
1. History and future of REDD+ in the UNFCCC: issues and challenges

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1. INTRODUCTION

One of the most complex issues that the Parties to the UNFCCC had to address since the UNFCCC entered into force is how to approach the land-use sector, including forestry and agriculture. The land-use sector adds a major contribution to global emissions, and climate change will have serious impacts on the sector. The Intergovernmental Panel on Climate Change (IPCC) has stated that emissions from land-use change, primarily deforestation, are estimated to contribute up to 17 percent of global greenhouse gas (GHG) emissions (IPCC, 2007).² While there is still debate and uncertainty about how big the contribution of land-use processes to GHG emissions is in general, the land-use sector – particularly forestry and agriculture activities in both developed and developing countries – “provides opportunities for quick and meaningful gains in both adaptation and mitigation.”³

After initial resistance by some Parties, there is now broad agreement that the regulation of activities in the land-use sector, both as mitigation and adaptation, needs to be included in the global regime on climate change. But disagreement remains as to exactly what activities should be included, methodological issues, concerns regarding safeguards, and

* All websites cited in this chapter were accessed on 1 October 2015.

¹ La Viña, de Leon and Barrer are civil society advisers to the Philippine delegation to the UNFCCC negotiations but this article does not necessarily reflect the position of the Philippines in those negotiations.

² Rogner, H.-H., Zhou, D., Bradley, R., Crabbé, P., Edenhofer, O., Hare, B. (Australia), Kuijpers, L. and Yamaguchi, M. (2007), “Introduction”, in Metz, B., Davidson, O.R., Bosch, P.R., Dave, R. and Meyer L.A. (eds), *Climate Change 2007: Mitigation. Contribution of Working Group III to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change*, Cambridge, UK and New York: Cambridge University Press.

³ Morgan, J., Dagnet, Y. and Tirpak, D. (2014), *Elements and Ideas for the 2015 Paris Agreement*, Washington, DC: World Resources Institute.

the implications for climate finance in the case of developing countries. There is also a concern whether the rules on the forest and land-use sector in developed countries (Annex I Parties in the Kyoto Protocol), adopted by the Conference of the Parties (COP) through various decisions since 1997 should be harmonized with the rules formulated and adopted more recently by the COP for developing countries implementing REDD+ programs.

It should be noted that while Parties and stakeholders have recognized the importance of agriculture for both adaptation and mitigation, its inclusion in the latter has been more controversial, with many developing countries concerned about the impact of such inclusion on an economic sector that is critical to their food security and economies. Thus a phased approach has been suggested that would see the inclusion of agriculture at a later stage which might be more acceptable.⁴

2. LEGAL HISTORY OF REDD+ IN THE UNFCCC⁵

Both the UNFCCC and Kyoto Protocol (KP) acknowledge the importance of forests in GHG mitigation and adaptation.

Under the UNFCCC, all Parties are mandated to promote, along with sustainable management, conserving and enhancing GHG sinks and reservoirs, including biomass and forests, and to cooperate on this endeavor.⁶ Forests in developing countries are highlighted in several provisions, with a mandate to protect and rehabilitate areas affected by drought and desertification, particularly in Africa, and the need for Parties to “give full consideration” to meeting the needs of developing countries related to climate change, especially those with “forested areas and areas liable to forest decay.”

The KP, adopted in 1997, included provisions on land use, land-use change and forestry (LULUCF) activities in developed (Annex I) countries, allowing them to credit to their reduction or stabilization targets removals in the LULUCF sector.⁷ Forests in developing countries were

⁴ Ibid.

⁵ For a more comprehensive history of REDD+, see La Viña, A.G.M. and de Leon, A. (2014), “Two Global Challenges, One Solution: International Cooperation to Combat Climate Change and Tropical Deforestation.” CGD Working Paper 388. Washington, DC: Center for Global Development. http://www.cgdev.org/sites/default/files/CGD-Climate-Forest-Paper-Series-14-LaVina-DeLeon-International-Cooperation_0.pdf.

⁶ UNFCCC, Article 4, 1(d).

⁷ Articles 3.3 and 3.4 KP.

however excluded from the LULUCF sector because developing countries did not have economy-wide legally binding mitigation targets under the KP. Notwithstanding this exclusion, the Clean Development Mechanism (CDM), created as a flexibility mechanism under the Protocol, provided options for developed countries to meet their emission reduction targets by investing in “offset projects” in developing countries.⁸ Among the eligible carbon sequestration projects were afforestation and reforestation; those related to forest conservation, i.e. avoiding or reducing deforestation and forest degradation, are currently not eligible under the mechanism.

