

Environmental and Social Assessment of Brazil's Action Plan for the Prevention and Control of Deforestation in the Legal Amazon (PPCDAm)

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1 Introduction

1.1 Context and Purpose

The Green Climate Fund (**GCF**) has issued a request for proposals for the Pilot Programme for REDD-plus results based payments (Decision B.18/07). In this context, the Brazilian government and the United Nations Development Program (**UNDP**), as GCF accredited entity, are submitting a funding proposal for REDD-plus actions undertaken as part of Brazil's Action Plan for Prevention and Control of Deforestation in the Amazon (**PPCDAm**). A required element of the funding proposal is an Environmental and Social Assessment Report (**ESA**) that retroactively reviews the actions for which results-based payments are sought, in order to confirm that they were undertaken in a manner consistent with applicable GCF ESS standards.

To be accredited to the GCF, accredited entities must demonstrate that their entity-level environmental and social safeguards are consistent with the GCF's safeguard framework.¹ Accredited Entities apply their own environmental and social safeguards to GCF-supported activities. Therefore this ESA reviews retroactive alignment, with a focus on policy alignment, with the UNDP SES. The methodology for the assessment is further discussed below.

2 Methodology and Scope of Assessment

The ESA review of REDD-plus actions focuses on whether applicable policy contains adequate measures undertaken to identify, assess, and manage environmental and social risks and impacts. These environmental and social risks are all of those encompassed by the UNDP SES (which is fully coherent with GCF's Environmental and Social Standards), while highlighting policy alignment with the Cancun Safeguards, which is the lens through which Brazil currently provides its Summary of Information (**SOI**) and is developing its System of Information (**SIS**) for tracking and reporting of safeguards requirements.

The assessment includes i) a due diligence requirement (including alignment as described above which encompasses whether actions were designed and implemented in a gender responsive and inclusive manner). ii) an identification and assessment of those processes for stakeholder identification, consultation and participation in the REDD-plus actions, as well as iii) an assessment of the existence and use of grievance redress mechanisms or analogous systems,

In more detail, the GCF decision in regards to the completion of the ESA covers the following:

- i. **Due Diligence:** the AE, in collaboration with the Host Country (ies), will prepare an environmental and social assessment (ESA) report describing the extent to which the measures undertaken to identify, assess, and manage environmental and social risks and impacts, in the context of the REDD-plus proposal, were consistent with the requirements of the applicable GCF ESS standards. The Secretariat, in its second-level due diligence, will take such assessment into account as part of its overall consideration of the funding proposal against the scorecard. This, along with the country's own assessment of how the Cancun safeguards were addressed and respected during the REDD-plus activities, will provide the basis for recommending the proposal to the Board for approval.
- ii. **Stakeholder Engagement:** Description of stakeholder engagement will form part of the information provided by the countries through the UNFCCC summary of information as well as the ESA prepared by the AEs. The assessment by the AE described in section (i) shall include a description of how the stakeholders were identified, informed, and consulted and how they have participated in the

¹ GCF's Environmental and Social Policy is available at <https://www.greenclimate.fund/safeguards/environment-social> and the GCF's interim environmental and social safeguards are available at <https://www.greenclimate.fund/documents/20182/818273/1.7 - Environmental and Social Safeguards.pdf/e4419923-4c2d-450c-a714-0d4ad3cc77e6>. GCF's Indigenous Peoples Policy is available at <https://www.greenclimate.fund/safeguards/indigenous-peoples>.

activities. The description by the AE shall also include summaries of consultations highlighting the concerns and issues that were put forward by the stakeholders and how these were responded to.

- iii. **Grievance Redress:** The ESA will include a description of the grievance redress mechanisms, or analogous system whether established as part of the REDD-plus activities or as integral to the system of the country. The ESA will also specify how the mechanisms were accessed, the complaints that were received, and how these were resolved.

The due diligence assessment (including stakeholder consultations and available grievance mechanisms) is focused on the umbrella policy that lead to the results for which Brazil is seeking payments, constrained to the Amazon Biome (states of the Legal Amazon), under PPCDAm. The assessment covers the Policies, Laws and Regulations (**PLRs**) under PPCDAm, which have been implemented in a phased approach, as well as broader applicable national policy. This analysis has been carried out using a legal analysis matrix, which examines policy alignment, through the lens of the Cancun Safeguards, while ensuring the principles and standards of the UNDP SES. The applicable safeguards policies, as well as the way that the legal matrix includes the applicable policies of the UNDP SES is also provided below.

In addition to policy alignment, the ESA strives to give a snapshot of how these policies are applied at the project level, and how policy alignment translates to the application of those policies. Given that the Amazon Fund is one of the key financial instruments used to support the implementation of PPCDAm, it also covers an assessment of project level activities carried out under the Amazon Fund. For this project-level assessment, three representative projects were chosen to assess alignment in application of the PLRS assessed.

3 Applicable Policies, Laws and Regulations (PLRs)

3.1 Action Plan for Prevention and Control of Deforestation in the Amazon (PPCDAm)

Since 2004, the Brazilian government has been implementing the Action Plan for Prevention and Control of Deforestation in the Amazon (PPCDAm) that aims to reduce illegal cutting of forests. The plan is based on a three pillared strategy which includes: (i) territorial and land-use planning, (ii) environmental control and monitoring, and (iii) fostering sustainable production activities.²

The PPCDAm is led by thirteen ministries initially under the direct coordination of the Executive Office of the Presidency and later transferred to the Ministry of Environment. Under the plan, a wide range of measures have been implemented in the region, including: creation of protected areas, demarcation of indigenous lands, battling corruption in government agencies and companies, combating “illegal occupation” of public land (land grabbing), transparency in environmental monitoring, involving different police forces, and improvement of satellite monitoring systems.

Activities under PPCDAm has been implemented in a phased approach:

Phase 1 (2004-2008)

- **Establishment of the foundations for more coordinated action:** Laying foundations for a paradigm shift to deal with the problem, including changes in legislation.
- **Increase in the number and coverage of protected areas:** The Federal Government demarcated 114 indigenous areas totaling 44 million hectares, created 25 million hectares of conservation areas, and urged the state governments to create another 25 million hectares in state-level conservation areas.
- **Enhancements to environmental monitoring:** The existing system (PRODES) was enhanced and data on deforestation rates started to be reported in the same year, reducing time lags. This was followed by the

² Background information on PPCDAm relies on case study provided in International Partnership on Mitigation and MRV, Brazil: Implementing Prevention and Control Policies for Reducing Deforestation,” undated, available at <https://gpd.transparency-partnership.net/gpa/implementing-prevention-and-control-policies-reducing-deforestation> n the fourth phase of PPCDAm for the 2016 – 2020 period, an additional pillar was included: Economic and Regulatory Instruments.

creation of the “Real Time Deforestation Detection System” (DETER), which had lower accuracy than the PRODES system but was faster at issuing alerts of deforestation and forest degradation.

- **Environmental enforcement:** Enforcement agencies applied more than 41,000 fines totaling around USD 3.9 billion. They confiscated 11,000 properties and equipment, more than one million cubic meters of tropical timber and embargoed nearly one million hectares of productive land (pastures and crop-land used for growing soybeans and cotton).
- **Revised rules for rural credit:** Rules governing access to rural credit (which in Brazil is subsidized by the government and therefore highly sought after) were amended to demand proof of compliance with environmental regulations and restricted new legal logging permits for areas over five hectares in size, except in cases of public interest or when they met requirements for land registration.

Phase 2 (2009-2011)

- **Creation of an inter-ministerial committee to combat environmental offenses:** Bringing together police and environmental forces, and thus speeding up integrated operations.
- **Increased involvement of sub-national governments:** All nine states in the region drew up their plans for prevention and control of deforestation and some local municipalities signed agreements to end the destruction of forests.
- **Supply chain policies:** The Federal Public Attorney began requiring beef production industries to demand from their suppliers (ranchers) proof of compliance with environmental regulations.
- **Legislation for regularization:** Land titling of federal public lands was changed to expedite the process of land titling.
- **International announcement of commitment:** The intention to decrease deforestation in the Amazon by 80% by 2020 was announced during UNFCCC-COP 15 in Copenhagen.
- **Creation of the Amazon Fund:** A fund was created with BNDES (The Brazilian Development Bank) which coordinated international finance for investing in activities preventing deforestation and promoting sustainable development.
- **DETER system enhanced:** Improving the frequency of environmental monitoring to daily alerts, instead of every fifteen days as it used to do.
- **“Terra-Class” project:** Implemented in a partnership between INPE and the Brazilian Agricultural Research Corporation (EMBRAPA), periodically quantifying the use of deforested areas in the Amazon, helping decision makers better understand the dynamics of land occupation and use.
- **Rural Environmental Registry (CAR):** A registry enabling deforestation crosschecks of satellite images with maps of the owners and leaseholders of rural properties, thus facilitating effective accountability and punishment.

Phase 3 (2012-2015)

- **Expansion of financial benefits for traditional populations:** Through government purchases of products from traditional communities and family farms, together with the creation of the “Bolsa Verde”, a cash allowance for families living in protected areas and below the extreme poverty line (income per capita below approximately USD 30).
- **Implementation of a crop-livestock and forestry integration project:** To improve the productivity of open areas and make forest clearing unnecessary.
- **Addressing new deforestation drivers:** Resulting from the implementation of major infrastructure projects such as road-building, construction of dams, and the acceleration of the commodities markets and mining (especially from surface gold extraction or “garimpo”).

3.2 Amazon Fund

The Amazon Fund was established in 2008, pursuant to Decree No. 6,527. It was established to raise funds for efforts to prevent, monitor and combat deforestation, as well as to promote the preservation and sustainable use of forests in the Amazon Biome, thereby contributing to REDD+. Managed by BNDES, the Fund operates

through grants focusing on the following activities: (i) forest management in public lands; (ii) management of protected areas; (iii) monitoring and enforcement on environmental laws; (iv) sustainable use of forest resources; (v) zoning and land regularization; (vi) biodiversity conservation and sustainable use; and, (viii) rehabilitation of degraded areas. The Amazon Fund is an essential instrument to support the achievement of the goals of the PPDCAm.

The Amazon Fund states that it follows the REDD+ Social and Environmental Safeguards³ consolidated by the Institute of Forest and Agricultural Management and Certification.⁴ These safeguards result from a broad discussion on the social and environmental risks of REDD+ in Brazil, based on a bottom-up approach that included representatives of indigenous peoples and local communities, smallholders, research institutions, the private sector, and environmental organizations. They are intended to be updated to align with COFA decisions. There is broad agreement on eight principles: legal compliance; acknowledgement and guarantee of rights; distribution of benefits; economic sustainability, improving standards of living and reducing poverty; environmental conservation and remediation; participation; monitoring and transparency; and governance. Project proposals are to be screened for related risks, and detail mitigation measures. This due diligence may require changes to certain aspects of the initial project design.

The Amazon Fund is also subject BNDES overarching social and environmental safeguards, and includes specific investment criteria related to free prior and informed consent of local people. The Amazon Fund lacks a specific grievance mechanism. Projects can be cancelled if circumstances change, or programs are not found to be in compliance with agreed standards.

3.3 BNDES

BNDES – The Brazilian Development Bank – is a wholly owned federal government company. It is the largest provider of funding for capital investment in Brazil. BNDES has a range of policies and guidelines that address social and environmental safeguard issues. The Social and Environmental Responsibility Policy, the Socio-environmental Policy, the Social Clause, and a range of sector specific guidelines establish environmental and social standards and procedures that are to be applied to supported operations.⁵ BNDES manages the Amazon Fund and its policies and procedures apply to Amazon Funding decisions (in addition to additional criteria applied by the Amazon Fund).

3.4 UNDP SES

UNDP's Social and Environmental Standards (SES) went into effect in 2015. The SES objectives are to: (i) strengthen the social and environmental outcomes of Programmes and Projects; (ii) avoid adverse impacts to people and the environment; (iii) minimize, mitigate, and manage adverse impacts where avoidance is not possible; (iv) strengthen UNDP and partner capacities for managing social and environmental risks; and (v) ensure full and effective stakeholder engagement, including through a mechanism to respond to complaints from project-affected people.

The SES include three overarching principles (human rights, gender equality and environmental sustainability) and seven project-level standards that specify key requirements for projects that may present potentially significant adverse impacts across various issue areas: Biodiversity Conservation and Sustainable Natural Resource Management, Climate Change Mitigation and Adaptation, Community Health, Safety and Working

³ The REDD+ Social and Environmental Standards are available at <http://www.redd-standards.org/>.

⁴ See Amazon Fund Newsletter 28/201, at http://www.amazonfund.gov.br/export/sites/default/en/.galleries/documents/newsletter/28Newsletter_jul_2012.pdf. Also see ODI, The Effectiveness of Climate Finance: a Review of the Amazon Fund, Working Paper 372 (March 2013), pp. 20-21, at <https://www.odi.org/publications/7382-multilateral-climate-finance-effectiveness-amazon-fund-brazil-development-bank>.

⁵ BNDES social and environmental policies are available at https://www.bndes.gov.br/SiteBNDES/bndes/bndes_en/Institucional/Social_and_Environmental_Responsibility/.

Conditions, Cultural Heritage, Displacement and Resettlement, Indigenous Peoples, and Pollution Prevention and Resource Efficiency.⁶

Application of the SES principles and standards is supported by a set of procedural requirements that comprise the SES Policy Delivery Process, namely screening, assessment, and management of risks; stakeholder engagement and response; access to information; and monitoring, reporting and compliance.

4 Assessment of Policy-Level Alignment for Period of Achievement of Results

4.1 Comparison with key objectives of UNDP SES

As the overarching policy concerned with deforestation in the Brazilian Amazon, an analytical summary of PPCDAm has been provided, and a PLR analysis conducted, to determine the degree of alignment and areas of improvement to achieve full alignment with the UNDP SES. Additionally, a selection of representative projects in the Amazon Fund portfolio has been compared with the key objectives of the UNDP SES, through a targeted project alignment review, which also seeks to identify potential convergence and areas of improvement in project implementation. Where areas of improvement have been identified, the ESA seeks to identify whether other relevant applicable standards and/or regulations may apply (e.g. the Amazon Fund does not require that a grievance redress mechanism be created at the project level, therefore any analogous mechanisms or processes available to stakeholders have also been described). Given the time available, the ESA focus is on policy, and uses the reporting already available in regards to assessing practice, in order to reflect the UNFCCC approach to “address and respect” safeguards. The ESA therefore attempts to cover both alignment in regards to PLRs, while also highlighting institutional arrangements, and stakeholder involvement.

4.2 Development of Legal Matrix for PLR analysis

UNDP’ SES specific screening questions and standards thematic areas are intended to assess risks/benefits of ‘projects’, not to assess the relevant aspects of a country’s legal framework to fulfil SES principles. Hence a legal matrix was created to better assess Brazil’s legal framework as aligned with the principles of the UNDP SES⁷.

Under each UNDP principle, highlighted below is how the analytical matrix used for the assessment incorporates the relevant SES thematic issues.

Principle 1: Human Rights

UNDP recognizes the centrality of human rights to sustainable development; poverty alleviation and ensuring fair distribution of development opportunities and benefits and is committed to supporting “universal respect for, and observance of, human rights and fundamental freedoms for all.”

In its Programmes and Projects, UNDP will uphold the principles of accountability and the rule of law, participation and inclusion, and equality and non-discrimination, noting that prohibited grounds of discrimination include race, ethnicity, gender, age, language, disability, sexual orientation, religion, political or other opinion, national or social or geographical origin, property, birth or other status including as an indigenous person or as a member of a minority. UNDP will also ensure the meaningful, effective and informed participation of stakeholders in the formulation, implementation, monitoring and evaluation of Programmes and Projects.

⁶ UNDP’s Social and Environmental Standards are available at <http://www.undp.org/content/undp/en/home/operations/social-and-environmental-sustainability-in-undp/SES.html>.

⁷ The legal matrix used to analyze PLRs in light of UNDP SES while encompassing Cancun Safeguards was developed by Climate, Law & Policy (CLP).

UNDP SES	Matrix criteria and indicators
<p>UNDP requires support universal respect for, and observance of, human rights and fundamental freedoms of all. Moreover, it requires that no activities undertaken that may contribute to violations of a State's human rights obligations and the core international human rights treaties</p> <p>To assess universal respect for HRs, is important to first understand which the relevant international obligations are, how/if they have been incorporated into national law (enforceable), and hence if implementing measures can/have been taken (e.g. regulations, protocols, etc.). The matrix indicators cover this first aspect.</p> <p>In addition, understanding what the relevant and applicable HR conventions are is key to assess if/to what extent the REDD strategy interventions violate State's HR obligations.</p>	<p>Criteria A.2. Complement or be Consistent with the Objectives of Relevant International Conventions and Agreements</p> <p>Indicators</p> <ul style="list-style-type: none"> a. Number of relevant of international agreements that the country is Party to (including HR and environmental/biodiversity conventions) b. How the national legal framework incorporates international law c. The current hierarchy of laws (the status of international agreement within the legal framework)
<p>One fundamental HR is access to information, which is linked to accountability and participation.</p> <p>The matrix indicators assess if and to what extent country's PLRs recognize and promote this right.</p>	<p>Sub-Criteria B.1.1. Right of Access to Information</p> <p>Diagnostic Question: To what extent do PLRs guarantee the right to access to information?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs recognise the right to access to information ▪ PLRs provide a definition of 'information' (held by public authorities/accessible to the public) ▪ PLRs require the active distribution of information ▪ PLRs guarantee passive access to information (access to information on request) <p>Sub-Criteria B.1.2. Institutions to Ensure Access and Distribution of Information</p> <p>Diagnostic Question: To what extent does the legal framework require public institutions to ensure the access and distribution of information?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs create dedicated institutions for distribution of information ▪ PLRs create a central registry for gathering information related to forest management ▪ PLRs provide clear procedures for request/access to information

<p>Is intended to assess PLRs/measures in place to uphold human rights principles of accountability and rule of law</p>	<p>Sub-Criteria B.1.3. Accountability</p> <p>Diagnostic Question 1: To what extent do PLRs promote fiscal transparency in the forest sector?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs require that independently audited reports must be prepared showing clearly how public funds have been used by the forest agency <p>Diagnostic Question 2: To what extent do PLRs adequately address corruption in the forest sector?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs provide clear measures to address corruption in the forest sector (including a definition of corruption) PLRs foresee penalties against acts of corruption PLRs create independent agencies mandated to fight corruption and with faculties to investigate corruption allegations PLRs provides codes of conduct governing the engagement and behaviour of public servants
<p>Everyone has the right to own property alone as well as in association with others. No one shall be arbitrarily deprived of his property.” So declares article 17 of the 1948 Universal Declaration of Human Rights.</p> <p>This aspect of the matrix is intended to assess PLRs/measures in place to uphold this human right. In addition, the matrix incorporates all issues covered under SES’s Displacement and Resettlement.</p>	<p>Sub-Criteria B.2.1: Clear Land Tenure Rights</p> <p>Diagnostic Question: To what extent do PLRs recognise and protect different types of forests tenure (ownership and access)?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs recognise different types of rights over forest land and forest resources (Statutory and customary ownership, use rights) PLRs provide clear legal procedures for the recognition of land (and forest land) tenure rights PLRs provide clear land titling and registration procedures. These are accessible (not cost prohibitive) PLRs establish fair procedures to govern the expropriation of forest land by the state. No forced evictions, allowing evictions only in exceptional circumstances meeting lawful criteria PLRs seek to avoid, and where avoidance is

	<p>not possible, minimize and mitigate physical or economic displacement from land or resource acquisition or restrictions on land or resource use</p> <ul style="list-style-type: none"> ▪ PLRs ensure that any displacement activities carried out in fully participatory manner. ▪ PLRs ensure that livelihoods of any displaced persons enhanced or at least restored through compensation at full replacement costs and other assistance.
<p>Fair distribution of benefits is also a HR principle.</p> <p>This aspect of the matrix is intended to assess PLRs/measures in place to uphold this human right.</p>	<p>Sub-Criteria B.2.2: Fair Distribution of Benefits</p> <p>Diagnostic question 1: to what extent do PLRs recognise and protect the fair distribution of benefits?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs guarantee the right to fair distribution of benefits arising from the use of forest resources (including environmental services) ▪ PLRs regulate benefit sharing arrangements (contracts, covenants, agreements)
<p>Respect and protection of human rights can be guaranteed only by the availability of effective judicial remedies. When a right is violated or damage is caused, access to justice is of fundamental importance for the injured individual and it is an essential component of the rule of law.</p> <p>This aspect of the matrix is intended to assess PLRs/measures in place to uphold this human right</p>	<p>Sub-Criteria B.2.4: Adequate Access to Justice</p> <p>Diagnostic Question: To what extent do the PLRs guarantee adequate access to justice in the context of forest management?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs recognise the right to access to justice ▪ PLRs provide dispute resolution mechanisms to address disputes at all levels (describe these) ▪ PLRs provide mechanisms for resolving disputes that are not cost prohibitive (legal aid, access to legal services and other support for the poor) ▪ PLRs provide access to appeals ▪ PLRs provide special consideration for vulnerable groups in guaranteeing their right to access to justice
<p>The United Nations human rights system—its mechanisms, laws and policies—recognize and protect indigenous peoples.</p>	<p>Criteria C.1. Defining Indigenous Peoples and Members of Local Communities</p> <p>Diagnostic Question 1: Do PLRs define who are</p>

<p>Indigenous peoples' rights under international law have evolved from existing international law, including human rights treaties, to address the specific circumstances facing indigenous peoples as well as their priorities, such as rights to their lands, territories and resources, and self-determination.</p> <p>This aspect of the matrix is intended to assess PLRs/measures in place to uphold these human rights. In addition, the matrix incorporates all issues covered under SES's Indigenous Peoples, Cultural Heritage and Displacement and Resettlement Standard.</p>	<p>indigenous peoples and local communities?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs clearly define or provide clear criteria for defining who are indigenous people and these definition/these criteria is/are consistent with international law ▪ PLRs clearly define who are local communities <p>Criteria C.2.: Definition of traditional knowledge of indigenous peoples and local communities</p> <p>Diagnostic Question: To what extent do PLRs define what constitutes traditional knowledge of indigenous peoples and local communities?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs define traditional knowledge of indigenous peoples ▪ PLRs define traditional knowledge of local communities ▪ PLRs protect/regulate traditional knowledge of local communities and indigenous peoples <p>Criteria C.3. Recognition and Implementation of Rights in Accordance with International Law</p> <p>Sub-criteria C.3.1.: Non-Discrimination</p> <p>Diagnostic Question: to what extent do PLRs recognise and protect the right to non-discrimination of indigenous peoples and local communities in accordance with international law?</p> <ul style="list-style-type: none"> ▪ PLRs recognise and protect the right of indigenous peoples and local communities to non-discrimination in accordance with ILO 169 and UNDRIP (if applicable) <p>Sub-criteria C.3.2.: Self-Determination</p> <p>Diagnostic Question: To what extent do the PLRs recognise and protect the right to self-determination of indigenous peoples and local communities in accordance with international law?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs recognise and protect indigenous peoples and local communities' right to self-determination in accordance with ILO 169 and UNDRIP (if applicable) ▪ PLRs recognise traditional decision-making structures (including dispute resolution
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	<p>mechanisms, if applicable)</p> <p>Sub-criteria C.3.3.: Rights Associated with Culture</p> <p>Diagnostic Question: To what extent do PLRs recognise and protect rights associated with culture of indigenous peoples and local communities in accordance with international law?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs protect indigenous peoples and local communities' rights associated with culture, including respect for customs and traditions <p>Sub-criteria C.3.4.: Collective Land Tenure</p> <p>Diagnostic Question: To what extent do PLRs recognise and protect rights associated with land tenure of indigenous peoples and local communities in accordance with international law?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs recognise collective forest ownership/use/management rights of indigenous peoples and/or local communities ▪ PLRs establish transparent and fair procedures to address circumstances where rights need to be extinguished or diminished <p>Sub-criteria C.3.5: Benefit-Sharing</p> <p>Diagnostic Question: To what extent do PLRs recognise and protect benefit-sharing arrangements specific to indigenous peoples and local communities in accordance with international law?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs define mechanisms for equitable sharing of the benefits (specific to indigenous peoples/local communities) arising out of the utilisation of forest resources and the utilisation of traditional forest-related knowledge <p>Sub-criteria D.3.2.: Free, Prior and Informed Consent</p> <p>Diagnostic Question: to what extent do PLRs recognise and regulate the right to FPIC in consistency with relevant international law?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs recognise the right to FPIC in consistency with international law (if
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	<p>applicable)</p> <ul style="list-style-type: none"> PLRs regulate the right to FPIC in consistency with international law, especially ILO 169 (if applicable) PLRs prohibit relocation of indigenous peoples without FPIC and only after just and fair compensation, with option of return where possible.
<p>Basic human rights instruments recognize the right to participate as a fundamental human right. They are supplemented and complemented by many international legal instruments that specifically address the right to political participation in the context of the environment.</p> <p>In addition, we note that this is linked to Stakeholder Engagement objectives:</p> <ul style="list-style-type: none"> Promote effective stakeholder engagement throughout the project-cycle Ensure stakeholders have access to relevant and timely information Ensure stakeholders may communicate project concerns <p>This aspect of the matrix is intended to assess PLRs/measures in place to uphold these human rights</p>	<p>Criteria D.1.: Definition and Regulation Meaningful Full and Effective Participation</p> <p>Diagnostic Question: To what extent do PLRs guarantee effective public participation in forest related policymaking?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs recognize the right to public participation in decision-making (policy process and/or development projects) <p>Sub-criteria D.2.1.: Identification of Relevant Stakeholders</p> <p>Diagnostic Question: To what extent do PLRs identify or require the identification of relevant stakeholders in the decision-making process?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs require a mapping of relevant stakeholders prior to consultations PLRs define relevant stakeholders that should participate in the decision-making process PLRs require engagement/representation of local communities and/or indigenous peoples in relevant forest decision making processes <p>Sub-criteria D.2.2. Providing Access to Information</p> <p>Diagnostic Question: to what extent do PLRs require and regulate the provision of relevant and appropriate information as part of the consultation process?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs clearly define the types of information that should be provided during consultations PLRs require the distribution of information in a timely manner (prior to consultations) <p>Sub-criteria D.2.3: Appropriate Participatory</p>

