

**ART Secretariat
325 W Capitol Suite 350
Little Rock Arkansas 72201**

RE: Joint Comments for the Review of ART's TREES 3.0 Draft Standard

Dear ART Secretariat and Board,

As legitimate representatives of Indigenous Peoples and representatives of Local Communities, along with allied organizations, we appreciate the opportunity to provide input on the TREES 3.0 draft standard as part of ART's public consultation. The purpose of this joint submission is to strengthen TREES 3.0 by ensuring that the standard fully respects our rights, secures our territorial rights and our land tenure, and enables our effective participation in decisions related to jurisdictional REDD+ programs. We offer constructive recommendations grounded in international safeguards best practices and our on-the-ground experiences, with the aim of improving the social integrity of ART-certified programs.

This submission is organized in four parts:

- I. An introduction (below) summarizing our core concerns and priorities.
- II. A table of detailed technical recommendations, including specific textual amendments to the TREES 3.0 draft. For ease of review, the tables are structured along three key priorities, aligning with the issues raised in a letter sent to ART in December 2024 by some of our organisations. Each recommendation in the table includes the relevant TREES section reference and our proposed language changes. This format is intended to help the ART Secretariat and Board quickly identify how each recommendation corresponds to TREES 3.0 and our three key priority areas.
- III. An additional set of technical recommendations to improve the function of the Validation and Verification process.
- IV. A conclusion, and expression of our interest to further engage with ART.

I. Introduction

Motivation

As rightsholders who own, occupy, and sustainably use important territories and significant tracts of tropical forests and lands—where carbon markets are rapidly expanding—**we emphasize that our partnership in any REDD+ initiative is essential to achieving and sustaining genuine emissions reductions from our territories.** Numerous studies have shown that recognizing our rights and including us as partners is essential for achieving lasting climate benefit. Our shared objective with ART is to reduce emissions while upholding social integrity – this can only be realized when Indigenous Peoples, Local Communities, and Afro-descendent Peoples are fully engaged in the decisions as equal partners in shaping the standards and programs that affect our territories.

We note that carbon markets and jurisdictional REDD+ programs operate in contexts of significant inequalities. All too often, this leads to inconsistent consultation and weak

protection of the rights of Indigenous Peoples, Afro-descendant Peoples, Local Communities, and other rightsholders¹. Currently, decisions regarding jurisdictional programs are largely made by the current government, which is often insufficiently prepared to implement REDD+ mechanisms, much less to promote the participation of Indigenous Peoples, Local Communities, and Afro-descendant Peoples. Governments generally make inadequate decisions regarding the design, implementation, and distribution of benefits, as they generally only consider the priorities of the government and its partners. Furthermore, they have weak mechanisms of transparency and accountability.

Carbon markets, as currently designed, risk perpetuating and deepening these inequities – for example, excluding communities from decision-making or failing to recognize customary land tenure – rather than correcting them. Yet, we consider that jurisdictional REDD+ programs have the potential to address these issues if they are co-created with the full and effective participation of Indigenous Peoples, Local Communities, and Afro-descendant Peoples. When our communities are fully and effectively involved, REDD+ programs can strengthen forest governance, secure territorial rights, land tenure, protect rights, and foster constructive collaboration with other stakeholders, thereby enhancing both climate outcomes and social justice.

As one of the leading standards for jurisdictional REDD+, **ART has both the opportunity and responsibility to set the bar for strong safeguard performance.** The TREES standard must uphold the Cancún Safeguards and other relevant international agreements not just in principle but in practice. **Ensuring effective implementation of these safeguards is not only in keeping with international obligations and the responsibilities of states and other actors in the implementation of REDD+, it is crucial for equity and climate justice.** In other words, robust social and environmental safeguards are fundamental requirements for successful, high-integrity climate action. We urge ART to use this TREES 3.0 update to firmly anchor those requirements.

In December of 2024, many of our organizations sent a joint letter to ART (attached in annex here), outlining **three key priorities** to enable the timely, meaningful, and effective engagement of Indigenous Peoples, Local Communities, and Afro-descendant Peoples in

¹ It is important to note that Indigenous Peoples' rights refer to their specific individual and collective rights under international law, as enshrined and codified in the United Nations Declaration on the Rights of Indigenous Peoples, ILO Convention 169, and decisions of UN treaty bodies among others. These rights are also recognized under many national constitutions and legislative frameworks. The rights of Afro-descendant Peoples refer to their specific individual and collective rights as Tribal Peoples, as enshrined in ILO Convention 169, and decisions of the Inter-American Court of Human Rights, among others. The rights of Local Communities refer to the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas and the rights of other traditional communities, as enshrined in the Warsaw Framework for REDD+, the Paris Agreement and subsequent decisions, the Convention on Biological Diversity, the Kunming-Montreal Global Biodiversity Framework for Indigenous Peoples and Local Communities, among others (all of which also apply to Indigenous Peoples and to Afro-descendants Peoples). These are considered alongside the broader rights protections enshrined in the rights under The Universal Declaration on Human Rights, the Convention on the Elimination of All Forms of Discrimination Against Women, the International Covenant on Civil and Political Rights. Henceforth in this document, for brevity, these rights will be referred to as "the rights of Indigenous Peoples, the rights of Afro-descendant Peoples, and the rights of Local Communities," while recognizing the differences between them.

ART-certified jurisdictional REDD+ programs. We reaffirm those priorities here, as they form the core scope of our comments. Those include:

1. **Ensuring early, inclusive, informed, and meaningful consultation with Indigenous Peoples and with Local Communities in the design of jurisdictional programs.** This means that from the very beginning of program planning, our peoples must be proactively consulted and participate in a culturally appropriate manner about program design choices that may affect our rights, lands, and livelihoods.
2. **Ensuring full and effective participation in decision-making around program design and implementation, including in determining governance structures, fair and equitable benefit distribution plans, and transparent monitoring and reporting.** This includes involvement in setting up governance structures, defining fair and equitable benefit-sharing arrangements, designing monitoring systems, and other key decisions. Our communities should have a seat at the table when determining how programs are managed and evaluated and how benefits are allocated.
3. **Ensuring stronger quality controls in assessing safeguard conformance, especially in evaluating the alignment of national policy with international standards.** ART should require stringent evaluation of whether each Participant's legal framework and on-the-ground actions meet the Cancún Safeguards (e.g. on land tenure rights, FPIC, biodiversity protection, etc.). Validation and Verification Bodies (VVBs) must be empowered and required to rigorously assess the full and effective participation and safeguard conformance, so that promises on paper translate into real protections for our communities, forests and lands.

Progress and Remaining Gaps

We are encouraged to see that the TREES 3.0 draft has made some improvements in line with our priorities. Notably, the draft now explicitly requires that benefit sharing plans be consistent with safeguard requirements, and it recognizes the rights of Indigenous Peoples and those of Local Communities to participate in decision-making about those benefit sharing arrangements. We also welcome the inclusion of previously under-recognized groups – such as Peoples in Voluntary Isolation and Initial Contact, Afro-descendant Peoples, as well as women and youth – across many of the standard indicators. These additions represent significant improvements compared to the earlier version of the standard.

At the same time, we wish to underscore several critical gaps that must be addressed **to ensure accountability, transparency, and rights-alignment in TREES 3.0 for our partnerships and jurisdictional programs to be successful.** In particular, the standard (and any guidance accompanying it) should more explicitly reinforce the distinct and differentiated rights of Indigenous Peoples, Afro-descendent People, and those of Local Communities. This means including clear, mandatory requirements for early consultation, Free, Prior, and Informed Consent (FPIC), as well as the recognition of our land, resource, and territorial rights and our right to participate in all program components that affect us, including adequate mechanisms for access to information in the implementation. We emphasize that REDD+ programs cannot succeed without our full and effective involvement from the start. If our rights are not respected – for example, if a program proceeds on our customary lands without our consent, if monitoring reports are made without our knowledge

and approval, or if benefit-sharing arrangements exclude us – then not only are safeguards violated, but the program’s climate objectives are also jeopardized.

Currently, the draft 3.0 could be interpreted in different ways, and we fear that ambiguity could lead to inconsistent application. Our recommendations seek to clarify these baseline expectations so that all ART Participants understand that adherence to international law and safeguard standards (e.g. UNDRIP, ILO Convention 169, and other applicable legal instruments) is a requisite for credit issuance. These proposals are informed by our collective REDD+ experiences in our countries, which have demonstrated that the participation of Indigenous Communities, Afro-descendent People, and Local Communities has not been taken into account in the design, execution, MRV and distribution of benefits on many occasions. We learned from these experiences that without explicit requirements and vigilant oversight, even well-intentioned programs can fall short on safeguards. We remain concerned about the lack of clarity in the TREES standard around the minimum requirements that must be met to properly apply the Cancun Safeguards, as well as how those expectations are reflected in the tasks of the Validation and Verification Bodies in TREES and in the TREES Validation and Verification Standard (VVS)².

Moreover, we note that ART’s exploration of a “Beyond Carbon Benefits” mechanism summer 2025 raised concerns among many of us. The draft of that concept appeared to optionalize certain social and environmental outcomes that, in our view, should be core obligatory requirements of any credible REDD+ program. We strongly advise that fundamental safeguards in relation to respect for the rights of Indigenous Peoples, Afro-descendent Peoples, and the rights of Local Communities not be relegated to optional status. In TREES 3.0, the focus should be on strengthening these safeguards within the main standard itself, rather than treating them as ancillary benefits. Our submission is made in the spirit of ensuring that ART-TREES can be a gold standard for both REDD+ programs and rights protection.

Finally, we consider that significantly more direction is needed for the effective implementation of the TREES safeguards. We strongly and urgently recommend the **collaborative development of TREES Safeguard Implementation Guidance**. Such a guide will not only support the effective implementation of safeguards by Participants and facilitate clearer parameters to establish the necessary partnerships with Indigenous Peoples, Afrodescendants, and with Local Communities, but also serve as a critical guide for Validation and Verification Bodies responsible for evaluating the program’s conformance with the Standard. Initial recommendations to this effect are included in Section II. It is our intention that these suggestions be included in initial drafts of such a guidance note, which should be developed in collaboration and consultation with Indigenous Peoples, Local Communities, Afrodescendants Peoples and other interested stakeholders.

² We advise that the TREES Validation and Verification Standard (VVS) is made available in French, Portuguese, and Spanish ahead of its upcoming public comment period.

II. Detailed Technical Recommendations

1. Ensuring early, inclusive, informed, and meaningful consultation with Indigenous Peoples and with Local Communities in the design of jurisdictional programs.

The table below is organized around Priority 1 – Ensuring early, inclusive, informed, and meaningful consultation with Indigenous Peoples, Local Communities, and Afro-descendent Peoples. It is structured in a series of recommendations (1.1, 1.2, etc.) drawn directly from the December letter, and broken down into sub-recommendations (e.g., 1.1.A, 1.1.B). Each sub-recommendation identifies a specific gap in TREES 3.0 related to this priority and sets out a concrete insertion or amendment to the relevant section of the standard. Where appropriate, the recommendation also notes necessary updates to associated instruments such as the TREES Guidance, Templates (TREES Concept, TREES Registration Document, TREES Monitoring Report), and the Validation and Verification Standard (VVS), to ensure consistency across the TREES system. This format allows ART reviewers to easily see both the high-level policy issue (early consultation) and the precise operational changes being proposed.

1.1 New requirements regarding early stakeholder consultation	
1.1.A The incorporation of more robust requirements in the Concept Note concerning stakeholder consultation in the initial submission of a participant's documents to ART, which should include disclosures on all Safeguard C and D Themes.	<p>We recommend that Section 12.3 on Reporting Requirements include a new section after the introductory paragraph that reads:</p> <p>“To facilitate early and informed engagement with potential stakeholders in ART programs, in their TREES Concept, Participants shall report on their plans for conformance with all Indicators for all applicable Themes under C and D, as well as Theme 2.1 under Safeguard B³.”</p> <p>Accordingly, we recommend that Annex A and the TREES Concept Template should be updated to include a new section requiring disclosures and/or a plan for conformance for all indicators of applicable Themes for Safeguards C and D, as well as for Theme 2.1 under Safeguard B. Please see our review of the TREES Concept Template to see these changes reflected.</p>

³ See sub-recommendation 1.2.D

1.1.B | Theme 3.1, referring to adequate identification of relevant stakeholders, should be met with regards to the identification of affected Indigenous Peoples - including Peoples in Voluntary Isolation and Initial Contact - as well as Local Communities, and should be a prerequisite for continuing with program activities.

We applaud the strengthening of Section 12.4.3 on Cancun Safeguard C, which now includes "Afro-descendant Peoples, or equivalent, including uncontacted peoples, and transhumant communities" in all Theme 3 indicators. We recommend that in keeping with international law the language "uncontacted peoples" should be updated to read as "Indigenous Peoples in Voluntary Isolation and Initial Contact" as follows in all "Structure and Process" as well as Outcome Indicators (taking this one as an example):

Structure and Process Indicator: *"Participants have in place a legal framework, policies or programs as well as the necessary procedures and resources to respect, protect and fulfill human rights of Indigenous Peoples, Local Communities and Afro-descendant Peoples, or equivalent, including **Indigenous Peoples in Voluntary Isolation and Initial Contact** ~~uncontacted peoples~~ and transhumant communities."*

We recommend that Annex A and the TREES Registration Document Template be updated to include a new section to more effectively facilitate reporting on these mapping activities. Please see our review of the [TREES Registration Document Template](#) to see these changes reflected.

To ensure adequate evaluation of Participants' mapping of Indigenous Peoples, Local Communities, and Afro-descendent Peoples including that it was based on multiple credible sources, consulted stakeholders directly, and did not omit any known groups, the following directives should be included in the Validation and Verification Standard (VVS), for Theme 3.1 (Stakeholder Mapping and Identification), Section 3.3 – Validation Scope:

Stakeholder Mapping and Identification (Theme 3.1):

- **The VVB shall validate that the Participant has provided a comprehensive stakeholder mapping in the TREES Registration Document, including:**
 - **A list of all identified Indigenous Peoples, Local Communities, Afro-descendant Peoples, or equivalent groups in or adjacent to the accounting area;**

- The methods used for identification (e.g., use of registries, consultations with representative organizations, participatory mapping, anthropological/legal sources); and
- Maps or other documentation to substantiate the presence and location of identified groups.
- The VVB shall confirm that the Participant consulted credible sources and representative organizations to ensure no group was omitted.
- The VVB shall confirm that the results of the mapping have been disclosed publicly (e.g., via the SIS) in appropriate languages.

And add to Section 3.4 – Verification Scope:

Stakeholder Mapping and Identification (Theme 3.1):

- The VVB shall verify that stakeholder mapping remains accurate and updated in each Monitoring Report, including:
 - Any newly identified groups or changes in community representation;
 - Updates to maps or registries;
 - Evidence that stakeholders were consulted in the updating process.
- The VVB shall conduct field checks and/or interviews with Indigenous Peoples, Local Communities, Afro-descendant Peoples, or civil society organizations to confirm that:
 - Groups identified in the TREES Registration Document are correctly represented; and
 - No communities within or adjacent to the accounting area were excluded.