2.1 COP 11 – Montreal

Avoided deforestation was formally introduced under the ambit of the UNFCCC in 2005. At COP 11 in Montreal, Papua New Guinea (PNG) and Costa Rica, leading the Coalition for Rainforest Nations (CfRN), made a joint submission entitled “Reducing Emissions from Deforestation in Developing Countries: Approaches to Stimulate Action,” supported by several other Latin American and African countries.⁹ This is considered the introduction of “RED” (Reducing Emissions from Deforestation) into the UNFCCC process and in line with this proposal, the COP invited Parties and observer organizations to make submissions on “issues relating to reducing emissions from deforestation in developing countries” for consideration by the Subsidiary Body on Scientific and Technical Advice (SBSTA).¹⁰ SBSTA was also to report on its findings by December 2007 and organize a related workshop in the interim.¹¹ This decision began a two-year process for exploring methodological and policy issues around RED, but which would continue well beyond the Bali COP in 2007. This involved a series of workshops and a significant number of submissions of views from Parties and observer organizations.

2.2 COP 13 – Bali

In 2007, the COP formally launched a focused work plan, with timelines for decisions, on reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks

⁸ Article 12 KP.

⁹ UNFCCC, FCCC/CP/2005/MISC.1, 11 November 2005.

¹⁰ UNFCCC, FCCC/CP/2005/L.2, 6 December 2005.

¹¹ UNFCCC, FCCC/CP/2005/L.2.

in developing countries with the aim of completing discussions by 2009 in Copenhagen. COP 13 produced the Bali Road Map to guide negotiations towards reaching a new climate agreement by 2009 in Copenhagen, with the goal of ensuring that a new agreement would be in place by the time the Kyoto Protocol ended in 2012. The road map was a set of decisions identifying negotiating “tracks” or key areas of work for the Parties. It included the Bali Action Plan, which provided “a comprehensive process to enable the full, effective and sustained implementation of the Convention through long-term cooperative action,” prompting the establishment of the Ad Hoc Working Group on Long-term Cooperative Action (AWG-LCA) under the UNFCCC, working in parallel with the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP).

The Bali Action Plan provided five “building blocks” around which the Parties’ future work would revolve (outside the Kyoto Protocol): shared vision, mitigation, adaptation, technology transfer and finance. The mitigation track includes “policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries” (REDD+).¹² It was a promising step that among the agreements reached in Bali was Decision 2/CP.13 on “Reducing emissions from deforestation in developing countries: approaches to stimulate action,” which established a work program on REDD+ and showed “Parties’ commitment to include REDD+ in a post-2012 climate agreement.”

It was in fact at this point that, “acknowledging that forest degradation also leads to emissions, and needs to be addressed when reducing emissions from deforestation,”¹³ “RED” was expanded to include forest degradation, the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in the scope of methodological issues to be explored by SBSTA. However, because of the semicolon separating “policy approaches and positive incentives” for the first two activities (“REDD”) and “the role” of the last three (the “plus”), it is argued that only emission reductions from REDD were considered eligible for compensation at this point.¹⁴ Aside from encouraging support for activities, exploring actions and options, mobilization of resources and use of

¹² UNFCCC, The Bali Action Plan, paragraph 1(b3).

¹³ UNFCCC Decision 2/CP.13.

¹⁴ Holloway, V. and Giandomenico, E. (2009), “Carbon Planet White Paper: The History of REDD Policy,” *Carbon Planet Limited*, 4 December.

the most recent IPCC guidelines in undertaking REDD-related activities, Parties were asked to make submissions on methodological issues.¹⁵

2.3 COP 15 and 16 – Copenhagen and Cancún

In 2008, SBSTA identified the main methodological issues on REDD+ that needed to be elaborated: estimation and monitoring, reference emission levels, displacement of emissions, national and subnational approaches, capacity-building, effectiveness of actions and cross-cutting issues. It also decided to take note of “methodologically relevant” outcomes on the discussions on policy approaches and positive incentives under the AWG-LCA, which also held its first workshop on these issues that year.¹⁶ It was at this time that the “plus” in REDD+ – the role of conservation, sustainable management of forests and enhancement of forest carbon stocks – was explicitly recognized as additional activities in tropical forests that could be compensated, when SBSTA dropped the semicolon that appeared between the sets of activities since Bali. This was reportedly a response to pressure from countries such as India, which wanted the same level of priority to be given to all five activities.¹⁷

The 2009 COP in Copenhagen was disappointing for failing to complete a legally-binding instrument to take effect in 2013, at the end of the first commitment period of the KP, and to cover other areas of agreement set out in the Bali Road Map. The Copenhagen Accord, which the COP merely “took note of,” recognized the “crucial role” of REDD+ and of enhancing the function of forests in removing GHGs from the atmosphere, in the context of the provision of positive incentives through the establishment of a REDD+ mechanism, among others.¹⁸ The provision of “scaled up, new and additional, predictable and adequate funding” for REDD+ from a “wide variety” of sources, along with improved access by developing countries, was also covered by the Accord.