	<p>Mechanisms</p> <p>Diagnostic Question: to what extent do PLRs define a clear and meaningful process/mechanism for public participation in environmental decision-making?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs define a clear process for public authorities to carry out consultations (institutional responsibilities, procedural guidelines, time-frames) ▪ PLRs define the process for addressing inputs received from the consultations ▪ PLRs regulate how public authorities should react if consultations are overwhelmingly negative (right to refuse a policy/project) ▪ PLRs require disclosure of how public input was reflected into the final decision <p>Sub-criteria D.2.4. Access to Justice/Conflict Resolution Mechanisms in Environmental Decision Making</p> <p>Diagnostic Question: to what extent do PLRs require and regulate access to justice in environmental decision making processes?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs clearly define/create dispute resolution mechanisms relevant to environmental decision making <p>Sub-criteria D.3.1. Creating an Enabling Environment</p> <p>Diagnostic Question: to what extent do PLRs create an enabling environment for the meaningful participation of indigenous peoples and local communities?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs include specific provisions that require engagement/representation of local communities and/or indigenous peoples in relevant forest decision making processes ▪ PLRs define a culturally appropriate manner to distribute relevant information (non-technical, accessible) ▪ PLRs require the incorporation of traditional/community structures for decision-making processes ▪ PLRs provide technical or financial
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	assistance to strengthen the capacities of local communities and indigenous peoples to participate in environmental decision making
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Principle 2: Gender Equality and Women's Empowerment

The promotion of gender equality and the empowerment of women are central to the mandate of UNDP and intrinsic to its human rights-based approach to development programming. This effort includes advocating for women and girls' human rights, combating discriminatory practices, and challenging the roles and stereotypes that create inequalities and exclusion.

UNDP Programmes and Projects will be gender-responsive in their design and implementation. UNDP will seek to identify and integrate the different needs, constraints, contributions and priorities of women, men, girls and boys into its programming.

UNDP will ensure that its Programmes and Projects do not discriminate against women or girls or reinforce gender-based discrimination and/or inequalities.

UNDP SES	Matrix criteria and indicators
The matrix seeks to identify what PLRs recognize and promote gender equality	<p>Sub-Criteria B.2.3: Gender equity</p> <p>Diagnostic Question: To what extent do PLRs promote and protect gender equality?</p> <p>Indicators</p> <ul style="list-style-type: none">▪ PLRs promote and enhance gender equality and women's empowerment, especially with regards to benefit sharing, participation, and land tenure▪ PLRs address gender discrimination▪ PLRs require public institutions to raise awareness on gender equity (through programmes for gender sensitization, focal points, etc.)

Principle 3: Environmental Sustainability

Sustainable management, protection, conservation, maintenance and rehabilitation of natural habitats and their associated biodiversity and ecosystem functions are fundamental to UNDP's efforts to develop and implement sustainable development pathways. UNDP seeks to address poverty and inequality while maintaining and enhancing natural capital.

UNDP will ensure that environmental sustainability is systematically mainstreamed into its Programmes and Projects. In designing development cooperation activities, UNDP will seek to support Programme Countries and Implementing Partners to address the environmental dimensions (both opportunities and constraints) of major development issues and to strengthen environmental management and protection.

UNDP SES	Matrix criteria and indicators
<p>Environmental sustainability can be best achieved with the integration of social and economic considerations and cross sectoral coordination.</p> <p>This aspect of the matrix is intended to assess PLRs/measures in place to uphold this principle in the context of the implementation of REDD interventions. In addition, the matrix deals with issues concerning SES Community Health, Safety and Working Conditions.</p>	<p>Sub-Criteria B.2.5: Integration of Social, Economic and Environmental Considerations into policy-making</p> <p>Diagnostic Question: To what extent do PLRs require/promote the integration of social, economic and environmental considerations in forest management?</p> <p>Indicators</p> <ul style="list-style-type: none">▪ PLRs require that policy-making takes into consideration their potential environmental impacts (including environmental impact assessments prior to their implementation)▪ PLRs require EIAs of investment projects (forestry sector, infrastructure)▪ PLRs require regular monitoring of social economic and environmental impacts of policy implementation▪ PLRs address potential adverse risks to communities and workers from construction and other interventions, including measures to prevent or minimize health risks and spread of infectious diseases▪ PLRs promote non-discrimination, equal opportunity and fair treatment of workers, and prohibit the use of forced labour or child labour, consistent with relevant ILO conventions. <p>Sub-Criteria B.2.6: Cross-Sectoral Coordination</p>

	<p>Diagnostic Question: to what extent to PLRs require/promote effective coordination between various agencies that play a role in forest management?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs define concrete mechanisms to support and encourage coordination (inter-ministerial committees, working groups, cross cutting teams, etc.) PLRs define effective mechanisms for information sharing across different sectors and levels of government for forest management
<p>Sustainable management, protection, conservation, maintenance and rehabilitation of natural habitats and their associated biodiversity and ecosystem functions are fundamental to UNDP's efforts to develop and implement sustainable development pathways.</p> <p>In addition, we note this is linked to SES Biodiversity and Sustainable Natural Resource Management key objectives:</p> <ul style="list-style-type: none"> Conserve biodiversity Maintain and enhance benefits of ecosystem services <p>The matrix seeks to identify which PLRs recognize and promote biodiversity conservation and ecosystems. In addition, the matrix deals with issues concerning SES Pollution Prevention and Resource Efficiency</p>	<p>Sub-criteria E.1.1. Defining Natural Forest, Biological Diversity and Ecosystem Services</p> <p>Diagnostic Question: to what extent do PLRs define the term natural forests, biological diversity and ecosystem services?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs provide a clear definition for the term natural forests (or primary, untouched forests) PLRs clearly distinguish between plantations and natural forests PLRs provide a clear definition for the term biological diversity in accordance with relevant international law (especially CBD) PLRs provide clearly define the term ecosystem services in accordance with relevant international law <p>Sub-criteria E.1.2. Prohibiting the Conversion of Natural Forests</p> <p>Diagnostic Question: do PLRs prohibit the conversion of natural forests?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs clearly prohibit the conversion of natural forests to other land-uses, or other types of forests (such as plantations) If conversion is not prohibited, PLRs set controls on conversion in both public and private forests, through environmental

	<p>impact assessments and mitigation</p> <p>Sub-criteria E.2.1. Identifying Natural Forests and Biodiversity</p> <p>Diagnostic Question: do PLRs promote or require the identification/mapping of natural forests and biological diversity?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs require mapping of natural forests (i.e. development and updating of natural forests inventories this could be part of a broader NFI) ▪ PLRs require mapping of biological diversity (including ecosystem services) <p>Sub-criteria E.2.2: Measures to Protect Biodiversity and Natural Forests</p> <p>Diagnostic Question: Do PLRs regulate the protection of biodiversity and natural forests?</p> <p>Indicators</p> <ul style="list-style-type: none"> ▪ PLRs contain provisions for the protection of natural forest areas ▪ PLRs contains provisions for the protection of biodiversity (BD strategy, creation of protected areas etc.) ▪ PLRs contain provisions for the protection of endangered species ▪ PLRs regulate/control the market and trade of endangered species ▪ PLRs contain clear regulations regarding the planting of invasive species and pest management? ▪ PLRs define clear penalties for non-compliance with the above measures ▪ PLRs promote sound environmental management and sustainable use of public/private forests (preparation of management plans, guidelines, process) ▪ PLRs regulate industry-specific sustainable resource production/management practices applied, including credible certification systems where appropriate ▪ PLRs regulate sustainable practices
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	<p>supported for small-scale producers</p> <ul style="list-style-type: none"> PLRs require the monitoring and evaluation management forests (M&E of implementation of management plans) <p>Sub-criteria E.2.3: Supporting Conservation Research and Awareness-Raising</p> <p>Diagnostic Question: do PLRs support/promote conservation research and awareness raising over forest and biological diversity protection?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs promote conservation research for science-based biodiversity conservation PLRs promote the implementation of programmes that aim to improve public knowledge of the value of biodiversity <p>Sub-criteria E.2.4: Integration of Biodiversity in Cross-Sectoral Policies</p> <p>Diagnostic Question: Do PLRs require/promote the integration of biodiversity consideration in cross-sectoral policies?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs require the consideration and measuring of the possible impacts of forest and land use policies on biodiversity PLRs provide clear guidance on how to assess trade-offs between development (livelihoods, infrastructure, food production) and biodiversity (including modification/cancellation of the policy if potential impacts are too high) <p>Sub-criteria E.2.5: Enhancement of Other (non-carbon) Benefits</p> <p>Diagnostic Question: do PLRs promote the enhancement of multiple benefits?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs seek to maintain and increase the ecological, biological, climatic, socio-cultural, and economic contributions of forest resources PLRs regulate access to, and fair and equitable sharing of benefits derived from forest biological resources (non-timber
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	<p>forest products)</p> <ul style="list-style-type: none"> PLRs promote the development of alternative livelihood in forests (eco-tourism, agroforestry)
<p>Not contemplated in SES specifically, but we understand these aspects are encompassed in the environmental sustainability principle.</p>	<p>Criteria: Monitoring and Assessment</p> <p>Diagnostic Question: to what extent do PLRs require regular monitoring and measurement of risks to forest permanence</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs require the development of detailed land use and forest inventories (forest cover, forest cover change), monitoring of land-use and land-use change (including monitoring system) PLRs require monitoring of entire forest product supply chain PLRs provide law enforcement bodies with adequate mandates, resources and expertise to conduct routine monitoring PLRs require regular monitoring and reporting on social and environmental impacts of forest programmes <p>Diagnostic Question: to what extent do PLRs aim to minimise the risks related to deforestation and forest degradation?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs require adverse impacts (direct and indirect) to natural resources, biodiversity, ecosystem services are identified, assessed, mitigated and managed PLRs promote sustainable utilisation and conservation of forests and other relevant resources PLRs implement effective law enforcement to combat and eradicate illegal forest-related practices PLRs seek to detect and reduce forest fires and other disturbances PLRs promote alternative livelihoods and income diversification from forest management

In addition, the matrix deals with issues concerning SES Pollution Prevention and Resource Efficiency	<p>Diagnostic Question: to what extent do PLRs aim to avoid/minimize adverse impacts on human health and environment from pollution?</p> <p>Indicators</p> <ul style="list-style-type: none"> PLRs seek to avoid, minimize and mitigate risks posed to human health and the environment from pollutants, wastes, and hazardous materials <p>Ⓟ</p>

4.3 Policy, Law and Regulations Alignment Review of PPCDAm with UNDP SES

Attached in **Annex A** is the “Matrix for Policy, Law and Regulations Analysis alignment with UNDP SES Standards and Cancun Safeguards” (**PLR Analysis**).

The PLR review has determined that during the 2014-2015 period for which results-based payments is sought, the umbrella policy PPCDAm, responsible for the achievement of results, **shows a good level of alignment with UNDP’s SES**. Overall, the suite of comprehensive policies, which make up PPCDAm, were consistent with key objectives of UNDP SES, without significant shortcomings. As noted in Annex A, there were a number of areas identified for future improvement, but even in such cases, positive alignment with UNDP SES dominated and most of these to be strengthened were covered by other elements of Brazil’s national REDD+ strategy (ENREDD+) at that time or planned for future phases of the policy.

5 Stakeholder Engagement and Grievance Redress Mechanisms

As stated in the FP, and in Brazil’s 2nd SOI, ensuring the full and effective participation, voice and leading role of stakeholders, including the public and private sectors and the third sector, especially indigenous peoples, traditional peoples and communities, and traditional and family farmers, is a principle objective of the ENREDD+ strategy and fulfillment of the safeguard requirement for full and effective participation.

The governance of the CONAREDD+ and the creation of Thematic Advisory Boards (including the CCT-Safeguards advisory board) by the CONAREDD+, are key mechanisms for ensuring representative stakeholder engagement in the achievement of results to date and in the implementation of Floresta+ and the SISREDD+ going forward.

CONAREDD+, as well as CCT-Safeguards advisory board itself, include representatives from state and local governments, indigenous peoples and traditional peoples and communities. Civil society representatives have also been elected by the Brazilian Forum of Climate Change, which also appointed the representatives from indigenous peoples and traditional peoples and communities to be part of CONAREDD+.

Attached in **Annex B** is the “Overview of Stakeholder Engagement.”

The “Overview of Stakeholder Engagement”, in conjunction with the information on stakeholder engagement found in the FP, and the information provided in Brazil’s 2nd SOI, collectively **demonstrate how stakeholders were identified, informed, and consulted, and how they have participated in the activities of ENREDD+ design and implementation**. Given the long history of stakeholder consultations in the establishment of ENREDD+, as well as the development and implementation of jurisdictional REDD+ systems, the participatory process of designing the SISREDD+ and its indicators has been highlighted, by providing brief summaries of the most recent consultations that have taken place in the CCT-Safeguards advisory board meetings.

In regards to available Grievance Redress Mechanisms, the ENREDD+ recognizes the need to develop procedures to record complaints and to develop a clear conflict resolution mechanism under the monitoring and transparency system of the national REDD+ strategy, with support by the relevant bodies. The relevant bodies in Brazil are the Federal Attorney General's Office and Federal Prosecutor General's Office. Furthermore, establishing an Ombudsman on the violation of safeguards in REDD+ initiatives is focus of the CCT-Safeguards advisory group's work, including exploring the formats of offices of the ombudsman in Brazil and considering its integration with other existing ombudsman arrangements, directed to specific audiences.

Although the establishment of a ENREDD+ specific GRM, which ties to the work of the CCT-Safeguards advisory board and the SISREDD+ implementation is an ongoing process, Brazil has recent relevant experience in establishing a GRM for a jurisdictional REDD+ program in Acre, specifically in regards to Acre's State System of Incentives for Environmental Services (SISA). The federal ombudsmen systems, to receive grievances through the Office of the Attorney General, as well as state-level ombudsmen systems, are also extensive, and in place.

Attached in **Annex C** is the "Overview of Grievance Redress Mechanisms."

The "Overview of Grievance Redress Mechanisms", in conjunction with the information provided in Brazil's 2nd SOI, collectively **demonstrates the functioning of GRMs in Brazil.**

6 Project Alignment Review

6.1 Approach and Objectives

As mentioned above, in addition to policy alignment, the ESA strives to give a snapshot of how these policies are applied at the project level, and how policy alignment translates to the application of those policies. Given that the Amazon Fund is one of the key financial instruments used to support the implementation of PPCDAm, it also covers an assessment of project level activities carried out under the Amazon Fund. For this project-level assessment, three representative projects were chosen to assess alignment in application of the PLRS assessed.

Thereby complementing the PLR Analysis, the **Project Alignment Review** assesses the extent to which the implementation of project activities (in the context of the applicable legal and policy framework) was consistent with the UNDP SES (and consequently, the Cancun Safeguards as demonstrated above). Where lessons can be learned to strengthen future REDD+ activities, these will be incorporated into relevant Environmental and Social Management Frameworks and Plans (**ESMF/ESMP**).

For the Project Alignment Review, the following were considered:

- Project documentation for evidence of integration of applicable safeguard issues
- Reports describing stakeholder consultations as available
- Monitoring reports as required by the project's mandate, including mid-term and final evaluations
- Environmental and social impact studies as available
- Documents detailing and disaggregating project beneficiaries
- Third party analysis where available
- Tracking of grievances received and addressed as available

6.2 Review Indicators based on UNDP SES for Alignment Review

For the project-level alignment reviews, the ESA utilizes the following table that summarizes the key objectives of UNDP's SES by thematic area. The table also includes review indicators that have been utilized in assessing whether the relevant safeguard objective is addressed.

UNDP SES Key Objectives by Thematic Area	
Human Rights	
<i>Key objectives:</i>	<i>Review indicators:</i>
Support universal respect for, and observance of, human rights and fundamental freedoms of all	<ul style="list-style-type: none"> Measures in place to uphold human rights principles of accountability and rule of law, participation and inclusion, and equality and non-discrimination No activities undertaken that may contribute to violations of a State's human rights obligations and the core international human rights treaties
Gender Equality and Women's Empowerment	
<i>Key objectives:</i>	<i>Review indicators:</i>
Promote gender equality and women's empowerment	<ul style="list-style-type: none"> Activity does not discriminate against women or girls or reinforce gender-based discrimination Activity designed in gender responsive manner (e.g. address both women's and men's needs, interests and concerns) Equitable access to opportunities, benefits, and resources Meaningful and equitable participation of women and men
Social and Environmental Assessment and Management	
<i>Key objectives:</i>	<i>Review indicators:</i>
Potential social and environmental risks and impacts are identified, assessed, managed, and monitored	<ul style="list-style-type: none"> Systematic process in place to identify, assess, mitigate and manage potential social and environmental risks and impacts Assessment and management conducted in manner proportionate to significance of risks Impact mitigation measures follow mitigation hierarchy Mitigation measures monitored in manner proportionate to risks and corrective actions are taken as required
Stakeholder Engagement	
<i>Key objectives:</i>	<i>Review indicators:</i>
Promote effective stakeholder engagement throughout the project-cycle	<ul style="list-style-type: none"> Stakeholders and engagement process identified Stakeholders, in particular project-affected groups, involved in planning, implementation, monitoring Vulnerable or disadvantaged groups identified and consulted Stakeholders views taken into account and considered in project design and implementation
Ensure stakeholders have access to relevant and timely information	<ul style="list-style-type: none"> Information on project opportunities and risks disclosed in timely, accessible, appropriate manner, language, form Environmental/social reviews and assessments disclosed
Ensure stakeholders may communicate project concerns	<ul style="list-style-type: none"> Stakeholders have access to effective grievance redress mechanism or process
Biodiversity and Sustainable Natural Resource Management	
<i>Key objectives:</i>	<i>Review indicators:</i>
Conserve biodiversity	<ul style="list-style-type: none"> Adverse impacts (direct and indirect) to natural resources, biodiversity, ecosystem services identified, assessed, mitigated and managed No conversion of natural forests No measurable adverse impacts to critical habitats Adverse impacts to other habitat types avoided, minimized and managed
Maintain and enhance benefits of ecosystem services	

	<ul style="list-style-type: none"> ▪ No reduction in endangered species ▪ No introduction of known invasive species
Promote sustainable management of living natural resources (e.g. forestry, agriculture, livestock, fisheries)	<ul style="list-style-type: none"> ▪ Ensure sustainable resource management that protects biodiversity and ecosystem services ▪ Appropriate industry-specific sustainable resource production/management practices applied, including credible certification systems where appropriate ▪ Sustainable practices supported for small-scale producers ▪ Equitable benefit sharing arrangements reached for utilization of genetic resources
Climate Change Mitigation and Adaptation	
<i>Key objectives:</i>	<i>Review indicators:</i>
Ensure projects sensitive to climate change risks	<ul style="list-style-type: none"> ▪ Project components reviewed for sensitivity and vulnerability to potential climate change ▪ Social and gender risks and differentiated impacts related to climate change addressed
Reduce project-related GHG emissions	<ul style="list-style-type: none"> ▪ Feasible alternatives considered and adopted for reducing project-related greenhouse gas emissions (GHGs)
Community Health, Safety and Working Conditions	
<i>Key objectives:</i>	<i>Review indicators:</i>
Avoid adverse health and safety impacts	<ul style="list-style-type: none"> ▪ Risks to communities and workers from construction and other interventions prevented or minimized and managed ▪ Measures adopted to prevent or minimize health risks and spread of infectious disease
Respect and promote workers' rights	<ul style="list-style-type: none"> ▪ Measures in place to promote non-discrimination, equal opportunity and fair treatment of workers ▪ No use of forced labour or child labour, consistent with relevant ILO conventions
Provide safe and healthy working conditions	<ul style="list-style-type: none"> ▪ Measures adopted to ensure healthy and safe working conditions
Cultural Heritage	
<i>Key objectives:</i>	<i>Review indicators:</i>
Protect, manage, conserve cultural heritage	<ul style="list-style-type: none"> ▪ Cultural heritage protected from adverse risks and impacts ▪ Qualified experts utilized for risk management and conservation ▪ Chance find procedures in place
Promote equitable benefit sharing from utilization of cultural heritage	<ul style="list-style-type: none"> ▪ Inform affected communities of rights and proceed only if good faith negotiations provide for fair and equitable benefit sharing
Displacement and Resettlement	
<i>Key objectives:</i>	<i>Review indicators:</i>
Avoid adverse impacts from land or resource acquisition or restrictions on land/resource use. Minimize adverse impacts where avoidance not possible	<ul style="list-style-type: none"> ▪ Measures in place to avoid, and where avoidance is not possible, minimize and mitigate physical or economic displacement from land or resource acquisition or restrictions on land or resource use ▪ Any displacement activities carried out in fully participatory manner
Recognize and respect the prohibition on forced evictions	<ul style="list-style-type: none"> ▪ No forced evictions, allowing evictions only in exceptional circumstances meeting lawful criteria
Enhance or at least restore livelihoods of all displaced persons, and improve living standards of displaced poor and other displaced groups	<ul style="list-style-type: none"> ▪ Livelihoods of any displaced persons enhanced or at least restored through compensation at full replacement costs and other assistance
Indigenous Peoples	

<i>Key objectives:</i>	<i>Review indicators:</i>
Recognize and foster full respect for indigenous peoples' human rights	<ul style="list-style-type: none"> Indigenous peoples' rights recognized and protected No actions supported that violate indigenous peoples' rights
Ensure projects designed in partnership with full, effective indigenous peoples' participation, and securing FPIC where IP rights, lands, resources, territories of traditional livelihoods affected	<ul style="list-style-type: none"> Culturally appropriate meaningful participation undertaken for all activities that affect indigenous peoples Free Prior and Informed Consent (FPIC) obtained for activities that affect the rights, interests, lands, resources, territories, traditional livelihoods of affected indigenous peoples No relocation of indigenous peoples without FPIC and only after just and fair compensation, with option of return where possible
Promote greater indigenous peoples' control and management of developments affecting their lands and resource, aligning with their visions and priorities	<ul style="list-style-type: none"> Measures recognize indigenous peoples' collective rights to own, use, develop, control lands, resources, territories they have traditionally owned, occupied, otherwise used or acquired
Avoid adverse impacts, mitigate residual impacts, ensure just equitable benefits and opportunities in a culturally appropriate manner	<ul style="list-style-type: none"> Adverse impacts on indigenous peoples are avoided, and where avoidance is not possible, minimized and mitigated Measures in place to ensure equitable benefit sharing from project activities in culturally appropriate manner
Pollution Prevention and Resource Efficiency	
<i>Key objectives:</i>	<i>Review indicators:</i>
Avoid/minimize adverse impacts on human health and environment from pollution	<ul style="list-style-type: none"> Measures in place to avoid, minimize and mitigate risks posed to human health and the environment from pollutants, wastes, and hazardous materials Integrated Pest Management (IPM) approaches utilized to reduce reliance on synthetic pesticides. Least toxic effective pesticides utilized and pesticides handled per FAO Code of Conduct
Promote more sustainable use of resources, incl energy, land and water	<ul style="list-style-type: none"> Feasible measures implemented to improve efficiency in consumption of inputs (e.g. raw materials, energy, water) Use of water resources does not adversely impact others or sensitive ecosystems

6.3 Amazon Fund Project Selection

A sample of Amazon Funded projects was selected to confirm whether the applicable safeguard measures were implemented. During Phase 3 of the PPCDAm (2012-2015), the Amazon Fund supported approximately 60 projects. With an attempt to cover the most representative areas of intervention of PPCDAm, a small review sample of projects that include various project types and locations was chosen. The three projects were selected to represent key activities, which are representative of the larger PPCDAm, as well as ENREDD strategies, as well as ensuring the independent, third-party terminal evaluations of these projects were available for desk review. The three projects chosen cover the three main pillars of the strategy including (i) territorial and land-use planning, (ii) environmental control and monitoring, and (iii) fostering sustainable production activities. The projects also involve ongoing Indigenous lands titling process, as well the environmental registry process (Cadastro Ambiental Rural or CAR) which are vital processes for the achievement of the ENREDD+ strategy and the roll-out of Floresta+ going forward, as described in the FP. Geographically, the projects, have a wide-ranging geographic scope, covering the either the Legal Amazon, or key states that have been approved to received REDD+ results-based payments, such as Mato Grosso. In terms of stakeholders, they also cover both key primary stakeholders (municipalities, family farmers, and indigenous peoples) and representative implementation partners (local and international NGO's, as well as the National Foundation for Indigenous Affairs (FUNAI).