- **Failure to identify a relevant Indigenous People or local community shall be treated as a major non-conformance, unless promptly corrected.**

Finally see these amendments to Section 3.6.3.4 – Findings:

- **Major Nonconformance:**
 - **Omission of an Indigenous Peoples, local community, Afro-descendant Peoples, or equivalent groups in the accounting area;**
 - **Failure to disclose stakeholder mapping results publicly;**
 - **Evidence that mapping was conducted without consultation or reliance on credible sources.**
- **Minor Nonconformance:**
 - **Incomplete documentation (e.g., missing map references, partial list of groups) that does not undermine the identification of all relevant stakeholders, provided corrective action is in place.**

We further suggest that Safeguards Implementation Guidance be immediately developed in consultation with all interested stakeholders to demonstrate minimum expectations Participants should meet to identify the relevant local stakeholders for participation in an ART program. For this, mapping exercises should at a minimum draw from multiple complementary sources to identify Indigenous Peoples, Local Communities, Afro-descendant Peoples (national and subnational Indigenous Peoples' registries and census data; consultation with representative organizations or associations and civil society groups; as well as anthropological, ethnographic, or legal studies documenting customary presence and use), recognizing both legally recognized and customary groups, including vulnerable or marginalized communities, as well as Indigenous Peoples in voluntary isolation and initial contact. Stakeholder mapping should be consultative, ensuring self-identification is respected, and noting if any disputes around representation is considered to ensure all legitimate voices are included.

<p>1.1.C Indicators for Theme 4.1 and Theme 4.2 should clearly refer to any existing jurisdictional FPIC protocol, where applicable, or mandate the existence of a stakeholder engagement plan, either of which should provide evidence by which FPIC can be granted at the appropriate levels and authority.</p>	<p>Section 12.4.4 on Cancun Safeguard D, Topic 4.2 addresses the need to “Develop adequate participatory procedures for the effective participation of Indigenous Peoples, Local Communities and Afro-descendant Peoples, or equivalent.” Ensuring adequate participatory procedures of Indigenous Peoples, Local Communities, and Afro-descendant Peoples implies their ability to have a meaningful say in activities that affect them – which in international terms translates strongly to Free, Prior, and Informed Consent (FPIC) processes. While Theme 4.1 is broad (involving all stakeholders), Theme 4.2 highlights the rights of Indigenous Peoples, Local Communities, and Afro-descendant Peoples to participate in decisions, including the right to withhold consent to activities on their lands or affecting their rights.</p> <p>TREES 3.0 withdraws explicit reference to FPIC under Theme 4.2, which limits their rights in decision-making under ART programs. TREES 3.0 should clearly state that Free, Prior, and Informed Consent of Indigenous Peoples (and local communities, where applicable) is required for any REDD+ actions that will impact their rights, lands, territories, resources, livelihoods, or culture. This issue should be remedied by amending Theme 4.2 as follows:</p> <p>Outcome Indicator: <i>“Public institutions have guaranteed that the participation of Indigenous Peoples, Local Communities, Afro-descendant Peoples or equivalent in decisions about⁴ the design and implementation of REDD+ activities, as well as in the decisions about⁵ the distribution of REDD+ benefits, as well as program components that affect them⁶, such as the Safeguard Information System⁷, occurred and was documented⁸ through their respective decision-making structures and processes, ensuring adequate conditions for their participation and using culturally appropriate procedures, with their free, prior, and informed consent obtained for any REDD+ decisions or actions that may affect them.”</i></p> <p>Meanwhile, unless VVBs are mandated to assess quality in practice, weak participation processes may pass unchallenged. Adequate evaluation of Participants’ stakeholder engagement, ensuring that it isn’t</p>
--	---

⁴ See sub-recommendation 2.1.B

⁵ Ibid

⁶ Ibid.

⁷ See sub-recommendation 2.3.A-C

⁸ See sub-recommendation 2.3.D

reduced to a procedural formality (through quality assessment of engagement, not just attendance), as well as their respect of FPIC, the following directives should be included in the Validation and Verification Standard:

Add under Theme 1.1, Section 3.3 – Validation Scope:

Stakeholder Participation (Theme 4.1):

- The VVB shall validate whether the Participant has prepared a stakeholder engagement plan and undertaken inclusive consultations in the preparation of the TREES Registration Document.
- The VVB shall confirm that consultations involved Indigenous Peoples, local communities, women, youth, and other stakeholders, and that methods were culturally appropriate.
- The VVB shall conduct stakeholder interviews to corroborate the Participant's claims and assess whether stakeholders felt informed, consulted, and able to influence program design.

Free, Prior, and Informed Consent (FPIC):

- The VVB shall validate whether the Participant has obtained FPIC from all Indigenous Peoples, Local Communities, and Afro-descendent Peoples whose rights, lands, resources, or cultural heritage may be affected by REDD+ activities.
- The VVB shall confirm that FPIC documentation is provided, which may include meeting minutes, signed resolutions or consent agreements, video/audio records of assemblies, or attestations from independent observers.
- Where multiple communities are affected, FPIC documentation must be provided for each community, or the Participant must explain why FPIC was not required in certain cases.

And add to Section 3.4 – Verification Scope:

Stakeholder Participation (Theme 4.1):

- The VVB shall verify, during each monitoring period, whether stakeholder engagement has been continuous, inclusive, and responsive to feedback.
- The VVB shall:
 - Review records of engagement activities;
 - Interview stakeholders to confirm whether inputs were considered and whether ongoing participation is occurring;
 - Assess whether marginalized groups (e.g., women, youth, remote communities) had equitable opportunities to participate.
- If significant stakeholder groups report exclusion or lack of influence, the VVB shall treat this as a non-conformance, regardless of the Participant's documentation.

Free, Prior, and Informed Consent (FPIC):

- The VVB shall verify the authenticity and sufficiency of FPIC by:
 - Reviewing all submitted FPIC documentation;
 - Conducting direct interviews with a representative sample of affected communities;
 - Confirming that communities report being informed, free from coercion, and able to withhold consent.
- The VVB shall apply the highest applicable FPIC standard (international, national, or subnational). If national law requires less than international standards (e.g., consultation but not consent), the VVB shall assess against international norms.

- **If any affected community reports that FPIC was not granted or was coerced, this constitutes a major non-conformance and credits shall not be issued until remedied.**

Finally see these amendments to Section 3.6.3.4 – Findings:

- **Major Nonconformance:**
 - **Failure to consult key stakeholder groups (e.g., Indigenous Peoples, Local Communities, and Afro-descendent Peoples) in program design;**
 - **Evidence that stakeholders were systematically excluded or their inputs disregarded;**
 - **Stakeholders unaware of the program despite reported consultations.**
 - **Absence of FPIC documentation for affected groups or communities;**
 - **Evidence of coercion, lack of prior information, or lack of consent from a group or community;**
 - **Reliance on national consultation-only laws without meeting international FPIC standards.**
- **Minor Nonconformance:**
 - **Limited documentation or partial engagement gaps that can be corrected through additional consultations prior to issuance.**
 - **Documentation gaps (e.g., missing annexes or incomplete records) where substantive FPIC has been demonstrated and corrective action is underway.**

1.1.D | Indicators for Theme 4.1 should require reporting on available budgets, with adequate funds being allocated for consultation activities, the provision of independent legal counsel of communities' own choosing, and resources for communities' own internal governance processes.

Section 12.4.4 on Cancun Safeguard D, Theme 4.1 to "Respect, protect, and fulfill the right of all relevant stakeholders to participate fully and effectively in the design and implementation of REDD+ activities" now reflects in the combined "Structure and Process" Indicators that *"Participants have established [...] the procedures and resources necessary to respect, protect, and fulfill the right [...] to participate fully..."*. This strengthened language of the 4.1 indicator now clarifies that the Participant is expected to provide evidence of the resources necessary, however it doesn't state how.

We would recommend "resources" refer to the footnote:

"Resources shall reflect at a minimum the human, financial, and technical resources necessary to implement the stated procedures."

TREES should also be accompanied by Safeguards Implementation Guidance in consultation with all interested stakeholders on how Participants should plan to anticipate and finance their obligations to ensure the full and effective, as well as culturally appropriate, participation of Indigenous Peoples, Local Communities, and Afro-descendent Peoples. Participants must allocate sufficient budget and resources for stakeholder engagement activities and capacity-building. Full and effective participation often requires providing communities with the means to engage – this can include translating materials, hiring facilitators, travel costs for community representatives to attend meetings, as well as independent legal or technical advisors of the communities' own choosing to help communities understand proposals, as well as for communities' own internal governance processes. Budgeting for these processes should be done in collaboration and agreement with affected stakeholders. If communities have their own consultation or FPIC protocols, those often stipulate that external proponents should cover certain costs – compliance with that should be viewed as part of safeguards. Participants should set aside a portion of REDD+ readiness or implementation funding for these purposes (or establish a quota as mentioned under sub-recommendation 2.2.A-B). This guidance should also indicate what type of evidence should be provided for this indicator so that this can be verified by the validation and verification body.

1.1.E | Such requirements should be elaborated in a guidance document defining the principles of an effective stakeholder engagement plan and process to achieve FPIC, including further references to best practices that Participants should adhere to.

TREES does not as yet provide a guidance note defining the principles of effective stakeholder engagement and consultation plan and process to achieve FPIC.

We suggest Safeguards Implementation Guidance be immediately developed in consultation with all interested stakeholders to demonstrate minimum expectations Participants should meet to adhere to the rights of local stakeholders to participation and FPIC, as relevant, such as through community level FPIC protocols as well as a jurisdiction-specific FPIC protocol that has been endorsed by the respective rightsholders. If such exist, TREES should mandate that the Participant follow it and reference it in their safeguards reporting. If not, then at minimum a stakeholder engagement plan should be developed in consultation with rightsholders that sets out how FPIC should be sought by the Participant at the appropriate levels and authority. Guidance should outline the key elements of a good FPIC process: e.g. no coercion (free), sufficient lead time (prior), full disclosure of information in appropriate forms (informed), decision made according to the community's customs (could be consensus in an assembly, etc.), and a clear way for the community to indicate consent or withholding of consent (like a resolution, signed agreement, or other culturally appropriate evidence). It should also note that if consent is withheld, the program must adapt or not proceed with that activity.

A stakeholder engagement plan should reflect:

1. Identification of stakeholder groups (linking to Theme 3.1's mapping results – see more under sub-recommendation 1.1.B)
2. Disclosure and communication strategies (materials and technical resources used, languages, timing of information – link to Theme 2.1; see also sub-recommendation 1.2.B-C on outreach strategies)
3. Consultation methods (e.g. public meetings, workshops, surveys, focus group discussions, all tailored to each group's context – see more below and link to Theme 4.2; also see sub-recommendation 2.1.A concerning effective stakeholder participation)
4. Methods for the inclusion of stakeholders in the development of the Validation and Verification Plan

	<p>(see section 3.6.3.2 of VV Standard)</p> <ol style="list-style-type: none"> 5. A schedule/frequency of engagements 6. Responsibilities for implementation 7. Financial resources for implementation (see sub-recommendation 1.1.D concerning financing consultations) <p>The consultation processes – its timeliness, inclusivity, culturally appropriateness and responsiveness to stakeholder inputs – could be evidenced by direct interviews with a representative sample of local stakeholders (e.g., Indigenous Peoples’ organizations, local community representatives, women’s groups, civil society), noting whether they were aware of and invited to consultation, felt their views were considered in program design or implementation, and beliefs that they could influence decisions that affected them.</p> <p>Safeguards Implementation Guidance should indicate what type of evidence should be provided for these aspects so that they can be verified by the validation and verification body.</p>
1.2 New requirements for public consultations procedures by ART Participants	
1.2.A Incorporation of a new requirement that mandates that all relevant documents (such as the Concept Note, Registration Document, and Monitoring Reports) be made available in national and, as applicable and relevant, Indigenous Peoples’ or local languages, for public comments...	<p>Section 2.4 on Documentation Requirements specifies that other national languages should be included, but not Indigenous languages, and does not specify a translation of the Concept Note. This section should be revised as follows:</p> <p>“The TREES Concept, TREES Registration Document, and TREES Monitoring Reports shall be submitted in English. Copies shall also be submitted in any other official language of the Participant, including the language(s) of Indigenous Peoples and other local stakeholders present in the program area, if applicable.”</p>

<p>1.2.B Incorporation of a new requirement that mandates that all relevant documents (such as the Concept Note, Registration Document, and Monitoring Reports) be made available... for public comments by Participants for a period of at least 60 days prior to submission to ART.</p>	<p>Section 2.6.2 on Feedback Regarding Participant Programs includes new language specifying that interested parties must be informed but does not require that this occur "prior to submission to ART" or the length of a public comment period. Providing such early public disclosure of program documents aligns with international best practices (e.g. the Green Climate Fund's policies and World Bank ESS10 require early disclosure and consultation on draft plans). Section 2.6.2 should be specified as follows:</p> <p><i>"Participants shall publicly notify stakeholders, including Indigenous Peoples, Local Communities, and Afro-descendent Peoples through their representative organizations, of document availability (TREES Concept, TREES Registration Document, and TREES Monitoring Reports) and the opportunity to submit public comments in accordance with the safeguards, prior to their submission to ART. Documents, including translations, should be open for public comment for at least 60 days by the jurisdiction."</i></p>
<p>1.2.C Participants should be required to proactively communicate with Indigenous Peoples as well as Local Communities, through their representative organizations, about the publication and dissemination of the aforementioned relevant documents.</p>	<p>Documents submitted to ART during the validation and verification process should describe and provide evidence under Safeguard B, Topic 2.1 on access to information as to how the public comment period by the Participant was conducted - including where and when the documents were made publicly available, which languages, and the methods used to inform stakeholders - as well as how all received comments have been addressed, and/or responded to, providing justification and evidence as appropriate.</p> <p>We recommend that Annex A, the TREES Concept Template and the TREES Registration Document Template be updated to include a new section on the disclosure of TREES Documents to directly address these new requirements. Please see our revisions to the <u>TREES Concept Template</u> and <u>Registration Document Template</u> to see these changes reflected.</p> <p>Meanwhile, we suggest Safeguards Implementation Guidance be immediately developed in consultation with all interested stakeholders to demonstrate minimum expectations Participants must meet to actively notify Indigenous Peoples, Local Communities and Afro-descendant Peoples as well as reach out to them throughout the duration of the program. The guidance should also indicate what type of evidence should be provided as part of validating compliance with this requirement, for example with communications to representative organizations. For example, effective outreach measures should be conducted through the representative institutions of Indigenous Peoples, Local Communities, and Afro-descendent Peoples and</p>

	<p>through culturally appropriate channels, including community meetings, radio announcements, and use of any existing consultation protocols to disseminate information in the formats and languages communities prefer. This ensures that even remote or marginalized groups are aware of and can access the information. The guidance should also indicate what type of evidence should be provided as part of validating compliance with this requirement, for example meeting notices, distribution of program summaries in local languages, recordings of radio programs, and communications to representative organizations, etc.</p>
<p>1.2.D Reporting on this requirement in the Concept Note should be included in new mandated disclosures on Safeguard B, Theme 2.1, that reflect at a minimum where and how stakeholders have accessed the draft submission and the ways by which that access was communicated to stakeholders prior to being made public.</p>	<p>We recommend that Section 12.3 on Reporting Requirements include a new section after the introductory paragraph that reads:</p> <p>“To facilitate early and informed engagement with potential stakeholders in ART programs, in their TREES Concept, Participants shall report on their plans for conformance with all Indicators for all applicable Themes under C and D⁹, as well as Theme 2.1 under Safeguard B.”</p> <p>Accordingly, we recommend that Annex A and the TREES Concept Template be updated to include a new section requiring disclosures and/or a plan for conformance for all indicators of applicable Themes for Safeguards C and D, as well as for Theme 2.1 under Safeguard B. Please see our review of the <u>TREES Concept Template</u> to see these changes reflected.</p>
<p>1.3 Amendment of ART’s own public consultation procedures</p>	

⁹ See sub-recommendation 1.1.A

<p>1.3.A ART’s public comment period on the Concept Note should remain open for a period of at least 60 days.</p>	<p>Section 2.6.2 on Feedback Regarding Participant Programs does not specify which documents the public consultation period will open for. This section should be amended as follows:</p> <p><i>“Subscribers to the ART listserv shall receive notification of new and relevant Participant documentation (including the TREES Concept, TREES Registration Document, and TREES Monitoring Reports), including translated documents, as it becomes publicly available to ensure that stakeholders have ample opportunity to submit comments to ART regarding these submissions.”</i></p>
<p>1.3.B Clarify that stakeholder feedback be incorporated into the government’s submission of the Registration and Monitoring reports, while providing detailed responses on how all comments received by at least Indigenous Peoples as well as Local Community stakeholders have been considered and addressed.</p>	<p>Section 2.6.2 on Feedback Regarding Participant Programs should read:</p> <p><i>“Comments submitted to the Secretariat within 60 days of notice that documents are available in all required languages shall be directed to the Participants to be addressed, and/or responded to, providing justification and evidence as appropriate, in the Registration Document and Monitoring Reports, and shall also be provided to the Validation and Verification Body for inclusion in the Validation and Verification. Comments received after this time shall be incorporated into the current validation and verification process.</i></p> <p>We recommend that Annex A, the TREES Registration Document Template and the TREES Monitoring Report Template be updated to include a new section on stakeholder feedback to directly address these new requirements. Please see our revisions to the TREES <u>Registration Document Template</u> and <u>TREES Monitoring Report Template</u> to see these changes reflected.</p>

Priority 2: Ensuring full and effective participation in decision-making around program design and implementation, including in determining governance structures, fair and equitable benefit distribution plans, and transparent monitoring and reporting.