But while the COP failed to adopt the Copenhagen Accord, it reached agreement on a core set of methodological guidance for REDD+. The COP decision now referred to the five activities related to REDD+, and requested developing country Parties to identify drivers of deforestation and forest degradation and means to address them, and in-country activities that contribute to REDD+ results; and to be guided by the

¹⁵ UNFCCC Decision 2/CP.13.

¹⁶ UNFCCC, FCCC/SBSTA/2008/6.

¹⁷ Holloway and Giandomenico, “Carbon Planet White Paper”.

¹⁸ UNFCCC Decision 2/CP.15.

most recent IPCC guidance and guidelines as the basis for estimating the impacts of REDD+ activities. They were also asked to establish national forest monitoring systems, and subnational systems as a part of national systems as appropriate.¹⁹

It was in Cancún in 2010 that the requirements for REDD+ as an approach, i.e. the elements and standards that need to be in place, were laid out, and the first “requirements” associated with REDD+ were agreed. The Cancún Agreements enumerate the five REDD+ activities and the elements that developing country Parties who want to participate in REDD+ need to develop: a national strategy or action plan, national forest reference emission level and/or forest reference level (FREL/FRL), national forest monitoring system and safeguard information system (SIS). Related issues were identified – drivers of deforestation and forest degradation, land tenure, forest governance, gender considerations and safeguards – which need to be addressed in the strategies and action plans to be developed.²⁰

Cancún was also an important turning point for the REDD+ discussions because it saw the establishment of the seven REDD+ safeguards,²¹ which aim to manage the impacts of and address risks associated with REDD+.²² Broad participation and respect for the knowledge and rights of indigenous peoples and local communities had been recognized in previous decisions and SBSTA conclusions, but it was in Cancún that addressing and respecting not only environmental integrity but also transparent governance, human rights and protection of social well-being were recognized as an integral part of any effort to achieve emissions reduction through REDD+.

The COP decided that setting up a REDD+ system in each country should be undertaken in phases, while also recognizing that countries are in different stages of development and have varying capacities and capabilities, and so may proceed through the phases in their own time and manner. Ultimately, countries would be able to produce emissions reduction results that are fully measured, reported and verified. In every phase, countries also need to ensure that the safeguards are promoted

¹⁹ UNFCCC Decision 4/CP.15.

²⁰ UNFCCC Decision 1/CP.16.

²¹ UNFCCC Decision 1/CP.16, Appendix I, paragraph 2.

²² See Chapter 5 by Analisa Savaresi in this book. See also: Jagger, P., Lawlor, K., Brockhaus, M., Fernanda Gebara, M., Sonwa, D.J. and Resosudarmo, I.A.P (2012), “REDD+ safeguards in national policy discourse and pilot projects,” in Angelsen, A. et al. (eds), *Analysing REDD+: Challenges and Choices*, Indonesia: Center for International Forestry Research, 301–16.

and supported, and developed countries in particular were urged to provide support to developing countries undertaking these activities. The COP also mandated the AWG-LCA in its subsequent session to explore financing options for the full implementation of the results-based actions.

2.4 COP 17 and 18 – Durban and Doha

From 2011 onward, Parties made concerted efforts to negotiate the specifics of methodological guidance, policy approaches and positive incentives for REDD+. In Durban in 2011, the COP agreed on methodological guidance on two elements defined in the Cancún work program: safeguards information systems and modalities relating to FREL/FRL.²³ However, guidance on these two elements was not completed and more work was carried out in subsequent sessions. On the other hand, considerable progress was made in the REDD+ finance discussion. Parties agreed that “results-based finance provided to developing country Parties that is new, additional and predictable may come from a wide variety of sources, public and private, bilateral and multilateral, including alternative sources,” and that both market-based and non-market-based approaches could be developed to generate finance.²⁴

The Doha COP in 2012, in the context of the endpoint of the Bali Action Plan, adopted a work program to focus on ways and means to transfer payments for results-based actions, ways to incentivize non-carbon benefits, and ways to improve the coordination of results-based finance. The COP also mandated SBSTA and the Subsidiary Body on Implementation (SBI) to jointly address the need to improve coordination of support and to consider existing institutional arrangements or “potential governance alternatives,”²⁵ and SBSTA to consider how non-market-based approaches such as joint mitigation and adaptation activities could be developed, and explore methodological issues related to non-carbon benefits associated with REDD+ activities.

2.5 COP 19 – Warsaw

In 2013, after eight years of negotiations, international guidance on all the fundamental elements of REDD+ was considered complete. COP 19 in Poland produced the “Warsaw Framework for REDD+,” a total of seven

²³ UNFCCC Decision 12/CP.17.

²⁴ UNFCCC Decision 2/CP.17, paragraphs 65–7.

²⁵ UNFCCC Decision 1/CP.18.

decisions completing the “package” of REDD+ rules and procedures needed to get results-based actions and payments off the ground.²⁶ The framework included decisions on:

- Methodological guidance on:
 - modalities for national forest monitoring systems;
 - timing and frequency of the provision of information on safeguards;
 - addressing drivers of deforestation and forest degradation;
 - measurement, reporting and verification (MRV) of emission reductions;
 - technical assessment of forest reference emission levels/forest reference levels;
- Coordination of support for REDD+ activities, including institutional arrangements; and
- Results-based finance for REDD+.