Attached in **Annex D** are the three "Project-Level Alignment Reviews" for the following projects:

- 1) The **“Going Green Project”**, executed by The National Conservancy (TNC) worked with 12 municipal governments in the states of Para and Mato Grosso to strengthen institutional capacity to promote environmental adjustment of rural properties through adhesion to the Rural Environmental Registry (CAR);
- 2) The **“Catalyzing the Contribution of Indigenous Lands to the Conservation of Brazil’s Forest Ecosystems”**, a GEF project with the long-term goal to consolidate Indigenous Lands (ILs) as essential protected areas for the conservation of biodiversity in Brazilian forests and as constituent parts of the National Protected Areas Plan (PNAP). The National Foundation for Indigenous Affairs (FUNAI), the Executing Agency, worked in 32 IL references areas in various states, in close consultation with relevant government agencies, Indigenous Peoples’ (IP) organizations and NGOs.
- 3) The **“Amazon Portal Seeds Project”** executed by the Instituto Ouro Verde (IOV) in 6 municipalities as well as on the Terena Indigenous Land. Working with family farmers as direct beneficiaries, IOV promoted sustainable production through the recovery of degraded land and planting of Agroforestry Systems (SAFs), as well as the establishment of a cooperative to collect and market seeds.

The project-level reviews have concluded that the social and environmental standards addressed through these projects was aligned with the country’s current regulatory, legal, policy and institutional framework, and contributes to the effective implementation of PPCDAm, while continuing to show alignment with the UNDP SES.

7 Conclusion and Recommendations

The Environmental and Social Assessment Report describes the extent to which the safeguard measures applied in the context of the REDD-plus actions were consistent with the key objectives of UNDPs SES. The report includes necessary due diligence including (i) a review and alignment analysis of PPCDAm, (ii) a project review summary from a small sample of Amazon Fund-supported projects that examined whether the selected project activities were undertaken in a manner consistent with the key objectives of UNDPs SES. It also includes overviews of stakeholder engagement and national/jurisdictional GRMs.

As noted above, the ESA demonstrates that overall, the Brazilian PLRs, and particular those of PPCDAm, which led to the achievement of REDD+ results was implemented within a over-arching legal and policy framework that provided an enabling environment for achieving consistency with the UNDP SES and in practice, a selection of projects carried out under the Amazon Fund, were also implemented with significant alignment with the objectives of the UNDP SES. Results achieved were also done through broad stakeholder engagement at many levels, as well with national and state-level GRMs available to affected parties.

Considering the conclusions of the ESA (including its PLR Analysis and Project Alignment Reviews), as well as extensive document reviews, and recommendations from this due-diligence exercise, several opportunities for improvement were recognized. These opportunities, as well as the areas of improvement identified in Brazil’s 2nd SOI, and those discussed in ongoing CCT-Safeguards advisory meetings, as well as from the Acre SISA consultations, have informed the Environmental and Social Management Framework (ESMF), also included as an Annex of the FP.

Annexes

Annex A: Matrix for Policy, Law and Regulations Analysis alignment with UNDP SES Standards and Cancun Safeguards.

Annex B: Overview of Stakeholder Engagement.

Annex C: Overview of Grievance Redress Mechanisms.

Annex D: Three Project-Level Alignment Reviews.

Matrix 1 for analysis of legal framework

Safeguard A	
Criteria A.1. Complement or be Consistent with the Objectives of National Forest Programmes	
Diagnostic Question: to what extent do PLRs require consistency with the objectives of national forest programmes?	
Indicator	Explanation (identify articles/provisions)
PLRs clearly define what the national forest programme(s) is/are and requires that steps are taken to ensure that any new policy/initiative is consistent with (or at least does not contradict) existing policies/programmes).	<p>Brazil's National Forest Program (PNF), Decree # 3,420/2000, has as its objective to: "Promote sustainable development, balancing use with conservation of the Brazilian forests."</p> <p>PLRs aim to be consistent with this objective. Specifically, the National REDD+ Strategy (ENREDD+ - Estrategia Nacional para REDD+), Decree # 8, 576/2015 and Ministry of Environment (MMA for its Portuguese acronym) Ordinance #370/2015, has as its objective to: "Contribute to climate change mitigation by eliminating illegal deforestation, conserving and recovering forest ecosystems, and developing a sustainable low-carbon forest economics, generating economic, social and environmental benefits."</p>

Safeguard A
Criteria A.2. Complement or be Consistent with the Objectives of Relevant International Conventions and Agreements

Diagnostic Question: to what extent do PLRs require consistency with objectives of relevant international conventions and agreements, and this is applicable to the forestry sector?	
Indicators	Explanation (identify articles/provisions)
<p>Number of relevant of international agreements that the country is Party to*</p> <p>(including HR and environmental/biodiversity conventions)</p>	<ol style="list-style-type: none"> 1. United Nations Framework Convention on Climate Change (UNFCCC), Paris Agreement, as well as decisions made in the corresponding Conferences of the Parties. <ul style="list-style-type: none"> ■ Stabilize concentrations of greenhouse gases in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. 2. United Nations Convention on Biological Diversity (UNCBD), as well as decisions made in the corresponding Conferences of the Parties, notably the 2012 COP11, held in Hyderabad, India, Decision IX/19, which established Biodiversity Safeguards in compliance with the REDD+ approach. <ul style="list-style-type: none"> ■ Promote the conservation of biological diversity, sustainable use of its components, and the fair and equitable sharing of the benefits derived from the utilization of genetic resources, ensuring free, prior and informed consent of the States, as well as the protection and promotion of associated traditional knowledge. 3. Ramsar Convention on Wetlands of International Importance <ul style="list-style-type: none"> ■ Promote the conservation and rational use of wetlands, such as Baixada Maranhense, Pantanal in Mato Grosso State, Atol das Rocas, etc. 4. FAO International Treaty on Plant Genetic Resources for Food and Agriculture <ul style="list-style-type: none"> ■ Promote conservation and sustainable use of plant genetic resources for food and agriculture, and the fair and equitable sharing of benefits arising from their use, aligned with the Convention on Biological Diversity. Establishes the right of farmers to conserve, use, exchange and sell farm-saved seeds and other propagating material retained by farmers; to protect their traditional knowledge and to participate in decision-making on the

	<p>fair and equitable sharing of benefits arising from the use of plant genetic resources for food and agriculture.</p> <p>5. ILO Indigenous and Tribal Peoples Convention 169</p> <ul style="list-style-type: none"> ■ It applies to indigenous peoples and traditional peoples and communities in order to promote the full realization of the social, economic and cultural rights of these peoples, respecting their social and cultural identity, their customs and traditions, and their institutions. It acknowledges the territorial rights of ownership and possession of the lands they occupy or have already used for their traditional activities and subsistence; the right to participate in the use, management and conservation of natural resources; as well as the right to free, prior and informed consultation in accordance with their own institutions, among other rights. <p>6. United Nations Declaration on the Rights of Indigenous Peoples</p> <ul style="list-style-type: none"> ■ It reflects the set of claims of indigenous peoples on the improvement of their relations with national states and is used to establish minimum parameters for other international instruments and national laws. The declaration includes principles such as equal rights and prohibition of discrimination, the right to self-determination and the need to obtain consent and agreement as a reference for the relationship between indigenous peoples and States.
How the national legal framework incorporates international law	<ul style="list-style-type: none"> • The Thematic Advisory Board on Safeguards (CCT-Salv) listed the policies, programs and international agreements relevant for REDD+ during the process of defining safeguards in the Brazilian context. These have been reorganized in Appendix A, with national entities listed as relevant to each of the six international agreements listed in the previous section. <p>More specifically, Brazil has operationalized the following policies and programs in support of the objectives of the UNCBD as outlined above:</p> <ul style="list-style-type: none"> • The Action Plan for the Prevention and Control of Deforestation in the Legal Amazon (PPCDAm), is the main mediator instrument of other public policies in the territory, which contributes to reducing

	<p>deforestation (please refer to http://combateaodesmatamento.mma.gov.br/). It has the Amazon Fund as an important finance instrument to induce and potentialize actions.</p> <ul style="list-style-type: none"> • The nine Amazonian states prepared their Action Plans to Prevent and Control Deforestation, in addition to the federal effort. These plans are in different stages of implementation and/or undergoing revision and the monitoring of part of those plans might be followed with the 'Indicar Estados' (Indicate States) Platform. • The National Commission for REDD+ (CONAREDD+) was created with the purpose of promoting, among others, integration and synergy among public policies on forests, biodiversity and climate change at different administrative levels. • The Thematic Advisory Board on Federative Relations (CCT-Pact) is a forum for debate, participation and transparency between federal, state and local entities to align their policies. CCT-Pact conducted a mapping of REDD+-related policies in the states, identifying state's legal and institutional issues and arrangements that contribute to REDD+ in order to pursue measures for harmonization between the national and subnational levels. • Respecting safeguards also calls for mobilization of policies at the federal level. • Engaging common actors to manage ENREDD+, PPCDAm and the Amazon Fund makes it possible to promote synergies between policies. • The MMA coordinates the governance instances of these three policies.
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Safeguard B	
Criteria B.1. Transparency	
Sub-Criteria B.1.1. Right of Access to Information	
Diagnostic Question: To what extent do PLRs guarantee the right to access to information?	
Indicators	Explanation (identify articles/provisions)

PLRs recognise the right to access to information	Brazil has an Access to Information Law (Law # 12,527/2011). It regulates access to information, as established in Item XXXIII of Art. 5, Item II in Paragraph 3 of Art. 37, and Paragraph 2 of Art. 216 of the Federal Constitution; amends Act 8,112, as of December 11th, 1990; revokes Act 11,111, as of May 5th, 2005, devices in Act 8,159, as of January 8th, 1991; and establishes other provisions.
PLRs provide a definition of ‘information’ (held by public authorities/accessible to the public)	<p>Brazil has made a definition of “information” accessible to the public on its website dedicated to the right of Access to Information: http://www.acessoainformacao.gov.br/</p> <p>According to Art. 4, item I, of Law 12,527 / 2011 , information is: “data, processed or not, that can be used for production and transmission of knowledge, registered in any medium or format.”</p>
PLRs require the active distribution of information	As a way to ensure public oversight, reports from meetings shall be made publicly available including being posted in Brazil’s REDD+ Portal, in compliance with the Access to Information Law and in support of the rights of REDD+ action beneficiaries. Information shall be transparent and reach a wide audience from indigenous and traditional peoples to communities and international entities, making use of simple and easy to understand language.
PLRs guarantee passive access to information (access to information on request)	<p>Request for access to information can be made on the Access to Information Law website: http://www.acessoainformacao.gov.br/</p> <p>If the information is available, it must be delivered immediately to the applicant. If it is not possible to grant immediate access, the body or entity has up to 20 days to comply with the request, a period that may be extended by a further 10 days, if there is an express justification.</p>
Safeguard B	
Criteria B.1. Transparency	
Sub-Criteria B.1.2. Institutions to Ensure Access and Distribution of Information	
Diagnostic Question: To what extent does the legal framework require public institutions to ensure the access and distribution of information?	

Indicators	Explanation (identify articles/provisions)
PLRs create dedicated institutions for distribution of information	<p>To promote transparency, ENREDD+ information shall be distributed via the following entities:</p> <p>REDD+ Brazil Portal (http://redd.mma.gov.br/en), which will include SISREDD+ (http://redd.mma.gov.br/pt/salvuardas) and its ombudsman, InfoHub Brazil (http://redd.mma.gov.br/en/infocentral) and the Matrix of Public Policies Impact.</p> <p>SISREDD+ assesses whether the Cancun safeguards have been addressed and respected both in policies that lead to REDD+ results as well as in the use of resources from results-based payments. Info Hub Brazil is a platform to communicate REDD+ results achieved by Brazil and information from results-based payment agreements, according to CONAREDD+ guidance. The Matrix of Public Policies Impact is a tool to assess effectiveness and efficacy of public policies that contribute to achieve REDD+ results.</p>
PLRs create a central registry for gathering information related to forest management	The Ministry of Environment contains the Brazilian Forest Service, whose website (http://www.florestal.gov.br/) provides the public access to information related to Brazil's forest management.
PLRs provide clear procedures for request/access to information	Clear procedures for request/access to information are available on Brazil's Access to Information Law website: http://www.acessoainformacao.gov.br/
Safeguard B	
Criteria B.1. Transparency	
Sub-Criteria B.1.3. Accountability	
Diagnostic Question 1: To what extent do PLRs promote fiscal transparency in the forest sector?	
Indicators	Explanation (identify articles/provisions)
PLRs require that independently audited reports must be prepared showing clearly how public funds have been used by the	Compliance audits conducted by independent consultants assess whether BNDES has met the requirements listed in Decree # 6,527 / 2008 with regard to the supporting actions, guidelines and criteria established by the Amazon Fund Steering Committee (COFA).

forest agency	
Institutions responsible for implementing the relevant PLRs MMA, BNDES, COFA (composition of COFA comes from various institutions – for a detailed list of these, see: http://www.amazonfund.gov.br/en/amazon-fund/COFA/)	
Diagnostic Question 2: To what extent do PLRs adequately address corruption in the forest sector?	
Indicators	Explanation (identify articles/provisions)
PLRs provide clear measures to address corruption in the forest sector	<p>Audits to address possible corruption, among other issues, are continually carried out by the control bodies of the various initiatives and institutions that make up the PPCDAm. See the publication: Operational nature audits on public policies and climate change – Legal Amazon and Greenhouse Gas Emissions.</p> <p>Available at https://portal.tcu.gov.br/biblioteca-digital/auditorias-de-natureza-operacional-about-politicas-publicas-e-mudancas-climaticas-amazonia-legal-e-emissao-de-gases- of-effect-greenhouse.htm</p>
PLRs foresee penalties against acts of corruption	<p>The Legal Regime of Civil Servants of the Union - Law 8112/90 provides a legal regime for disciplining the performance of public civil servants of the Union, municipalities and federal public foundations, based on their rights and duties. Each career in the public service also has specific legislation and institutions have administrative procedures for verifying and applying penalties.</p>
PLRs create independent agencies mandated to fight corruption and with faculties to investigate corruption allegations	<p>Monitoring activities in forest concessions areas include the following systems: Forest Exploitation Detection System (DETEX), which identifies where forests are being exploited by means of satellite images; Control of Chains of Custody, in which the concessionaire must maintain control of the origin of the forest products to the processing unit; Satellite Vehicle Tracking System to track and trace concessioner's fleet of vehicles.</p> <p>Inspections are made mainly by IBAMA and by the Brazilian Forest Service. IBAMA inspects compliance with the Sustainable Forest Management Plan; the Forest Service, with the forest concession contract. Within National Forests, the Chico Mendes Institute of Biodiversity Conservation</p>

	is also an important monitoring agent, once it is the area manager. Furthermore, independent audits are mandatory, at least every three years. Only entities certified by INMETRO and acknowledged by the Brazilian Forest Service may conduct them.
PLRs provides codes of conduct governing the engagement and behaviour of public servants	<p>The Ethics Committee of the Ministry of the Environment is part of the Ethics Management System of the Federal Executive Branch, acting in accordance with the rules and guidelines established by the Public Ethics Committee, in compliance with the provisions of Resolution 10, dated September 29, 2008 and other applicable regulations.</p> <p>Established by Ordinance No. 449 of August 20, 2007, published in Service Bulletin No. 6/2007, of August 28, 2007, and in accordance with Administrative Rule No. 140 of May 6, 2009, which establishes the Rules of Procedure Internal of the Ethics Committee of the Ministry of the Environment, published in Official Gazette No. 85, of May 7, 2009, the Ethics Committee of the Ministry of the Environment has the purpose of: guiding and advising on ethical conduct in the exercise of public function, including in the interpersonal relationship between public servants, with the greater public and in the interest of the public activity.</p> <p>It also aims to disseminate the principles of the ethical conduct of the MMA public servant, to apply the Code of Professional Ethics of the Public Civil Servant of the Federal Executive Branch, approved by Decree No. 1,171 of 1994, within the scope of the MMA, to guide, supervise and act as an advisory body for officers and public servants, and to host and analyze complaints.</p>

Safeguard B

Criteria B.2. Effective National Forest Governance	
Sub-Criteria B.2.1: Clear Land Tenure Rights	
Diagnostic Question: To what extent do PLRs recognise and protect different types of forests tenure (ownership and access)?	
Indicators	Explanation (identify articles/provisions)
PLRs recognise different types of rights over forest land and forest resources (Statutory and customary ownership, use rights)	<p>Brazil's current land tenure system, particularly in the Amazon region, is extremely complex due to the size of the rainforest, the settlement history and conflicting interests. For example, the areas along the federal highways were distributed among smallholders in the 1970s and these farmers were granted land use rights but not property titles to their plots of land. The absence of clear ownership structures facilitates illegal land grabbing and has led to violent conflicts over land. Moreover, legal uncertainty hinders the effective implementation of long-term forest protection measures, such as the establishment of nature reserves or protected areas for indigenous people. In response to these challenges, Brazil has developed an array of legal and practical solutions to the land tenure issues in the Amazon region, of which many of these processes are ongoing. One of the most important programme is Terra Legal (legal or 'good' land). The aim of Terra Legal is to legalise the use of 55 million hectares (an area that is one-and-a-half times the size of Germany) of state-owned land by granting land titles to some 160,000-smallholder families. In 2017, the Brazilian Senate approved Provisional Measure 759/2016 (MP 759), which deals with land regularization for rural, urban and Amazonian lands. Multiple institutions at the federal, state, and municipal levels share responsibilities for governing land property rights.</p> <p>As concerns land rights of Brazil's indigenous peoples, Article 231 of The Constitution states: "It is recognized that the indigenous peoples have the right to their social organization, customs, languages, beliefs and traditions, and their original rights over the lands that they have traditionally occupied, it being the duty of the federal government to demarcate these lands, protect them and ensure that all their properties and assets are respected."¹</p>

¹ https://pib.socioambiental.org/en/Brazilian_Constitution

	<p>The text in force gives a constitutional category or status to the concept of indigenous lands, which is defined as follows in paragraph 2 of Article 231:</p> <p>"Lands traditionally occupied by the Indians are those that they have inhabited permanently, used for their productive activity, their welfare and necessary for their cultural and physical reproduction, according to their uses, customs and traditions."²</p> <p>In addition, the guarantee of social rights of traditional peoples and communities also has been established by Federal Constitution of 1988 and reinforced by Federal Decree n° 6.040/2007, which establishes the National Policy for the Sustainable Development of Traditional Peoples and Communities, and provide for rights of residence on the territory traditionally occupied.</p>
PLRs provide clear legal procedures for the recognition of land (and forest land) tenure rights	<p>PRONAF is the National Program for Strengthening Family Agriculture. The DAP is the Declaration of Aptitude to PRONAF. It identifies family farmers and / or settled family farmers able to carry out rural credit operations with PRONAF.</p> <p>Beneficiaries</p> <p>In addition to the family farmers / settlers of Agrarian Reform, they are also beneficiaries and must be identified by Pronaf Aptitude Declarations to carry out credit operations:</p> <p>I - Artisanal fishermen who engage in artisanal fishing for commercial purposes, exploiting the activity as self-employed, with their own means of production or in partnership with other artisanal fishermen;</p> <p>II - Extractivists who engage in ecologically sustainable extractive exploitation;</p> <p>III - Foresters who cultivate native or exotic forests and promote the sustainable management of those environments;</p> <p>IV - Aquaculturists who dedicate themselves to the cultivation of organisms that have in their water their normal or more frequent way of life and that explore an area of no more than 2 (two) hectares of</p>

² https://pib.socioambiental.org/en/Brazilian_Constitution

	<p>water or occupy up to 500 m³ (five hundred cubic meters) when the operation takes place in tank-net;</p> <p>V - Quilombolas engaged in agricultural and / or non-agricultural productive activities, processing and marketing their products;</p> <p>VI - Indigenous people engaged in productive agricultural and / or non-agricultural activities, processing and marketing their products.</p> <p>The DAP document can be obtained free of charge from entities accredited by the Ministry of Agrarian Development, such as INCRA, trade unions and farmers' associations. It is necessary to have a CPF (Brazilian individual taxpayer registry identification) and a document proving land use (TAU or use concession contract, for example). If married, the farmer must produce the marriage certificate and the personal documents of the spouse. The document is valid for six years from the date of its issuance, except for the beneficiaries of groups "A" and "A / C", which must submit a new document for each operation.</p> <p>Legislation (http://comunidades.mda.gov.br/portal/saf/institucional/aeclaracaoaptidaopronaf)</p> <p>Resolution of the National Monetary Council, which attributes to MDA the responsibility for the DAP issuance process.</p> <p>Manual of Rural Credit, in Chapter 10, which deals with the beneficiaries of Pronaf. Ordinance No. 24 MAY 29, 2009 - Settlers of agrarian reform without the qualified demand served. Ordinance No. 12, dated June 25, 2010, which deals with the operational aspects of the DAP issue. Ordinance No. 21, dated March 27, 2014. Normative Instruction No. 001 of May 14, 2010. Annex: Request form for reframing of IN 001. Manual of DAP Technical Note / INCRA / DD / N° 04/2014</p> <p>Also, according to the Federal Constitution, indigenous peoples hold the original right and exclusive usufruct over lands that they traditionally occupy. The phases of the demarcation procedure of the traditionally occupied lands, described below, are defined by Decree of the Presidency of the</p>
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	<p><u>Republic. The demarcation process, regulated by Decree No. 1775/96, is the administrative means to identify and signal the limits of the territory traditionally occupied by indigenous peoples.</u> ³</p>
<p>PLRs establish fair procedures to govern the expropriation of forest land by the state. No forced evictions, allowing evictions only in exceptional circumstances meeting lawful criteria</p>	<p>The Expropriation Process in Brazil⁴</p> <p>Land expropriation is carried out through an administrative or judicial mechanism, as provided by law, by which the Public Authority (Federal, State, Municipal and Federal District), through the declaration of public utility or of social interest, transfers to itself in a unilateral and compulsory manner the land of a third party, through prior monetary compensation. The expropriation procedure has two stages: the declaratory stage and the executive stage. The latter may be effected judicially or extra judicially.</p> <p>In the declaratory phase, there will be a manifestation of the will of the Public Authority to expropriate a property to satisfy a public necessity or a social interest. The declaration of public utility or social interest is made through a decree enacted by the President of the Republic, the Governor, a Delegate of the President of the Republic appointed to assume provisionally the government of a federal state, or the Mayor.</p> <p>The concessionaires of public services or entities that carry out functions delegated by government can expropriate if they are expressly authorized to do so in the law or the concession contract. After an area is declared of public utility or of social interest, the administrative authorities are authorized to enter the land and buildings included in the declaration, with the ability to request, in the event of opposition, the assistance of the police force.</p> <p>In the executive phase, the Public Authority carries out the necessary measures to expropriate the</p>