The second table presents recommendations under Priority 2 – Guaranteeing full and effective participation in decision-making and equitable benefit sharing. Recommendations (2.1, 2.2, etc.), drawn directly from the December letter, are broken down into sub-recommendations (e.g., 2.1.A, 2.2.B) that specify the changes needed in TREES 3.0 text to strengthen multi-stakeholder governance, establish binding benefit-sharing arrangements, and ensure transparency. Each sub-recommendation sets out: (i) the specific TREES section(s) to be amended, (ii) the proposed language or requirement to be added, and (iii) reference to associated tools and instruments – such as the Benefit-Sharing Plan, Safeguard Information System (SIS), or VVS – to ensure that the safeguard requirements are not only stated in the standard but also verifiable in practice.

2.1 New requirements for program governance	
<p>2.1.A Require from Participants the establishment of an inclusive and accessible formal multistakeholder governance mechanism, which should be financially supported by Participants, that allows for continuous participation and representation of Indigenous Peoples and of Local Communities.</p>	<p>We welcome the new language for Section 12.4.4 for Cancun Safeguard D, Themes 4.1 and 4.2, which covers the full and effective participation of relevant stakeholders, was strengthened and made more specific. We recommend further amendments to specify relevant procedures and resources for program governance, as follows:</p> <p>Theme 4.1 to “Respect, protect, and fulfill the right of all relevant stakeholders to participate fully and effectively in the design and implementation of REDD+ activities” should read:</p> <p>Structure and Process Indicator: <i>Participants have in place... the necessary procedures¹ and resources² to respect, protect and fulfill the right of all relevant stakeholders... to participate fully and effectively...</i></p> <p>Theme 4.2 to “Develop adequate participatory procedures for the effective participation of Indigenous Peoples, Local Communities and Afro-descendant Peoples, or equivalent.” should read:</p> <p>Structure and Process Indicator: <i>“Participants have in place... the necessary procedures¹ and resources² to guarantee that the participation... occurs through their respective decision-making structures...”</i></p>

	<p>¹ Procedures shall reflect at a minimum the governance structures and operating agreements by which full and effective participation rights, including how FPIC will be fulfilled, taking into consideration all Themes under Safeguard B corresponding with transparent and effective governance, and Safeguard C, corresponding to respect for the rights of Indigenous Peoples.</p> <p>² Resources shall reflect at a minimum the human, financial, and technical resources necessary to implement the stated procedures.</p> <p>Meanwhile, we suggest that Safeguards Implementation Guidance be immediately developed in consultation with all interested stakeholders to demonstrate minimum expectations around Theme 4.1 and Theme 4.2, in particular what are considered to be “<i>the necessary procedures and resources to respect, protect and fulfill the rights of all relevant stakeholders</i>”, through a governance mechanism or equivalent arrangement that ensures “participation” is not just attendance at meetings, but active, culturally appropriate involvement. This means engagement processes might need to be tailored – e.g. separate meetings for women or youth if that helps them voice opinions, use of local facilitators or trusted community liaisons, respecting decision-making timelines of communities (which can be longer than typical project schedules).</p>
<p>2.1.B The procedures and proceedings of such a formal multi-stakeholder governance mechanism should ensure full and effective participation, which requires adequate and sufficient decision making power of Indigenous Peoples and of Local Communities.</p>	<p>It is a step forward that the new draft text of TREES 3.0 explicitly articulates the right of Indigenous Peoples, Local Communities, and Afro-descendent Peoples to take part in decisions around the distribution of REDD+ benefits. However, it is worth noting that this right extends to all decisions regarding elements affecting their participation in a program. Without real decision-making power and veto power in the different components, participation is reduced to symbolic consultation.</p> <p>Theme 4.1 to “Respect, protect, and fulfill the right of all relevant stakeholders to participate fully and effectively in the design and implementation of REDD+ activities” should read:</p> <p>Structure and Process Indicator: “<i>Participants... respect, protect and fulfill the right... to participate fully and effectively... in decisions about the design and implementation of REDD+ activities, as well as in the decisions about the distribution of REDD+ benefits, as well as program components that affect</i>”</p>

them, including the Safeguard Information System¹⁰.”

Outcome Indicator: “Public institutions have respected, protected and fulfilled the right... to participate fully and effectively in **decisions about** the design and implementation of REDD+ activities **and decisions about** the distribution of REDD+ benefits, **as well as program components that affect them**, including the Safeguard Information System¹¹.”

Theme 4.2 to “Develop adequate participatory procedures for the effective participation of Indigenous Peoples, Local Communities and Afro-descendant Peoples, or equivalent.” should read:

Structure and Process Indicator: “Participants... guarantee that the participation... in **decisions about** the design and implementation of REDD+ activities, **as well as in the decisions about** the distribution of REDD+ benefits, **as well as program components that affect them**, including the Safeguard Information System¹².”

Outcome Indicator: “Public institutions have guaranteed that the participation... in **decisions about** the design and implementation of REDD+ activities, **as well as in the decisions about** the distribution of REDD+ benefits, **as well as the program components that affect them**, such as the Safeguard Information System¹³ occurred and was documented¹⁴ through their respective decision-making structures and processes, ensuring adequate conditions for their participation and using culturally appropriate procedures, with their free, prior, and informed consent obtained for any REDD+ decisions or actions that may affect them¹⁵.”

¹⁰ See sub-recommendation 2.3.A-C

¹¹ See sub-recommendation 2.3.A-C

¹² See sub-recommendation 2.3.A-C

¹³ See sub-recommendation 2.3.A-C

¹⁴ See sub-recommendation 2.3.D

¹⁵ See sub-recommendation 1.1.C

<p>2.1.C The decisions [of the multi-stakeholder governance mechanism] should be verified by mutually agreed, binding agreements.</p>	<p>Section 12.4.4 for Cancun Safeguard D should include footnotes at each mention of "decisions" in Themes 4.1, "Respect, protect, and fulfill the right of all relevant stakeholders to participate fully and effectively in the design and implementation of REDD+ activities," and 4.2, "Develop adequate participatory procedures for the effective participation of Indigenous Peoples, Local Communities and Afro-descendant Peoples, or equivalent." clarifying that:</p> <p>"All program decisions should be captured in written, signed, and binding agreements among all relevant stakeholders."</p>
<p>2.1.D The disclosure of records [of the multi-stakeholder governance mechanism]... are regularly and publicly accessible, so as to ensure transparency and accountability</p>	<p>We welcome the new language for Section 12.4.2 for Cancun Safeguard B, Theme 2.1, which deals with issues of access to information, was strengthened and made more specific. We recommend that it be made explicit that disclosure of all contracts and agreements be made public as well, as follows:</p> <p><i>"Participants have in place a legal framework, policies and/or programs as well as the necessary procedures and resources for providing access to information, including the contracts and agreements related to REDD+ activities, REDD+ benefit distribution, and how safeguards have been addressed and respected."</i></p>
<p>2.2 New requirement for a benefit sharing plan</p>	
<p>2.2.A Require from Participants the establishment of a fair and equitable benefit</p>	<p>We strongly welcome the development that TREES 3.0 now features the dedicated section 3.4.2 on Benefit Sharing Arrangements, making explicit that Participants <i>"shall demonstrate how the process used to develop and implement benefit sharing arrangements is consistent with TREES safeguards"</i> as well as</p>

<p>sharing plan</p>	<p>including such references in the related sections of the TREES safeguard themes.</p>
<p>2.2.B Require that the benefit sharing plan be agreed among all affected Indigenous Peoples and affected Local Communities at the appropriate scale (at the community as well as the jurisdictional scale).</p> <ul style="list-style-type: none"> - The design, consultation, and approval of a benefit sharing plan should ensure fair compensation and be part of the agenda of the formal multi-stakeholder governance mechanism, agreements for which would be validated by the relevant authority of each affected Indigenous People or Local Community. 	<p>However, it would be more clear to both Participants and local stakeholders if TREES was explicit in noting the benefit sharing arrangements should be formalized as a “Benefit Sharing Plan” that is defined, agreed (according to FPIC processes), and disclosed publicly before the issuance of any TREES credits. This section should be further strengthened to reflect local stakeholders’ rights to benefits derived from TREES Credits.</p> <p>TREES Section 3.4.2 should now read:</p> <p><i>“The Participant shall provide a description of the benefit sharing plan arrangements that governs the distribution of proceeds and benefits derived from TREES Credits. This description shall include:</i></p> <ul style="list-style-type: none"> - <i>The stakeholder groups eligible to receive benefits, including, where applicable, Indigenous Peoples, Local Communities, Afro-descendant Peoples, and other rights holders;</i> - <i>The principles and criteria guiding how benefits are allocated, giving due consideration to (a) contributions to emission reductions and removals; (b) recognition of statutory and customary rights of Indigenous Peoples, Local Communities, Afro-descendant Peoples and other rights holders; and (c) equitable inclusion of local stakeholders, including women, youth, and other vulnerable groups;</i> - <i>The governance arrangements for FPIC, decision-making, and dispute resolution related to benefit sharing; and</i> - <i>The processes used to develop and implement the benefit sharing arrangements.</i> <p>The TREES Glossary should also be updated to include the following:</p> <p>Benefit-Sharing Plan (BSP): A formal, publicly disclosed and binding plan detailing how proceeds and non-monetary benefits from TREES credits will be distributed and used, including eligible beneficiaries, allocation criteria, governance arrangements, and monitoring provisions.</p>

We recommend that Annex A and the TREES Registration Document Template and TREES Monitoring Report Template be updated to include a new section on the Benefit Sharing Plan and Implementation of the Benefit Sharing Plan, respectively, to directly address these new requirements. Please see our review of the [Registration Document Template](#) and [TREES Monitoring Report Template](#) to see these changes reflected.

Validation and Verification Bodies (VVBs) should verify reported benefit sharing outcomes by reviewing financial records and interviewing beneficiaries. This “ground-truthing” will ensure that benefits reported as disbursed were actually received, and that Indigenous Peoples, Local Communities, and Afro-descendent Peoples can confirm their entitlements are honoured. The TREES Validation and Verification Standard (VVS) should now include the following amendments:

Insertion under Section 3.3 (Validation Scope)

Add after “Environmental, Social and Governance Safeguards – Outcome Indicators”:

- **Benefit Sharing – The VVB evaluates whether the Participant has developed and disclosed a Benefit-Sharing Plan (BSP) consistent with TREES Section 3.4.2, including identification of eligible beneficiaries, allocation criteria, governance arrangements, and public disclosure of the BSP in appropriate languages.**

Insertion under Section 3.4 (Verification Scope)

Add after “Environmental, Social and Governance Safeguards – Outcome Indicators”:

- **Benefit Sharing – The VVB verifies whether:**
 - **The Participant has reported on benefit-sharing implementation in accordance with Section 3.4.2;**
 - **Reported financial allocations are supported by financial records and documentation;**

- **Reported distributions are confirmed by a representative sample of beneficiaries; and**
- **Equity considerations (e.g. inclusion of Indigenous Peoples, Local Communities and Afrodescendent Peoples; gender; vulnerable groups) have been addressed in practice.**

Insertion under Section 3.6.3.4 (Findings), clarifying that:

- **Major Nonconformance includes any failure to develop and disclose a BSP, or evidence that benefit-sharing commitments have not been implemented or were misrepresented.**
- **Minor Nonconformance may include incomplete documentation or delays in reporting, provided that benefits were delivered as committed and corrective action is underway.**

We suggest Safeguards Implementation Guidance be immediately developed in consultation with all interested stakeholders to demonstrate minimum expectations Participants must meet to collaboratively design, implement, and monitor, and report on Benefit Sharing Arrangements in their jurisdictions, as well as providing examples for equitable benefit sharing, such as having a predetermined allocation of benefits (jurisdictional quota) to promote the participation of Indigenous Peoples, Local Communities, and Afro-descendent Peoples. Reporting guidelines should clarify what periodic benefit distribution reports - published via the Safeguard Information System - should include, such as amounts disbursed, recipients, and timing of payments, as well as reporting on indicators co-developed with Indigenous People and Local Communities for the implementation of benefits. This guide should detail the type of evidence that should be provided for these aspects so that they can be verified by the validation and verification body, such as financial records, interviews with stakeholders to confirm receipt of benefits as reported, and the alignment of the process with Safeguards B, C, D, and E.

To meet the expectations set out in these sub-recommendations, please also reference:

- Sub-recommendation 1.1.C referring to any existing jurisdictional FPIC protocol, where applicable.