Together with previous agreements on methodological issues, policy approaches and positive incentives, these decisions provide a “complete” set of guidance for countries on the elements and standards that need to be developed for REDD+ for developing countries aiming to produce and report on emissions reduction results, on the one hand, and modes and mechanisms for how these efforts may be supported and their results financed or incentivized, on the other.

3. REDD+ AT COP 20 IN LIMA

Two agenda items were on the table for REDD+ at COP 20 in Lima in 2014: the need for further guidance on SIS and non-market-based approaches for REDD+. Among other reasons, progress on these items was hampered by the limited amount of time allocated for REDD+ discussions to give way to sessions of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP), under which the new climate change agreement, to be adopted in 2015 and to take effect in 2020, is being negotiated.

Developed countries and many developing countries began with widely differing views on the need for further guidance on SIS: developed

²⁶ For an in-depth analysis of the Warsaw Framework for REDD+, see Chapter 2 by Christina Voigt and Felipe Ferreira in this book.

countries viewed further guidance as helpful for countries to level off expectations and clarify understanding of what the reporting requirement on safeguards entailed, while many developing countries considered additional guidance unnecessary to begin implementation and a potential burden. Some potentially significant progress was made in discussing the provision of “indicative elements” of SIS summaries, but without enough time to complete agreed text, the agenda item was pushed to the next SBSTA session in June of 2015.

Draft language on non-market-based approaches for REDD+ was also proposed and Parties began discussion but ran out of time. No COP decision or SBSTA conclusion on REDD+ came out of Lima and the two agenda items were pushed forward to the next SBSTA session in Bonn in June 2015. These were taken up together with a third agenda item on incentivizing non-carbon benefits.²⁷

With the ADP negotiations well underway, there was limited time allotted for REDD+-specific negotiations in Bonn. Yet in a manner reminiscent of the push to reach several decisions in Warsaw, the Parties were able to conclude negotiations on all three agenda items, which agreements the SBSTA has recommended to the COP for adoption. At the same time, Parties balanced attention to these topics with that of land use, and rights and land use, in the new agreement. There seems to be broad agreement that the land sector would/should play a central role in the new climate regime, and its explicit inclusion in the agreement text has been put forward by some Parties and supported by observer organizations/civil society. It is the question of what this inclusion would look like that is now being deliberated, including how REDD+ should be treated in relation to other land sector uses/issues under the Convention (i.e. LULUCF and Agriculture).

4. PROSPECTS FOR REDD+ IN THE PARIS AGREEMENT

As early as Warsaw, many governments and non-government actors expressed agreement that the land sector – including LULUCF, Agriculture, REDD+ and afforestation/reforestation under the CDM – should be included in the purview of the 2015 agreement to be adopted in Paris. In-depth discussions on potential arrangements and approaches

²⁷ For the result of those negotiations, see Chapter 2 by Christina Voigt and Felipe Ferreira in this book.

have been ongoing, not only in bilateral and multilateral forums and among non-governmental organizations (NGOs) and indigenous peoples' organizations, but also in the ADP itself. The future of REDD+ within this new regime is still unclear at this point, although the advantages of increased integration of land sector approaches in managing terrestrial carbon have been repeatedly pointed out in various forums, meetings, analyses, reports and discussions, both formal and informal. Among the benefits of increased integration are promoting synergies between mitigation and adaptation, and helping to "address complementary issues in the land-use sector, such as food security, energy and water supply."²⁸ On the other hand, the interaction among different land uses and climate is by nature complicated, such that approaching them in isolation, while trying to achieve cross-cutting or common objectives, is not only difficult²⁹ but likely to be counter-productive.

Aside from a high-level panel on the land sector and forests at the Warsaw COP, several reports and discussion papers have been devoted to this issue, including one on "Understanding Land Use in the UNFCCC"³⁰ with a separate summary for policymakers.³¹ This report gives a comprehensive background and history of land use under the Convention and known issues surrounding the various modalities, including elaborating on "special features"³² that make land use unique and that may merit special consideration of the sector in the new climate agreement: the legacy effect, non-permanence, non-anthropogenic and indirect effects, and complexities of estimation. The UNFCCC also produced a technical paper compiling "information on the mitigation benefits of actions, initiatives and options to enhance mitigation ambition,"³³ which includes findings

²⁸ Korwin, S., Rey, D., Reeve, R. and Daviet, F. (2015), *Sustainable Land-Use in the Paris Agreement: Safeguarding Rights, Biodiversity and the Climate*, Norway: Rainforest Foundation Norway, Friends of the Earth.