³ <http://www.funai.gov.br/index.php/indios-no-brasil/terras-indigenas>

⁴ World Bank Report - Involuntary Resettlement in Brazil: A Review of Policies and Practices; March 26, 2011; see: <http://documents.worldbank.org/curated/en/574591469672171136/Brazil-Involuntary-resettlement-in-Brazil-a-review-of-policies-and-practices>

	<p>property. If the property owner agrees with the value of the expropriation offered by the Public Authority, the procedure will be implemented through extrajudicial means. If there is no consensus, the Public Authority may, within five years commencing from the date of the issuance of the decree that declares an area of public utility or within two years from the date of declaration of social interest, activate the Judicial Authority.</p>
<p>PLRs provide clear land titling and registration procedures. These are accessible (not cost prohibitive)</p>	<p>The National Institute of Colonisation and Agrarian Reform (INCRA) is a federal agency with responsibility over land reform, maintaining the national register of rural properties, and managing public lands. Information on land titling and registration is available on the INCRA website: http://www.incra.gov.br/.</p> <p>In order to register in the PNRA (National Plan for Agrarian Reform) as beneficiary of the agrarian reform, the interested party should look for the nearest INCRA unit, or the Municipal Registration Unit (UMC - existing in some prefectures). The requirements and rules for the assignation of families in the PNRA are governed by Execution Standard No. 45/05, which deals with the technical procedures for the selection of candidates to beneficiaries of said Plan.</p> <p>The Ministry of Agrarian Development (MDA), through the Land Credit Program, provides conditions for landless or landless rural workers to purchase a rural property through financing. INCRA Regional offices can direct interested individuals to the INCRA office closest to their municipality. This information can also be found at: http://saladacidadania.incra.gov.br/</p> <p>It should also be noted that in Brazil the Cadastro Ambiental Rural (CAR) is currently being implemented. This policy aims to geo-reference all properties and promote monitoring of, and compliance with, natural vegetation conservation requirements. With the CAR, it is mandatory for all rural properties to be registered and caps have been set on the proportion of natural vegetation that can be legally cleared on any rural property (as low as 20% in the Amazon). The CAR also lays out guidelines for which areas should be permanently preserved. The implementation of the CAR requires geo-referencing and identification of property boundaries, Legal Reserves (LR), and Areas of Permanent Preservation (APP), as defined by Law No. 12.651/2012.</p>

PLRs ensure that any displacement activities carried out in fully participatory manner.	<p>Consultations and Participation⁵</p> <p>Consultations with the populations affected by a project are an encouraging common practice in Brazil, and public hearings are required by the environmental licensing process (public hearings were included as a requirement under the environmental licensing process in 1986). Consultations and public hearings are often a simple forum for disseminating information related to the project. In some cases, the resettlement plan is presented to the affected population for the first time during the project's public hearing carried out as part of the environmental licensing process, in which all aspects of the project are discussed. It has been noted however that relevant documents are not always available before the hearings or are not presented in a form and language that are easily understandable by the affected populations.</p>
PLRs seek to avoid, and where avoidance is not possible, minimize and mitigate physical or economic displacement from land or resource acquisition or restrictions on land or resource use	<p>Environmental licensing authorities have the mandate to ensure adequate resettlement planning and implementation. CONAMA (National Environmental Council; http://www.mma.gov.br/port/conama/) resolutions do not provide detailed guidance to assess and mitigate socioeconomic impacts, including involuntary resettlement.</p> <p>However, there is general guidelines of CONAMA, especially Resolution N 1/86, that determines that the Environmental Impact Assessment, in addition to complying with the legislation (including all the legal guarantees and rights of traditional land use), especially the principles and objectives expressed in the National Environmental Policy Law, should include all technological alternatives and project location, confronting them with the hypothesis of non-execution of the project. Therefore, it aims to identify the region of installation of the project that has the least social and environmental impact, including avoiding displacement from land or restrictions on land use. There are no clear requirements on resettlement planning or standards on what constitutes acceptable outcomes. Therefore, the analysis of physical and economic displacement and the review of resettlement plans are left to the professional</p>

⁵ P. 41; World Bank Report - Involuntary Resettlement in Brazil: A Review of Policies and Practices; March 26, 2011; see: <http://documents.worldbank.org/curated/en/574591469672171136/Brazil-Involuntary-resettlement-in-Brazil-a-review-of-policies-and-practices>

	<p>judgment and discretion of technical staff.</p> <p>Brazil is a signatory to the main international conventions that limit and condition displacement of populations. We can cite: Convention 169 which defines that indigenous and traditional peoples should not be translated of the land they occupy; Declaration of Indigenous Rights, 2008; Principles of United Nations for housing and restitution of property for refugees and displaced persons; International Covenant on Economic, Social and Cultural Rights (ICESCR); International Covenant on Civil and Political Rights (ICCPR). This legislation and the most relevant provisions of the Conventions are standards and procedures (from the ICMBio, the MMA and the subnational entities) that guide the creation and of conservation units, for example.</p>
PLRs ensure that livelihoods of any displaced persons enhanced or at least restored through compensation at full replacement costs and other assistance.	<p>While Brazil does not have an overarching policy framework specifically dealing with involuntary resettlement, there are a number of legal provisions that address land acquisition and compensation. There are provisions in the Brazilian Federal Constitution on land expropriation, a decree-law on expropriation for public purposes (Decree-law Nº 3,365, 1941), and a federal law that defines the cases of expropriation in the social interest (Federal Law Nº 4,132, of September 10, 1962).</p> <p>Many of the gaps in the legal and policy framework are filled by state, sector, and project specific laws and guidelines on involuntary resettlement. For example, the State of Minas Gerais has developed specific legislation to protect populations of areas flooded by the constructions of dams. Federal Decree 7,342 of October 2010 requires socioeconomic studies (cadastros) of the population affected by hydroelectric projects. In São Paulo, the Guarapiranga project led to legal reforms to deal with the relocation of people living in risky areas.</p> <p>Environmental licensing provides the main regulatory framework for planning and implementing resettlement. The environmental licensing agencies require that the Environmental Impact Assessment (Estudo de Impacto Ambiental, EIA) include measures to address negative social impacts, including those caused by land acquisition. Normally, expropriation issues reflected in the environmental license are restricted to ensuring governmental consent and the issuance of the relevant expropriation decree - Decree-Law No. 3,365/41. Brazil's National Environmental Policy Act of 1981 and the resolutions of the National Environmental Council (Conselho Nacional do Meio Ambiente – CONAMA) on environmental licensing require that an environmental assessment takes into account impacts related to the</p>

	<p>—socioeconomic environment. However, this legislation does not provide any details on the requirements for projects that involve resettlement. The analysis of social impacts, as part of the environmental licensing process, is based on practice developed through the years without the support of clear legal provisions, hence the analysis depends on the reviewer's discretion.</p> <p>The compensation of affected properties is based on "market value" of the expropriated asset, which is determined on the basis of technical standards set by the Brazilian Association of Technical Standards (Associação Brasileira de Normas Técnicas, ABNT), which follow international standards. However, the Brazilian Federal Constitution does not address situations in which the compensation amount is insufficient to restore the standards of living of the affected population. In these cases, two alternatives are sometimes used:</p> <ul style="list-style-type: none"> • The expropriated party can accept a payment in kind (doação em pagamento) according to the provisions of the Law of Obligations, which is part of the Brazilian Civil Code. This occurs whenever a expropriated party accepts a payment from a debtor in a different form from the one originally stipulated in the agreed obligation. For example, in an expropriation case, the affected family or person could accept another dwelling as compensation instead of a cash payment. • The expropriated party can turn to the Public Prosecutor's Office (Ministério Público, MP). The MP has legal standing to file a civil investigation and a civil action in the public interest—for the protection of the public and social assets, of the environment, and of other diffuse and collective interests (article 129, item III). These instruments are often used by the MP to investigate irregularities in the procedures of involuntary resettlement, and sometimes the parties involved (project sponsor, government, MP, and the impacted population) will use the Conduct Adjustment Term (Termo de Acordo de Conduta), which establishes the rights and obligations of each party, including on issues such as the compensation to be paid.
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Safeguard B	
Criteria B.2. Effective National Forest Governance	
Sub-Criteria B.2.2: Equitable Distribution of Benefits	
Diagnostic question 1: to what extent do PLRs recognise and protect the fair distribution of benefits?	
Indicators	Explanation (identify articles/provisions)
PLRs guarantee the right to fair distribution of benefits arising from the use of forest resources (including environmental services)	The National Policy for Territorial and Environmental Management of Indigenous Lands (PNGATI ⁶) aims to guarantee and promote protection, recovery, conservation and sustainable use of the natural resources found in indigenous lands and territories, ensuring the integrity of the indigenous heritage, improvement of their quality of life and full conditions of physical and cultural reproduction of indigenous peoples current and future generations, respecting their sociocultural autonomy.
PLRs regulate benefit sharing arrangements (contracts, covenants, agreements)	The CONAREDD+ established (Committee's Decision N 08) the guidelines for resource use and monitoring of REDD+ results payment agreements, which includes prioritization of initiatives that benefit indigenous peoples, traditional peoples and communities, and family farmers in the application of resources received from results achieved from REDD+. The CONAREDD+ is responsible for overseeing and monitoring the implementation of the REDD+ initiatives and its compliance with the Committee's Decisions, including the benefit sharing arrangements.
Safeguard B	
Criteria B.2. Effective National Forest Governance	
Sub-Criteria B.2.3: Gender equity	
Diagnostic Question: To what extent do PLRs promote and protect gender equity?	

⁶ More information about PNGATI can be found at the link: <http://www.funai.gov.br/pngati/>

Indicators	Explanation (identify articles/provisions)
<p>PLRs promote and enhance gender equity and women's empowerment, especially with regards to benefit sharing, participation, and land tenure</p>	<p>Representativeness of gender is an important consideration for REDD+ planning. This has been reflected in various CONAREDD+ work groups, including CCT-Salv, which is the Thematic Advisory Board on Safeguards. The profile of CCT-Salv participants is 67% female and 33% male as of July 11th, 2016. Gender equality will also be sought out in stakeholder consultations when seeking participation from indigenous peoples, traditional peoples, family farmers and traditional farmers.</p> <p>The definition of indicators for Brazil's REDD+ Safeguards Information System (SISREDD+) is currently underway, with four workshops having already taken place. These workshops are representative of various societal sectors/groups, including gender. Of 158 representatives thus far, 80 have been female and 78 have been male.</p> <p>In regards to Biodiversity, Brazil has also adopted a legal framework highlighting the importance of the gender approach in biodiversity conservation: the National Policy Plan for Women (PNPM) addresses the gender perspective and biodiversity in three of its chapters.</p>
<p>PLRs address gender discrimination</p>	<p>Brazil is signatory to various international conventions focused on gender equality and women's empowerment, including the CEDAW, a convention by the United Nations that aims to eliminate all forms of discrimination against women. In addition, various national laws and legislation governing its work in promoting gender equality and women's empowerment were in place in it was implementing the PPCDAm in 2014 and 2015. These include of Brazil's 1988 Constitution by which women enjoy the same legal rights and duties as men, which is clearly expressed in Article 5. It is this international and national legal framework on gender which has guided how gender considerations were integrated into the PPCDAm.</p> <p>Brazil's Constitutional state objectives, Article 3 states that: The fundamental objectives of the Federation Republic of Brazil are: I. to build a free, just and solidarity society; II. to guarantee national development; III. to eradicate poverty and marginal living conditions and to reduce social and regional inequalities; IV. to promote the well being of all, without prejudice as to origin, race, sex, color, age, and any other forms of discrimination.</p>

	<p>Furthermore, Article 1 of Brazil's Labour Laws states that: It is prohibited the adoption of discriminatory practices and for the purpose of limiting access to the employment relationship, or its maintenance by reason of sex, origin, race, color, marital status, family status or age, except in this case the chances of child protection provided for in paragraph XXXIII art. 7 of the Federal Constitution.</p> <p>The "Feminicide/Femicide" law, signed by President Dilma Rousseff on 9 March 2015, is new legislation under Brazil's Penal Code that imposes harsher penalties for those who harm or kill women or girls on account of their gender.</p> <p>Law 13,112/2015, sanctioned by ex-President Dilma Rousseff in March 2015, legally equates mothers and fathers on the obligation to register the newborn and allows mothers to seek registration of birth of their children at register offices without the presence of the father.</p> <p>Law 13109, also sanctioned in March, 2015, provides for six months maternity leave for women in the military armed forces.</p>
PLRs require public institutions to raise awareness on gender equity (through programmes for gender sensitisation, focal points, etc.)	<p>There are numerous regulations of the federal government, including a MMA ordinances #25/2008 and #287/2012, that address gender discrimination and require public institutions to raise awareness on gender equity (http://www.spm.gov.br/mecanismos-de-genero):</p> <ol style="list-style-type: none"> 1. Ministry of Agrarian Development - MDA: Special Gender, Race and Ethnicity Advisory for the Rural Women and Quilombola Women's Directory (Decree nº 7.255 / 2010), for example; 2. Ministry of Social Development and Fight against Hunger - MDS: Standing Committee for Women and Gender (Ordinance No. 381/2009); 3. Ministry of Labor and Employment - MTE: Commission on equal opportunities for gender, race and ethnicity, persons with disabilities and anti-discrimination (Ordinance No. 219/2008); 4. Ministry of Health - MS: technical area of women's health (PNAISM);

	<p>5. Ministry of the Environment - MMA: Internal Gender Committee (Portaria nº 25/2008 and Portaria nº 287/2012);</p> <p>6. Ministry of Agriculture, Livestock and Supply - MAPA: Policy Committee for Women and Gender (Ordinance No. 806/2013);</p> <p>7. Ministry of Foreign Affairs - MRE: Gender and Race Management Committee (Ordinance No. 491, of September 12, 2014);</p> <p>8. Ministry of Fisheries and Aquaculture - MPA: Gender Committee (Ordinance No. 361, of September 11, 2014); and</p> <p>9. Ministry of Culture - MinC: Internal Committee on Policies for Women and Gender (Ordinance MinC nº 114, of November 11, 2015).</p>
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Safeguard B

Criteria B.2. Effective National Forest Governance Sub-Criteria B.2.4: Adequate Access to Justice

Diagnostic Question: To what extent do the PLRs guarantee adequate access to justice in the context of forest management?

Indicators	Explanation (identify articles/provisions)
PLRs recognise the right to access to justice	The right to access to justice is provided for in the Federal Constitution, in its art. 5, item XXXV. The Federal Constitution lists mechanisms to provide accessibility to the judiciary, such as: public defender; free legal aid; the appointment of legal counsel, in the absence of a public defender or any other body that allows the needy population to join the judiciary. It also provides the creation of Special Civil and Criminal Courts, both at the state level and at the federal level, with jurisdiction for the causes defined in Law 9,099/1995 and Law 10,259/2001, respectively.

<p>PLRs provide dispute resolution mechanisms to address disputes at all levels (describe these)</p>	<p>The <u>rights of indigenous peoples</u>, traditional peoples and communities, and traditional and family farmers shall include collective land tenure. This right to land can be interpreted as a prevailing right, consisting of a number of other rights, such as the right to full possession and legal security in possession of land; the right to effective dispute resolution mechanisms; the right to install basic, public and differentiated services, respecting cultural and local specificities; the right to protection and territorial and environmental management.</p> <p>In support of Cancun safeguard D, Brazil seeks to ensure the full and effective <u>participation of the stakeholders</u>. For this, it is necessary to: Provide mechanisms for grievance, diligence, appeal and resolution of conflicts through, among others, ombudsman systems.</p> <p>The PPCDAm's new governance model has been divided into three spheres: Executive, Consultative and Transparency. This sought to facilitate the exchange of information, adjustments of paths, decision-making by the Ministry of the Environment as a coordinating body and the solution of problems and conflicts that may arise between federal agencies and even between <u>federal and state agencies</u>.</p>
<p>PLRs provide special consideration for vulnerable groups in guaranteeing their right to access to justice</p>	<p>The “Maria da Penha Law” (also known as Brazil’s Federal Law 11340) has the objective of reducing domestic violence against women. The law expedites court orders and domestic violence cases, as well as imposes harsher sentences for perpetrators. In 2015, women were afforded greater protection when the “Lei do Feminicídio,” was adopted, which distinguished regular homicides from homicides specifically targeting women by adding it to the Brazilian Penal Code and imposing higher penalties for perpetrators, ranging anywhere from twelve to thirty years.</p>
<p>Safeguard B</p>	
<p>Criteria B.2. Effective National Forest Governance Sub-Criteria B.2.5: Integration of Social, Economic and Environmental Considerations into policy-making</p>	

Diagnostic Question: To what extent do PLRs require/promote the integration of social, economic and environmental considerations in forest management?	
Indicators	Explanation (identify articles/provisions)
PLRs require that policy-making takes into consideration their potential environmental impacts (including environmental impact assessments prior to their implementation)	<p>Decree # 8,576 was published, as of November 26th, 2015, establishing REDD+ National Commission (CONAREDD+). The Decree assigned the Minister of the Environment the task to establish ENREDD+, which was done through MMA Ordinance # 370, as of December 02nd, 2015.</p> <p>The overall purpose established by ENREDD+ is to contribute to climate change mitigation by eliminating illegal deforestation, promoting conservation and restoration of forest ecosystems and fostering a low-carbon and sustainable forest economy, delivering environmental, social and economic benefits.</p> <p>In order to achieve the overall objective, there specific objectives have been defined. The first of these is:</p> <ul style="list-style-type: none"> • To improve the monitoring and impact assessment of public policies for REDD+, in order to maximize their contribution to global climate change mitigation, observing the social and environmental safeguards agreed under the UNFCCC;
PLRs require EIAs of investment projects (forestry sector, infrastructure)	<p>The ENREDD+ Strategy is structured upon three action lines, the first of which is:</p> <p>1. Coordinating Public Policies on Climate Change, Biodiversity and Forests, including Safeguards – the main activities planned are the development of a matrix to assess the impact and results of public policies on climate change and forests (aiming at supporting decision making in the allocation of REDD+ investments).</p>
PLRs require regular monitoring of social economic and environmental impacts of policy implementation	<p>CONAREDD+ is responsible for coordinating, overseeing and monitoring the implementation of the National REDD+ Strategy, relying on the counseling of the Executive Secretary (MMA) and Thematic Advisory Boards (CCT) to support the work.</p>

<p>PLRs promote non-discrimination, equal opportunity and fair treatment of workers, and prohibit the use of forced labour or child labour, consistent with relevant ILO conventions.</p>	<p>Brazil is a founding member of the ILO and the first Latin American country to host an ILO field office, opened in 1950. Brazil has ratified 96 international labour conventions.</p> <p>ILO Programme Results for Brazil in 2014 and 2015 (https://www.ilo.org/wcmsp5/groups/public/-americas/---ro-lima/---ilo-brasilvia/documents/publication/wcms_496601.pdf)</p> <p>Elimination of discrimination in the work place</p> <ul style="list-style-type: none"> --Promoted equal opportunities and treatment in the work place. --Adopted a law that guarantees the same rights and working conditions for domestic workers as in other work categories. --Fifth edition of the Pro Gender and Racial Equity Program (Federal Government) that encourages public and private businesses to adopt measures promoting equal opportunities and treatment. --National campaign to fight homo-lesbo-transphobia and the stigma of HIV/Aids in the work place, launched in a tripartite manner. --The Businesses and LGBT Rights Forum, made up of over 30 multinational companies, launched the “10 company commitments to promote LGBT human rights” based on the International Labour Standards. <p>Strengthening of public policies and social actions to eliminate forced labor and child labor, with special attention to its worst forms</p> <ul style="list-style-type: none"> --Launch the system of municipal decent work indicators that includes data about child labor, especially in its worst forms. --The government designed and implemented a program with a set time period to fight child labour. --Approval and enactment of the Constitutional Amendment 81/2014 about forced labor that states: “the rural and urban properties in any region of the country ... where the exploitation of slave labor is found, shall, according to the law, be expropriated and allocated to land reform and public housing programs...” --The Brazilian Institute of Technology and Statistics developed a supplementary module for specific subjects of work relations in order to obtain information and proof of forced labour practices. <p>Additional information:</p>
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	<p>Eliminate Forced Labour Through the Programme to Combat Forced Labour, the ILO promotes actions aimed at increasing the knowledge base on forced labour, strengthening the National Committee for Eradicating Forced Labour (CONATRAE), involving workers and employers in confronting and preventing the crime.</p> <p>Eliminate Child Labour Brazil was among the first six countries to receive the ILO's Programme on the Elimination of Child Labour (IPEC) in 1992. Since then, many projects and initiatives have been implemented to support the country in its fight against child labour. The ILO has implemented with the Ministry of Social Development a project that developed inter-sectoral municipal diagnosis, enabling the development of localized and inter-sectoral actions to eradicate and prevent child labour.</p> <p>Constitutional Amendment No. 20 of December 15, 1998: Constitutional Amendment of Article 7 XXXIII to prohibit hazardous work to persons less than 18 years and to establish the minimum age for admission to work at 16 years (except for apprenticeship).</p>
Safeguard B	
Criteria B.2. Effective National Forest Governance	
Sub-Criteria B.2.6: Cross-Sectoral Coordination	
Diagnostic Question: to what extent do PLRs require/promote effective coordination between various agencies that play a role in forest management?	
Indicators	Explanation (identify articles/provisions)
PLRs define concrete mechanisms to support and encourage coordination (inter-ministerial committees, working groups, cross cutting teams, etc.)	<p>The Action Plan for the Prevention and Control of Deforestation in the Legal Amazon (PPCDAm), launched in 2004, aims to reduce deforestation rates continuously and to bring about the conditions for a transition towards a sustainable development model in the region.</p> <p>A major challenge faced by the plan early on was that of internalizing the concern with deforestation in a diverse set of sectoral policies. The perception that the environmental institutions could not fight deforestation in isolation, due its complexity and crosscutting nature, lead to the coordinated</p>

	<p>approach chosen, with the engagement of several bodies and actors within the federal government and beyond.</p> <p>The PPCDAm has been structured to address the causes of deforestation with a crosscutting, coordinated and intensive approach.</p> <p>Combining experience and results from PPCDAm and the Amazon Fund laid the foundation for Brazil to develop the National REDD+ Strategy.</p> <p>CONAREDD+ was created with the purpose of promoting, among others, integration and synergy among public policies on forests, biodiversity and climate change at different administrative levels.</p> <p>CONAREDD+ is responsible for coordinating, overseeing and monitoring the implementation of the National REDD+ Strategy, relying on the counseling of the Executive Secretary (MMA) and Thematic Advisory Boards (CCT) to support the work.</p>
PLRs define effective mechanisms for information sharing across different sectors and levels of government for forest management	In addition to the information sharing role played by PPCDAm and CONAREDD+, SISREDD+ (the Safeguard Information System for REDD+), whose guidelines and responsibilities are currently in the process of development, is expected to have a significant information sharing role, especially as concerns social and environmental safeguards in the context of REDD+ projects.

