GCF task force   Earth Innovation Institute   CONSERVATION INTERNATIONAL   CCBA The Climate, Community & Biodiversity Alliance   EDF ENVIRONMENTAL DEFENSE FUND Finding the ways that work

SOCIAL SAFEGUARDS IN THE CALIFORNIA TROPICAL FOREST STANDARD

Protecting human and indigenous rights

The California Tropical Forest Standard (TFS) provides strong assurances on safeguards for the protection of human and indigenous rights and important elements of natural ecosystems, which draw on established international best practices, and go further with additional requirements for third party verification.

Only jurisdictions that can demonstrate continued compliance with these stringent safeguards requirements would be eligible to issue emissions reductions under the TFS.

The TFS requires that partner jurisdictions:

- establish, implement and enforce their own policies, laws and regulations that meet international best practice standards (REDD+ SES[i]) for the protection of human and indigenous rights and important elements of natural ecosystems (TFS pages 10, 11 and 19).
- provide detailed information in safeguards reports that are independently verified following international best practice standards (REDD+ SES and ISEAL[ii]) to demonstrate that these safeguards have been effective (TFS pages 10, 11, 18, 19 and 20).
- provide documentation to demonstrate that the sector plan has been designed and implemented using exemplary public participation processes (GCF Principles[iii], TFS pages 11 and 19).

Partner jurisdictions must demonstrate that they have these safeguards in place and have the capacity to implement, enforce, monitor, report and verify them.

Assurance of the implementation of these best practices is not reliant solely on reports generated by the jurisdiction and shared with the partner government, but must be made publicly available on the internet, as well as undergoing verification by an independent, qualified, third-party verifier.

INTERNATIONAL BEST PRACTICE STANDARDS IN THE TFS INCLUDE:

REDD+ SOCIAL & ENVIRONMENTAL STANDARDS (REDD+ SES 2012)

- Developed through an inclusive 3-year participatory process overseen by an International Steering Committee composed of representatives from indigenous peoples' organizations, community forestry organizations, environmental and social NGOs, governments and private sector from Africa, Asia and Latin America.
- Developed through a transparent process involving two public comment periods and workshops at national and local level in three developing countries.
- Includes principles, criteria and indicators for all key constituent elements of safeguards for REDD+ with special attention to best practices related to the rights of Indigenous Peoples and local communities.
- Principles encompass fundamental requirements such as free, prior and informed consent, effective participation of women and vulnerable and marginalized groups, equitable benefit sharing, and enhancing biodiversity and ecosystem service priorities.

Example (from 7 principles, 28 criteria and 64 indicators)

Principle 1. The REDD+ Program recognizes and respects rights to lands, territories and resources.
Criterion 1.3. The REDD+ program requires the free, prior and informed consent of Indigenous Peoples and local communities for any activities affecting their rights to lands, territories and resources.

Indicator 1.3.2. Collective rights holders define a process to obtain their free, prior and informed consent. Including definition of their own representatives and traditional institutions that have authority to give consent on their behalf; The process is transparent; The process takes into account the views of all community members, including those of women and of marginalized and/or vulnerable people; The process is gender sensitive.

Thus, under the TFS, to demonstrate compliance, a jurisdiction must provide documentation detailing how these safeguards were implemented and receive third party verification that they have met all the requirements of the 7 principles, 28 criteria, and 64 indicators of the REDD+ SES.

GCF TASK FORCE PRINCIPLES: The Governor's Climate and Forest Task Force[iv] Guiding Principles for Collaboration and Partnership between Indigenous Peoples and Local Communities (GCF Task Force 2018)

- Developed through a 3+ year-process by the GCF Task Force Global Committee for Indigenous Peoples and Local Communities, comprised of indigenous peoples and local community representatives, governmental representatives of GCF Task Force member jurisdictions and civil society members.
- Build on the experience of Acre, Brazil, which developed the first set of such Principles to guide how the state would partner with indigenous populations for climate change mitigation via extensive participatory processes with indigenous peoples and over 100 stakeholder groups.
- Seek to operationalize the 2014 Rio Branco Declaration, through which GCF Task Force members committed to partner and channel benefits to indigenous peoples and traditional communities for their forest conservation and climate change mitigation efforts.
- Guide how subnational governments partner with indigenous peoples and local communities to strengthen their rights and territorial governance, support livelihoods, ensure their participation in decision-making and co-design benefit-sharing mechanisms.

In 2018, the GCF Task Force Principles were endorsed by 34 subnational governments, encompassing approximately one-third of the world's tropical forests, 18 representative indigenous peoples' and local community organizations and 17 civil society groups. The GCF Task Force members and partners in Brazil, Colombia, Ecuador, Indonesia, Mexico and Peru are now conducting participatory processes for implementing the Principles. GCF Task Force Principles are included in the TFS as result of advocacy efforts by representative indigenous peoples and local community organizations in the public consultation process of the draft TFS.

MORE INFORMATION

VISIT: www.redd-standards.org and gcftf.org/news/gcf-approves-principles

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[i] CCBA (2012). REDD+ Social and Environmental Standards Version 2. 10th September 2012. Climate, Community & Biodiversity Alliance, Washington DC, USA.
[ii] ISEAL Alliance (2018) Assuring Compliance with Social and Environmental Standards ISEAL Code of Good Practice Version 2.0. February 2018. International Social and Environmental Labelling Alliance, London, UK.
[iii] GCF (2018). The Governor's Climate and Forest Task Force Guiding Principles for Collaboration and Partnership between Indigenous Peoples and Local Communities. GCF Task Force, Boulder, Colorado, USA.
[iv] The GCF Task Force is a subnational network dedicated to avoided deforestation and climate change mitigation. It includes 38 states and provinces in 10 countries (USA, Brazil, Mexico, Peru, Colombia, Ecuador, Indonesia, Spain, Nigeria, Ivory Coast). California was a founding member of the GCF Task Force in 2008.