	<ul style="list-style-type: none"> ● Sub-recommendation 2.1.B concerning the recommendation for a formal multi-stakeholder governance mechanism that should ensure full and effective participation, which requires adequate and sufficient decision-making power of Indigenous Peoples and of Local Communities; and ● Sub-recommendation 2.1.C concerning decisions, which should be verified by mutually agreed, binding agreements.
<p>2.2.C In cases where territories with Indigenous Peoples in Voluntary Isolation or Initial Contact are identified, there should be assigned</p>	<p>We welcome the inclusion of uncontacted peoples in Section 12.4.3 on Cancun Safeguard C, Theme 3.3, including that their rights be respected throughout the design, implementation, and benefit distribution of REDD+ activities, however it does not specify how. We recommend that in keeping with international law the language “uncontacted peoples” should be updated to read as “Indigenous Peoples in Voluntary Isolation and</p>

<p>resources for protecting their territories and appropriate measures for managing those resources responsibly.</p>	<p>Initial Contact” and that the means be defined as “(though recognized entities specialized in advocating for their rights)” as follows:</p> <p>Structure and Process Indicator: <i>“Participants have in place a legal framework, policies or programs as well as the necessary procedures and resources to respect, protect and fulfill human rights of Indigenous Peoples, Local Communities and Afro-descendant Peoples, or equivalent, including Indigenous Peoples in Voluntary Isolation and Initial Contact (through recognized entities specialized in advocating for their rights)uncontacted peoples and transhumant communities, in conformity with customary law, institutions, and practices, throughout the design and implementation of REDD+ activities and REDD+ benefit distribution.”</i></p> <p>Outcome Indicator: <i>“Public institutions have respected, protected and fulfilled the rights of Indigenous Peoples, Local Communities and Afro-descendant Peoples, Indigenous Peoples in Voluntary Isolation and Initial Contact (through recognized entities specialized in advocating for their rights)uncontacted peoples and transhumant communities, in the design and implementation of REDD+ activities and REDD+ benefit distribution.”</i></p>
<p>2.2.D The implementation of the benefit sharing plan, including the impact generated from the investments, should also be subject to monitoring and evaluation. Program Participants must provide evidence that information about the timing, size, and use of received REDD+ finances.</p>	<p>Section 3.4.2 on Benefit Sharing Arrangements, should include an additional bullet on monitoring and evaluation that reads:</p> <p>“The processes to develop and implement the monitoring and evaluation of benefit sharing, identifying both quantitative metrics (the timing, size, and use of received REDD+ proceeds) and qualitative descriptions (such as assessing the implementation of funded projects or activities).”</p>

<p>2.2.E Program Participants must ensure evidence on program benefits is clearly and transparently communicated in a timely manner that can be used by impacted stakeholders and affected communities.</p>	<p>Section 3.4.2 on Benefit Sharing arrangements should include the requirement that a Benefit Sharing Plan undergo the same level of disclosure and public scrutiny as other TREES documents, and it should be explicit that reporting on the benefit sharing implementation should be included in regular monitoring reports for the program. Section 3.4.2 should be amended to include:</p> <p>“The Benefit Sharing Plan (or a summary in appropriate languages) shall be disclosed as a TREES document under Section 2.4 and published in appropriate languages via the Participant’s Safeguard Information System.</p> <p>Accordingly, the TREES Registration Document Template and TREES Monitoring Report Template should be updated to include a new section on the Benefit Sharing Plan and Implementation of the Benefit Sharing Plan, respectively, to directly address these new requirements. Please see our review of the TREES Registration Document Template and TREES Monitoring Report Template to see these reflections.</p>
<p>2.3 Amend requirements for the establishment of an SIS</p>	
<p>2.3.A Amend section 3.1.2 to clarify that Participants (both national and sub-national) should comply with all UNFCCC decisions on safeguards for REDD+, including guidance provided for the set-up of the SIS, the process for which should adhere as well to Safeguard D’s</p>	<p>Section 3.1.2 on National Reporting Requirements should link the requirement for developing a Safeguard Information System to the implementation of the safeguards themselves. Add a paragraph at the end of this section that states:</p> <p>“In addition to describing the system that provides information on safeguards (SIS), which should comply with all UNFCCC decisions on the same, the Participant shall demonstrate how the process used to develop and implement the SIS is consistent with TREES safeguards and report on this in the safeguard sections of the TREES Registration Document and TREES Monitoring Report, particularly Safeguard B (transparent and effective governance) and Safeguard D (full and</p>

<p>provision that ensures the full, effective, and meaningful participation of Indigenous Peoples as well as Local Communities.</p>	<p>effective participation of relevant stakeholders).”</p> <p>In Section 12.3 on Reporting Requirements the language should be more explicit around the use of Safeguard Information Systems as the central mechanism for reporting on safeguards with affected populations.</p> <p><i>“Participants may shall use Safeguard Information Systems in place as an important tool to provide data or systems information to demonstrate conformance as well.”</i></p>
<p>2.3.B This system should contain indicators for the monitoring and evaluation of impacts on Indigenous Peoples as well as Local Communities generated from REDD+ actions as well as related investments under the ART program.</p>	<p>Section 12.4.2 for Cancun Safeguard B, Theme 2.1 “Respect, protect, and fulfill the right of access to information” should read:</p> <p>Structure and Process Indicator: <i>“Participants have in place a legal framework, policies and/or programs as well as the necessary procedures and resources for providing access to information, via systems co-designed with rightsholders, related to REDD+ activities, REDD+ benefit distribution, and how safeguards have been addressed and respected.”</i></p> <p>Outcome Indicator: <i>“Public institutions have provided access to information through a Safeguard Information System and the public has been aware of and exercised the right to seek and receive official information on REDD+ activities and REDD+ benefit distribution as well as on how safeguards have been addressed and respected.”</i></p>
<p>2.3.C The design and establishment of a programmatic monitoring framework and SIS should be a part of the agenda of the formal multi-stakeholder governance mechanism.</p>	<p>Section 12.4.4 for Cancun Safeguard D, Theme 4.1 “Respect, protect, and fulfill the right of all relevant stakeholders to participate fully and effectively in the design and implementation of REDD+ activities” should now read:</p> <p>Structure and Process Indicator: <i>“Participants have in place a legal framework, policies or programs as well as the necessary procedures¹ and resources² ¹⁶ to respect, protect and fulfill the right of all relevant stakeholders, including women, youth and vulnerable groups, to participate fully and effectively (including timely access to information prior to consultations and access to recourse mechanisms to ensure the</i></p>

¹⁶ See sub-recommendation 2.1.A

participation process is respected) in decisions about¹⁷ the design and implementation of REDD+ activities, ~~as well as in the decisions about~~¹⁸ distribution of REDD+ benefits, as well as program components that affect them,¹⁹ **including the Safeguard Information System.**"

Outcome Indicator: "Public institutions have respected, protected and fulfilled the right of all relevant stakeholders, including women, youth and vulnerable groups, to participate fully and effectively in decisions about²⁰ the design and implementation of REDD+ activities ~~and decisions about~~²¹ the distribution of REDD+ benefits, as well as program components that affect them²², **including the Safeguard Information System.**"

Section 12.4.4 for Cancun Safeguard D, Theme 4.2 "Develop adequate participatory procedures for the effective participation of Indigenous Peoples, Local Communities and Afro-descendant Peoples, or equivalent" should now read:

Structure and Process Indicator: "Participants have in place a legal framework, policies or programs as well as the necessary procedures¹ and resources^{2 23} to guarantee that the participation of Indigenous Peoples, Local Communities, Afro-descendant Peoples or equivalent in decisions about²⁴ the design and implementation of REDD+ activities ~~as well as in the decisions about~~²⁵ the distribution of REDD+ benefits, as well as program components that affect them²⁶, **including the Safeguard Information**

¹⁷ See sub-recommendation 2.1.B

¹⁸ Ibid

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid.

²² Ibid.

²³ See sub-recommendation 2.1.A

²⁴ See sub-recommendation 2.1.B

²⁵ Ibid.

²⁶ Ibid.

System, occurs and is documented²⁷ through their respective decision-making structures and processes, ensuring adequate conditions for their participation and using culturally appropriate procedures.”

Outcome Indicator: “Public institutions have guaranteed that the participation of Indigenous Peoples, Local Communities, Afro-descendant Peoples or equivalent in **decisions about**²⁸ the design and implementation of REDD+ activities ~~as well as in the decisions about~~²⁹ the distribution of REDD+ benefits, as well as program components that affect them³⁰, **such as the Safeguard Information System** occurred and was documented³¹ through their respective decision-making structures and processes, ensuring adequate conditions for their participation and using culturally appropriate procedures, with their free, prior, and informed consent obtained for any REDD+ decisions or actions that may affect them³².”

We recommend that Annex A and the TREES Registration Document Template be updated to include a new section on the Safeguard Information System to directly address these new requirements. Please see our review of the Registration Document Template to see these reflections.

Meanwhile, we suggest Safeguards Implementation Guidance be immediately developed in consultation with all interested stakeholders to demonstrate minimum expectations Participants must meet to develop and implement Safeguard Information Systems, as well as providing information on best practices to promote user-friendly SIS design, so that the SIS is not only a compliance tool but also a platform for stakeholder engagement and accountability, consistent with UNFCCC decisions and international best practices on REDD+ safeguards. This guidance should establish minimum criteria that every SIS must

²⁷ See sub-recommendation 2.3.D

²⁸ See sub-recommendation 2.1.B

²⁹ Ibid.

³⁰ Ibid.

³¹ See sub-recommendation 2.3.D

³² See sub-recommendation 1.1.C

	<p>meet, including:</p> <ul style="list-style-type: none"> • Transparency, ensuring that all safeguards information is published online and periodically updated, in accessible formats and in local languages, and includes non-technical summaries to ensure usability by diverse stakeholders; • Comprehensive coverage, ensuring that the SIS covers all seven Cancun Safeguards themes (A–G), with specific indicators for each; • Stakeholder participation, documenting how Indigenous Peoples, Local Communities, and civil society have participated in the design, updating, and validation of the SIS; and • Linking to grievance and redress mechanisms, so that the SIS not only displays information but also guides rights holders on how to file complaints or provide feedback.
<p>2.3.D The agreements and regular monitoring reports should be validated by the relevant authority of each affected Indigenous People or affected Local Community, and such validation should be independently verified by the Validation and Verification Body</p>	<p>Section 12.4.2 Cancún Safeguard D, Theme 4.2 to “Develop adequate participatory procedures for the effective participation of Indigenous Peoples, Local Communities and Afro-descendant Peoples, or equivalent.” should now read:</p> <p>Structure and Process Indicator: <i>“Participants have in place a legal framework, policies or programs as well as the necessary procedures¹ and resources² ³³ to guarantee that the participation of Indigenous Peoples, Local Communities, Afro-descendant Peoples or equivalent in decisions about³⁴ the design and implementation of REDD+ activities as well as in the decisions about³⁵ the distribution of REDD+ benefits, as well as program components that affect them³⁶, including the Safeguard Information</i></p>

³³ See sub-recommendation 2.1.A

³⁴ See sub-recommendation 2.1.B

³⁵ Ibid.

³⁶ Ibid.

(VVB).

*System,³⁷ occurs **and is documented** through their respective decision-making structures and processes, ensuring adequate conditions for their participation and using culturally appropriate procedures.”*

*Outcome Indicator: “Public institutions have guaranteed that the participation of Indigenous Peoples, Local Communities, Afro-descendant Peoples or equivalent in **decisions about**³⁸ the design and implementation of REDD+ activities, ~~as well as in the decisions about~~³⁹ the distribution of REDD+ benefits, as well as the program components that affect them⁴⁰, such as the Safeguard Information System⁴¹, occurred **and was documented** through their respective decision-making structures and processes, ensuring adequate conditions for their participation and using culturally appropriate procedures, with their free, prior, and informed consent obtained for any REDD+ decisions or actions that may affect them⁴².”*

³⁷ See sub-recommendation 2.3.A-C

³⁸ See sub-recommendation 2.1.B

³⁹ Ibid

⁴⁰ Ibid.

⁴¹ See sub-recommendation 2.3.A-C

⁴² See sub-recommendation 1.1.C

Priority 3: Ensuring stronger quality controls in assessing safeguard conformance, especially in evaluating the alignment of national policy with international standards.

The third table focuses on Priority 3 – Strengthening safeguard compliance and quality control, especially alignment of national frameworks with international standards. The recommendations (3.1, 3.2, 3.3, etc.), drawn directly from the December letter, are broken down into sub-recommendations (e.g., 3.1.A, 3.2.A) and propose specific requirements for rights assessments, grievance mechanisms, FPIC standards, and VVB expertise. Each sub-recommendation highlights the exact TREES 3.0 clause where text should be inserted or clarified and indicates parallel updates required in the Validation and Verification Standard, templates, or guidance notes. This ensures a full chain of accountability—from the Participant’s obligations to VVB verification and public disclosure. The table thus makes clear how the recommendations should be operationalized across all TREES instruments, so that safeguards are consistently implemented and enforced.

3.1 New requirements for adequately assessing the status of rights in a national context	
<p>3.1.A In the first Registration Document for ART certification, ART should require Participants conduct a quality assessment of the adequacy of national laws and programs to protect and defend the rights of Indigenous Peoples and the rights of Local Communities as reflected in applicable international legal instruments... based on a factual analysis of how Indigenous Peoples’ rights and Local Communities’ rights – especially those related to land (recognizing different categories</p>	<p>TREES should be explicit in requiring Participants to meet its obligations under international law. The section 12.4 heading the section on Safeguards should reflect this expectation with the addition of the following language:</p> <p>“The Participant should assess and identify potential gaps between its national legal framework and its obligations under international law. If gaps exist, the Participant should implement the higher of such standards and develop a timebound and verifiable plan (to be shared with the VVB) to bring its national legal framework into alignment with international standards.”</p> <p>We recommend that Annex A and the <u>TREES Registration Document Template</u> be updated to include a new section on a “National Rights Context Assessment” to directly address requirements to conduct an assessment of the adequacy of national laws and programs to protect and defend the rights of Indigenous Peoples and the rights of Local Communities as reflected in applicable international legal instruments. Please see our review of the <u>Registration Document Template</u> to see these reflections.</p> <p>To ensure adequate evaluation of Participants’ assessment, directives should be included in the Validation</p>

of tenure), traditional knowledge, autonomy, and cultural heritage – are being respected in practice, identifying legal gaps and citing the status and resolution of complaints of rights violations in the jurisdiction.

and Verification Standard:

Add under Theme 3.3, Section 3.3 – Validation Scope:

National Rights Context Assessment (linked to Theme 3.3):

- The VVB shall validate that the Participant has provided a rights context assessment in the TREES Registration Document, consistent with Section 5. This assessment must summarize the national and subnational legal and policy framework relevant to the rights of Indigenous Peoples as well as those of Local Communities and Afrodescendent Peoples and describe how the TREES program will address or mitigate identified gaps.
- The VVB shall review whether the Participant's assessment:
 - Accurately reflects key laws and policies on land tenure, consultation/participation, customary governance, and access to justice;
 - Identifies major implementation challenges or disputes;
 - Explains how safeguard measures (benefit sharing, FPIC, grievance redress) address these challenges.
- The VVB shall assess the thoroughness of the Participant's rights analysis, drawing on additional sources where necessary (e.g., readiness assessments, national reports, or inputs from recognized stakeholder bodies).

And add to Section 3.4 – Verification Scope:

Rights Verification (Theme 3.3 and National Context):

- The VVB shall verify, during each monitoring period, whether:

- Rights-related risks identified in the Participant's assessment remain valid or have changed (e.g., new legislation, disputes, or court rulings);
- The program has implemented the mitigation measures described in the TREES Registration Document;
- Any new rights-related challenges (complaints, conflicts, litigation) have arisen and how they have been addressed.
- The VVB shall use appropriate methods such as:
 - Media searches, review of judicial or administrative case records, or consultations with national human rights institutions or ombudspersons;
 - Interviews with representatives of Indigenous Peoples, Local Communities, and Afrodescendent Peoples and civil society organizations to corroborate that rights are being respected in practice.
- Where rights-related grievances remain unresolved or mitigation measures have not been implemented, the VVB shall raise a non-conformance.

Amendments to Section 3.6.3.4 – Findings

- **Major Nonconformance:**
 - Omission of the required rights context assessment in the TREES Registration Document;
 - Evidence that the assessment was inaccurate, incomplete, or misleading (e.g., failing to identify known tenure disputes, absence of FPIC laws, or ongoing litigation);
 - Failure to address rights-related gaps identified in the assessment.

- **Minor Nonconformance:**

- **Gaps in documentation or reporting (e.g., limited reference to sources, missing recent updates) that do not undermine the overall accuracy of the assessment, provided corrective actions are in place.**

Moreover, to ensure an adequate assessment of rights under Theme 3.2 to “Respect, protect, and fulfill land tenure rights,” especially as it relates to customary land rights and rights to emission reduction and removal, we suggest amendments to the Section 3.4.1 on “Emission Reduction and Removals Rights” to ensure appropriate analysis, clarity, and proof of emissions reduction and removal ownership (via the necessary agreements, like titles maps, FPIC records, benefit-sharing contracts, etc.) aligned with land rights.