Safeguard C	
Criteria C.1. Defining Indigenous Peoples and Members of Local Communities	
Diagnostic Question 1: Do PLRs define who are indigenous peoples and local communities?	
Indicators	Explanation (identify articles/provisions)

PLRs clearly define or provide clear criteria for defining who are indigenous people and this definition/these criteria is/are consistent with international law	In Brazil, the most accepted criterion for defining indigenous peoples is that of ethnic self-identification ⁷ . That is, Indigenous Peoples are the members of a group of people who identify themselves as collectively distinct from the national society as a whole due to their historical links to pre-Columbian populations. Every individual who recognize herself/himself as part of a group with those characteristics and is recognized by the group as such may be considered an Indigenous person. An indigenous community is any community founded on kinship or co-residence relations between its members, who maintain historical-cultural ties with pre-Colombian indigenous social organizations. The kinship or co-residence relations constituting the community include relations of affinity, adoptive affiliation, and ritual or religious kinship and are more generally defined in terms of the conception of fundamental interpersonal bonds held by the community in question.
PLRs clearly define who are local communities	The CONAREDD+ established (Committee's Decision N 09) the interpretation of Cancun safeguards in the Brazilian context, which includes the definition of who are local communities (traditional peoples and communities and traditional and family farmers). Those different concepts are provided in specific legislation such as: Decree N 6,040/2007, Law N 11,326/2006 and Law N 13,123/2015.

Safeguard C	
Criteria C.2.: Definition of traditional knowledge of indigenous peoples and local communities	
Diagnostic Question: To what extent do PLRs define what constitutes traditional knowledge of indigenous peoples and local communities?	
Indicators	Explanation (identify articles/provisions)

⁷ https://pib.socioambiental.org/en/Who_are_they%3F

PLRs define traditional knowledge of indigenous peoples	<p>Access and Distribution of Biodiversity Benefits Act, Law # 13,123/2015</p> <p>Establishes rules to access genetic heritage, access the corresponding traditional knowledge, and share benefits. It sets the national definition of associated traditional knowledge, incorporating indigenous peoples, traditional communities and traditional farmers; also, the terms for access with the definition of parameters for prior and informed consent, and the fair and equitable sharing of benefits. Fundamental policy to protect and promote the rights and traditional knowledge of these people that must be supported by the National REDD+ Strategy.</p>
PLRs define traditional knowledge of local communities	<p>Access and Distribution of Biodiversity Benefits Act, Law # 13,123/2015</p> <p>Establishes rules to access genetic heritage, access the corresponding traditional knowledge, and share benefits. It sets the national definition of associated traditional knowledge, incorporating indigenous peoples, traditional communities and traditional farmers; also, the terms for access with the definition of parameters for prior and informed consent, and the fair and equitable sharing of benefits. Fundamental policy to protect and promote the rights and traditional knowledge of these people that must be supported by the National REDD+ Strategy.</p>
PLRs protect/regulate traditional knowledge of local communities and indigenous peoples	<p>National Biodiversity Policy, Decree # 4,339/2002</p> <p>Promotes, in an integrated manner, the conservation of biodiversity and the sustainable use of its components, with the fair and equitable sharing of benefits derived from the use of genetic resources, components of genetic heritage and traditional knowledge associated with these resources.</p> <p>Access and Distribution of Biodiversity Benefits Act, Law # 13,123/2015</p> <p>Establishes rules to access genetic heritage, access the corresponding traditional knowledge, and share benefits. It sets the national definition of associated traditional knowledge, incorporating indigenous peoples, traditional communities and traditional farmers; also, the terms for access with the definition of parameters for prior and informed consent, and the fair and equitable sharing of benefits. Fundamental policy to protect and promote the rights and traditional knowledge of these people that must be supported by the National REDD+ Strategy.</p>

Safeguard C

Criteria C.3. Recognition and Implementation of Rights in Accordance with International Law

Sub-criteria C.3.1.: Non-Discrimination

Diagnostic Question: to what extent do PLRs recognise and protect the right to non-discrimination of indigenous peoples and local communities in accordance with international law?	
Indicators	Explanation (identify articles/provisions)/Gaps identified
PLRs recognise and protect the right of indigenous peoples and local communities to non-discrimination in accordance with ILO 169 and UNDRIP (if applicable)	<p>The knowledge and rights of indigenous peoples, traditional peoples and communities, and traditional and family farmers, are acknowledged by the following international and national instruments: Articles 231 and 48 of ADCT of the Federal Constitution; Legislative Decree # 2/1994; Decrees # 5,051/2004, 6,040/2007, 6,476/2008, 7,747/2012; Laws # 11,326/06, 13,123/15; and the United Nations Declaration on the Rights of Indigenous Peoples.</p> <p>Furthermore, in 2013, the Monitoring System for Policies to Promote Racial Equality, which includes the “Brazil Quilombola Program” (http://monitoramento.seppir.gov.br/), was launched. From 2014, a new stage of the data integration process for this system was initiated to broaden the monitoring and assessment of these policies.</p>

Safeguard C	
Criteria C.3. Recognition and Implementation of Rights in Accordance with International Law	
Sub-criteria C.3.2.: Self-Determination	
Diagnostic Question: To what extent do the PLRs recognise and protect the right to self-determination of indigenous peoples and local communities in accordance with international law?	
Indicators	Explanation (identify articles/provisions)
PLRs recognise and protect indigenous peoples and local communities’ right to self-determination in accordance with ILO 169 and	The right to FPIC was provided for in Convention no. 169 and received national legal protection in Brazil with the ratification of the Convention no. 169 / ILO, on June 20, 2002, and which came into force on July 25, 2003. The American Convention on Human Rights (ACHR), in force in Brazil since

UNDRIP (if applicable)	<p>September 25, 1994, and the Declaration (UNDRIP), signed in 2007, also offer international protections, locating the right to FPIC in the role of fundamental human rights for indigenous and tribal peoples. Because they have provisions on human rights, these conventions have been incorporated into Brazilian law as supra-legal norms, having immediate applicability, as the Federal Supreme Court (STF) has recognized.⁵</p> <p>Furthermore, the National Policy for Territorial and Environmental Management of Indigenous Lands (PNGATI) aims to guarantee and promote protection, recovery, conservation and sustainable use of the natural resources found in indigenous lands and territories, ensuring the integrity of the indigenous heritage, improvement of their quality of life and full conditions of physical and cultural reproduction of indigenous peoples current and future generations, respecting their sociocultural autonomy.</p> <p>Creation, in 2013, of the Management Committee of PNGATI (CG-PNGATI), the governance body of PNGATI, responsible for the coordination, execution and monitoring of the Policy. The CG-PNGATI is composed of eight representatives of agencies and entities from the federal public administration and eight representatives of indigenous organizations from all over the country who have the right to speak and vote. The chair of the Committee is alternated between the federal government and indigenous organizations.</p> <p>PNGATI's Integrated Plan of Implementation (PII⁸) (2016), designed as a priority instrument for mobilizing government agencies, indigenous peoples and their partner organizations and entities.</p> <p>Demarcation of indigenous lands – categories shown in Table below go since the initial stages of the demarcation process (under study) until the full possession of the territory by the indigenous people (homologated):</p>				
	Year / stage of	Under study	Delimited	Declared	Homologated

⁸ The PNGATI's Integrated Plan of Implementation can be accessed at the link:
http://cggamgati.funai.gov.br/files/8514/8839/5235/Plano_Integrado_de_Implementacao_da_PNGATI.pdf

	demarcation				
	2011	47	09	05	03
	2012		26	09	15
	2016		12	12	03
PLRs recognise traditional decision-making structures (including dispute resolution mechanisms, if applicable)	<p>Seeking to strengthen the right to free, prior and informed consent and consultation, indigenous peoples and traditional peoples and communities have developed their own consultation protocols. These protocols are collaboratively designed by the communities and are intended to communicate to governments and other sectors of society the way they wish to be consulted on initiatives that impact or affect their communities and territories.</p> <p>To date, the following protocols have been identified:</p> <ul style="list-style-type: none"> • Wajãpi Consultation and Consent Protocol (2014) • Munduruku Consultation Protocol (2014) • Montanha and Mangabal Consultation Protocol (2014) • Peoples of the Xingu Indigenous Territory Consultation Protocol (2016) • Munduruku and Apiaka Peoples of the Santareno Plateau Consultation Protocol (2017) • Juruna Consultation Protocol (Yudijá) of Paquçamba da Volta Grande do Xingu Indigenous Land (2017) <p>Between May 16th and 21st, 2017, the first meeting of prior consultation to Waj.pi was held, aimed to discuss the occupation and the rules of use in the neighbouring areas of the Waj.pi Indigenous Land (TIW). The National Institute for Colonization and Land Reform (INCRA) conducted the consultation in conjunction with the Amapa State Forest Institute (IEF), following a recommendation of the Public Prosecutor's Office, at the request of the Waj.pi Council of Villages – Apina. In this process, government agencies are following the rules defined by the Waj.pi Consultation and Consent Protocol, prepared by the indigenous group itself in 2014. This is the first time in the country that a consultation is carried out in the manner proposed by the indigenous group consulted, as established by the International Labor Organization (ILO) Convention 169 Concerning Indigenous and Tribal Peoples, ratified and incorporated into the Brazilian legislation in 2004 (Decree #5,051), ensuring the right to free, prior and informed</p>				

	consultation to indigenous peoples and traditional populations affected by governmental projects or measures (IEPE, 2017). For more information, please visit: http://www.institutoiepe.org.br/2017/06/
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Safeguard C	
Criteria C.3. Recognition and Implementation of Rights in Accordance with International Law	
Sub-criteria C.3.3.: Rights Associated with Culture	
Diagnostic Question: To what extent do PLRs recognise and protect rights associated with culture of indigenous peoples and local communities in accordance with international law?	
Indicators	Explanation (identify articles/provisions)
PLRs protect indigenous peoples and local communities' rights associated with culture, including respect for customs and traditions	<p>The National Policy for Territorial and Environmental Management of Indigenous Lands (PNGATI) aims to guarantee and promote protection, recovery, conservation and sustainable use of the natural resources found in indigenous lands and territories, ensuring the integrity of the indigenous heritage, improvement of their quality of life and full conditions of physical and cultural reproduction of indigenous peoples current and future generations, respecting their sociocultural autonomy.</p> <p>For additional information, see responses to the preceding two sections (above), which cover the responsibilities/actions of PNGATI and the indigenous consultation protocols coordinated by INCRA.</p>

Safeguard C	
Criteria C.3. Recognition and Implementation of Rights in Accordance with International Law	
Sub-criteria C.3.4.: Collective Land Tenure	

Diagnostic Question: To what extent do PLRs recognise and protect rights associated with land tenure of indigenous peoples and local communities in accordance with international law?									
Indicators	Explanation (identify articles/provisions)								
PLRs recognise collective forest ownership/use/management rights of indigenous peoples and/or local communities	<p>The National Policy for Territorial and Environmental Management of Indigenous Lands (PNGATI⁹) aims to guarantee and promote protection, recovery, conservation and sustainable use of the natural resources found in indigenous lands and territories, ensuring the integrity of the indigenous heritage, improvement of their quality of life and full conditions of physical and cultural reproduction of indigenous peoples current and future generations, respecting their sociocultural autonomy.</p> <p>Creation, in 2013, of the Management Committee of PNGATI (CG-PNGATI), the governance body of PNGATI, responsible for the coordination, execution and monitoring of the Policy. The CG-PNGATI is composed of eight representatives of agencies and entities from the federal public administration and eight representatives of indigenous organizations from all over the country who have the right to speak and vote. The chair of the Committee is alternated between the federal government and indigenous organizations.</p> <p>PNGATI's Integrated Plan of Implementation (PII¹⁰) (2016), designed as a priority instrument for mobilizing government agencies, indigenous peoples and their partner organizations and entities.</p> <p>Demarcation of indigenous lands – categories shown in Table below go since the initial stages of the demarcation process (under study) until the full possession of the territory by the indigenous people (homologated):</p> <table border="1"> <tr> <td>Year / stage of</td><td>Under study</td><td>Delimited</td><td>Declared</td><td>Homologated</td></tr> </table>				Year / stage of	Under study	Delimited	Declared	Homologated
Year / stage of	Under study	Delimited	Declared	Homologated					

⁹ More information about PNGATI can be found at the link: <http://www.funai.gov.br/pngati/>

¹⁰ The PNGATI's Integrated Plan of Implementation can be accessed at the link: http://cggamgati.funai.gov.br/files/8514/8839/5235/Plano_Integrado_de_Implementacao_da_PNGATI.pdf

	demarcation				
	2011	47	09	05	03
	2012		26	09	15
	2016		12	12	03
PLRs establish transparent and fair procedures to address circumstances where rights need to be extinguished or diminished	<p>Land conflicts have increased significantly in recent years. The Amazon Region accounts for 57% of conflicts in 2016, and 54% of families involved in land conflicts (CPT, 2016).</p> <p>Conflicts in areas supported by the Amazon Fund: A conflict was identified in an indigenous land inhabited by more than one people. The Amazon Fund team gathered information (from local media, specialized media, people in charge of the project action execution and FUNAI) and attended a meeting with representatives of the peoples inhabiting the indigenous land (except for an isolated people). The meeting was conducted by the institution responsible for the project, with the goal to understand the nature of the conflict and the positioning of the stakeholders. They came to the conclusion that the actions supported by the Fund were neither responsible for nor contributed to the conflict. It is worth pointing out the situation has been mitigated, but it is still of an unstable balance, in addition to suffering external pressures arising from issues prior to the project.</p>				

Safeguard C	
Criteria C.3. Recognition and Implementation of Rights in Accordance with International Law	
Sub-criteria C.3.5: Benefit-Sharing	
Diagnostic Question: To what extent do PLRs recognise and protect benefit-sharing arrangements specific to indigenous peoples and local communities in accordance with international law?	
Indicators	Explanation (identify articles/provisions)
PLRs define mechanisms for equitable sharing of the benefits (specific to indigenous peoples/local communities) arising out of the	<p>ENREDD+ strategy is structured upon three action lines, the third of which is:</p> <p>Fundraising for REDD+ Results-Based Payments and Benefit Sharing - among CONAREDD+ tasks, it</p>

utilisation of forest resources and the utilisation of traditional forest-related knowledge	<p>is worth highlighting the creation of criteria and rules for eligibility to access REDD+ results-based payments achieved by the country and acknowledged by UNFCCC; determining guidelines to fundraise and use resources, as well the rules to monitor agreements.</p> <p>The implementation of ENREDD+ consolidated the multilevel approach of benefit sharing, by decentralizing the fund-raising potential for REDD+ results. The objective of the decentralization is to develop a national system of REDD+ that can act in an integrated manner at both federal and state levels, channeling resources and encouraging the development of a green, forest-based economy, besides providing a broad distribution of REDD+ benefits, coming from different channels.</p> <p>The Alto Jurua Project was proposed by the Amonia River Aswaninka Association (APIWTXA) with the purpose of promoting agroforestry management and production in traditional and indigenous communities, in order to have a sustainable economic alternative to deforestation, support monitoring and territory control initiatives and strengthen the organization of the local community. The agreement value is BRL 6.5 million (USD 2.2 million), out of which 93% were disbursed, which is an indicator of good execution by the proponent.</p> <p>This was the first project with a direct agreement with an indigenous peoples association. Until May 2017, the main results of the project included: 1,300 beneficiaries, among the indigenous inhabitants of the Amonia River Kampa TI and the Breu River Kaxinawa-Ashaninka TI, and non-indigenous people from Alto Jurua Extractive Reserve.</p>
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Safeguard D
Criteria D.1.: Definition and Regulation Meaningful Full and Effective Participation
Diagnostic Question: To what extent do PLRs guarantee effective public participation in forest related policymaking?

Indicators	Explanation (identify articles/provisions)
PLRs recognise the right to public participation in decision-making (policy process and/or development projects)	<p>Civil society representatives have been elected by the Brazilian Forum of Climate Change (FBMC; https://www.fbmc.com.br/), which appointed representatives from indigenous peoples and traditional peoples and communities to be part of CONAREDD+, according to this safeguard.</p> <p>Thematic Advisory Boards (CCT) as forums to expand discussions and social participation at ENREDD+, determine specific criteria and representativeness (regional distribution, gender and different forms of knowledge) for participation.</p>

Safeguard D	
Criteria D.2.: Creating an Enabling Environment for an Effective Participation	
Sub-criteria D.2.1.: Identification of Relevant Stakeholders	
Diagnostic Question: To what extent do PLRs identify or require the identification of relevant stakeholders in the decision-making process?	
Indicators	Explanation (identify articles/provisions)
PLRs require a mapping of relevant stakeholders prior to consultations	<p>Civil society representatives have been elected by the Brazilian Forum of Climate Change, which appointed representatives from indigenous peoples and traditional peoples and communities to be part of CONAREDD+, according to this safeguard.</p> <p>Thematic Advisory Boards (CCT) as forums to expand discussions and social participation at ENREDD+, determine specific criteria and representativeness (regional distribution, gender and different forms of knowledge) for participation.</p>
PLRs define relevant stakeholders that should participate in the decision-making process	<p>CONAREDD+ is formed by different sector ministries, which promote integration with the policies they coordinate and actors with whom they dialogue, state and local governments, and the civil society, including representatives from indigenous peoples and traditional peoples and communities.</p> <p>Civil society representatives have been elected by the Brazilian Forum of Climate Change, which appointed representatives from indigenous peoples and traditional peoples and communities to</p>

	<p>be part of CONAREDD+, according to this safeguard.</p> <p>Thematic Advisory Boards (CCT) as forums to expand discussions and social participation at ENREDD+, determine specific criteria and representativeness (regional distribution, gender and different forms of knowledge) for participation.</p>
PLRs require engagement/representation of local communities and/or indigenous peoples in relevant forest decision making processes	<p>MMA and National Indigenous People Foundation (FUNAI) have been working in capacity-building of representatives of indigenous peoples, traditional peoples and communities, and traditional and family farmers to implement ENREDD+, also counting on the aid of international cooperation projects.</p> <p>Elaboration of PNGATI: participatory process of elaboration, involving about 1,250 indigenous, representatives of 186 peoples (OLIVEIRA, 2012).</p> <p>"Training PNGATI": classes designed to improve intercultural, interinstitutional and intersector debates to address the current challenges of indigenous land environmental management.</p> <p>2013 and 2016: six training courses distributed in different regions of the country, 224 participants (64% indigenous and 36% public administrators).</p>

Safeguard D	
Criteria D.2.: Creating an Enabling Environment for an Effective Participation	
Sub-criteria D.2.2. Providing Access to Information	
Diagnostic Question: to what extent do PLRs require and regulate the provision of relevant and appropriate information as part of the consultation process?	
Indicators	Explanation (identify articles/provisions)
PLRs clearly define the types of information that	The Fund's guidelines establish that: (1) projects shall include consent from all partners and co-

<p>should be provided during consultations</p>	<p>executors; and (2) projects involving traditional communities and indigenous peoples must necessarily present a document proving the prior consent of these communities or their representative entities.</p> <p>Project analyses include the assessment of the need to insert contractual obligations (special obligations and/or preconditions for the disbursement) that ensure the socio-environmental adequacy of the project. The environmental agency might advise about certain actions of the project, land tenure issues, the existence of protected areas, indigenous lands or presence of traditional communities, as well as their consent to those actions¹¹. The following BNDES guidelines relate to this safeguard:</p> <p>--Projects involving traditional communities: identification of the traditional community involved and prior consent from the community or its representative entity. Experience shows that there are local forms of consensus, such as assemblies, which are usually confirmed by minutes and can also be substantiated by other means, such as audiovisual media.</p> <p>--Projects involving indigenous peoples: submission of a document attesting the consent of FUNAI to the actions to be implemented, identifying the indigenous communities covered, and submission of a document containing prior consent of each community, or its representative body.</p> <p>--Projects that involve actions in settlements: submission of a legal document of settlement constitution and submission of the consent from the applicable land agency to the actions to be implemented in the corresponding settlements.</p> <p>--Projects involving actions in conservation units: submission of the document from public authorities that created the conservation unit, and submission of a document proving the consent from the applicable managing body to the corresponding conservation unit.</p> <p>Project analyses include field visits, in which, among other issues, the interaction between the proponent and the final beneficiaries (indigenous communities, traditional peoples, rural settlers,</p>
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¹¹ It is worth emphasizing that in the Guidelines and Criteria to Apply Resources of the Amazon Fund (2015/2016), one of the Minimum Requirements for Projects (B.3) is social participation, according to which "projects involving traditional communities and indigenous peoples must present a document proving prior consent of these communities or their representative institutions..."

	small farmers, among others) is verified, as well as the representativeness of the proponent.
PLRs require the distribution of information in a timely manner (prior to consultations)	<p>As outlined in Brazil's Second SOI, in order to ensure the full and effective participation of the stakeholders, it is necessary to:</p> <p>a) Broadly communicate relevant information, in a timely and culturally appropriate manner, at all stages of REDD+ actions;</p>

Safeguard D	
Criteria D.2.: Creating an Enabling Environment for an Effective Participation	
Sub-criteria D.2.3: Appropriate Participatory Mechanisms	
Diagnostic Question: to what extent do PLRs define a clear and meaningful process/mechanism for public participation in environmental decision-making?	
Indicators	Explanation (identify articles/provisions)
PLRs define a clear process for public authorities to carry out consultations (institutional responsibilities, procedural guidelines, time-frames)	<p>Since 2014, indigenous peoples and traditional peoples and communities in Brazil have been developing their own consultation protocols.</p> <p>However, the following BNDES guidelines also relate to this safeguard:</p> <p>--Projects involving traditional communities: identification of the traditional community involved and prior consent from the community or its representative entity. Experience shows that there are local forms of consensus, such as assemblies, which are usually confirmed by minutes and can also be substantiated by other means, such as audiovisual media.</p> <p>--Projects involving indigenous peoples: submission of a document attesting the consent of FUNAI to the actions to be implemented, identifying the indigenous communities covered, and</p>

	<p>submission of a document containing prior consent of each community, or its representative body.</p> <p>--Projects that involve actions in settlements: submission of a legal document of settlement constitution and submission of the consent from the applicable land agency to the actions to be implemented in the corresponding settlements.</p> <p>--Projects involving actions in conservation units: submission of the document from public authorities that created the conservation unit, and submission of a document proving the consent from the applicable managing body to the corresponding conservation unit.</p> <p>Project analyses include field visits, in which, among other issues, the interaction between the proponent and the final beneficiaries (indigenous communities, traditional peoples, rural settlers, small farmers, among others) is verified, as well as the representativeness of the proponent.</p>
PLRs define the process for addressing inputs received from the consultations	<p>In the context of environmental impact assessment, according to CONAMA Decision No. 009/1987, the public consultations must be finalized with a document containing all the main inputs and written and signed documents that are delivered as attachments. That document of the public consultation and its annexes shall be considered in the technical advice on project approval.</p>
PLRs regulate how public authorities should react if consultations are overwhelmingly negative (right to refuse a policy/project)	<p>Conflicts in areas supported by the Amazon Fund: A conflict was identified in an indigenous land inhabited by more than one people. The Amazon Fund team gathered information (from local media, specialized media, people in charge of the project action execution and FUNAI) and attended a meeting with representatives of the peoples inhabiting the indigenous land (except for an isolated people). The meeting was conducted by the institution responsible for the project, with the goal to understand the nature of the conflict and the positioning of the stakeholders. They came to the conclusion that the actions supported by the Fund were neither responsible for nor contributed to the conflict.</p>
PLRs require disclosure of how public input was reflected into the final decision	