HOW ARE SAFEGUARDS VERIFIED IN THE CALIFORNIA TROPICAL FOREST STANDARD?

Assuring the protection of human and indigenous rights

The California Tropical Forest Standard (TFS) requires that detailed reports on safeguards are verified by independent third parties to ensure that human and indigenous rights have been protected (TFS page 20). Only jurisdictions that can demonstrate through ***independently verified*** reports that they continue to meet the rigorous TFS safeguards requirements would be eligible to issue emissions reductions under the TFS.

The TFS requires that partner jurisdictions follow international best practices to ensure that verifications are independent and not influenced by companies purchasing offsets, jurisdictional governments, the California government, or any other interested party. Third-party verification bodies must (TFS pages 18-19):

- Be accredited or approved as qualified to conduct audits by the partner jurisdiction in accordance with ISO Standards 14064-3[i] and 14065[ii].
- Conduct a verification in a manner consistent with ISEAL Assuring Compliance with Social and Environmental Standards Code of Good Practice[iii].
- Include individuals in the verification team with expertise in social and/or cultural anthropology and/or social ecology, with expertise in ethnography, social science research or sociocultural analysis, in indigenous and human rights, and in social and environmental standards and safeguards in tropical forest jurisdictions.
- Identify all potential conflict of interest and attest to a lack of conflict of interest through a disclosure process consistent with Section 95979 of the California Cap-and-Trade Regulation.

Partner jurisdictions must establish requirements for employing independent third-parties that meet these TFS requirements and must demonstrate that they have been implemented and enforced. Verification reports must be published and posted to the internet to demonstrate ongoing compliance for each year for which emissions reductions are reported under TFS.

WHAT DO THE STANDARDS REQUIRED IN THE TFS FOR VERIFICATION MEAN?

The ISEAL and ISO standards required in the TFS clarify the international best practices that partner jurisdictions must follow to ensure that verifications are scrupulous and truly independent so that they provide clear assurance that reports are comprehensive and accurate, and that stringent TFS requirements on safeguards and all other aspects are met.

The International Social and Environmental Labelling (ISEAL) Alliance is the global association that sets standards for credible sustainability standards. ISEAL Codes of Good Practice promote measurable change

through open, rigorous and accessible certification systems supported by international accreditation bodies, which are required to meet accepted international best practice.

The International Organization for Standardization (ISO) is an independent, non-governmental international organization with a membership of 164 national standards bodies. It brings together experts who develop voluntary, consensus-based International Standards that support innovation and provide solutions to global challenges. ISO has published 22542 International Standards and related documents, covering almost every industry, from technology, to food safety, to agriculture and healthcare.

ISEAL ASSURING COMPLIANCE WITH SOCIAL AND ENVIRONMENTAL STANDARDS CODE OF GOOD PRACTICE VERSION 2.0 (ISEAL ALLIANCE 2018)

Specifies requirements for implementing a verification system to ensure accurate assessments of compliance with social and environmental standards following globally recognized good practices. It contains 51 detailed requirements covering all aspects of a verification system, including that:

- Verifications are done rigorously and impartially, e.g., requiring that interpreters or technical experts employed by verifiers are independent of the client.
- An oversight body ensures that all verifications comply with the requirements. This oversight body is independent of the verifiers being assessed and has authority to take action to address and remediate any issues it identifies, such as disqualifying a verification report or a verification body.
- Potential risks to impartiality are assessed and measures are adopted to mitigate these risks.

ISO STANDARDS 14064-3 AND 14065

Specify the quality of the process for approving and accrediting verification bodies for greenhouse gas (GHG) assessments, and these rigorous best practices would be applicable to the verification bodies that are also responsible for assessing compliance with social and environmental safeguards.

ISO 14064-3:2006 Greenhouse gases — Part 3: Specification with guidance for the validation and verification of greenhouse gas assertions. This International Standard specifies requirements for selecting greenhouse gas verifiers; establishing the level of assurance, objectives, criteria and scope; determining the verification approach; assessing GHG data, information, information systems and controls; evaluating GHG assertions; and preparing validation/verification statements.

ISO 14065:2013 Greenhouse gases — Requirements for greenhouse gas validation and verification bodies for use in accreditation or other forms of recognition. This International Standard provides GHG program administrators, regulators, and accreditors with a basis for assessing and recognizing the competence of validation and verification bodies.

MORE INFORMATION

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[i] ISO (2006). ISO 14064-3:2006 Greenhouse gases — Part 3: Specification with guidance for the validation and verification of greenhouse gas assertions. International Standards Organization, Geneva, Switzerland.
[ii] ISO (2013). ISO 14065:2013 Greenhouse gases — Requirements for greenhouse gas validation and verification bodies for use in accreditation or other forms of recognition. International Standards Organization, Geneva, Switzerland.
[iii] ISEAL (2018). Assuring Compliance with Social and Environmental Standards ISEAL Code of Good Practice. ISEAL Alliance, London, UK.