals and displacement of emissions of the proposed REDD+ actions are addressed in the REDD+ Strategy through MRV and national forest monitoring system and addressed through the provision of alternative options.”

Types of Information to be Provided for Safeguards F & G

- a. Description of how measures to reduce the risk of reversals were implemented.
- b. Description of how measures to reduce the risk of displacement were implemented.
- c. Emission reductions reduced/captured from REDD+ intervention implementation.
- d. Rates of deforestation in neighbouring areas before and after the REDD+ intervention implementation.



