GLOBE International Forest Legislation Initiative

Results 2011-2013

The GLOBE Forest Legislation Initiative is generously supported by:

[Images of flags from different countries]
1. Project Overview

The GLOBE Forest Legislation Initiative (GFLI) seeks to: strengthen legislation and parliamentary oversight, support efforts to Reduce Emissions from Deforestation and forest Degradation (REDD+), promote Sustainable Forest Management (SFM) and safeguard the rights of local communities and indigenous peoples in forested developing countries. The initiative works directly with senior legislators to improve forest governance, law enforcement, financial scrutiny, accountability and policy coordination whilst facilitating progressive and early engagement of national parliaments with REDD+.

2. Key Information

- **Project Goal:** To facilitate effective, efficient and equitable REDD+ implementation
- **Target group:** National legislators in Brazil, DRC, Indonesia and Mexico (and Colombia and Peru from mid-2013 and onwards)
- **Local partners:** Local GLOBE chapters in the parliaments of each participating country. Each chapter consists of a cross-party network of legislators and a small secretariat/focal point, supported by GLOBE. The national focal points are responsible for day-to-day support and advice to legislators, providing regular REDD+ analysis, identifying needs for further research and opportunities for political action.
- **Activity profile:** Development and passage of legislation through capacity building, research, international dialogues, technical and legal support.
- **International partners:** GEF, Norad, UNEP. Seeking Additional Funding Partners to enable continuation and expansion of the GFLI in 2014.

3. Justification of the Project: Legislation and Parliaments key to National REDD+ Ownership and Readiness

To date, the development of national REDD+ strategies has been led by the government departments responsible for managing the country's forests, along with support from civil society, multilateral agencies and bilateral agreements. As REDD+ strategies mature beyond the "readiness" and planning stages, it is critical that there is broad political support within parliaments in order to achieve ambitious targets to reduce deforestation while alleviating poverty and conserving biodiversity.

In particular, when considering the forest governance challenges in many of the key REDD+ nations, it is essential that there is sufficient national political will to improve the legal framework, strengthen law enforcement and increase the accountability and transparency of the management structures both within and outside of the forest sector. Unless forest governance and legislation is made a priority for REDD+ strategies, the increased financial flows that the mechanism will generate have the potential to further encourage corruption and illegal deforestation activities.
To date there has been a limited engagement of legislators in discussions at the national and international level on reducing deforestation. In addition, many legislators are not familiar with REDD+ as a concept and have limited capacity to engage in legislative deliberations on the topic. As the REDD+ process advances, the typical functions of parliament will play an increasingly important role in creating effective and durable national strategies to reduce deforestation. It will be critical to build capacity within parliaments, so that legislators can pass or amend legislation, scrutinize government policy and budgets, safeguard the rights of forest communities and indigenous people, and promote the conservation of biodiversity.

This project builds REDD+ knowledge and capacity of legislators in four forested developing countries (six from 2013), in support of the important functions of parliament listed above. The project benefits from the unique existing cross-party network of GLOBE-affiliated legislators around the world, supporting international dialogue and South-South exchange of REDD+ legislation best practices.

4. Key Results 2011-2013

- Establishment of cross-party groups of legislators working on REDD+ in each of the four countries, supported by capacity building and technical advice
- Production of the GLOBE Forest Legislation Study and four national-level studies of REDD+ legislation and recommendations on necessary legal reforms: http://www.globeinternational.org/index.php/legislation-studies/publications/forest-legislation-study
- Groundbreaking legislation related to REDD+ passed in Mexico and preparations ongoing in the DRC and Brazil
- Enhanced dialogue on REDD+/forests between Parliaments, the Executive and Civil Society in all project countries
- South-South exchange, enhanced legislators’ participation in international negotiations on REDD+, initiation of an annual Legislators’ Forest Forum (2012 & 2013), participation in the World Summit of Legislators 2012 and adoption of a Forest Declaration by legislators from over 30 countries in January 2013

Legislation is an ultimate outcome of the project, but the legislative process itself is also an important result. As a result of increased REDD+ capacity in parliaments, national REDD+ legislation dialogues have become more participatory, inclusive and transparent. This has been important as REDD+ knowledge and power often resides exclusively with the Executive, leading to a democratic deficit.