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Safeguard D	
Criteria D.2.: Creating an Enabling Environment for an Effective Participation	
Sub-criteria D.2.4. Access to Justice/Conflict Resolution Mechanisms in Environmental Decision Making	
Diagnostic Question: to what extent do PLRs require and regulate access to justice in environmental decision making processes?	
Indicators	Explanation (identify articles/provisions)
PLRs clearly define/create dispute resolution mechanisms relevant to environmental decision making	

Safeguard D	
Criteria D.3. Effective Participation of Indigenous Peoples and Local Communities	
Sub-criteria D.3.1. Creating an Enabling Environment	
Diagnostic Question: to what extent do PLRs create an enabling environment for the meaningful participation of indigenous peoples and local communities?	
Indicators	Explanation (identify articles/provisions)
PLRs include specific provisions that require engagement/representation of local communities and/or indigenous peoples in	The Fund's guidelines establish that: (1) projects shall include consent from all partners and co-executors; and (2) projects involving traditional communities and indigenous peoples must necessarily present a document proving the prior consent of these communities or their

relevant forest decision making processes	<p>representative entities.</p> <p>Project analyses include the assessment of the need to insert contractual obligations (special obligations and/or preconditions for the disbursement) that ensure the socio-environmental adequacy of the project. The environmental agency might advise about certain actions of the project, land tenure issues, the existence of protected areas, indigenous lands or presence of traditional communities, as well as their consent to those actions¹². The following BNDES guidelines relate to this safeguard:</p> <p>--Projects involving traditional communities: identification of the traditional community involved and prior consent from the community or its representative entity. Experience shows that there are local forms of consensus, such as assemblies, which are usually confirmed by minutes and can also be substantiated by other means, such as audiovisual media.</p> <p>--Projects involving indigenous peoples: submission of a document attesting the consent of FUNAI to the actions to be implemented, identifying the indigenous communities covered, and submission of a document containing prior consent of each community, or its representative body.</p> <p>--Projects that involve actions in settlements: submission of a legal document of settlement constitution and submission of the consent from the applicable land agency to the actions to be implemented in the corresponding settlements.</p> <p>--Projects involving actions in conservation units: submission of the document from public authorities that created the conservation unit, and submission of a document proving the consent from the applicable managing body to the corresponding conservation unit.</p> <p>Project analyses include field visits, in which, among other issues, the interaction between the proponent and the final beneficiaries (indigenous communities, traditional peoples, rural settlers, small farmers, among others) is verified, as well as the representativeness of the</p>
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¹² It is worth emphasizing that in the Guidelines and Criteria to Apply Resources of the Amazon Fund (2015/2016), one of the Minimum Requirements for Projects (B.3) is social participation, according to which "projects involving traditional communities and indigenous peoples must present a document proving prior consent of these communities or their representative institutions..."

	proponent.
PLRs define a culturally appropriate manner to distribute relevant information (non-technical, accessible)	Since 2014, indigenous peoples and traditional peoples and communities in Brazil have been developing their own consultation protocols.
PLRs require the incorporation of traditional/community structures for decision-making processes	Since 2014, indigenous peoples and traditional peoples and communities in Brazil have been developing their own consultation protocols.
PLRs provide technical or financial assistance to strengthen the capacities of local communities and indigenous peoples to participate in environmental decision making	<p>MMA and National Indigenous People Foundation (FUNAI) have been working in capacity-building of representatives of indigenous peoples, traditional peoples and communities, and traditional and family farmers to implement ENREDD+, also counting on the aid of international cooperation projects.</p> <p>Elaboration of PNGATI: participatory process of elaboration, involving about 1,250 indigenous, representatives of 186 peoples (OLIVEIRA, 2012).</p> <p>"Training PNGATI": classes designed to improve intercultural, interinstitutional and intersector debates to address the current challenges of indigenous land environmental management.</p> <p>2013 and 2016: six training courses distributed in different regions of the country, 224 participants (64% indigenous and 36% public administrators).</p>

Safeguard D
Criteria D.3. Effective Participation of Indigenous Peoples and Local Communities Sub-criteria D.3.2.: Free, Prior and Informed Consent

Diagnostic Question: to what extent do PLRs recognise and regulate the right to FPIC in consistency with relevant international law?	
Indicators	Explanation (identify articles/provisions)
PLRs recognise the right to FPIC in consistency with international law (if applicable)	Regarding free, prior and informed consent and consultation, Brazil has provisions that support these instruments: the Federal Constitution, Art. 231; Decree 5,051/2004 promulgating ILO Convention 169, Decree # 6,040/2007, Act 13,133/15 and Decree # 8,772/16, the last two specific for access to traditional knowledge associated with biodiversity. The Amazon Fund's guidelines establish that: (1) projects shall include consent from all partners and co-executors; and (2) projects involving traditional communities and indigenous peoples must necessarily present a document proving the prior consent of these communities or their representative entities.
PLRs prohibit relocation of indigenous peoples without FPIC and only after just and fair compensation, with option of return where possible.	.

Safeguard E	
Criteria E.1.: No Conversion of Natural Forests	
Sub-criteria E.1.1. Defining Natural Forest, Biological Diversity and Ecosystem Services	
Diagnostic Question: to what extent do PLRs define the term natural forests, biological diversity and ecosystem services?	
Indicators	Explanation (identify articles/provisions)
PLRs provide a clear definition for the term natural forests (or primary, untouched forests)	In reference to safeguard E, Brazil's Second Sol states that "This safeguard is based on the concept that values the standing forest, its multiple functions and benefits, and the livelihoods associated with it. The term "natural forest", in the context of this safeguard, is considered to encompass natural ecosystems, their structures, functions and dynamics that contribute to

	environmental and social benefits.”			
PLRs clearly distinguish between plantations and natural forests		Total country area	851 million ha	
		Total forest area (2015)	493 million ha	
		Natural forest area (2015)	485 million ha	
		Planted forest area (2015)	7.7 million ha	
		Public forest areas registered (2012)	308 million ha	
	Source: Brazil’s Second SOI			
PLRs provide a clear definition for the term biological diversity in accordance with relevant international law (especially CBD)	Brazil approved by Legislative Decree No. 2/1994 the text of the Convention on Biological Diversity, signed at the United Nations Conference on Environment and Development held in Rio de Janeiro, witch provide the definition for the term biological diversity.			
PLRs provide clearly define the term ecosystem services in accordance with relevant international law	The Law 12,651/2012 defines the activities of conservation and improvement of ecosystems that generate environmental or ecosystem services.			

Safeguard E	
Criteria E.1.: No Conversion of Natural Forests	
Sub-criteria E.1.2. Prohibiting the Conversion of Natural Forests	
Diagnostic Question: do PLRs prohibit the conversion of natural forests?	
Indicators	Explanation (identify articles/provisions)

<p>PLRs clearly prohibit the conversion of natural forests to other land-uses, or other types of forests (such as plantations)</p>	
<p>If conversion is not prohibited, PLRs set controls on conversion in both public and private forests, through environmental impact assessments and mitigation</p>	<p>In addition to the recommendations made by CBD Decision XI/19, the coherence of REDD+ and biodiversity actions will be ensured through the integration of actions of the National Biodiversity Policy, the National Biodiversity Strategy and Action Plan (NBSAP) and the guidelines from the National Commission for Biodiversity, with information provided by the Brazilian Biodiversity Information System – SiBBi, and with programs and policies whose objectives are to identify, monitor and conserve endemic, rare or endangered or of high biodiversity value species or ecosystems. Policies and programs that guarantee livelihoods associated with natural ecosystems are also included.</p> <p>The Amazon Fund supports, among others: (1) creating and consolidating the management of protected areas; (2) recovering deforestation areas; and (3) conserving and sustainably using biodiversity.</p> <p>Support to ARPA (Amazon Protected Areas Program), as well as support to actions in conservation units that encourage the balance between forest conservation and sustainable use of part of the natural resources.</p> <p>COFA established that part of the projects supported by the Amazon Fund shall benefit small properties or rural family lands (up to 4 fiscal modules), supporting sustainable production and environmental regularization, including activities to restore the forest and recover degraded areas through agroforestry systems (AFS), in which agricultural crop consortia are combined with arboreal species.</p> <p>Results of the Amazon Fund (BNDES, 2017):</p> <ul style="list-style-type: none"> – 105,000 people benefitted with sustainable productive activities. – 27,000 indigenous directly benefitted. – 63% of the Amazon Indigenous lands supported. – 106 conservation units supported. – 397,000 km² of protected areas with enhanced management (TI and UC).

	– 9,5 million ha of forest with sustainable management.
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Safeguard E		
Criteria E.2. Protection and Conservation of Natural Forests and Biodiversity		
Sub-criteria E.2.1. Identifying Natural Forests and Biodiversity		
Diagnostic Question: do PLRs promote or require the identification/mapping of natural forests and biological diversity?		
Indicators	Mark accordingly	Explanation (identify articles/provisions)/Gaps identified
PLRs require mapping of natural forests (i.e. development and updating of natural forests inventories this could be part of a broader NFI)		<p>International project to monitor the forest cover in the Amazon Basin</p> <ul style="list-style-type: none"> – Executed by the Amazon Cooperation Treaty Organization (ACTO) – BRL 24 million (US\$ 11.8 million), which enabled, among other activities, the installation of seven rooms to monitor deforestation and forest degradation in ACTO member countries and the preparation and validation by these countries of a regional map of deforestation in the Amazon, presented during COP-20 in Lima, Peru. <p>DETER-B development (launched in 2016): system based on satellite data with a resolution of 60 meters, DETER-B is able to discriminate polygons greater than 6.25 hectares (ha), mapping the occurrence of clear cutting, clear cut with vegetation, areas of mining. Additionally, it reveals the process of degradation in different intensities, burnt scars and selective logging.</p> <ul style="list-style-type: none"> – Stage 1 (2009-2012): methodological tests and technical-scientific discussions. – Stage 2 (2013): development of the initial interpretation key,

		<p>validation of data in the field, scientific paper publication bringing out the methodology and validation statistics for the DETER-B (https://doi.org/10.1109/JSTARS.2015.2437075);</p> <ul style="list-style-type: none"> – Stage 3 (2014-2015): Methodological consolidation, agreement with India for RS-2 data reception, daily deforestation alert data generation and data routing for surveillance. <p>At present, DETER-C is being developed, using a more precise resolution of satellite data (30 meters).</p> <p>Brazilian Biomes Environmental Monitoring Program (PMABB) <i>MMA Ordinance # 365/2015</i> Map and monitor deforestation, including its rate; assess vegetation cover and land use; monitor fires; and restore vegetation and selective extractivism.</p> <p>Brazilian Amazon Forest Degradation Project (DEGRAD) Map areas of degraded forest and with a tendency to be converted into clear cut logging.</p>
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PLRs require mapping of biological diversity (including ecosystem services)	<p>Land use and land cover mapping of Amazon Deforested Areas - TerraClass</p> <p>Map the use and coverage of deforested lands in the Brazilian Legal Amazon to understand the dynamics of use and coverage in the Brazilian Legal Amazon.</p> <p>According to TerraClass Cerrado 2013 data, which identifies the use of deforested areas until 2013, the largest class of anthropogenic use in the Cerrado is planted pasture (29.5%), followed by annual agriculture (8.5%) and perennial agriculture (3.2%), totaling approximately 41% of the biome total area.</p> <p>It is also worth noting that 54.5% of the Cerrado total area is classified as remaining natural vegetation, out of which 34% of the Cerrado total area is classified as natural non-forest vegetation and 20.5% as natural forest vegetation.</p>
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Safeguard E	
Criteria E.2. Protection and Conservation of Natural Forests and Biodiversity	
Sub-criteria E.2.2: Measures to Protect Biodiversity and Natural Forests	
Diagnostic Question: Do PLRs regulate the protection of biodiversity and natural forests?	
Indicators	Explanation (identify articles/provisions)
PLRs contain provisions for the protection of natural forest areas	<p>Policies to foster conservation and sustainable use:</p> <p>Green Grant (Bolsa Verde):</p> <ul style="list-style-type: none"> – Since its creation, around BRL 333 million have been invested, benefiting 76,795 families over the country. The report referring the period of October-December 2017, indicate 38,987 beneficiary families in the Legal Amazon.

	<ul style="list-style-type: none"> – The Program supported the conservation of more than 33 million hectares in Sustainable Use Conservation Units and Rural Settlements Projects, and 93% of this area are in the Legal Amazon. – Access to program information, management and monitoring reports, and consultation to beneficiaries are available on the MMA website MMA (http://www.mma.gov.br/desenvolvimento-rural/bolsa-verde).
PLRs contains provisions for the protection of biodiversity (BD strategy, creation of protected areas etc.)	<p>Implementation of Conservation Units (CUs):</p> <ul style="list-style-type: none"> • Amazon Protected Areas Program (ARPA): supports the implementation of 114 UC. • The Federal Court of Audit (TCU) and the nine Legal Amazon States Courts of Audit conducted an audit to assess the implementation of federal and state conservation units (UC) in the biome. They recommended enhancing the management and implementing the UC created, so those areas, in addition to protect biodiversity, are sources of social and economic development. <p>Creation of protected areas in the Amazon between 2011 and 2015:</p> <ul style="list-style-type: none"> • Integral Protection Conservation Units: 1 Conservation Units (668,160 ha) • Sustainable Use Conservation Units: 3 Conservation Units (58,531 ha) • Private Reserve of Natural Heritage (RPPN): 3 Reserves at federal administrative sphere (4,302 ha) • Indigenous Lands: 18 homologated TI
PLRs contain provisions for the protection of endangered species	<p>In addition to the recommendations made by CBD Decision XI/19, the coherence of REDD+ and biodiversity actions will be ensured through the integration of actions of the National Biodiversity Policy, the National Biodiversity Strategy and Action Plan (NBSAP) and the guidelines from the National Commission for Biodiversity, with information provided by the Brazilian Biodiversity Information System – SiBBr, and with programs and policies whose objectives are to identify, monitor and conserve endemic, rare or endangered or of high biodiversity value species or ecosystems. Policies and programs that guarantee livelihoods</p>

	associated with natural ecosystems are also included.
PLRs regulate/control the market and trade of endangered species	In addition to the recommendations made by CBD Decision XI/19, the coherence of REDD+ and biodiversity actions will be ensured through the integration of actions of the National Biodiversity Policy , the National Biodiversity Strategy and Action Plan (NBSAP) and the guidelines from the National Commission for Biodiversity, with information provided by the Brazilian Biodiversity Information System – SiBBr , and with programs and policies whose objectives are to identify, monitor and conserve endemic, rare or endangered or of high biodiversity value species or ecosystems . Policies and programs that guarantee livelihoods associated with natural ecosystems are also included.
PLRs contain clear regulations regarding the planting of invasive species	<p>Legislation Relating to IAS (Invasive Alien Species)</p> <ul style="list-style-type: none"> • PORTARIA IAP nº095, DE 22 DE MAIO DE 2007: First state law recognizing invasive species (a list of which is published in the Annexes) as well as recognizing the criminality of their introduction and the necessity to prevent their introduction or, if necessary, eliminate them. • Decree No. 5,758: Instituting the National Strategic Plan of Protecting Areas, PNAP 13 April, 2006: declares strategy to “identify productive activities that use invading exotic species and prescribe them as part of the writs of prevention to the invasion in natural environment of units of conservation” as well as the intention to conduct education campaigns on the negative consequences of IAS. • Normative instruction No. 3 May 5, 2007: outlines the conditions under which a species may be considered exotic and be eradicated, as well as reiterating the illegality of introducing IAS in the natural environment. • Decree No. 4339 “Establishing principles and guidelines for implementing National Biodiversity” 22 August, 2002: sets out to map the present locations as well as origins of invasive species; promote research aimed at tackling IAS; support efforts by the official organs for sanitary/phytosanitary control, pest control, and health in tackling IAS through prevention, control, and/or eradication of IAS. • Order No. 108 (October 1994) regulating exotic wildlife breeding centres with scientific purposes.

	<ul style="list-style-type: none"> • Order No. 122-P (March, 1985) regulating collect, transport and placing on the market of ornamental and medicinal plants. • Order No. 28-N (July 1991) regulating forest exotic plants export. • Order No. 83-N (September 1991) regulating <i>Lentiscus</i> exploitation. • Order No. 29 (March 1994) regulating import-export of Brazilian and exotic wildlife. • Decree No. 77878 (11 October 2007): This Decree, composed of five articles, institutes the national Forest of Negreiros, in Serrita Municipality, Pernambuco State. The conservation of such Forest, which is comprised within an area of 3.000,04 ha, aims at promoting a multiple sustainable use of forest resources and at protecting local species also with the view of protecting water resources and biodiversity. The decree defines the geographical coordinates of the protected forest and stipulates that it shall be administered by the Institute for Biodiversity Conservation "Chico Mendes". • Decree No. 4.771 (15 September 1965): section V pertains to activities for the protection of the integrity of native vegetation, such as: prevention, fire combat and control, erosion control, eradication of invaders and protection of native species, under Incluído pela Medida Provisória nº 2.166-67, de 2001 • Law No. 11.516 on the institution of the Institute for Biodiversity Conservation "Chico Mendes": This Law, composed of 16 articles, creates the Institute for Biodiversity Conservation "Chico Mendes". The Institute aims at implementing national policies in the field of nature conservation and sustainable development with specific regards to management, protection, control and monitoring activities carried out at federal level. The Law defines its mission, main objectives, as well as the internal structure.
PLRs define clear penalties for non-compliance with the above measures	<p>--PORTARIA IAP nº095, DE 22 DE MAIO DE 2007: First state law recognizing invasive species (a list of which is published in the Annexes) as well as recognizing the criminality of their introduction and the necessity to prevent their introduction or, if necessary, eliminate them.</p> <p>--Normative instruction No. 3 May 5, 2007: outlines the conditions under which a species may be considered exotic and be eradicated, as well as reiterating the illegality of introducing IAS in the natural environment.</p>
PLRs promote sound environmental	Established by State Law # 2,308/2010, the State System of Incentives for Environmental

management and sustainable use of public/private forests (preparation of management plans, guidelines, process)	Services of Acre (SISA/AC) gathers a set of strategies and instruments that benefit those who produce with sustainability and conserve the environment. With that purpose, SISA/AC comprises seven different programs of incentives to environmental services, which, together, collaborate to reduce deforestation rates and forest fires in Acre, forest conservation and sustainable management – paving the way for environmental and social advantages that benefit the state population, especially those who live in the forest. They are: Carbon (the first to be executed), Conservation of Natural Scenic Beauty; Conservation of Sociobiodiversity; Conservation of Water and Water Services; Climate Regulation; Traditional Ecosystem Knowledge and Cultural Valuation; Soil Conservation and Enhancement.
PLRs regulate industry-specific sustainable resource production/management practices applied, including credible certification systems where appropriate PLRs regulate sustainable practices supported for small-scale producers	SISA governance arrangement encompasses the State Commission to Validate and Monitor SISA (CEVA), created in 2011, to ensure social participation in environmental services incentive policy. CEVA is formed by representatives of eight institutions, out of which four are from public agencies and four from the organized civil society. It is responsible for monitoring SISA and the ISA Carbon Program (Programa ISA Carbono), assessing propositions of norms presented by IMC (Institute of Climate Change and Environmental Service Regulation, http://imc.ac.gov.br), and ensuring transparency and social control of SISA components. SISA governance also includes the Indigenous Interinstitutional Working Group (GTI), whose purpose is to be a channel for discussions held among SISA members, the indigenous communities and the Women Working Group, aiming to strengthen social inclusion and the participation of women in the implementation of the system and the programs.
PLRs require the monitoring and evaluation management forests (M&E of implementation of management plans)	<i>ISA CARBON PROGRAM</i> The main incentives related to the program include: promote change to more productive agricultural systems, which minimizes the need for expansion and avoids deforestation; value the forest economic potential; increase forest conservation and distribute benefits per environmental services. All ISA Carbon actions are carried out with financial resources from the German Cooperation, through the REDD Early Movers (REM) Program. The resources from this program seek to encourage economic and social benefits for local populations, in addition to reduce deforestation. At least 70% of the resources are directly invested in local communities through benefit-sharing programs, which support indigenous peoples, extractivist populations and farmers.

	<p>During the implementation of the ISA Carbon program, the State of Acre sought to evaluate the possible socio-environmental impacts related to the program. In this regard, it adopted and adapted a set of international safeguards (the International Initiative REDD+ Social and Environmental Standards - REDD+SES) according to its local reality. CEVA is the instance in charge of monitoring the safeguards. From October 2010 to March 2013, the process of building SISA and ISA Carbon safeguards indicators took place, and an indicator monitoring plan was validated. In 2013, the State of Acre published the Manual for Monitoring REDD+ Safeguards in SISA, and, in 2015, it published the first self-assessment of compliance with socio-environmental safeguards.</p> <p>The establishment of decentralized fundraising process by CONAREDD+ and the approval of eligibility of Acre state allowed the acknowledgment of the partnership between the German government and the state of Acre in the scope of ENREDD+. Representatives from Acre participate in all CCTs and CONAREDD+ and have shared the lessons learned under the ISA Carbon Program.</p>
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Safeguard E		
Criteria E.2. Protection and Conservation of Natural Forests and Biodiversity		
Sub-criteria E.2.3: Supporting Conservation Research and Awareness-Raising		
Diagnostic Question: do PLRs support/promote conservation research and awareness raising over forest and biological diversity protection?		
Indicators	Mark accordingly	Explanation (identify articles/provisions)/Gaps identified
PLRs promote conservation research for science-based biodiversity conservation		The 'Indicar Estados' Platform was developed by the Institute for Environmental Research in the Amazon (IPAM) and is the first initiative to systematically monitor the impacts of state policies to prevent and control deforestation. Its goal is to support the organization, dissemination, transparency and analysis of data on public policies to prevent and control deforestation, through general and specific indicators, applied to the states of Acre, Amazonas, Mato Grosso and Para.

		<p>IDB Projects:</p> <p><u>National Forest Inventory:</u> Together with the Ministry of Science, Technology and Innovation and the Ministry of Agriculture, Livestock and Supply, implementation of a National Forest Inventory and consolidation of the National Forestry Information System will generate effective instruments of public policy. Good quality and updated data of the Cerrado Biome will be key to support the climate change policies and GHG emissions reductions committed to by Brazil, filling the information gap about this Biome and <u>promoting the definition of effective policies</u> for central Brazil.</p>
PLRs promote the implementation of programmes that aim to improve public knowledge of the value of biodiversity		<p>IDB Project:</p> <p><u>“Inhotim: Global Change,”</u> support for the <u>Instituto Inhotim</u>, located in the state of Minas Gerais, in a transition zone between the Atlantic Forest and the Cerrado. Raises awareness on issues related to climate change, biodiversity and adaptation.</p> <p>Raising public awareness of both the importance of the Cerrado and the possible effects of climate change, the <u>Inhotim</u> project seeks to build upon the institute’s innovative programs as sustainable development models that include biodiversity adaptation and mitigation of greenhouse gas emissions, and bringing together the public and private sectors.</p>

Safeguard E

Criteria E.2. Protection and Conservation of Natural Forests and Biodiversity	
Sub-criteria E.2.4: Integration of Biodiversity in Cross-Sectoral Policies	
Diagnostic Question: Do PLRs require/promote the integration of biodiversity consideration in cross-sectoral policies?	
Indicators	Explanation (identify articles/provisions)
PLRs require the consideration and measuring of the possible impacts of forest and land use policies on biodiversity	In addition to the recommendations made by CBD Decision XI/19, the coherence of REDD+ and biodiversity actions will be ensured through the integration of actions of the National Biodiversity Policy , the National Biodiversity Strategy and Action Plan (NBSAP) and the guidelines from the National Commission for Biodiversity, with information provided by the Brazilian Biodiversity Information System – SiBBr , and with programs and policies whose objectives are to identify, monitor and conserve endemic, rare or endangered or of high biodiversity value species or ecosystems. Policies and programs that guarantee livelihoods associated with natural ecosystems are also included.
PLRs provide clear guidance on how to assess trade-offs between development (livelihoods, infrastructure, food production) and biodiversity (including modification/cancellation of the policy if potential impacts are too high)	Analyses of synergies and conflicts between REDD+ actions and programs and impacts on biodiversity and socio-environmental rights shall be part of the Brazilian REDD+ Safeguards Information System. REDD+ actions shall be directed toward strengthening social and environmental co-benefits, interacting and leveraging positive impacts of public policies that foster: i) sustainable use and management of natural and genetic resources, ii) valuation of sociobiodiversity ¹³ and its products; and iii) building and structuring of productive chains and arrangements of sociobiodiversity, agrobiodiversity and agroecology, guided by values of cooperation, solidarity and ethics.