This text in the first paragraph of Section 3.4.1 should read:

*“Before the issuance of **TREES credits (ERRs)**, the Participant shall provide a demonstration of its rights to the ERRs generated from the accounting area based on regulatory frameworks, laws or administrative orders, **as well as documentation (such as land titles, customary tenure maps, or legal agreements) demonstrating clear and recognized statutory and customary land tenure underlying those ERRs.** It may not be necessary for the Participant to establish or enact new legislation or a legal framework to address carbon rights. However, the Participant must explain how, under existing constitutional or legal frameworks, carbon rights and/or related intangible property interests, are established, **and addressed respected, and accounted for.** This explanation shall include how such carbon rights and/or intangible property interests are established, the legal basis for creating such rights and interests, and how claims to such rights from private parties, Indigenous Peoples, Local Communities, Afro-descendant Peoples, other stakeholders or subnational entities will be resolved (consistent with applicable UNFCCC Cancun Safeguards and Section 12). **Where such rights are not formally recognized by law, the Participant shall demonstrate that the affected communities have given their free, prior, and informed consent (FPIC) for the inclusion of their lands and carbon in the program, and that mutually agreed, fair and***

equitable benefit-sharing agreements respecting those land and resource rights have been established.”

To ensure adequate evaluation of Participants’ assessment, directives should be included in the Validation and Verification Standard:

Add under Section 3.4.1 – Validation Scope:

*“Ownership Rights to TREES Credits – The VVB evaluates whether the ART Participant has provided a description of its **legal** rights to the TREES credits **in the accounting area in accordance with TREES Section 3.4.1** or plan to obtain rights. ~~The VVB validates the completeness of the description but does not validate the legality of the claims to the credits.~~ **The VVB confirms that documentation includes both statutory and customary rights and that any overlapping or contested claims have been addressed through legally or customarily recognized processes. The VVB reviews the tenure rights assessment provided by the Participant, including maps, lists of rightsholders, and summary of disputes, to ensure completeness and consistency with available information (e.g., land registries, tenure maps, customary records). The VVB deploys its legal expertise to validate whether the description given by the Participant is in compliance with the Participant’s obligations under international human rights law, especially when it comes to the customary land rights of Indigenous Peoples as well as their right to FPIC. The VVB confirms that the Participant has disclosed this information publicly (via the SIS or equivalent platform) and that rightsholders were given an opportunity to review and respond.”***

And add to Section 3.4 – Verification Scope:

*“Ownership rights to ERRs to be issued by ART - The VVB verifies that the ART Participant has provided a description of its **legal** rights to the TREES credits **in the accounting area in accordance with TREES Section 3.4.1**, or plan to obtain rights, and verifies that any changes since the last TREES document submission **remain valid and uncontested** ~~have been included. The VVB does not assess the legality of the claims to the credits.~~ **The VVB reviews any updates to tenure assessments, agreements, or claims since the previous verification, including changes in statutory or customary rights***

recognition. The VVB deploys its legal expertise to verify whether the description given by the Participant is in compliance with the Participant's obligations under international human rights law, especially when it comes to the customary land rights of Indigenous Peoples as well as their right to FPIC. The VVB confirms that rightsholders have provided consent or entered agreements where their lands or resources generate ERRs. Where legal title to ERRs rests with the government, the VVB verifies that the beneficial interests of Indigenous Peoples, Local Communities, and Afro-descendent Peoples and other rightsholders have been secured through negotiated mutually acceptable fair and equitable benefit-sharing arrangements consistent with Section 3.4.2. The VVB shall treat unresolved or unacknowledged tenure disputes affecting credited ERRs as a major non-conformance.

Further additions should be made to Section 3.6.3.4 – Findings

- **Major Nonconformance: Failure to demonstrate legal and/or customary rights to ERRs; issuance of credits from lands where rightsholders did not provide consent or agreements; or unresolved contested claims.**
- **Minor Nonconformance: Documentation gaps (e.g., incomplete mapping, missing summary of disputes) that do not affect the fundamental recognition of rights, provided corrective action is planned and agreed.**

We suggest that Safeguards Implementation Guidance be developed immediately in consultation with all stakeholders to clarify that the rights to be respected include not only those in national law but those in international law that the country has committed to or that constitute best practice (even if not formally ratified). This framing guards against the risk that a government might say “our law doesn’t give communities X right, so we don’t have to” – under TREES, they would still need to uphold the higher standard of rights protection. Further, guidance on ERR rights validation/verification should include examples of acceptable evidence (laws, titles, customary maps, MOUs, dispute resolution records); Interview protocols for Indigenous Peoples, Local Communities, and Afro-descendent Peoples and rightsholders to confirm recognition and consent; Procedures for checking public disclosure (via SIS) and

	grievance records related to tenure.
3.2 New requirements for an independent grievance redress mechanism (GRM)	
3.2.A Require an independent, functioning grievance redress mechanism at that jurisdictional level that is a dedicated mechanism for REDD+ processes, aligned with international best practice	<p>These recommendations on the grievance redress mechanism respond directly to gaps identified in Guyana and other contexts. A grievance redress mechanism dedicated to REDD+ and accessible to Indigenous Peoples, Local Communities, and Afro-descendent Peoples is essential. Of particular importance is the emphasis on co-design with intended users and on non-discrimination and non-cost prohibitive to users, which is consistent with the UN Guiding Principles on Human Rights.</p> <p>Section 12.4.2 Theme 2.4 to “Respect, protect and fulfill access to justice” should read:</p> <p>Structure and Process Indicator: <i>“Participants have in place a legal framework, policies or programs and the necessary procedures and resources for guaranteeing non-discriminatory, accessible and non-cost prohibitive grievance redress dispute-resolution mechanisms at all relevant levels for stakeholders involved in the implementation of and/or with a recognized legal interest in the REDD+ activities. Such mechanisms may include ing judicial and/or administrative procedures for legal redress, provided they meet recognized international effectiveness criteria, including legitimacy, independence, accessibility (with culturally appropriate intake channels), predictability, equity, transparency, and outcomes consistent with human rights standards¹. Participants shall demonstrate that which, among other things, provide access for Indigenous Peoples, Local Communities, Afro-descendant Peoples or equivalent stakeholders, women, youth, and other vulnerable or marginalized groups can access and use these mechanisms in practice, and that stakeholders have been consulted in their design or periodic review.”</i></p> <p>A footnote should also be included, including references to best practices:</p>
3.2.B The GRM should be designed in consultation with the stakeholders who will use it, and should possess the authority and resources to resolve the social and environmental safeguard issues most likely to arise in the context of a JREDD+ program	

¹ “Reference should be made to the UN-REDD/FCPF Joint Guidance on grievance redress mechanisms and the UN Guiding Principles on Business and Human Rights.”

Outcome Indicator: “Public institutions have resolved disputes and competing claims and provided effective recourse and remedies through non-cost prohibitive, **accessible**, and nondiscriminatory mechanisms when there was a violation of rights, grievance, dispute or claim related to the implementation of REDD+ activities, **and transparently report on such developments through the Safeguard Information System.**”

Section 16.1 referring to the Scope of ART’s Complaints and Appeals should be updated to reflect the above changes. Moreover, a clear link should exist between jurisdictional grievance redress mechanisms and ART’s own grievance process, to allow appeals if local mechanisms fail, especially where a stakeholder is materially affected by an ART Participant’s activities. Ensuring there’s a higher-level appeal (to ART or other bodies) if the local grievance redress mechanism fails is important for accountability. Meanwhile, we recommend that any failure to have a functioning grievance redress mechanism be considered a material non-conformance.

Accordingly, Section 16.1 should read:

“As required by Section 12, non-discriminatory, **accessible**, and non-cost prohibitive dispute resolution mechanisms must be in place and these mechanisms must provide effective recourse and remedies in the case of a violation of rights, grievance, dispute or claim related to the implementation of REDD+ activities.

“If the Complainant does not feel the dispute resolution mechanisms are effective, they should report this concern to the Validation and Verification Body during the validation and verification process or to ART as part of the public comment process as described in Section 2.6.2. **Failure to have a functioning grievance redress mechanism (or evidence that it’s merely pro forma) will be considered a material non-conformance.**

In instances where a complainant considers that their grievance has not been satisfactorily resolved through the Jurisdictional REDD+ grievance redress mechanism (including after all available appeals within the mechanism have been exhausted), the complainant retains the right to

escalate the matter to the ART grievance redress mechanism. Complainants may submit their case directly to the ART grievance redress mechanism, which will review and address grievances in line with its mandate and procedures. The Jurisdictional REDD+ program shall inform complainants of this right at all stages of the grievance process and provide clear guidance on how to access the ART grievance redress mechanism.

To ensure adequate evaluation of Participants' grievance redress mechanisms, the following directives should be included in the Validation and Verification Standard:

Add under Theme 2.4 (Access to Justice / Grievance Redress Mechanisms), Section 3.3 – Validation Scope:

Grievance Redress Mechanisms (GRMs):

- The VVB shall validate whether the Participant has identified and described the grievance mechanisms available for REDD+ activities, and whether these meet the effectiveness principles referenced in TREES Section 12, Theme 2.4.
- The VVB shall confirm that the Participant has demonstrated:
 - The existence of a legal framework, policy, or program underpinning the GRM(s);
 - That the GRM(s) are accessible to Indigenous Peoples, Local Communities, Afro-descendant Peoples, women, youth, and other vulnerable groups;
 - That stakeholders were consulted in the design or periodic review of the mechanism(s); and
 - That the mechanism is publicly advertised and accessible at no cost.

And add to Section 3.4 – Verification Scope:

Grievance Redress Mechanisms (GRMs):

- The VVB shall verify the functionality and effectiveness of the GRM(s) relied upon for REDD+ by reviewing:
 - Logs of grievances received and their resolution status;
 - Evidence that remedies were provided where rights were violated;
 - Documentation of outreach and awareness activities to ensure stakeholders know of the GRM;
 - Evidence that summary data on grievances has been disclosed through the SIS or equivalent platform.
- The VVB shall conduct stakeholder interviews (e.g., with representatives, NGOs, or complainants where possible) to assess:
 - Whether the mechanism is known and trusted;
 - Whether it is perceived as independent and impartial; and
 - Whether grievances can be raised in culturally appropriate ways (oral/written, local languages, via focal points).
- A GRM that exists on paper but is not functional, not accessible, or not trusted by stakeholders shall be deemed a major non-conformance.

Finally, we suggest that Safeguards Implementation Guidance be developed immediately in consultation with all stakeholders to demonstrate the minimum expectations that participants should meet in order to collaboratively design, implement, and monitor grievance redress mechanisms to meet international principles, including how to adapt or strengthen mechanisms to ensure impartiality, accessibility, and trust (e.g. through multi-stakeholder oversight, neutral third-party mediators, or use of customary dispute resolution consistent with rights); how to provide culturally appropriate intake channels (oral, written, via community focal points, free of charge and without risk of retaliation); means of ensuring mechanisms are

	known to stakeholders through outreach in local languages and accessible formats; and what summary data on grievances should be published via the Safeguard Information System (e.g. number of claims received, types, resolution status). This guide should include the type of evidence that should be provided for these aspects so that its functionality and effectiveness can be verified by the validation and verification body.
3.3 New requirements or clarifications for assessment of FPIC standard	
3.3.A When FPIC is required for a country program, the VVB should assess government compliance with the highest and most protective standard, whether that be at the international, national or sub-national level	See sub-recommendation 1.1.E concerning the need for a guidance note in consultation with all interested stakeholders addressing FPIC and the type of evidence that should be provided for this indicator so that this can be verified by the validation and verification body. This guidance should clarify for the VVB that compliance should be assessed against the highest and most protective standard, whether that be at the international, national or sub-national level.
3.4 New requirements for expertise demonstrated by Validation and Verification Body in assessing ART documentation against international human rights law	
3.4.A VVBs should necessarily demonstrate expertise in international human rights law and Indigenous Peoples' rights	It is important that ART ensures that any ART-approved VVB has the necessary qualifications and expertise to check compliance with all social safeguards of TREES. Assessing compliance with respect for Indigenous Peoples' rights, for example, requires knowledge of those rights under national and international law, as well as the capacity to consult with the concerned peoples through their representative

3.4.B | The VVBs should have skills with national and/or local languages, and when possible, relevant experience with stakeholder engagement in the region or jurisdiction

institutions.

This requires specifications/additions to the language in TREES, the VVB standard as well as associated forms:

Section 14.2 of TREES should read: “*Validation and Verification Bodies shall also complete an application and an Attestation of Validation and Verification Body to be an approved ART Validation and Verification Body. This process serves to ensure the Validation and Verification Body has the technical capabilities, qualifications, and resources to successfully complete a TREES validation and verification. **ART requires that these technical capabilities and qualifications include experience and expertise in international human rights law, including the rights of indigenous peoples, since determining compliance with many of the safeguards/themes, and their application in the national jurisdiction, cannot be done without such knowledge.***”

Section 2.1.2 of the TREES Validation and Verification Standard 2.0 on Competencies should read:

“*Company has access at all times to full-time personnel or contractors experienced in remote sensing, forestry, **international human rights law, Indigenous Peoples’ rights, and safeguards, and potentially relevant as well as relevant experience with stakeholder engagement and fluency in national languages in the region or jurisdiction.***”

This additional language (in section 2.1.2) must also be reflected in section 2 of the *ART VVB application form* to ensure that when applying to become approved, VVBs must show that they have the necessary expertise.

III. Additional Recommendations regarding Requirements for Validation and Verification processes and Materiality Definitions

In addition to the above recommendations to TREES 3.0, we want to take this opportunity to highlight two sets of additional recommendations that were not originally included in the letter sent to ART in December 2024. These recommendations are relevant for ART's Validation and Verification Standard (VVS) and include i) new requirements regarding the methodology for VVBs to evaluate conformance with TREES Safeguards, and ii) new requirements for ART to co-develop Safeguards' Materiality Criteria.

In discussions around minimum thresholds to meet safeguard requirements, we became increasingly concerned about how those are determined, which led us to the language in the VVS, which relates almost exclusively to emissions thresholds, not those of safeguards. For this reason, we believe that this threshold - defined in the VVS as "Materiality" - should be explicitly defined in relation to each safeguard.

Clarifying these materiality criteria will ensure that a program cannot be validated if there are serious flaws in addressing and respecting safeguards. Thus, a material non-compliance in safeguards must be addressed and corrected ****before**** the program receives a positive verification opinion, regardless of its impact on emissions.

We thus consider that these additional recommendations are key for providing greater clarity and rigor in auditing processes, thus ensuring a more transparent and legitimate third party verification and validation of TREES. We thank Forest Peoples Programme and Climate Law & Policy for their contributions to our recommendations on Validation and Verification in this section and in other areas of the letter.