²⁹ Shames, S., Scherr, S.J., Wallace, C. and Hatcher, J. (2011), *Integrating Agendas for Forests, Agriculture and Climate Change Mitigation: Rationale and Recommendations for Landscape Strategies, National Policy and International Climate Action*, Ecoagriculture Discussion Paper No. 7, Washington, DC: Ecoagriculture Partners and Rights and Resources Initiative.

³⁰ Iversen, P., Lee, D. and Rocha, M. (2014), *Understanding Land Use in the UNFCCC*.

³¹ Iversen, P., Lee, D. and Rocha, M. (2014), *Understanding Land Use in the UNFCCC, Summary for Policymakers*.

³² Iversen, P., Lee, D. and Rocha, M., *Understanding Land Use in the UNFCCC*, 11–20.

³³ UNFCCC (2014), *Updated Compilation of Information on the Mitigation Benefits of Actions, Initiatives and Options to Enhance Mitigation Ambition*. FCCC/TP/2014/13, 26 November.

on land use and the land sector. A couple of reports have honed in on land use in a future climate agreement and propose specific approaches and options both for Parties' consideration in the ADP negotiations³⁴ and for application at national level, say in preparing their Intended Nationally Determined Contributions (INDCs).³⁵

Some discussion papers, distributed at the Lima COP to facilitate Parties' thinking on the matter, go to the next step and focus on the need for a land sector approach that goes beyond "mitigation 'plus' co-benefits," and instead present a more holistic framework of establishing "enabling conditions" for sustainable land use. One paper talks about comprehensive land-use planning as a rights-based approach,³⁶ and another delves into sustainable land use and the role of good governance, rights and biodiversity conservation, asserting that the UNFCCC needs to evolve beyond a "risk-based approach" to one that incentivizes social and environmental protection, and good governance, as enabling conditions in a multi-objective framework that moves over time towards a more integrated approach.³⁷ This latter paper picks up highlights from a longer and more detailed report on sustainable land use released after the COP.³⁸

4.1 A Landscape, Integrated Mitigation-Adaptation Approach

Korwin et al. have pointed out that the UNFCCC's traditional risk-based approach to protecting the social and environmental integrity of mitigation actions from the land-use sector is not adequate to achieve this objective. They call for a paradigm shift and cite the example of REDD+, which includes safeguards that require countries to be more proactive in enhancing governance, rights and biodiversity. Adopting safeguards could

³⁴ Estrada, M., Lee, D., Murray, B., O'Sullivan, R., Penman, J. and Streck, C. (2014), "Land Use in a Future Climate Agreement," prepared with support from cooperative agreement # S-LMAQM-13-CA-1128 with U.S. Department of State.

³⁵ Elias, P., Funk, J. and Greenglass, N. (2014), *Positioning the Land-Use Sector to Contribute to post-2020 Climate Mitigation*, International Union for the Conservation of Nature and the Environmental Defense Fund. http://cmsdata.iucn.org/downloads/land_use_white_paper.pdf.

³⁶ Center for International Environmental Law (CIEL) et al. (2014), *Comprehensive Land-Use Planning: A Rights-Based Approach. Discussion Paper for Addressing the Land Sector under the ADP*, June.

³⁷ REDD+ Safeguards Working Group (R-SWG) (2014), *Discussion Paper on Sustainable Land-Use in the Post-2020 Agreement – The Role of Good Governance, Rights and Biodiversity Conservation*. Supplemented by R-SWG (2014), *Ensuring Sustainable Land-Use: Recommendations to the ADP on Safeguards*.

³⁸ Korwin et al. *Sustainable Land-Use in the Paris Agreement*.

potentially stimulate a shift towards a view of social, environmental and governance provisions as “enabling conditions” for effective and sustainable climate actions. In this regard, “the UNFCCC’s treatment of the land-use sector under the 2015 agreement should go beyond an exclusive GHG focus to one that acknowledges good governance, a rights-based approach and biodiversity conservation as fundamental enabling conditions to ensure the effectiveness and permanence of climate actions.”³⁹

Ideally, the Paris agreement should ensure a more integrated approach to land-use management. That is, land use must be dealt with in a way that integrates environmental, social and governance considerations in the agreement to ensure the effectiveness, equity and permanence of the Parties’ mitigation actions. Further, in its own right, the land-use sector must achieve genuine and permanent reduction in GHG emissions instead of substituting for substantive action in other sectors to reduce emission from fossil fuels.⁴⁰ If these are not done, there are significant risks that mitigation actions in the land-use sector will result in negative impacts on key ecosystem/landscape values/services, such as ecosystem resilience (and therefore adaptation), livelihoods and food security.