¹³ Sociobiodiversity is the result of the interrelationship between biological diversity and sociocultural systems diversity (MDA, 2009), being the result of cultural practices and reciprocal influences between the environment and culture (Albagli, 1998). From this interrelationship, products and services are originated, associated to the knowledge and management of species by indigenous peoples, traditional peoples and communities and family farmers (MDA, 2009).

	<ul style="list-style-type: none"> • The Amazon Fund supports, among others: (1) creating and consolidating the management of protected areas; (2) recovering deforestation areas; and (3) conserving and sustainably using biodiversity. • Support to ARPA (Amazon Protected Areas Program), as well as support to actions in conservation units that encourage the balance between forest conservation and sustainable use of part of the natural resources. • COFA established that part of the projects supported by the Amazon Fund shall benefit small properties or rural family lands (up to 4 fiscal modules), supporting sustainable production and environmental regularization, including activities to restore the forest and recover degraded areas through agroforestry systems (AFS), in which agricultural crop consortia are combined with arboreal species. • Results of the Amazon Fund (BNDES, 2017): <ul style="list-style-type: none"> – 105,000 people benefitted with sustainable productive activities. – 27,000 indigenous directly benefitted. – 63% of the Amazon Indigenous lands supported. – 106 conservation units supported. – 397,000 km² of protected areas with enhanced management (TI and UC). – 9,5 million ha of forest with sustainable management.
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Safeguard E	
Criteria E.2. Protection and Conservation of Natural Forests and Biodiversity	
Sub-criteria E.2.5: Enhancement of Other (non-carbon) Benefits	
Diagnostic Question: do PLRs promote the enhancement of multiple benefits?	
Indicators	Explanation (identify articles/provisions)
PLRs seek to maintain and increase the ecological, biological, climatic, socio-cultural,	STATE SYSTEM OF INCENTIVES FOR ENVIRONMENTAL SERVICES OF ACRE (SISA/AC)

and economic contributions of forest resources	<p>Established by State Law # 2,308/2010, the State System of Incentives for Environmental Services of Acre (SISA/AC) gathers a set of strategies and instruments that benefit those who produce with sustainability and conserve the environment. With that purpose, SISA/AC comprises seven different programs of incentives to environmental services, which, together, collaborate to reduce deforestation rates and forest fires in Acre, forest conservation and sustainable management – paving the way for environmental and social advantages that benefit the state population, especially those who live in the forest. They are: Carbon (the first to be executed), Conservation of Natural Scenic Beauty; Conservation of Sociobiodiversity; Conservation of Water and Water Services; Climate Regulation; Traditional Ecosystem Knowledge and Cultural Valuation; Soil Conservation and Enhancement.</p> <p>SISA governance arrangement encompasses the State Commission to Validate and Monitor SISA (CEVA), created in 2011, to ensure social participation in environmental services incentive policy. CEVA is formed by representatives of eight institutions, out of which four are from public agencies and four from the organized civil society. It is responsible for monitoring SISA and the ISA Carbon Program (Programa ISA Carbono), assessing propositions of norms presented by IMC, and ensuring transparency and social control of SISA components. SISA governance also includes the Indigenous Interinstitutional Working Group (GTI), whose purpose is to be a channel for discussions held among SISA members, the indigenous communities and the Women Working Group, aiming to strengthen social inclusion and the participation of women in the implementation of the system and the programs.</p>
PLRs regulate access to, and fair and equitable sharing of benefits derived from forest biological resources (non-timber forest products)	<p>Access and Distribution of Biodiversity Benefits Act (Law #13,123/2015): approved in 2015, it determines guidelines on genetic heritage, traditional knowledge associated with that heritage, distribution of benefits, etc.</p>
PLRs promote the development of alternative livelihood in forests (eco-tourism, agroforestry)	<ul style="list-style-type: none"> • Policy to Guarantee Minimum Prices for Sociobiodiversity Products (PGPM-Bio)¹⁴: <ul style="list-style-type: none"> – Since it was created (2009), the policy has already paid over BRL 28 million in

¹⁴ More information about PGPM-Bio can be found at the link: <https://www.conab.gov.br/precos-minimos/pgpm-bio>

	<p>grants to producers throughout the country.</p> <ul style="list-style-type: none"> – For 2017, extractors of forest products such as <i>açaí</i>, <i>andiroba</i>, <i>babaçu</i>, <i>baru</i>, natural rubber, cocoa, <i>carnauba</i>, Brazil nut, <i>juçara</i>, <i>macaúba</i>, <i>mangaba</i> and <i>pequi</i> can access the amount of BRL 8 million in economic subsidies. <ul style="list-style-type: none"> • National Policy on Agroecology and Organic Production (Pnapo)¹⁵ and National Plan on Agroecology and Organic Production (Planapo)¹⁶ <ul style="list-style-type: none"> – They mobilize different ministries, sector units and governmental entities around programs and actions that lead to the agroecological transition and to organic and agroecological production. – Planapo (2013 – 2015): BRL 2.9 billion for a wide range of public actions – Planapo (2016 – 2019): Continuity and improvement of the first cycle. 194 initiatives, distributed in 30 goals and organized from six strategic pillars: Production; Use and Conservation of Natural Resources; Knowledge; Trade and Consumption; Land and Territory and Sociobiodiversity.
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Safeguard F & G	
Criteria F&G.1: Monitoring and Assessment	
Diagnostic Question: to what extent do PLRs require regular monitoring and measurement of risks to forest permanence	
Indicators	Explanation (identify articles/provisions)
PLR s require the development of detailed land use and forest inventories (forest cover, forest cover change), monitoring of land-use and land-	National Forest Inventory Carry out a systematic survey about Brazilian forest resources.

¹⁵ More information about Pnapo can be found at the link: <http://www.agroecologia.gov.br/politica>

¹⁶ More information about Planapo can be found at the link: <http://www.mda.gov.br/planapo/>

use change (including monitoring system)	Land use and land cover mapping of Amazon Deforested Areas - TerraClass Map the use and coverage of deforested lands in the Brazilian Legal Amazon to understand the dynamics of use and coverage in the Brazilian Legal Amazon.
PLRs require monitoring of entire forest product supply chain	National Plan for the Promotion of Sociobiodiversity Product Chains Promote the conservation, management and sustainable use of sociobiodiversity products; strengthen productive chains in each of the biomes by adding value to sociobiodiversity products; strengthen the social and productive organization of indigenous peoples, quilombola populations, traditional communities, and family farmers; expand, strengthen and mobilize economic instruments necessary for the structuring of productive chains.
PLRs provide law enforcement bodies with adequate mandates, resources and expertise to conduct routine monitoring	Planning and designing of PPCDAm fourth phase (2016-2020 ¹⁷): transparency and social participation, focusing at improving governance and action monitoring: <ul style="list-style-type: none"> – Regular meetings. – Representatives from the Legal Amazon Secretaries of the Environment Forum. – State representatives from specific existing technical chambers: 1. Law enforcement and 2. Sustainable forest management. – Monitoring of result indicators, which will support the Matrix of Public Policy Impact established in ENREDD+. <p>The average deforestation rate in the 3rd PPCDAM phase (2012-2015) is 5,420 Km². The four lowest deforestation rates in history were observed in the 3rd PPCDAM phase (2012, 2013, 2014 and 2015).</p> <ul style="list-style-type: none"> – The Environmental Control and Monitoring pillar was the main responsible for the marked reduction observed in the first phases of the Plan. Assunção et al (2017) have evaluated the effects of the monitoring and law enforcement between 2007 and 2011. The results show that monitoring and enforcement efforts avoided an average of 22,000 km² of deforestation per year between 2007 and 2011. Evidence suggests that policy is financially cost-effective (considering a conservative calculation of costs and benefits) and productive (there is no evidence that the reduction in deforestation caused current losses in formal

¹⁷ The PPCDAm fourth phase can be accessed at the link: http://combateadesmatamento.mma.gov.br/images/conteudo/Planos_ultima_fase.pdf

	agricultural production).
PLRs require regular monitoring and reporting on social and environmental impacts of forest programmes	National Inventory of Greenhouse Gas Emissions Regularly update emission estimates from a range of sectors, including land use change and forestry, and assess the evolution of the GHG emission profile, supporting the monitoring of compliance with the Brazilian commitment to reduce emissions.

Safeguard F & G	
Criteria F&G.2: Measures to Tackle Reversals and Displacement	
Diagnostic Question: to what extent do PLRs aim to minimise the risks related to deforestation and forest degradation?	
Indicators	Explanation (identify articles/provisions)
PLRs promote sustainable utilisation and conservation of forests and other relevant resources	<p>National Policy on Agroecology and Organic Production (PNAPO) <u>Decree # 7,794/2012</u> Integrate, mobilize and adapt policies, programs and actions that lead to the agroecological transition and organic and agroecological production, contributing to the sustainable development and quality of life of the population, through the sustainable use of natural resources and the supply and consumption of healthy food.</p> <p>National Plan for the Promotion of Sociobiodiversity Product Chains Promote the conservation, management and sustainable use of sociobiodiversity products; strengthen productive chains in each of the biomes by adding value to sociobiodiversity products; strengthen the social and productive organization of indigenous peoples, quilombola populations, traditional communities, and family farmers; expand, strengthen and mobilize economic instruments necessary for the structuring of productive chains.</p> <ul style="list-style-type: none"> Decree # 8,773/2016: change in the priority area of support of the Amazon Biome Fund to the Legal Amazon <ul style="list-style-type: none"> Expansion of about 20% in the main area of the Amazon Fund support. Scope of the Fund more coherent with PPCDAm implementation. It has incorporated a large portion of the deforestation boundary between the Amazon and the Cerrado and Pantanal biomes. Special progress in state government initiatives in the Legal Amazon containing other biomes in the territory, as now there is a chance for a programmatic action throughout all its extension using resources from the Fund.

	<ul style="list-style-type: none"> • International project to monitor the forest cover in the Amazon Basin <ul style="list-style-type: none"> – Executed by the Amazon Cooperation Treaty Organization (ACTO) – BRL 24 million (US\$ 11.8 million), which enabled, among other activities, the installation of seven rooms to monitor deforestation and forest degradation in ACTO member countries and the preparation and validation by these countries of a regional map of deforestation in the Amazon, presented during COP-20 in Lima, Peru. • Support for the development of methodology to PRODES and DETER systems for Cerrado.
PLRs require adverse impacts (direct and indirect) to natural resources, biodiversity, ecosystem services are identified, assessed, mitigated and managed	<ul style="list-style-type: none"> • Rural Environmental Registry (CAR) <ul style="list-style-type: none"> – A national electronic public registry, mandatory for all rural properties, with the purpose of integrating the environmental information of the rural properties related to Areas of Permanent Preservation - APP, restricted use, Legal Reserve, forest remnants, and other forms of native vegetation, and consolidated areas, making up a database for control, monitoring, environmental and economic planning, and combating deforestation. <p>4.2 million rural properties, involving a total area of 411,001,629 hectares inserted in the system database until July 2017 (SFB, 2017)¹⁸.</p> <ul style="list-style-type: none"> • The Amazon Fund is authorized to allocate up to 20% of its resources to support projects to develop deforestation monitoring and control systems in other Brazilian regions and in other tropical countries. • Support to implement the rural environmental registry (CAR) throughout the Brazilian territory. <ul style="list-style-type: none"> – 14 projects with this purpose distributed among non-governmental organizations (BRL 22 million), municipalities (BRL 1 million), Legal Amazon states (BRL 135 million) and states outside the Legal Amazon (BRL 79 million), totalling BRL 237 million for the CAR.

¹⁸ More information on progress of CAR can be found at the link: <http://car.gov.br/#/>

	<ul style="list-style-type: none"> – Registration of 281,031 properties in CAR nationally. • Brazilian Biomes Environmental Monitoring Program (PMABB)¹⁹ <ul style="list-style-type: none"> – It aims to mobilize and offer greater coherence to ongoing monitoring efforts in the country, in addition to extending the monitoring of vegetation cover to all Brazilian biomes. – Production of a series of consistent data about deforestation in the Cerrado biome, enabling to establish a forest reference emission level in the biome (FREL Cerrado). • ENREDD+: a look throughout the entire territory <ul style="list-style-type: none"> – Submission of FREL Cerrado in January 2017²⁰. – ENREDD+ Thematic Advisory Boards propose to promote the integration of institutions from other biomes; i.e.; CCT Federative Relations, which targets state and municipal governments, has representatives from all Brazilian biomes (21 states out of the 27 in the country).
PLRs implement effective law enforcement to combat and eradicate illegal forest-related practices	<p>Planning and designing of PPCDAm fourth phase (2016-2020²¹): transparency and social participation, focusing at improving governance and action monitoring:</p> <ul style="list-style-type: none"> – Regular meetings. – Representatives from the Legal Amazon Secretaries of the Environment Forum. – State representatives from specific existing technical chambers: 1. Law enforcement and 2. Sustainable forest management. – Monitoring of result indicators, which will support the Matrix of Public Policy Impact established in ENREDD+.

¹⁹ Access the Strategy of the Environmental Monitoring Program for Brazilian Biomes at the link:

http://www.mma.gov.br/images/arquivos/gestao_territorial/pmabb/Strategy_environmental_monitoring_program_PMABB.pdf

²⁰ Access the FREL Cerrado Submission at the link: http://redd.mma.gov.br/images/central-de-midia/pdf/submissoes/BRAZIL_frel-cerrado-EN-20160106-final.pdf

²¹ The PPCDAm fourth phase can be accessed at the link: http://combateadesmatamento.mma.gov.br/images/conteudo/Planos_ultima_fase.pdf

	<p>The average deforestation rate in the 3rd PPCDAM phase (2012-2015) is 5,420 Km². The four lowest deforestation rates in history were observed in the 3rd PPCDAm phase (2012, 2013, 2014 and 2015).</p> <ul style="list-style-type: none"> – The Environmental Control and Monitoring pillar was the main responsible for the marked reduction observed in the first phases of the Plan. Assunção et al (2017) have evaluated the effects of the monitoring and law enforcement between 2007 and 2011. The results show that monitoring and enforcement efforts avoided an average of 22,000 km² of deforestation per year between 2007 and 2011. Evidence suggests that policy is financially cost-effective (considering a conservative calculation of costs and benefits) and productive (there is no evidence that the reduction in deforestation caused current losses in formal agricultural production).
PLRs seek to detect and reduce forest fires and other disturbances	<p>Action Plan for the Prevention and Control of Deforestation and Fires in the Cerrado (PPCerrado)</p> <ul style="list-style-type: none"> – Reduce deforestation, with a target set for 2020. – 3 phases of execution: 2010-2011; 2014-2015, and 2016-2020 – Joint coordination with PPCDAm, ensuring a more systemic view of the territory. – Reference for the application of international resources and for the identification of priorities in national environmental policies. – Negotiation of the Soybean Working Group to establish a sector agreement to control deforestation in the Cerrado biome. <p>Burn and Fire Monitoring Program Monitor fires and wildfires detected by satellites, calculate and predict the risk of burning the vegetation.</p> <p>Brazilian Biomes Environmental Monitoring Program (PMABB) <i>MMA Ordinance # 365/2015</i> Map and monitor deforestation, including its rate; assess vegetation cover and land use; monitor</p>

	fires; and restore vegetation and selective extractivism.
PLRs promote alternative livelihoods and income diversification from forest management	<p>National Policy on Agroecology and Organic Production (PNAPO) <u>Decree # 7.794/2012</u> Integrate, mobilize and adapt policies, programs and actions that lead to the agroecological transition and organic and agroecological production, contributing to the sustainable development and quality of life of the population, through the sustainable use of natural resources and the supply and consumption of healthy food.</p> <p>National Plan for the Promotion of Sociobiodiversity Product Chains Promote the conservation, management and sustainable use of sociobiodiversity products; strengthen productive chains in each of the biomes by adding value to sociobiodiversity products; strengthen the social and productive organization of indigenous peoples, quilombola populations, traditional communities, and family farmers; expand, strengthen and mobilize economic instruments necessary for the structuring of productive chains.</p>
PLRs seek to avoid, minimize and mitigate risks posed to human health and the environment from pollutants, wastes, and hazardous materials	<p>National Environment Policy</p> <p>In <u>Brazil</u>, the National Environmental Policy, established by <u>Federal Law No. 6.938</u>, dated August 31, 1981, and regulated by <u>Federal Decree No. 99,274</u> of June 6, 1990, has as its objective the preservation, improvement and recovery of quality in order to ensure, in the country, the conditions for socioeconomic development, the interests of national security and the protection of the dignity of human life, in accordance with the following principles:</p> <p>I - governmental action in maintaining the ecological balance, considering the environment as a public patrimony to be necessarily assured and protected, in view of the collective use; II - rationalization of the use of soil, subsoil, water and air; III - planning and inspection of the use of environmental resources; IV - protection of ecosystems, with the preservation of representative areas; V - control and zoning of activities potentially or effectively polluting; VI - incentives for the study and research of technologies oriented towards the rational use and protection of environmental resources; VII - monitoring the state of environmental quality;</p>

	<p>VIII - recovery of degraded areas (Regulation given by <u>Federal Decree 97.632 / 89</u>);</p> <p>IX - protection of areas threatened with degradation;</p> <p>X - environmental education at all levels of education, including community education, aiming to enable it to actively participate in the defense of the environment.</p> <p>The National Environmental Policy instituted the <u>National Environmental System - SISNAMA</u> , constituted by the organs and entities of the Union, States, Federal District, Territories and Municipalities, as well as the foundations established by the Government, responsible for the protection and improvement of environmental quality.</p> <p>Among the instruments of the National Environmental Policy are:</p> <p>I - the establishment of environmental quality standards;</p> <p>II - the environmental zoning (Regulation given by <u>Federal Decree No. 4.297</u>, of July 10, 2002);</p> <p>III - the evaluation of environmental impacts;</p> <p>IV - the licensing and review of activities that are effective or potentially polluting.</p>
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APPENDIX A:

UNFCCC:

National REDD+ Strategy (ENREDD+ - Estratégia Nacional para REDD+) Decree # 8,576/2015 and MMA Ordinance # 370/2015

- Contribute to climate change mitigation by eliminating illegal deforestation, conserving and recovering forest ecosystems, and developing a sustainable low-carbon forest economics, generating economic, social and environmental benefits. National Inventory of Greenhouse Gas Emissions Regularly update emission estimates from a range of sectors, including land use change and forestry, and assess the evolution of the GHG emission profile, supporting the monitoring of compliance with the Brazilian commitment to reduce emissions.

National Policy on Climate Change (Política Nacional sobre Mudança do Clima) Law # 12,187/2010

- Reduce greenhouse gas emissions by 2020. Acknowledges plans to combat deforestation as means to meet the target. Brazil's Nationally Determined Contribution to the Paris Agreement Reduce greenhouse gas emissions by 2025, by strengthening the Forest Code, fighting illegal deforestation, reforestation and restoring forests for multiple uses, sustainably managing native forests, among others.

UNCBD:

Action Plan for the Prevention and Control of Deforestation in the Legal Amazon (PPCDAm)

- Reduce deforestation, with a target set for 2020.

Action Plan for the Prevention and Control of Deforestation and Fires in the Cerrado (PPCerrado)

- Reduce deforestation, with a target set for 2020.

State Plans to Fight Deforestation (PPCDs)

- Reduce deforestation

Forest Code Law # 12,651/2012

- Arrange for the protection of vegetation in private properties (APP, LR and areas of restricted use) with the goal of preserving biodiversity, soil, water resources and the integrity of the climate system, for the well-being of current and future generations.

Monitoring Program in Continental Scale

- Monitor biodiversity in conservation units.

Amazon Deforestation Monitoring Project (PRODES)

- Satellite monitoring of clearcutting in the Legal Amazon.

Near Real-Time Deforestation Detection System (DETER)

- Carry out a quick survey of evidence alerts on changes in the Amazon forest cover.

Brazilian Amazon Forest Degradation Project (DEGRAD)

- Map areas of degraded forest and with a tendency to be converted into clear cut logging.

Land use and land cover mapping of Amazon Deforested Areas -TerraClass

- Map the use and coverage of deforested lands in the Brazilian Legal Amazon to understand the dynamics of use and coverage in the Brazilian Legal Amazon.

Brazilian Biomes Environmental Monitoring Program (PMABB) MMA Ordinance # 365/2015

- Map and monitor deforestation, including its rate; assess vegetation cover and land use; monitor fires; and restore vegetation and selective extractivism.

Selective Logging Monitoring System (Detex)

- Monitor logging in public forest lands under concession.

National Forest Inventory

- Carry out a systematic survey about Brazilian forest resources.

Forest Code Law # 12,651/2012

- Arrange for the protection of vegetation in private properties (APP, LR and areas of restricted use) with the goal of preserving biodiversity, soil, water resources and the integrity of the climate system, for the well-being of current and future generations.

Rural Environmental Registry (CAR) Law # 12,651/2012

- Integrate the environmental information of rural properties related to Areas of Permanent Preservation - APP, Legal Reserves, forests and native forest remnants, areas of restricted use and consolidated areas, making up a database for control, monitoring, environmental and economic planning, and combating deforestation.

National System of Conservation Units (SNUC) Law # 9,985/2000

- Contribute to preserve and restore the diversity in natural ecosystems, especially in Sustainable Development Units.

Amazon Protected Areas Program (ARPA) Decree # 8,505/2015

- Expand and strengthen the National System of Conservation Units (SNUC) in the Amazon, protect 60 million hectares, secure financial resources for the management of these areas in the short- and long-terms and promote sustainable development in that region.

National Forest Program (PNF) Decree # 3,420/2000

- Promote sustainable development, balancing use with conservation of the Brazilian forests.

National Biodiversity Policy Decree # 4,339/2002

- Promote, in an integrated manner, the conservation of biodiversity and the sustainable use of its components, with the fair and equitable sharing of benefits derived from the use of genetic resources, components of genetic heritage and traditional knowledge associated with these resources.

The Amazon Fund Decree # 6,527/2008

- Fundraise non-reimbursable investments in actions to prevent, monitor and combat deforestation, and to promote the conservation and sustainable use of the Legal Amazon.

National Policy for Native Vegetation Recovery Decree # 8,972/2017

- Recover forests and other forms of native vegetation. Boost environmental regularization in Brazilian rural properties, according to Act 12,651, as of May 25th, 2012, in a total area of at least 12 million hectares, by December 31st, 2030. A relevant policy for NDC, since it fosters the recovery of forests and other forms of native vegetation.

Biodiversity Law Law # 13,123/2015

- Establish rules to access genetic heritage, access the corresponding traditional knowledge, and share benefits. It sets the national definition of associated traditional knowledge, incorporating indigenous peoples, traditional communities and traditional farmers; also, the terms for access with the definition of parameters for prior and informed consent, and the fair and equitable sharing of benefits. Fundamental policy to protect and promote the rights and traditional knowledge of these people that must be supported by the National REDD+ Strategy.

Information System on the Brazilian Biodiversity (SiBBr)

- Integrate data and information on the Brazilian biodiversity to support: i) scientific production, ii) public policy formulation and decision making processes. SiBBr supports actions of environmental conservation and sustainable use of natural resources.

RAMSAR:

Brazil currently has 25 sites designated as Wetlands of International Importance (Ramsar Sites), with a surface area of 24,646,410 hectares.