1. New requirements regarding methodology for VVBs to evaluate conformance with TREES Safeguards	
1.1 VVBs must be required to triangulate self-reported information by the Participant.	The current version of the ART VV Standard only directs the VVB to look at the documentation/"evidence" presented by the participant jurisdiction. It does not require the VVB to interview rightsholder groups (e.g. Indigenous Peoples, Local Communities, and Afro-descendent Peoples), and it does not require the VVB to do its own due diligence to collect and review publicly available information to inform its assessment about whether the safeguards have been met. This means that verification of compliance with the safeguards relies heavily on self-reporting and omits other available information that can help assess its veracity. The following edits are suggested to ensure the VVB can base its evaluation of compliance with TREES on diverse sources of information:

Section 3.1 General Requirements should read:

*“In carrying out a validation or verification, the VVB shall **consult a variety of data sources - including those of Indigenous Peoples, Local Communities, Afrodescendent Peoples and their allies - and** apply consistent criteria to assess the accuracy, conservativeness, relevance, completeness, consistency and transparency of the information provided by the ART Participant in order to determine whether information provided by the Participant is reliable and credible **and whether the Participant is compliant with the requirements of TREES.**”*

Section 3.3 Validation Scope should be revised as follows:

*Environmental, Social and Governance Safeguards – ~~The VVB evaluates the indicators as follows~~ **The VVB evaluates all structure, process and outcome indicators as set out below (and in line with agreements with stakeholders contained in the Validation and Verification Plan). Evaluation must be based on the VVBs consideration of information obtained through its investigation process, including documentation provided by the Participant, visits to and interviews with rightsholder communities in the accounting area, and other relevant publicly available information consulted through the VVB’s due diligence (e.g. news reports, academic reports, NGO reports, legal documents, reports and recommendations of UN and regional human rights bodies etc):***

*Structure indicators – The VVB evaluates whether the evidence **obtained during its investigation** ~~provided by a Participant~~ demonstrates that the relevant governance arrangements (e.g., policies, laws, and institutional arrangements) were in place, ensuring that the implementation of REDD+ actions was in conformance with the indicator.*

*Process indicators – The VVB evaluates whether the evidence **obtained during its investigation** demonstrates that the relevant institutional mandates, processes, procedures, and/or mechanisms were in place and enforced, ensuring that the implementation*

	<p>of REDD+ actions was in conformance with the indicator.</p> <p>Outcome indicators – For the first five years after joining ART, the VVB evaluates whether the evidence obtained during its investigation demonstrates that the initial plan for monitoring the Participant-defined context-specific outcome(s) outlined in the TREES Registration Document has been implemented, fully or in part; or demonstrates that the ART Participant has concluded development of its outcome monitoring plan by the end of five years after joining ART and is ready to implement the plan.</p> <p>For all subsequent years, the VVB evaluates whether the evidence obtained during its investigation demonstrates that the outcome monitoring plan defined by the ART Participant is being implemented, together with any identified and justified changes to the monitoring plan originally outlined in the TREES Registration Document; and demonstrates that ongoing collection of monitoring information shows stepwise improvements in Participant-defined context-specific outcomes in summarized results reporting.</p> <p>The same edits are recommended for Section 3.4 Verification Scope, subsection on <i>Environmental, Social and Governance Safeguards</i>, as listed under section 3.3.</p>
<p>1.2 The Validation and Verification Standard (VVS) should require that the validation and verification plan in developed in consultation with rightsholders groups</p>	<p>The current version of the VV Standard gives little to no directions to VVBs on methodology for how to evaluate a Participant's conformance with the TREES safeguards and broader requirements. It is recommended that such guidance is developed (to provide clarity on the expectations of the text of the Standard) in consultation with representatives from key stakeholder groups, such as Indigenous Peoples, Local Communities and Afro-descendent Peoples.</p> <p>As for the text of the standard itself, we propose the following edits:</p> <p>Section 3.6.3.2: "<i>Validation and Verification Plan: The VVB shall develop a validation or verification plan including sampling requirements in line with their internal risk assessment and sampling plan</i></p>

	<p>development processes taking into account the relative contribution of each source, internal or external audits of the data, and other factors affecting risk. TREES will not require specific data sampling or field work given the variability of the activities and data sources that might be included. For jurisdictions where stakeholder mapping has identified presence of Indigenous Peoples, Local Communities, and Afro-descendent Peoples, this plan must be developed in consultation with self-chosen representative bodies of these rightsholder groups, in order to ensure that the plan includes opportunities for the VVB team to engage with the rightholders in a culturally appropriate and rights-consistent manner. Among other things, the plan should contain agreement on a schedule for VVB visits to communities, modalities for consulting community representatives and identification of data sources to be checked by the VVBs as part of the VVB process. Where a Stakeholder Engagement Plan has been developed as part of the Participant's TREES participation, this plan should contain information about how relevant rightsholders want to be part of the process to develop the Validation and Verification Plan.</p>
<h2>2. Materiality Criteria and the Role of the VVB</h2>	
<p>2.1 Define “materiality” in terms of rights and risks.</p>	<p>We propose that ART expressly clarify that a breach of safeguards will be considered "material" (i.e., a Major Non-Conformity) if it represents significant harm or substantial risk to the actors involved, or a fundamental violation of rights or the integrity of the programme, even if it does not directly affect the quantification of emission reductions. This should be reflected in the Validation and Verification Standard (VVS).</p> <p>For example, ART could add a criterion to the VVS such as:</p> <p>"Any non-compliance that indicates a lack of attention or respect for a Cancun safeguard in a way that could cause harm to people or the environment will be considered a Major Non-</p>

	<p>Conformity, regardless of its impact on CO₂ tonnes."</p> <p>This ensures that a programme that, for example, failed to consult local communities or ignored FPIC cannot be validated simply because it met its carbon targets.</p>
<p>2.2 Qualitative thresholds for determining materiality.</p>	<p>Unlike carbon (where TREES defines materiality as a percentage of ERs), qualitative thresholds must be established for safeguards. Such qualitative thresholds should be co-developed with Indigenous Peoples, Local Communities, and other relevant stakeholders. Such qualitative thresholds should also be open to public consultation. At least, we suggest using key safeguard outcomes as a guide:</p> <ul style="list-style-type: none"> • if at least one indigenous or local community that should have granted FPIC did not do so, that is material; • if at least one significant complaint or conflict was not adequately addressed and could escalate, that is material; • if a benefit distribution mechanism does not deliver promised benefits to a significant sector of the population, that is material. <p>In essence, any non-compliance that—if left unresolved—could diminish stakeholder confidence or damage ART's reputation should be treated as "material." It is recommended that the VVB should clearly justify in its report when classifying a safeguard finding as "minor," explaining why it is not considered material. By default, all significant safeguards findings should be assumed to be major unless there is compelling evidence to the contrary.</p>
<p>2.3 Corrective actions and deadlines for minor non-conformities:</p>	<p>For cases where safeguards non-conformities considered 'minor' (non-material) are detected, the VVB must approve a 'corrective action plan' with a defined timeline. We recommend that such corrective actions on safeguards be completed no later than the next verification. Otherwise, the non-compliance shall be elevated to 'major'. ART could stipulate, for</p>

	<p>example, that if a social issue initially classified as minor is not resolved in the next monitoring period, the issuance of subsequent credits will be 'suspended or conditioned' until the finding is closed. This will exert appropriate pressure to resolve even 'minor' safeguards issues promptly, preventing risks to communities from becoming entrenched.</p>
--	---

IV. Conclusion

In closing, we underscore that TREES 3.0 has the potential to set a global benchmark for high-integrity jurisdictional REDD+, but this will only be realized if the standard firmly anchors the rights of Indigenous Peoples, Local Communities, and Afro-descendent Peoples at its core. Our collective experience demonstrates that programs designed and implemented with our full participation, secure tenure, and equitable benefit sharing achieve not only better climate outcomes but also foster trust, stability, and lasting partnerships.

The recommendations we have provided—summarized in the letter and detailed in the accompanying tables—are intended to offer ART concrete pathways to close safeguard gaps and to ensure clarity across TREES 3.0, the Validation and Verification Standard, and associated templates and guidance. They represent practical, implementable improvements that build on international best practices and lessons learned from early REDD+ implementation, including ART's own certification experience.

We respectfully urge ART to adopt these recommendations in order to:

- Guarantee that consultation and FPIC processes are early, inclusive, and meaningful;
- Ensure that benefit sharing and governance arrangements are equitable, transparent, and binding; and
- Strengthen the quality and consistency of safeguard evaluation, including clear recognition of land and carbon rights.

By addressing these priorities, ART will reinforce its leadership role in shaping jurisdictional REDD+ standards that deliver real climate benefits with justice and equity. We look forward to continued dialogue and collaboration with the ART Secretariat and Board in refining TREES 3.0 and ensuring its effective implementation in practice.

We thank you for considering our comments and recommendations and remain available to discuss any of these points in detail. It is our hope that, by incorporating these inputs, TREES 3.0 will set a new high benchmark for safeguard implementation – one that truly respects the rights and roles of Indigenous Peoples, Local Communities, and Afro-descendent Peoples as indispensable partners in fighting climate change.

We would also like to express our deep interest and desire to actively contribute to the preparation of a Safeguard Implementation Guidance and VVS to accompany TREES 3.0. We feel that our combined knowledge and experience with REDD+, along with our strong

technical understanding of the standard and related reporting requirements, will benefit ART's process to define in more specific terms what minimum thresholds as well as materiality criteria needed to adequately meet the requirements set out by the safeguards.

Thank you for your attention and consideration.



Julian Cho Society, Belize

Toledo Alcaldes Association, Belize

Maya Leaders Alliance of Southern Belize, Belize

Articulação dos Povos Indígenas do Brasil (APIB), Brazil

Conselho Nacional das Populações Extrativistas (CNS), Brazil

Articulação dos Povos e Organizações Indígenas do Nordeste, Minas Gerais e Espírito Santo (Apoiname), Brazil

Articulação dos Povos Indígenas da Região Sul (Arpin-Sul), Brazil

Articulação dos Povos Indígenas da Região Sudeste (Arpinsudeste), Brazil

Conselho do Povo Terena, Brazil

Organización Nacional Indígena de Colombia (ONIC), Colombia

Organización Nacional de los Pueblos Indígenas de la Amazonia Colombiana (OPIAC), Colombia

Union pour la Promotion des Forêts Communautaires (UPFOC), Democratic Republic of the Congo

Réseau pour la Conservation et la Réhabilitation des Écosystèmes Forestiers (Réseau

CREF), Democratic Republic of the Congo
Le Centre d'Appui à la Gestion Durable des Forêts Tropicales (CAGDFT), Democratic Republic of the Congo
Asociación de Comunidades Forestales de Petén (ACOFOP), Guatemala
Asociación de Forestería Comunitaria Utz Che (Utz Che'), Guatemala
Amerindian Peoples Association (APA), Guyana
North Pakaraimas District Council (NPDC), Guyana
South Rupununi District Council (SRDC), Guyana
Upper Mazaruni District Council (UMDC), Guyana
Organización Regional de AIDSEP-Ucayali (ORAU), Peru
Organización Regional de Pueblos Indígenas del Oriente (ORPIO), Peru
Forest Peoples Programme
Forest Trends
Namati
Rights and Resources Initiative (RRI)
Rainforest Foundation Norway
Rainforest Foundation UK
Rainforest Foundation US
Tenure Facility

ART Secretariat
2451 Crystal Drive, Suite 700
Arlington, Virginia 22202

Dear ART Secretariat and Board,

As representatives of Indigenous Peoples and representatives of Local Communities across Central and South America, along with allied organizations, we welcome the opportunity to provide you with input for the periodic review of the ART TREES 2.0 standard currently underway.

The voluntary carbon market has expanded quickly and significantly across our regions both at the project and jurisdictional levels. While these developments have created important opportunities to access new channels of finance, it has also created confusion and concern for Indigenous Peoples and Local Communities in understanding their rights to program benefits as well as the risks associated with these markets, especially concerning self-governance and self-determination, land tenure, territorial and carbon rights, access to justice, and respect for human rights. In the absence of stronger national legislation and regulation in many countries in our regions¹, the standards in the voluntary carbon market need to be strong, verifiable, and robust in order to adequately respect and fulfill rights that are protected in international laws and norms.

We see a promising opportunity in ART's jurisdictional crediting program to be a driver of positive change and create an impetus to advance and strengthen tenure rights, a cornerstone for an equitable and effective jurisdictional program. Since TREES 2.0 was released in August 2021, the standard was put into practice through the issuance of credits for the first and only time, to date, in Guyana. This process produced mixed results from Indigenous communities on the ground in terms of ensuring and verifying communities' Free, Prior and Informed Consent (FPIC), and their meaningful participation in the design of the program, among other issues, while exposing the inadequacies of ART's own grievance mechanism.

Our shared concern that governments, standard bodies, and related actors are failing to uphold the distinct and differentiated rights of Indigenous Peoples as well as those of Local Communities² in carbon market programs prompted us to take action. Nine organizations

¹ See policy brief by Rights and Resources Initiative: "State of Indigenous Peoples', Local Communities', and Afro-descendant Peoples' Carbon Rights in Tropical and Subtropical Lands and Forests" https://rightsandresources.org/wp-content/uploads/Policy-Brief_Carbon-Rights-EN.pdf

² It is important to note that Indigenous Peoples' rights refer to their individual and collective rights as enshrined in the United Nations Declaration on the Rights of Indigenous Peoples. These are considered alongside the broader rights protections enshrined in ILO Convention 169; The Universal Declaration on Human Rights, the Convention on the Elimination of All Forms of Discrimination Against Women, the International Covenant on Civil and Political Rights, among others, as well as the UNFCCC outcomes including the Warsaw Framework for REDD+, Paris Agreement, and subsequent decisions; and the Kunming-Montreal Global Biodiversity Framework for Indigenous Peoples and Local Communities, who may include or also be referred to as tribal, Afro-Descendent, *quilombola*, extractivists, traditional

representing Indigenous Peoples as well as Local Communities from across our regions came together during Climate Week in New York in September 2024 to discuss these issues. We formed a working group to develop policy proposals for improving the TREES standard which we hope you will take into strong consideration as you review and update the standard.

Based on our shared experiences, we have identified the three priorities that lay the foundation for the timely, meaningful, and effective engagement of Indigenous Peoples as well as Local Communities, in the ART program. Those priorities are:

1. Ensuring early, inclusive, informed, and meaningful consultation with Indigenous Peoples and with Local Communities in the design of jurisdictional programs.
2. Ensuring full and effective participation in decision-making around program design and implementation, including in determining governance structures, fair and equitable benefit distribution plans, and transparent monitoring and reporting.
3. Ensuring stronger quality controls in assessing safeguard conformance, especially in evaluating the alignment of national policy with international standards.

For each of the priorities outlined above, we highlight in the present document a key set of recommendations for the TREES standard. As one of the more recognized jurisdictional mechanisms in the voluntary carbon market, it is our hope that your consideration and adoption of these recommendations will ensure that future ART programs effectively safeguard the rights of Indigenous Peoples and the rights of Local Communities. Doing so will allow TREES to reach its potential as the voluntary carbon market standard capable of realizing high social integrity—the failure of which, however, will continue to undermine the credibility and confidence of the market as a whole.

1. Ensuring early, inclusive, informed, and meaningful consultation with Indigenous Peoples and with Local Communities in the design of jurisdictional programs.

The Issue

A resounding concern across our geographies is the often rushed and inadequate processes by which communities are consulted on jurisdictional REDD+ programs. Consultations that can lead to consent at the appropriate scale often do not occur, but rather are limited to workshops or information-sharing sessions that do not address potential risks and impacts of REDD+ actions, the scope and scale of the REDD+ actions themselves, or what alternatives communities may wish to consider.

communities, riverine communities, or equivalent rightsholders. Henceforth in this document, for brevity, these rights will be referred to as “the rights of Indigenous Peoples and the rights of Local Communities.” Similarly, the term “Local Communities” should be considered inclusive of the rightsholders listed previously.

The absence of information and transparency limits the ability to respect the right to Free, Prior and Informed Consent, and is driven by the lack of time and resources to produce culturally adapted materials in languages that communities can understand. The lack of national and/or sub-national FPIC protocols, and the lack of recognition of FPIC rights at the national level³, leads to conflation of consultations with consent by Indigenous peoples and/or Local Communities, and confusion around who has authority to grant consent.

Consultation should be considered as the continual process by which stakeholders are adequately⁴ informed and supported to meaningfully engage in the design and implementation of a jurisdictional REDD+ program. Consultations should identify the specific current and future REDD+ activities where consent should be sought, allowing to make free, prior, and informed decisions around whether to participate, and/or sustain their participation in such programs. Consent⁵ should be considered as the specific negotiated agreements achieved for the participation, design and implementation of such programs, including the terms of participation, compensation, and monitoring, among others relevant to each affected stakeholder group (noting that achieving consent does not end with an agreement, and requires continued consultations and the consistent honoring of the terms therein).

These issues, combined with the lack of financial resources for Indigenous Peoples as well as Local Communities to retain technical and legal advising, all hinder effective engagement and consultation processes. As a result, communities lack access and information to understand the many facets of carbon market programs, associated risks and liabilities of REDD+ actions, such as how it affects their formally recognized and customary rights to land, territory, and the ecosystem services produced by these areas as a result of the direct and indirect actions of communities⁶, or how international or national safeguards apply to their specific context for adequate risk management.