Landscapes have historically been segregated by sector resulting in fragmented and isolated management decisions. These in turn cause unsustainable land use, leading to higher GHG emissions, loss of ecosystem services and unnecessary risks for livelihoods and agricultural production. A landscape approach aims to recognize the relationship between different land uses and the various stakeholders by integrating them into a joint management process. This provides the opportunity to better handle trade-offs and realize synergies in the landscape. A landscape approach will ensure cross-sectoral integration where mitigation actions in the land-use sector do not undermine adaptation objectives and vice-versa.⁴¹ “Landscape approaches” seek to provide tools and concepts for allocating and managing land to achieve social, economic and environmental objectives in areas where agriculture, mining, and other productive land uses compete with environmental and biodiversity goals.⁴²

The Center for International Environmental Law (CIEL) argues in favor of “a comprehensive approach to land-use planning, which is not

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Global Landscapes Forum Outcome Statement.

⁴² Sayer, J., Sunderland, T., Ghazoul, J., Pfund, J.L., Sheil, D., Meijaard, E., Venter, M., et al. (2013), “Ten Principles for a Landscape Approach to Reconciling Agriculture, Conservation, and Other Competing Land Uses,” *Proceedings of the National Academy of Sciences* 110, no. 21: 8349–56.

focused solely on mitigation action, but on establishing a broad framework for the development and support of policies and measures to enhance and protect land-sector resources and the wealth of benefits derived from those resources.”⁴³ It points out that “incentivizing emission reductions from land use will require a range of measures and approaches – many of which are non-quantifiable.”⁴⁴ From a practical point of view, developing countries with significant land-use emissions could employ a range of approaches such as commitments based on policies and measures, and other qualitative approaches, which can be characterized as comprehensive land-use planning.

4.2 Inclusion of Safeguards in 2015 Agreement

The landscape approach should be accompanied by a rights-based approach to climate action. The Paris agreement should adopt an approach that builds on the precedent of the REDD+ safeguards and extends similar provisions for all countries to ensure the social and environmental sustainability of climate actions in the land-use sector.⁴⁵ For CIEL, good forest governance and addressing tenure rights are the first steps to tackling deforestation and forest degradation, such that comprehensive land-use planning should include indicators for improvements in forest governance and recognizing tenure rights. A comprehensive land-use planning approach under the ADP could enhance ambitious mitigation across all sectors, while protecting ecosystem health and rights to land, livelihoods and food-security.⁴⁶

4.3 Harmonizing REDD+ and LULUCF in the Paris Agreement

One important decision that the UNFCCC COP might have to make soon, in the Paris Agreement or through a process launched at COP 21, is whether to harmonize the rules for an expanded REDD+ with the older rules for LULUCF of developed countries.

The UNFCCC sets specific requirements for all Parties concerning the promotion of actions on mitigation and reporting requirements of anthropogenic emissions by sources and removals by sinks, including from the agriculture and forestry sector. In 1997, with the adoption of the KP,

⁴³ CIEL et al. *Comprehensive Land-Use Planning*.

⁴⁴ Ibid.

⁴⁵ R-SWG, *Discussion Paper on Sustainable Land-Use in the Post-2020 Agreement*.

⁴⁶ CIEL et al. *Comprehensive Land-Use Planning*.

the commitments of Annex I Parties were to be measured and reported through the “net changes in greenhouse gas emissions by sources and removals by sinks” through LULUCF activities since 1990 as stated in Article 3.3 of the KP. The information to be reported under the KP during the commitment periods was supplementary information to that reported under Article 4.1(a) of the Convention. This meant that Parties were not supposed to submit two separate inventories but should provide any information required under the KP as supplementary, within the inventory report, to show each Party’s compliance with its commitments.

As a further condition under the KP, Annex I Parties were to annually report emissions by sources and removals by sinks of CO₂ and other GHGs resulting namely from afforestation, reforestation and deforestation since 1990; and any human-induced or supplemental activities as stated under Article 3.3, such as forest management, revegetation, cropland management and grazing land management. Further, Annex I Parties must ensure that their GHG emissions “do not exceed their assigned amounts, referred to as the Party’s quantified emission limitation and reduction commitments (QELRC).” Put another way, a Party’s QELRC represents the ceiling of the amount of GHG emissions a Party commits to meet, compared to its previously reported emissions. To achieve their QELRC, each Party should promote sustainable development by implementing policies and measures; for example, the protection of and enhancement of sinks and reservoirs and the promotion of sustainable forms of agriculture.⁴⁷

In COP 7 in 2001, the Marrakesh Accords included the adoption of the rules governing LULUCF activities. Specifically, in Decision 11 of said COP, these included three main elements, namely, a set of principles governing LULUCF activities; definitions for Article 3.3, and activities and agreed activities under Article 3, paragraph 4 of the KP; and a four-tier capping system limiting the use of LULUCF activities to meet emission targets.⁴⁸

The principles in the Marrakesh Accords governing LULUCF were intended to address the concern that LULUCF activities should support the environmental integrity of the KP. The principles emphasize the importance of, among others, (1) sound science as basis, (2) methodological consistency, (3) consistency with the aim of the KP as stated in Article 3, (4) biodiversity conservation and sustainable use of natural resources, and that

⁴⁷ UNFCCC, Articles 3.3 and 3.4.