As part of the research component of the GFLI, national studies of existing REDD+ and forest legislation have been presented. This has contributed to building capacity and knowledge among legislators enabling them to more actively perform their legislative and scrutinising roles in the area of REDD+ and SFM. An English version and summary of the national studies, with recommendations on key legislative reforms, was presented at the 2nd GLOBE International Forest Forum with legislators from 11 countries at COP 19 in Warsaw in November 2013.
5. Summary of Results by Country

**Brazil:** In Brazil, forests and REDD+ were one of several key themes at the first World Summit of Legislators organised by GLOBE in Rio de Janeiro in June 2012, feeding into the Rio+20 Summit on Sustainable Development. Legislators from 86 countries participated and shared experiences. On the national level, GLOBE legislators were highly engaged in the Brazil Forest Code debate in 2011 and 2012, successfully advancing proposals related to payments for ecosystem services (PES). In 2012 and 2013, GLOBE legislators have decided to integrate discussions on a legal framework for REDD+ with the on-going debate on a PES law project, as this seems to be a politically more viable strategy, following a stalled REDD+ Law Project initiated by a GLOBE legislator in 2012. Further results include the presentation of the Brazil chapter of the GLOBE Forest Legislation Study in the Brazilian Congress in December 2012 and May 2013, leading to engaged deliberations between legislators, government representatives and civil society groups.

**DRC:** The GLOBE DRC Chapter comprising 22 legislators was launched in September 2012. The establishment of an official partnership with the Ministry of Environment and its National REDD Coordination in 2012 and the formation of a REDD/forest governance working group in Parliament have been important steps towards recognition of the legislators’ role. Over 70 legislators have participated in capacity building workshops, alongside representatives of the Executive and civil society, covering a wide range of REDD+ legislation issues. Support to legislators has also included the formation of a REDD+ Legal Support Group comprising four national lawyers, providing day-to-day advice, and the drafting of a national study on forest governance and REDD legal reform options. After this first phase of capacity building and stakeholder consultation, legislators have agreed on a road map for key legislative proposals in 2014, including reforms related to land tenure, environmental and social safeguards, carbon ownership and benefit sharing.

**Indonesia:** In Indonesia, the establishment of a partnership with legislators on REDD+ has been in the context of the wider Green Economy agenda. GLOBE has sought an alternative model for engaging legislators, supporting the formation of a Green Economy Caucus in the Indonesian Parliament. Given the previous lack of a platform for strengthening of legislation and oversight related to REDD, the establishment of the Caucus as a new partner for GLOBE and the GFLI must be seen as a significant step forward.

**Mexico:** In Mexico, legislators who were members of GLOBE successfully advanced groundbreaking legal reforms essential for REDD+ in 2011/2012. Reforms adopted include (but are not limited to): defining the terms deforestation and degradation, adjusting the concept of forest management to now encompass the notion of environmental services and recognize their economic value, linking the national forest inventory to the REDD+ MRV system to be in line with the latest recommendations from the UNFCCC, and establishing eight socio-environmental safeguards. Following the national elections in Mexico in 2012, GLOBE has focused on capacity building of a new group of legislators elected and preparing for further legislative reforms in 2014, particularly related to economic support to forest communities, structural reform of forest legislation, carbon ownership and benefit sharing.

Translating complex international policy processes on REDD+ into national legislation:
Supporting legislators to participate in the UNFCCC process, as well as legal advice and research, has helped Parliaments perform this difficult task. Legal reforms successfully pushed by GLOBE legislators in Mexico in 2012 are a good example of how UNFCCC guidelines for safeguards and MRV systems have been integrated into national legislation.

Bridging the gap between government and parliament where these institutions have differing visions on and approaches to REDD+/forest governance: This has been an important learning experience in all project countries on varying issues and in dealing with different levels and sectors of government.

Legislators dealing with forest protection in the wider context of sustainable development:
When launching new forest legislation proposals, legislators facing multiple stakeholders in their constituencies must balance forest protection with wider land use concerns, including poverty alleviation and agriculture. In Mexico, GLOBE legislators are pursuing legislative reform to include not only REDD+/forest governance but also rural and agricultural development, reflecting a ‘landscapes’ approach. In many countries this is however a challenge, given that legislation often tends to be narrowly sectoral.

Facing legislators’ lack of political ownership of the REDD+ as an international political concept:
Part of this challenge has been dealt with by enhancing the capacity and knowledge of legislators on REDD+. Adapting the REDD+ to national political realities is also important. For example, in Indonesia discussing forests under the wider lens of the Green Economy agenda has proven to be a politically viable option, and in Brazil Payments for Ecosystem Services (PES) has provided a good channel to discuss certain REDD-related legal reforms.

Facilitating country ownership through flexible cooperation modalities: National ownership is also important from an organizational point of view. For example, in the DRC, supporting the formation of a legislative working group in cooperation with the government’s national REDD+ coordination has proved to be the most effective form of cooperation, whereas in Indonesia, a legislators’ Green Economy Caucus has proved the most effective structure for cooperation.

Maintaining continuity through electoral cycles: One challenge related to working with parliaments is the volatility caused by elections and the risk of losing investments as key parliamentarians leave the project. GLOBE tackles this challenge supporting the establishment of national GLOBE chapters with local staff within parliaments and making sure there is a structure in place even when key parliamentarians leave.
For more information about the GLOBE Forest Legislation Initiative:
Please visit [http://www.globeinternational.org/policy-initiatives/forest-legislation](http://www.globeinternational.org/policy-initiatives/forest-legislation) or
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