Nevertheless, it is the government's obligation in J-REDD+ programs to provide for processes that allow communities to protect and defend their rights. Carbon market standards such as TREES have an important role to play in raising the expectations of governments for participating in jurisdictional programs, and this includes ensuring the quality of the consultation processes. Effective consultation processes need to solve for information asymmetries, considering each peoples' or communities' unique knowledge, needs, approaches, and timelines—all of which require time and resources that are often not accounted for in government budgets or jurisdictional programs.

³ See policy brief by Rights and Resources Initiative: "State of Indigenous Peoples', Local Communities', and Afro-descendant Peoples' Carbon Rights in Tropical and Subtropical Lands and Forests" https://rightsandresources.org/wp-content/uploads/Policy-Brief_Carbon-Rights-EN.pdf

⁴ In a manner that ensures accessibility and is culturally appropriate.

⁵ See for example FAO's "Free Prior and Informed Consent – An Indigenous Peoples' right and a good practice for local communities" <https://www.un.org/development/desa/indigenouspeoples/publications/2016/10/free-prior-and-informed-consent-an-indigenous-peoples-right-and-a-good-practice-for-local-communities-fao/>

⁶ Land rights standard [The-Land-Rights-Standard_EN.pdf](#)

There are cases of functioning FPIC and consultation protocols at the community and jurisdictional level, such as in Belize⁷ or in Peru⁸, where critical stages in regional FPIC and consultation processes are identified, such as preliminary stages during which consultation, dialogue, and/or negotiation plans are established. These plans generally should include defining who will be conducting the consultation and on what issue(s), as well as who will be consulted, at what time, the methodology and materials that will be used, and the bidirectional communications strategy that will be deployed to facilitate ongoing coordination and continued consent. In addition to specifying affected Indigenous Peoples and their relevant communities under a proposed program, consultation protocols should also clarify the identification of affected Local Communities, and could reference criteria promoted by local communities in Mesoamerica for such purposes⁹. Best practices call for FPIC and consultation frameworks that guarantee the right to withhold consent. Existing frameworks and related resources can serve as a reference for Participants seeking to ensure the full and effective participation and continued consent of Indigenous Peoples as well as of Local Communities in jurisdictional REDD+ programs.

Treatment in TREES

The TREES 2.0 standard, as written, lacks clarity and accountability from local, regional, and national government to Indigenous Peoples as well as Local Communities to ensure that communities and their respective representative organizations are meaningfully engaged and consulted early in the process. For a government to indicate their interest to participate in ART, they present a Concept Note to the ART Secretariat. The Concept Note is an important document as it is the one presenting for the first time the scope of the program, the scale, the program partners, the implementers, and the potential claims that will stem from the sale of the carbon credits.

However, there is no specific requirement to report on any consultations with affected stakeholders aside from claiming, in a simple checkbox exercise, whether a government sees their conformance with relevant safeguards, such as Safeguard D to fulfill “the full and effective participation of relevant stakeholders—in particular Indigenous Peoples and Local Communities” as being either in “conformance” or with a “plan for conformance”¹⁰. Nowhere in TREES is there a verifiable distinction made between implementing effective consultations (the process) and achieving consent (the outcome). Additionally, the outcome indicator under Theme

⁷ See the Maya of Southern Belize Free Prior and Informed Consent Protocol:

<https://drive.google.com/file/d/1YQtMKnihhq1d83civBqQrt6vybR7M19O/view>

⁸ See the Ley de Consulta Previa del Perú LEY N° 29785:

<https://consultaprevia.cultura.gob.pe/sites/default/files/pi/archivos/Ley%20N%C2%B0%2029785.pdf>

⁹ Proposed criteria for the identification of local communities, presented by members of the Mesoamerican Alliance of Peoples and Forests at UNFCCC COP29 in Baku, can be found here:

<https://redmocaf.org.mx/wp-content/uploads/2024/11/Side-event-CLVF.pdf>

¹⁰ Found under Section 12.5.4.

3.1, which requires the identification of Indigenous Peoples as well as Local Communities, should be met, at the latest, at the submission of the registration document.¹¹

Furthermore, the Concept Note is not subject to external scrutiny, and there are few means to ensure relevant stakeholders and rights holders have been informed of, or able to review and comment on the government's submission, even when their lands and territories have been included in the Concept Note, as was the case in Guyana. The mechanism by which ART announces the acceptance of a new jurisdiction's Concept Note to the ART listserv (Section 15.2) is too late and too limited (within a 30-day window) to facilitate, and face scrutiny or productive dialogue from relevant stakeholders.

We consider that ART's listserv is an insufficient way to ensure full and effective information sharing and participation of Indigenous Peoples as well as Local Communities. Indigenous Peoples as well as Local Communities, and their respective leaders, often have difficulty accessing emails in a constant and effective manner, so this mechanism does not guarantee an efficient and timely exchange of information. While ART allows stakeholders to have an opportunity to submit comments regarding a government's submissions, it does not explicitly require governments to provide stakeholders with access to draft documentation before its submission to ART. Indeed, it is unclear in the text of Section 15.2 how governments will be expected to address comments received during ART's 30-day window, which should be clarified and included in the third-party review of a Participant's subsequent submissions. The Secretariat's presumption *that "Participant information is available for public scrutiny, and demonstration to the contrary shall be incumbent on the Participant"* (Section 15.2) essentially issues Participants—i.e., national or subnational governments—a *carte blanche* to determine the level of transparency they deem appropriate, while providing little to no accountability.

The lack of clear requirements for transparency and consultation in the early stages of programs, especially in the form of the TREES Concept Note, limits the ability of stakeholders to provide timely and meaningful inputs to inform the development of the documents that will be submitted. The lack of requirements for external scrutiny of the Concept Note further limits accountability at this crucial stage in the design of ART programs.

Our Recommended Revisions to the Standard

Based on these observations, we recommend the incorporation of three new requirements for stakeholder consultation, transparency, and accountability at the initial stages of program design and implementation. Together, these three measures, by enhancing transparency and inclusiveness in the early stages of the ART Program design, will better ensure relevant stakeholders have sufficient time to review and provide meaningful inputs and therefore

¹¹ For an example of a best practice, the FCPF requires jurisdictions to conduct a detailed land tenure assessment, identifying right holders, customary rights, and tenure types, while ensuring that Indigenous Peoples' rights are legally recognized and protected through documented legal frameworks and policies.

achieve early conformance with the outcome indicator under Theme 2.1¹² of the standard. It is in ART's own interest to increase the transparency and opportunities for public consultations at an early stage, as this will minimize the reputational risks of the program and standard, while increasing program effectiveness and equitable implementation.

1.1 New requirements regarding early stakeholder consultation

We recommended the incorporation of more robust requirements in the Concept Note concerning stakeholder consultation in the initial submission of a Participant's documents to ART, which should include disclosures on all Safeguard C and D Themes¹³. Conformance with the outcome indicator under Theme 3.1, referring to adequate identification of relevant stakeholders, should be met with regards to the identification of affected Indigenous Peoples - including Peoples in Voluntary Isolation and Initial Contact - as well as Local Communities, and should be a prerequisite for continuing with program activities. Indicators for Theme 4.1 and Theme 4.2 should clearly refer to any existing jurisdictional FPIC protocol, where applicable, or mandate the existence of a stakeholder engagement plan, either of which should provide evidence by which FPIC can be granted at the appropriate levels and authority. Meanwhile, indicators for Theme 4.1 should require reporting on available budgets, with adequate funds being allocated for consultation activities, the provision of independent legal counsel of communities' own choosing, and resources for communities' own internal governance processes.

All such requirements should be elaborated in a guidance document defining the principles of an effective stakeholder engagement plan and process to achieve FPIC, including further references to best practices that Participants should adhere to, the preparation of which should be designed in consultation with any interested Indigenous Peoples and/or Local Community representative organizations. In updating these new requirements, TREES should draw from established frameworks and similar guidelines and requirements that are already in place with other international organizations. For example, the World Bank's ESS10 mandates the development and implementation of a stakeholder engagement plan, which must be disclosed as early as possible and before project appraisal.¹⁴ Similarly, the GCF requires the

¹² TREES Theme 2.1 covers the requirement to "Respect, protect, and fulfill the right of access to information."

¹³ Cancun Safeguard C themes under TREES include Theme 3.1 to "Identify indigenous peoples and local communities, or equivalent," Theme 3.2 to "Respect and protect traditional knowledge," and Theme 3.3 to "Respect, protect, and fulfill rights of indigenous peoples and/or local communities, or equivalent"; Cancun Safeguard D themes under TREES include Theme 4.1 to "Respect, protect, and fulfill the right of all relevant stakeholders to participate fully and effectively in the design and implementation of REDD+ actions" and Theme 4.2 to "Promote adequate participatory procedures for the meaningful participation of indigenous peoples and local communities, or equivalent."

¹⁴ See the World Bank's Environmental & Social Framework for IPF Operations "ESS10: Stakeholder Engagement and Information Disclosure"

<https://documents1.worldbank.org/curated/en/476161530217390609/ESF-Guidance-Note-10-Stakeholder-Engagement-and-Information-Disclosure-English.pdf>

establishment of a stakeholder engagement process and provides guidelines as well¹⁵. The IFC also requires a stakeholder engagement plan.¹⁶ Meanwhile the UN-REDD Programme and FCPT's FPIC Guidelines¹⁷ as well as those of RECOFTC y GIZ¹⁸ provide a comprehensive guide to building a consultation process that can lead to consent.

1.2 New requirements for public consultations procedures by ART Participants

We recommend the incorporation of a new requirement that mandates that all relevant documents (such as the Concept Note, Registration Document, and Monitoring Reports) be made available in national and, as applicable and relevant, Indigenous Peoples' or local languages, for public comments by Participants for a period of at least 60 days prior to submission to ART, as a way to increase access to information to Indigenous Peoples as well as Local Communities, including their representative institutions, communities, and community members. Participants should be required to proactively communicate with Indigenous peoples as well as Local Communities, through their representative organizations, about the publication and dissemination of the aforementioned relevant documents. This can be done in coordination with the relevant ministries in the country.

Doing so prior to the submission of the Concept Note is particularly important given that there are no means of verification or sufficient supporting evidence provided for ensuring compliance to TREES indicators at this initial stage, but should nevertheless be the responsibility of ART to ensure their program is transparent and accessible. Reporting on this requirement in the Concept Note should be included in new mandated disclosures on Safeguard B, Theme 2.1¹⁹, that reflect at a minimum where and how stakeholders have accessed the draft submission and the ways by which that access was communicated to stakeholders prior to being made public. Reporting on this Theme should cross reference modalities identified by Indigenous Peoples, as well as Local Communities, in any existing FPIC protocol relating to how they prefer to receive access to public notices. Such

¹⁵ See the Green Climate Fund's "Sustainability Guidance Note: Designing and ensuring meaningful stakeholder engagement on GCF-financed activities"

<https://www.greenclimate.fund/sites/default/files/document/sustainability-guidance-stakeholder-engagement-may2022.pdf> and "Operational guidelines: Indigenous Peoples Policy"

<https://www.greenclimate.fund/sites/default/files/document/ipp-operational-guidelines.pdf>

¹⁶ See Performance Standards 1 (Risk Management) and 7 (Indigenous Peoples) and resources on stakeholder engagement such as <https://www.ifc.org/en/insights-reports/2000/publications-handbook-stakeholderengagement--wci--1319577185063>

¹⁷ See the UNREDD and FCPF's "Guidelines on Stakeholder Engagement in REDD+ Readiness With a Focus on the Participation of Indigenous Peoples and Other Forest-Dependent Communities"

[https://www.forestcarbonpartnership.org/system/files/documents/Guidelines%20on%20Stakeholder%20Engagement%20April%2020,%202012%20\(revision%20of%20March%2025th%20version\).pdf](https://www.forestcarbonpartnership.org/system/files/documents/Guidelines%20on%20Stakeholder%20Engagement%20April%2020,%202012%20(revision%20of%20March%2025th%20version).pdf)

¹⁸ See the RECOFTC and GIZ's "Free, Prior, and Informed Consent in REDD+: Principles and Approaches for Policy and Project Development"

https://redd.unfccc.int/uploads/2_74_redd_20130710_recoftc_free_2C_prior_2C_and_informed_consent_in_reddplus.pdf

¹⁹ Cancun Safeguard B Theme 2.1 aims to "Respect, protect, and fulfill the right of access to information."

specifications on providing early and public access to documentation should be reviewed, reaffirmed and/or updated in Participant's subsequent submissions.

1.3 Amendment of ART's own public consultation procedures

Likewise, ART's public comment period on the Concept Note should remain open for a period of at least 60 days, and clarify that stakeholder feedback be incorporated into the government's submission of the Registration and Monitoring reports, while providing detailed responses on how all comments received by at least Indigenous Peoples as well as Local Community stakeholders have been considered and addressed. TREES should address this gap by drawing from FCPF's requirements that stakeholder feedback be incorporated into final program designs.

Meanwhile, to increase information accessibility and transparency, ART should make all program related materials available in all official languages of the countries in which it wishes to make its program available, and distributed according to the jurisdictional FPIC protocol, where applicable and/or stakeholder engagement plan. In addition to a listserv, public consultation periods should be more easily accessible on ART TREES website as well as other communication channels (e.g., WhatsApp channel) should be made available for stakeholders.

2. Ensuring full and effective participation in decision-making around program design and implementation, including in determining governance structures, fair and equitable benefit distribution plans, and transparent monitoring and reporting.

The Issue

Similar to the rushed consultation processes in which communities are approached and consulted according to a process they have been unable to define, they are equally marginalized in decision-making around the design of jurisdictional REDD+ programs and how they will be implemented. Rarely are Indigenous Peoples or Local Communities exposed to the rationale behind key decisions that could impact the benefits or mitigate risks associated with such programs.

Communities who become part of a J-REDD+ program either (i) give up some of their rights for the purposes of the program; (ii) contribute to its objectives by working towards it; or (iii) are negatively affected by it. Such communities, in all cases, should be fairly compensated in benefit sharing arrangements. To date, there is a striking gap in understanding around how benefit sharing agreements in the jurisdictional REDD+ programs (aside from perhaps Costa Rica or Guatemala) are determined for the equitable distribution of revenues between

stakeholders, i.e., government, Indigenous Peoples, Local Communities, or other rightsholders, and the mechanisms by which those funds are managed and distributed.

At the same time, the application of the safeguards and the mitigation of risks happen at different scales in jurisdictional REDD+ programs. It is key for Indigenous Peoples as well as Local Communities to define for themselves how global REDD+ safeguards should be understood and applied at the national and territorial level²⁰. The design and function of a jurisdiction's Safeguards Information Systems (SIS) is another component of J-REDD+ programs that should involve and rely on community participation. While most SISs are not operational yet or are under development, adequate SIS should facilitate the ability of communities to contribute to the ongoing monitoring and implementation of programs. Yet, they are frequently developed without meaningful stakeholder involvement. As a result, communities do not understand what safeguards apply to them, how they can monitor impacts, and know to which entities they can report impacts. Such gaps infringe on the rights of Indigenous Peoples and the rights of Local Communities to effective participation in negotiating policies and programs that affect them.

Mechanisms can be established to meet the needs of Indigenous Peoples as well as Local Communities for the continuous monitoring of programs through a jurisdiction's SIS. The Mesoamerican Alliance of Peoples and Forests suggest that "this includes setting clear and specific stages for monitoring, which are defined by the communities themselves through a consultation process, allowing them not only to receive information but also to actively contribute to the tracking and evaluation of projects or measures, thereby improving the transparency of the processes"²¹

If governments indeed wish to collaborate with Indigenous Peoples and with Local Communities on J-REDD+ programs, they have an obligation to share decision-making authority and be ready to co-design each aspect of the program as partners. The recent Indigenous National Jurisdictional REDD+ Concept Note submitted to ART by the Ministry of Environment of Peru, in collaboration with the national Amazonian Indigenous organizations AIDESEP, CONAP, and ANECAP, is a notable example of a step in the right direction, as it showcases the type of cooperation and coordination that jurisdictional programs can facilitate.