⁴⁸ UNFCCC (2001), Report of the Conference of the Parties on its Seventh Session, held at Marrakesh from 29 October to 10 November 2001, Addendum, Part Two: Action taken by the Conference of the Parties, Decision 11/CP. 7 Land Use, Land-Use Change and Forestry.

(4) LULUCF accounting is not an implication of transfer of commitments to ensuing periods. Also, the principles specified the exclusion of naturally occurring removals, including such removals from indirect anthropogenic effects, from the system and that the release of GHGs into the atmosphere, for example from forest fires, must be accounted for.⁴⁹

Further, common definitions on LULUCF activities were established for consistency and comparability among Parties. These activities included definitions of *forest*, *afforestation*, *reforestation*, *deforestation* and also for four additional LULUCF activities previously identified under Article 3.3. Parties were given the choice to include any of these activities in meeting their emission targets, and the choice is then fixed for the first commitment period.⁵⁰

The four-tier capping system limited the extent to which Parties can account for emissions and removals from specific LULUCF activities for the first commitment period. This capping system specifically limits Parties through the following:

Tier 1: If a Party's afforestation, reforestation and deforestation activities result in more emissions than removals, a Party may offset these emissions through forest management activities, up to a total level of 9 megatons of carbon per year for the five-year commitment period.

Tier 2: The extent to which forest management activities can be accounted to meet targets beyond 9 megatons of carbon per year is subject to an individual cap for each Party, specified in an appendix to the decision on LULUCF. This cap includes joint implementation projects involving forest management.

Tier 3: Emissions and removals from cropland management, grazing land management and revegetation can be accounted for to help meet targets on a net basis, such as carbon stocks during 1990, times five, will be subtracted from the changes in carbon stocks during the first commitment period, in the lands where these activities will take place.

Tier 4: Only afforestation and reforestation projects are eligible under the CDM. GHG removals from such projects may only be used to help meet emission targets up to 1 percent of a Party's base year emissions for each year of the commitment period.⁵¹

4.4 Reporting Requirements under the First Commitment Period

Parties are expected to begin reporting at the onset of the activity or the start of the commitment period, whichever of the two comes later. To ensure Party commitment compliance, Parties also have to annually report supplementary LULUCF-related information under the provisions

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Ibid.

of the KP and the Marrakesh Accords. This was also as elaborated by good practice guidance in accordance with relevant decisions of the COP/MOP on LULUCF activities stated in Article 5.2.⁵²

The good practice guidance for LULUCF activities under Article 3.3 and 3.4 of the KP specified that for the first commitment period ending in 2012, Annex I Parties that have ratified the KP shall apply the IPCC Good Practice Guidance for LULUCF in providing information on anthropogenic GHG emissions by sources and removals by sinks from LULUCF activities.⁵³ As further support to the submission of information on GHG emissions by sources and removals by sinks, Parties adopted tables of common reporting formats for LULUCF activities.⁵⁴

4.5 Reporting Requirements under the Second Commitment Period

For the second commitment period, Annex I Parties are to apply the 2006 IPCC Guidelines for National Greenhouse Gas Inventories.⁵⁵ In support of this requirement for Annex I Parties, Appendix I to Decision 2/CMP.6 provided for forest management reference levels (FMRL), set transparently in accordance with the provision contained in that decision.⁵⁶ The

⁵² UNFCCC (2005a), Report of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol on its first session, held at Montreal from 28 November to 10 December 2005, Addendum, Part Two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its first session, Decision 15/CMP.1 Guidelines for the Preparation of the Information required under Article 7 of the Kyoto Protocol.

⁵³ Ibid; IPCC (Penman, J., Gytarsky, M., Hiraishi, T., Krug, T., Kruger, D., Pipatti, R., Buendia, L., Miwa, K., Ngara, T., Tanabe, K. and Wagner, F. (eds)) (2003) *Good Practice Guidance for Land Use, Land-Use Change and Forestry*, Hayama, Japan: IPCC.

⁵⁴ Report of the Conference of the Parties on its eleventh session, held at Montreal from 28 November to 10 December 2005, Addendum, Part Two: Action taken by the Conference of the Parties at its eleventh session, Decision 14/CP.11 Tables of the Common Reporting Format for Land Use, Land-Use Change and Forestry.

⁵⁵ UNFCCC (2013), Report of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol on its ninth session, held in Warsaw from 11 to 23 November 2013, Addendum, Part Two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its ninth session, Decision 6/CMP.9 Guidance for reporting information on activities under Article 3, paragraphs 3 and 4, of the Kyoto Protocol.

⁵⁶ UNFCCC (2010), Report of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol on its sixth session, held in Cancún from 29 November to 10 December 2010, Addendum, Part Two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Kyoto

UNFCCC Secretariat reported the key conclusions of the FRML review process in a synthesis report.⁵⁷

This decision also specified that Annex I Parties shall apply the revised supplementary methods and Good Practice Guidance Arising from the KP consistent with Decision 2/CMP.7 and Annex I of Decision 24/CP.19 for the purpose of providing information referred to above in the second commitment period, and the remaining regulations in Decision 6/CMP.9.

4.6 Accounting of LULUCF Activities under the Kyoto Protocol

The Convention and the KP differ in accounting for emissions and removals from LULUCF activities. The Convention includes all emissions and removals from LULUCF in a Party's total emissions. On the other hand, the KP only accounts for emissions and removals from specific LULUCF activities defined under Article 3.3 and 3.4 of the Protocol. It is mandatory that each Annex I Party account for emissions and removals in the commitment period on land where these activities have occurred. Further, under Article 3.4 of the Protocol, activities are restricted to forestland management, cropland management, grazing land management and/or revegetation.

In the second commitment period, activities under Article 3.4 have also included wetland drainage and rewetting. Accounting for these additional LULUCF activities differs between the first and second commitment periods.

Rules for accounting for LULUCF activities under the KP in the first commitment period were enumerated in the Annex to Decision 16/CMP.1 (UNFCCC 2005b).⁵⁸ For the second commitment period, accounting rules for LULUCF activities under the KP were provided in the Annex to Decision 2/CMP.7. The Annex to this decision confirmed definitions

Protocol at its sixth session, Decision 2/CMP.6 The Cancún Agreements: Land use, land-use change and forestry.

⁵⁷ UNFCCC (2011a), Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol sixteenth session, part four, Durban, 29 November 2011, Agenda item 3: Consideration of further commitments for Annex I Parties under the Kyoto Protocol, Synthesis Report of the Technical Assessments of the Forest Management Reference Level Submissions.

⁵⁸ UNFCCC (2005b), Report of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol on its first session, held at Montreal from 28 November to 10 December 2005, Addendum, Part Two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its first session, Decision 16/CMP.1 Land use, land-use change and forestry.

already previously stated in the Annex to Decision 16/CMP.1 and added definitions on natural disturbances and wetland drainage and rewetting, as well as the modalities, rules and guidelines for accounting of LULUCF activities under Articles 3.3 and 3.4 of the KP in the second commitment period, and the principles to govern LULUCF project activities under Article 12 of the KP.

There are clear differences in the treatment of REDD+ compared to LULUCF. LULUCF itself is treated distinctively under the UNFCCC and the KP. Reporting requirements and accounting for GHG emissions vary and give a reflection of the relative significance of LULUCF in the latter. Principles for example were provided under the Marrakesh Accords to support the integrity of the KP. Definitions were also established for LULUCF activities. Harmonizing rules that will be applicable to both REDD+ and LULUCF is an immediate key consideration.

5. RECOMMENDATIONS

Following the discussion in this chapter, the expansion of REDD+ into other land uses in developing countries must include the following:

- *Integration of climate mitigation and adaptation in land use through a landscape approach.* Land-use activities, policies and actions should be pursued with the alignment of both mitigation and adaptation objectives, with a view to achieving multiple social, environmental and governance objectives. This is best achieved through a landscape approach.
- *Transparency and effectiveness in governance.* The critical importance of transparency in the land sector, particularly through governance and accounting, should be paramount, with the inclusion of social, environmental and governance safeguards. Land use must be treated separately with the importance of ecological integrity, governance and rights as enabling conditions.
- *Recognition and respect for the rights and full participation of all relevant stakeholders.* Low-emission development, and in particular in the land-use sector, should happen through the full participation of civil society, indigenous peoples, local communities and women, ensuring the recognition and legal enforcement of rights, including participation, human, land tenure rights, and of the importance of traditional knowledge and indigenous knowledge; in accordance with good governance, as part of a rights-based approach to climate action.

- *Conservation and enhancement of natural forests and biodiversity.* Countries should implement land-use activities and policies with emphasis on the conservation and enhancement of natural forests and biodiversity that will not result in the conversion of natural forests into other land uses. Also, there should be a clear recognition that biodiversity is essential for increasing ecosystem resilience (adaptation) and to ensure the permanence and effectiveness of mitigation actions, as well as a recognition of other carbon-rich lands or ecosystems, e.g., peatlands, and the establishment of social and environmental safeguards for these ecosystems.
- *Consistency with international conventions and agreements.* Parties must harmonize the implementation of land-use activities/policies/actions in alignment with other international laws, specifically with the CBD and the Convention to Combat Desertification, consistently with and not prejudicing the implementation of the 2015 Sustainable Development Goals.
- *Harmonization of REDD+ and LULUCF rules.* What is needed is a new set of rules for measurement, reporting and verification (including accounting) that brings about a convergence and harmonization of the existing LULUCF and REDD+ rules, with ensuring transparency, comparability, and environmental integrity are the most important considerations.