Finally, communities and their organizations at subnational and national levels may struggle to maintain continuity in policy and program engagements as they experience periodic transitions of elected leadership. Any mechanisms for collaboration and cooperation that are established in jurisdictional REDD+ programs should account for such gaps and ensure regular and publicly accessible documentation of consultations and the work of governance committees.

²⁰ Reference the Mesoamerican Alliance of Peoples and Forests' "Comprehensive Guide on Rights and Transparency in Carbon Markets and REDD+ Projects" accessible here:

https://www.alianzamesoamericana.org/es/wp-content/uploads/2024/10/english_carbon_markets.pdf

²¹ *Ibid.*

Treatment in TREES

TREES requires governments to demonstrate that stakeholders, especially Indigenous Peoples as well as Local Communities, have been fully and effectively involved in the design and implementation of REDD+ actions. This is covered under Theme 4.1²², which specifies that participation must be timely and meaningful, however, TREES does not explicitly mandate the establishment of a formal stakeholder engagement mechanism during the program's design phase, nor of a governance mechanism that can guarantee continuous engagement and participation in the implementation of the program.

On the question of benefit sharing, Theme 2.2²³ includes an outcome indicator requiring governments to demonstrate that the distribution of benefits from REDD+ activities has been fair, transparent, and equitable, in accordance with international agreements and domestic legal frameworks. In order to have fair compensation it is crucial that relevant stakeholders have meaningful participation at the appropriate scale (as much as at the community as the jurisdictional scale) in the decision making process regarding benefit sharing arrangements. Nevertheless, there is no requirement under Theme 2.2 requiring meaningful stakeholder participation in the creation of a plan that would define the respective allocations and modalities by which revenues would flow. A requirement to have a governance structure that allows for continuous participation could help ensure that REDD+ activities are implemented in the way that Theme 2.2 suggests, but also that the outcome indicators under Theme 4.1 and Theme 4.2²⁴ are achieved in a way clearly supported by evidence.

In addition, TREES does state the requirement to have an SIS in place, however it does not offer guidance on the design or set-up of such a system, nor does it clarify the criteria for what constitutes to have an SIS “in place” for validation and verification purposes. As these systems are meant to facilitate the participation of Indigenous Peoples and that of Local Communities in the government’s reporting on safeguards relevant to them, they should be assured a voice in how those mechanisms should function. It should be Indigenous Peoples as well as Local Communities who define the process of implementing the SIS, and in particular how it should be implemented at the national level and with national authorities and/or at subnational with representative organisations, if applicable.

Our Recommended Revisions to the Standards

Based on these observations, we recommend the incorporation of new requirements for program governance, benefit sharing, and the establishment of Safeguard Information Systems.

²² Reference footnote #13 for full text.

²³ Theme 2.2 covers the requirement to “Promote transparency and prevent corruption, including through the promotion of anti-corruption measures.”

²⁴ Reference footnote #13 for full text.

2.1 New requirements for program governance

Require from Participants the establishment of an inclusive and accessible formal multi-stakeholder governance mechanism, which should be financially supported by Participants, that allows for continuous participation and representation of Indigenous Peoples and of Local Communities. Linked with the jurisdictional FPIC protocol and/or stakeholder engagement plan, such a governance mechanism would allow representatives of Indigenous Peoples and those of Local Communities, including women and youth, to engage and negotiate with relevant government authorities on the design and operational procedures of a proposed program, and facilitate the construction of agreements that are rooted in community processes for consent.

The procedures and proceedings of such a formal multi-stakeholder governance mechanism should ensure full and effective participation, which requires adequate and sufficient decision making power of Indigenous Peoples and of Local Communities, and the decisions should be verified by mutually agreed, binding agreements with the disclosure of records that are regularly and publicly accessible, so as to ensure transparency and accountability.

2.2 New requirement for a benefit sharing plan

Require from Participants the establishment of a fair and equitable benefit sharing plan, agreed among all affected Indigenous Peoples and affected Local Communities at the appropriate scale (at the community as well as the jurisdictional scale), respecting the jurisdictional FPIC protocol and/or stakeholder engagement plan, and adhering to Safeguard D's provision that adequate participatory procedures are in place to ensure the full, effective, and meaningful participation of Indigenous Peoples as well as Local Communities.

The design, consultation, and approval of a benefit sharing plan should ensure fair compensation and be part of the agenda of the formal multi-stakeholder governance mechanism, agreements for which would be validated by the relevant authority of each affected Indigenous People or Local Community. In cases where territories with Indigenous Peoples in Voluntary Isolation or Initial Contact are identified, there should be assigned resources for protecting their territories and appropriate measures for managing those resources responsibly. The implementation of the benefit sharing plan, including the impact generated from the investments, should also be subject to monitoring and evaluation.

Program Participants must provide evidence that information about the timing, size, and use of received REDD+ finances is clearly and transparently communicated in a timely manner that can be used by impacted stakeholders and affected communities. TREES should draw from FCPF's mandate that benefit-sharing plans be finalized and disclosed before the transactions for emission reductions payments are made, which includes clear criteria and indicators for assessing the inclusiveness and equity of benefit-sharing mechanisms (including both monetary and non-monetary benefits, such as cash payments, capacity

building, and infrastructure improvements, tailored to beneficiaries' specific needs through stakeholder consultations).

2.3 Amend requirements for the establishment of an SIS

Amend section 3.1.2 to clarify that Participants (both national and sub-national) should comply with all UNFCCC decisions on safeguards for REDD+, including guidance provided for the set-up of the SIS, the process for which should adhere as well to Safeguard D's provision that ensures the full, effective, and meaningful participation of Indigenous Peoples as well as Local Communities. This system should contain indicators for the monitoring and evaluation of impacts on Indigenous Peoples as well as Local Communities generated from REDD+ actions as well as related investments under the ART program. The design and establishment of a programmatic monitoring framework and SIS should be a part of the agenda of the formal multi-stakeholder governance mechanism. The agreements and regular monitoring reports should be validated by the relevant authority of each affected Indigenous People or affected Local Community, and such validation should be independently verified by the Validation and Verification Body (VVB).

3. Ensuring stronger quality controls in assessing safeguard conformance, especially in evaluating the alignment of national policy with international standards.

The Issue

The rights of Indigenous Peoples and the rights of Local Communities, as recognized in international law²⁵, are too often inadequately interpreted by standard bodies, project developers, and validation and verification bodies in the carbon market. Failure to uphold international law and recognized best practices for fulfilling human rights and the rights of Indigenous Peoples and the rights of Local Communities, weakens the credibility, transparency, and integrity of climate financing initiatives.

Despite ongoing efforts to enhance the integrity, transparency, and reliability of carbon crediting standards, effective implementation of countries' international obligations remains problematic from a rights-based perspective. Instead of upholding international law and best practice, standards are broadly applicable per national laws only, rendering them ineffective in contexts where rights are limited or inadequately recognized. This is particularly evident in national legislation concerning such issues as land tenure, carbon rights, and access to justice and grievance mechanisms. Furthermore, the quality of ART auditors' social safeguards expertise,

²⁵ Please refer to footnote #2 for relevant international legislation.

as well as the thoroughness of the validation and verification process, have been put into question both for the ART credits in Guyana, and more recently, in Costa Rica²⁶.

If carbon crediting bodies like ART wish to claim coherence with international laws and standards, they have an obligation to ensure their programs meet acceptable criteria for the protection of rights and can facilitate a more effective and accurate interpretation of those rights for validation purposes. Moreover, ART can be an impetus to improve access to rights and the formation of enabling conditions that allow jurisdictional programs to strengthen the autonomy and self-determination of Indigenous Peoples, as well as the autonomy of Local Communities. We note that these enabling conditions are also required for JREDD+ programs to be effective at reducing emissions.

Treatment in TREES

TREES has established a more comprehensive reporting structure around the Cancun Safeguards relative to other jurisdictional standards in the carbon market, comprising structural, procedural, and outcome indicators. The degree of flexibility and respect for sovereignty afforded to governments in interpreting and complying with internationally recognized safeguards, however, puts the fulfillment of rights of Peoples and communities that have been historically vulnerable and marginalized - often by those same governments - at risk.

The standards do not prescribe specific methods for assessing the quality of safeguard conformance. This reliance on national systems without a dedicated mechanism for evaluating the effectiveness or adequacy of safeguards leads to potential gaps in implementation and variability in how safeguards are applied.

For example, TREES safeguard Theme 2.3 has the mandate to respect, protect and fulfill land tenure rights, asking Participants to have legal frameworks in place to secure statutory and customary land rights (structure indicator), public institutions recognize and map these rights (process indicator), and that stakeholders have access to and control over land, with FPIC required for any relocations (outcome indicator). However, TREES does not prescribe specific approaches or assessments that must be used to document the legitimacy and completeness of assertions about land tenure made by governments in their registration documents and monitoring reports.

Furthermore, while TREES does not provide a detailed process or guidance concerning FPIC or stakeholder participation, the TREES Theme 4.2 outcome indicator requires that 'design, implementation and assessments of REDD+ actions were, where relevant, undertaken with the participation of indigenous peoples and/or local communities, or equivalent, including if

²⁶ See the recent December 5, 2024 article in Development Today "Forest carbon deal delayed. Costa Rica calls for changes in Norwegian-funded certification system." <https://www.development-today.com/archive/2024/dt-9--2024/forest-carbon-deal-delayed.-costa-rica-calls-for-changes-in-norwegian-funded-certification-system>

applicable through FPIC, in accordance with relevant international and/or domestic and if applicable, subnational, legal framework, and in accordance with their respective rights and decision-making structures and processes’.

In order to comply with this indicator, governments should therefore be expected to clearly define how the FPIC process and stakeholder consultation process is carried out and to document its implementation and outcomes in reporting safeguards related to indicator 4.2 and potentially other safeguards indicators such as 4.1. Without clear guidance, the means of verifying and validating such requirements are left undefined, which could be easily remedied through the provision of agreements validated and signed by the relevant authority of affected Indigenous Peoples or affected Local Communities.

Similarly, TREES requires governments to provide stakeholders with access to grievance mechanisms, but TREES does not specify a dedicated REDD+ grievance redress mechanism, and little guidance is provided to ensure existing grievance mechanisms meet acceptable requirements for accessibility and effectiveness. Nor is there an assessment of the quality of the justice system within which such mechanisms are operationalized and whether access to justice exists on paper, or in practice. Adequate grievance redress mechanisms can only be assured by an impartial and independent adjudication process.

Our Recommended Revisions to the Standards

Based on these observations, we recommend the incorporation of new requirements for quality assessments of Indigenous Peoples’ rights and those of Local Communities, as well as new requirements for the expertise held by Validation and Verification bodies.

3.1 New requirements for adequately assessing the status of rights in a national context

In the first Registration Document for ART certification, ART should require Participants conduct a quality assessment of the adequacy of national laws and programs to protect and defend the rights of Indigenous Peoples and the rights of Local Communities as reflected in applicable international legal instruments. Such an assessment could draw from previous country assessments and land tenure assessments (e.g., REDD+ readiness requirements under the FCPF) as well as new tools to facilitate such assessments²⁷, and should be based on a factual analysis of how Indigenous Peoples’ rights and Local Communities’ rights – especially those related to land (recognizing different categories of tenure), traditional knowledge, autonomy, and cultural heritage – are being respected in practice, identifying legal gaps and citing the status and resolution of complaints of rights violations in the jurisdiction.

²⁷ See for example Climate Law and Policy’s 2024 “Jurisdictional REDD+ Safeguards Conformance Assessment Tool-Kit” here: https://climatelawandpolicy.com/jurisdictional_redd_safeguards_conformance_assessment_tool-kit.aspx

Such a report should be conducted by a recognized external and unbiased legal expert with relevant expertise. Validation and verification bodies should vet the neutrality and thoroughness of such an analysis, which should be reflected in the VVB Guidelines.

3.2 New requirements for an independent grievance redress mechanism (GRM)

The standard should be modified to require an independent, functioning grievance redress mechanism at that jurisdictional level that is a dedicated mechanism for REDD+ processes, aligned with international best practice (see for example the UNREDD/FCPF Joint Guidance on GRMs²⁸) which center on the basic principles of legitimacy, accessibility, predictability, equity, transparency and rights compatibility. Such mechanisms should be designed in consultation with the stakeholders who will use it, and should possess the authority and resources to resolve the social and environmental safeguard issues most likely to arise in the context of a JREDD+ program. This will avoid the common problems of GRM's that exist on paper only, or are not independent of government or are unduly influenced by them, and GRM's that have little or no authority to actually resolve problems encountered in program implementation.

3.3 New requirements or clarifications for assessment of FPIC standard

The standard should clarify that when FPIC is required for a country program, the VVB's should assess government compliance with the highest and most protective standard, whether that be at the international, national or sub-national level. This can help avoid programs utilizing substandard FPIC standards that are not aligned to international law and best practice and thus do not fulfill a country's international legal obligations to comply with human rights norms. This change should be reflected in the VVB guidelines as well.

3.4 New requirements for expertise demonstrated by Validation and Verification Body in assessing ART documentation against international human rights law

Recognizing the important role of the VVBs in assessing the possible risks to rights and social safeguards in program documentation, a new requirement should be incorporated that VVBs should necessarily demonstrate expertise in international human rights law and Indigenous Peoples' rights. The VVBs should have, at a minimum, skills with national and/or local languages, and when possible, relevant experience with stakeholder engagement in the region or jurisdiction.

²⁸ See the Joint FCPF/UN-REDD Programme Guidance Note for REDD+ Countries: Establishing and Strengthening Grievance Redress Mechanisms: <https://www.unclearn.org/resources/library/joint-fcpf-un-redd-programme-guidance-note-for-redd-countries-establishing-and-strengthening-grievance-redress-mechanisms/>

Again, we appreciate the opportunity to provide this input to the revision of TREES 2.0. For any or all of our recommendations, all of us contributing to this submission are willing to make ourselves available for discussions with the ART Secretariat, its Board, and relevant experts. To this end, we would like to request a meeting with you as soon as possible to present our proposals, clarify any remaining questions, and begin the conversation to advance the needed revisions.

We kindly request an answer to this letter by January 18th, 2025, confirming receipt of this document as well as on the possibility of having a meeting to discuss any of the recommendations.

Thank you for your attention and consideration.

Julian Cho Society, Belize
 Toledo Alcaldes Association, Belize
 Maya Leaders Alliance of Southern Belize, Belize
 Articulação dos Povos Indígenas do Brasil (APIB), Brazil
 Conselho Indígena de Roraima (CIR), Brazil
 Conselho Nacional das Populações Extrativistas (CNS), Brazil
 Organización Nacional de los Pueblos Indígenas de la Amazonia Colombiana (OPIAC), Colombia
 Confederación de Nacionalidades Indígenas de la Amazonia Ecuatoriana (CONFENIAE), Ecuador
 Asociación de Comunidades Forestales de Petén (ACOFOP), Guatemala
 Asociación de Forestería Comunitaria Utz Che (Utz Che'), Guatemala
 North Pakaraimas District Council (NPDC), Guyana
 South Rupununi District Council (SRDC), Guyana
 Asociación Interétnica de Desarrollo de la Selva Peruana (AIDSEP), Peru
 Organización Regional de AIDSEP-Ucayali (ORAU), Peru
 Rainforest Foundation Norway
 Rainforest Foundation US