FAO ITPGRFA:

Biodiversity Law, Law # 13,123/2015

- Establish rules to access genetic heritage, access the corresponding traditional knowledge, and share benefits. It sets the national definition of associated traditional knowledge, incorporating indigenous peoples, traditional communities and traditional farmers; also, the terms for access with the definition of parameters for prior and informed consent, and the fair and equitable sharing of benefits. Fundamental policy to protect and promote the rights and traditional knowledge of these people that must be supported by the National REDD+ Strategy.

ILO C169:

National Community and Family Forest Management Program Decree # 6,874/2009

- Organize actions to foster sustainable management in forests that are used by family farmers, land reform settlers, and traditional peoples and communities.

National Policy for Territorial and Environmental Management of Indigenous Lands Decree # 7,747/2012

- Guarantee and promote protection, recovery, conservation and sustainable use of the natural resources found in indigenous lands and territories, ensuring the integrity of the indigenous heritage, improvement of their quality of life and full conditions of physical and cultural reproduction of current and future generations of indigenous peoples, respecting their sociocultural autonomy.

Biodiversity Law Law # 13,123/2015

- Establish rules to access genetic heritage, access the corresponding traditional knowledge, and share benefits. It sets the national definition of associated traditional knowledge, incorporating indigenous peoples, traditional communities and traditional farmers; also, the terms for access with the definition of parameters for prior and informed consent, and the fair and equitable sharing of benefits. Fundamental policy to protect and promote the rights and traditional knowledge of these people that must be supported by the National REDD+ Strategy.

National Plan for the Promotion of Sociobiodiversity Product Chains

- Promote the conservation, management and sustainable use of sociobiodiversity products; strengthen productive chains in each of the biomes by adding value to sociobiodiversity products; strengthen the social and productive organization of indigenous peoples, quilombola populations, traditional communities, and family farmers; expand, strengthen and mobilize economic instruments necessary for the structuring of productive chains.

National School Nutrition Program (PNAE)

- Stimulate the purchase of food directly from family farmers, giving priority to land reform settlers, indigenous peoples and traditional peoples and communities, favoring the ways of life associated with forests and natural ecosystems.

National Policy on Agroecology and Organic Production (PNAPO), Decree # 7,794/2012

- Integrate, mobilize and adapt policies, programs and actions that lead to the agroecological transition and organic and agroecological production, contributing to the sustainable development and quality of life of the population, through the sustainable use of natural resources and the supply and consumption of healthy food.

Food Acquisition Program (PAA)

- Encourage family farming through sustainable production, production processing and income generation; promote and value biodiversity and the organic and agroecological production of food; promote access to quality food from the perspective of the human right to adequate and healthy food; strengthen local and regional circuits and trade networks, stocks, and food supply through government procurement; stimulate cooperatives and associations.

UNDRIP:

National Policy for Territorial and Environmental Management of Indigenous Lands Decree # 7,747/2012

- Guarantee and promote protection, recovery, conservation and sustainable use of the natural resources found in indigenous lands and territories, ensuring the integrity of the indigenous heritage, improvement of their quality of life and full conditions of physical and cultural reproduction of current and future generations of indigenous peoples, respecting their sociocultural autonomy.

Biodiversity Law Law # 13,123/2015

- Establish rules to access genetic heritage, access the corresponding traditional knowledge, and share benefits. It sets the national definition of associated traditional knowledge, incorporating indigenous peoples, traditional communities and traditional farmers; also, the terms for access with the definition of parameters for prior and informed consent, and the fair and equitable sharing of benefits. Fundamental policy to protect and promote the rights and traditional knowledge of these people that must be supported by the National REDD+ Strategy.

National Plan for the Promotion of Sociobiodiversity Product Chains

- Promote the conservation, management and sustainable use of sociobiodiversity products; strengthen productive chains in each of the biomes by adding value to sociobiodiversity products; strengthen the social and productive organization of indigenous peoples, quilombola populations, traditional communities, and family farmers; expand, strengthen and mobilize economic instruments necessary for the structuring of productive chains.

National School Nutrition Program (PNAE)

- Stimulate the purchase of food directly from family farmers, giving priority to land reform settlers, indigenous peoples and traditional peoples and communities, favoring the ways of life associated with forests and natural ecosystems.

Annex B: Overview of Stakeholder Engagement in REDD+ related activities

Introduction

Ensuring the full and effective participation, voice and leading role of stakeholders is central to the 4th Cancun Safeguard (the full and effective participation of the interested parties, in particular the indigenous peoples and local communities), as defined by Brazil in the 2nd SOI. To promote shared management and social control in the implementation of REDD+ actions and their safeguards, extensive engagement and consultation activities with stakeholders were carried out to design and develop the national level safeguards system (SISREDD+), with participation of actors from the public and private sectors and the third sector, especially indigenous peoples, traditional peoples and communities, and traditional and family farmers, as well as NGOs and CSOs.

National REDD+ Strategy development in Brazil, as well as pioneering jurisdictional REDD+ programs in Acre, have had a long history of broad stakeholder engagement since their inception, as shown in Appendix A of SOI. Stakeholder engagement and discussions regarding REDD+ safeguards in Brazil began in 2009, before safeguards were formally defined under the UNFCCC, in December 2010. This process was initiated by non-governmental organizations (NGOs), engaging social movements, smallholders, private sector actors, environmental NGOs and research institutions in workshops, meetings and a public consultation, and produced the report "[REDD+ Social and Environmental Principles and Criteria](#)". In 2011, the MMA promoted the workshop "[Implementing Social and Environmental Safeguards in the National REDD+ Strategy](#)", with the participation of several civil society organizations. In 2014, Brazil submitted to the UNFCCC its [1st SOI](#) as a compilation of the outcomes from all the discussions held up to then, including seminars with National Indigenous Peoples Foundation ([FUNAI](#)) and coordinated with experts from civil society organizations. The engagement process continues in 2018 with improvements in stakeholder representation during meetings and workshops to develop National SISREDD indicators and the second SOI, submitted in early 2018.

The governance for the implementation of REDD+, including regular meetings of CONAREDD+ and the thematic advisory boards, is one of the most participative structures created by the Brazilian government for the implementation of policies in the forest sector. As explained above, the CONAREDD+ and the CCTs participants are numerous, diverse and strive to be representative of Brazilian society. Furthermore, the strengthening of existing governance structures of indigenous peoples, traditional communities and local populations has been a key element of REDD+ implementation. Consultative processes have also increasingly prioritized the participation of indigenous representatives and traditional community representatives in the governance for REDD+ implementation, particularly in regards to the activities in indigenous territories and sustainable conservation units throughout the Legal Amazon.

Stakeholder Participation and representation in REDD+ institutional frameworks

The governance of the CONAREDD+ and the creation of Thematic Advisory Boards (including the CCT-Safeguards advisory board) by the CONAREDD+ are primary indications of progress in the direction of meaningful stakeholder engagement in decision-making processes. The Federal Decree 8576/ 2015 created The National REDD+ committee (CONAREDD+) for coordinating and monitoring the implementation of The National REDD+ Strategy (ENREDD+). The development of ENREDD+ included broad stakeholder engagement, as shown in Appendix A of SOI. There are particularly strong interactions between ENREDD+ and the Indigenous Committee on Climate Change the Climate Change and the Technical Chamber of the Management Committee of PNGATI (The National Policy on Territorial and Environmental Management of Indigenous Lands), as noted in the 2nd SOI.

In 2016, the CONAREDD+ established the Thematic Advisory Chamber on Safeguards (CCT-Safeguards), which develops inputs to support the decision-making of the CONAREDD+ on issues related to monitoring how the Cancun Safeguards (Decision 1 / CP.16) being addressed and respected in the implementation of REDD+ by Brazil. This includes the conceptualizing the safeguards in the Brazilian context (Section 4 of the 2nd SOI), developing the SISREDD+ and reviewing the summary of information on the safeguards, among other activities.

This CCT is responsible for supporting CONAREDD + in the following processes: i) Conceptualization of REDD + safeguards in Brazil; ii) Development of subsidies (information?) for the REDD + Information System (SISREDD +); iii) Development of inputs for and revision of the Summary of Safeguards Information; iv) Development of inputs for the development of an ombudsman procedure on violation of safeguards; v) Development of a training plan on safeguards.

The CCT-Safeguards is coordinated by the Ministry of Foreign Affairs (MRE) and the National Council of Extractive Populations (CNS) and is composed of 30 members (Table 1). The selection of representatives took place based on the criteria established by CONAREDD + in order to include: a) Representatives of indigenous peoples, traditional peoples and communities, and family farmers; b) Biodiversity experts; c) Specialists in socio-environmental issues; d) Experts on transparency and forest governance; e) Specialists in environmental monitoring; f) Public policy experts on climate change and forests; g) Populations affected by forest carbon projects; and h) Beneficiaries and executors of REDD + results payment initiatives.

Table 1. List of CCT-Safeguards members, as presented in Annex 1, can be seen to indeed reflect the eight categories of participatory representation criteria established by CONAREDD+

Name	Institution
Alice Thuault	Instituto Centro de Vida
Alicia Santana	Movimento das Catadoras de Mangaba
Ana Eunice Aleixo	Instituto de Proteção Ambiental do Amazonas
Antonio José da Silva Sousa	Secretaria de Estado de Meio Ambiente do Pará
Bernhard Javier Lago Smid	Instituto Capital Natural da Amazônia
Camila Monteiro Braga de Oliveira	Associação de Manejadores de Recursos Florestais do Acre
Camila Pianca	Grupo Natureza, Sociedade e Conservação
Clarissa Costalonga e Gandour	PUC-Rio/Climate Policy Initiative
Cláudia Regina Sala de Pinho	Rede Comunidades Tradicionais Pantaneiras
Cristina Maria Batista de Lacerda	Secretaria de Estado de Meio Ambiente do Acre
Daniela Baccas	Banco Nacional de Desenvolvimento Econômico E Social
Denizia Cruz	Articulação dos Povos Indígenas do Nordeste, Minas Gerais e Espírito Santo
Domingos Nunes De Oliveira	Articulação dos Povos Indígenas do Nordeste, Minas Gerais e Espírito Santo
Edel Moraes	Conselho Nacional dos Extrativistas - Coordenadora
Eduardo Valente Canina	WWF-Brasil
Elcio Manchineri	Articulação dos Povos Indígenas do Brasil
Eliezer de Oliveira	Secretária de Estado do Desenvolvimento Ambiental de Rondônia
Elisa dos Santos Rezende França	Secretaria de Estado do Meio Ambiente de Mato Grosso
Fernanda Bortolotto	Instituto de Pesquisa Ambiental da Amazônia
Fernanda Lopes da Fonseca	Embrapa Acre
Francis Rinaldi Frigeri	Secretaria do Meio Ambiente e Recursos Hídricos de Tocantins
Janete dos Santos Oliveira	Terreiro de Umbanda Caboclo Sete Flechas
Jhonny Martins de Jesus	Coordenação Nacional de Articulação das Comunidades Negras Rurais Quilombolas
Kutanan Waiapi Waiana	Associação dos Povos Indígenas Wayana e Aparai

Larissa Ambrosano Packer	Terra de Direitos
Leticia Tura	FASE/ Grupo Carta de Belém
Luiz De Andrade Filho	Ministério das Relações Exteriores - Coordenador
Maria de Jesus Ferreira Bringelo	Movimento Interestadual das Quebradeiras de Coco Babaçu
Maria Jocicleide Lima De Aguiar	Rede GTA
Maura Ney Piemonte	Associação Centro de Estudos e Discussão Romani
Nathali Germano dos Santos	Fundação Nacional do Índio
Patricia Frederighi	Trench, Rossi & Watanabe Advogados
Raimundo Nonato Pereira da Silva	Associação Cultural de Preservação do Patrimônio Bantu - Acbantu
Rubem Taverny	Associação dos Retireiros do Araguaia

CONAREDD+ more broadly, as well as CCT-Safeguards advisory board itself, include representatives from state and local governments, indigenous peoples and traditional peoples and communities. Civil society representatives have also been elected by the Brazilian Forum of Climate Change (FBMC; <https://www.fbmc.com.br/>), which also appointed the representatives from indigenous peoples and traditional peoples and communities to be part of CONAREDD+. Overall, the governance for the implementation of REDD+ is one of the most participative structures created by the Brazilian government for implementing policies in the forest sector. Participants in the CONAREDD+ and the CCTs are numerous, diverse and seek to be representative of stakeholders (Figure 1).

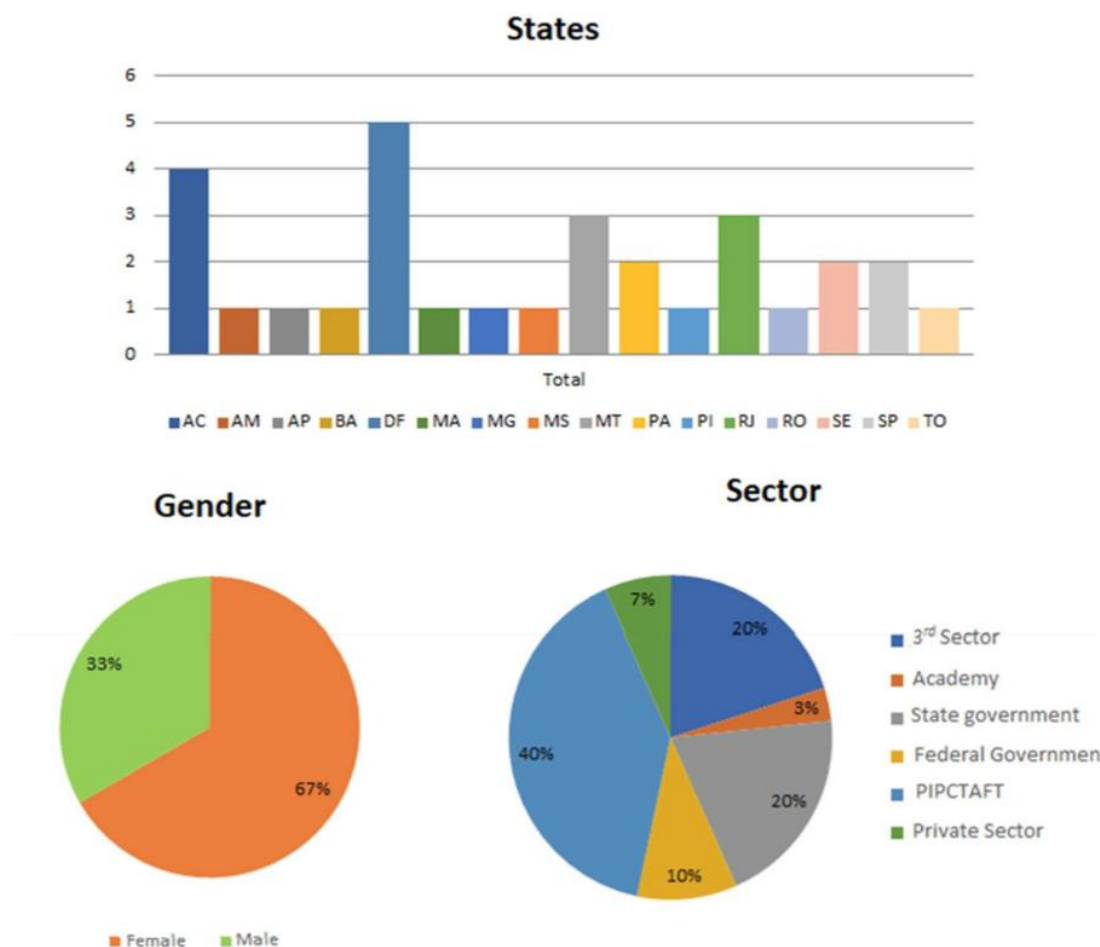


Figure 1. Profile of CCT-Safeguard participants, adapted from Brazil's Second SOI

The CCT-Safeguards advisory board when summarizing past consultations and discussions, considered the work previously conducted on the topic and updated it. The first step in the consultation process was the participatory definition of the safeguards in the Brazilian context by the CCT. This exercise is the basis for all the systematization of the safeguards implementation in Brazil. Brazil's understanding is that the implementation of the safeguards encompasses a large set of laws, policies and programs established in the national context, and the rationale is that all those laws, policies and programs implemented together ensure addressing and respecting the safeguards. As suggested by the CCT-Safeguards advisory board, the interpretation of Cancun safeguards in the Brazilian context presents a "Definition", "Objectives" and "Further details" for each of the safeguards, aiming at providing a clear scope for the implementation and monitoring of the safeguards by Brazil. It should be mentioned that the three sections (definition, objective and further details) are equally important and complementary.

[Brazil's 2nd SOI](#), submitted to the UNFCCC in 2018, is equally the result of a participative process, guided by the CCT-Safeguards advisory board. In addition to ordinary meetings, a specific workshop about the content of the summary on the safeguards was conducted with the CCT members and other stakeholders. The document was made available on the Internet for contribution for two months, making use of social media and REDD+ Brazil monthly newsletter (which has over 900 subscribers) as means to communicate the collection of face-to-face and virtual contributions. It is also important to mention through this process relevant stakeholders would provide inputs and suggestions to both interpretation of the safeguards (section 4) and their implementation (section 5). The CCT-Safeguards advisory board members were also encouraged to consult with their peers and to take a proactive role as multipliers of information throughout the process.

Brazil's 2nd SOI was developed in a progressive manner, enhancing information and processes used to elaborate the 1st SOI, while acknowledging that further enhancements are yet to come along with awareness about the topic in the country and with the full implementation of the SISREDD+. The methodology for the development of Brazil's 2nd SOI was created by the CCT-Safeguards and is described in section 3.2 of the 2nd SOI. This section details how the information from actions and initiatives that contribute to the achievement of the results (PPCDAm, ENREDD+, etc.) and the investments made through payments received for these results (Amazon Fund) were assessed to determine how the Cancun Safeguards had been addressed and respected by Brazil for results achieved from 2011.

With the conclusion of the conceptualization of safeguards in the Brazilian context and the contributions to the 2nd SOI, the CCT-Safeguards advisory board is now entirely dedicated in the SISREDD+ improvement. To assist the CCT and to ensure a broad and participatory process for the definition of indicators for the SISREDD+, a series of workshops has been conducted, bringing together a range of stakeholders from the national to local level, and including representatives of Indigenous People, traditional communities, state governments, NGOs, academia and the private sector.

Table 2 presents the number of representatives per sector that participate in the workshops for the development of the 2nd SOI and SISREDD+ indicators. These 158 representatives mentioned above came from eighteen different states¹ of Brazil, with 80 female and 78 male stakeholders, ensuring regional and gender balance.

Table 2. REDD+ safeguards representatives per sector/ group

Sector/Group	Number of representatives
Indigenous people	21
State government	49
Federal government	8
Traditional people and communities and family farmers	31
University	17
Private sector	8
Grassroots movements	4
NGOs	20
Total	158

Source: MMA, 2018

Through CONAREDD+ and its CCTs, participatory processes were the basis to create the rules for decentralizing the fundraising of payments for REDD-plus results. This process lasted a few months and actively involved more than 30 stakeholders from various sectors, through a Consultative Chamber on Fundraising and Distribution of Non-Reimbursable Resources (CCT-CDRNR). The principles and rules for access to direct fundraising (i.e. having the appropriate policies in place, presenting results, etc.), as well as rules regarding fundraising (that is, after having been authorized by CONAREDD+, and without the transfer of results, etc.) and how investments should be made with these resources (reinvested in initiatives that lead to more results, contribute to the implementation of ENREDD+ and NDC, in compliance with safeguards, etc.) were defined through CONAREDD+ Resolutions 6 to 8. The driving force behind these consultations was to create a coherent but decentralized process, with a set of common rules and principles, in order to enhance effectiveness, with the participation of all the States in the Amazon region, for raising new and additional large-scale resources to support Brazil's efforts in the forest sector.

¹ Brazil has 26 states and the Federal District. The Amazon region comprises 9 states.

CONAREDD+ has approved the development and submission of a single funding proposal by the MMA to the GCF for REDD+ results-based payments..

Participation and representation of Indigenous Peoples and Traditional Communities

The strengthening of existing governance structures of indigenous peoples and traditional peoples and communities has also been a key element of the REDD+ implementation in indigenous territories. The increased participation of indigenous representatives in the governance for REDD+ implementation indicates progress in that direction.

In regards to Free, Prior and Informed Consent, Brazil legislation has provisions that support these instruments, including the Federal Constitution, Art. 231; Decree n. 5051/2004 promulgating ILO Convention 169, Decree n. 6040/2007, Act n. 13.123/15 and Decree n. 8772/16, the last two specific for access to traditional knowledge associated with biodiversity. Of particular interest in this regard is Chart 6 of Brazil's 2nd SOI, which presents consultation protocols developed since 2014 by indigenous peoples and traditional peoples and communities in Brazil.

A groundbreaking initiative in Brazil, that also supports full and effective participation of stakeholders, in particular indigenous peoples, is the practice of creating Indigenous Environmental and Territorial Management Plans (PGTAs). The National Policy on Territorial and Environmental Management of Indigenous Lands (PNGATI), mentioned above, was developed by a collation including 150 indigenous groups and other institutions to endorse indigenous-led conservation, natural resource management and environmental restoration, while officially recognizing the PGTAs. The PGTAs reflect the specific visions Indigenous Peoples' for their lands, covering three main priorities: 1) Territorial control and protection, including indigenous-led surveillance and monitoring practices 2) Sustainable management of natural resources for the promotion of food security and income generation, as well as conservation, restoration and sustainable land use and 3) Capacity building and institutional strengthening for local organizations. To implement the policy and plans, the Ministry of Environment (MMA) and the Brazilian Foundation for Indigenous Affairs (FUNAI), along with the Global Environment Facility (GEF), the Nature Conservancy and UNDP implemented PGTAs in 32 indigenous lands, serving as a pilot phase for policy implementation to be shared throughout the almost 700 indigenous lands in Brazil².

As a preliminary step, MMA has held dialogues with indigenous leaderships through a meeting of the Technical Chamber of Climate Change of the Management Committee of the National Policy of Environmental and Territorial Management in Indigenous Territories (CT-MC/CG-PNGATI). In this forum, the concept of this proposal was considered as an opportunity for indigenous people to effectively access resources through their own organizations, to meeting their climate change adaptation and mitigation needs, as well as for improving the management of their territories, according to the guidelines of PNGATI. Indigenous stakeholders have emphasized and reinforced the need of effective participation in developing and implementing the project. Further discussions in regards to access to REDD+ GCF funds were also held on August 16th, 2018 with the Management Committee of PNGATI. All future consultations and management plans, will also account for ongoing processes of indigenous consultations and autonomous development, including incorporation of the use of Indigenous Environmental and Territorial Management plans (PGTAs for the acronym in Portuguese), and support of this process. An Indigenous Peoples Plan will be completed in order to ensure that indigenous perspectives, traditional knowledge and autonomy are respected throughout planning and implementation. This Indigenous Peoples Plan and the Cultural Heritage Plan recommended by the ESMF will serve as the cornerstones in guiding the above efforts and ensure that sufficient indicators of progress related to indigenous peoples are incorporated into the monitoring systems and SISREDD+.

² Indigenous Lands Developing Environmental and Territorial Management Plans, The Nature Conservancy: <https://www.nature.org/.../land.../indigenous-environmental-and-territorial-plans.pdf>

For further information, please refer to the definition objectives and details related to the interpretation of safeguard (d) by Brazil are presented in section 4.1 of the 2nd SOI. The CCT-Safeguards advisory board has also defined in more detail in section 4.1 of the 2nd SOI actions to ensure the full and effective participation of all relevant stakeholders including determining specific criteria for representativeness (e.g. regional distribution, gender and different forms of knowledge). Section 5 of the 2nd SOI presents details about how safeguard (d) has been addressed and respected by the policies and initiatives aimed at reducing deforestation in the Amazon biome. The main challenges related to the implementation of this safeguard identified by the CCT-Safeguards advisory board are also presented in the table in Section 5 of the 2nd SOI. Finally, additional information on this safeguard is also provided in the ESA found in the Annex.

Record of previous stakeholder engagement activities coordinated by the CCT-safeguards

The CCT-Safeguards held two virtual seminars from October to November 2016. Five meetings, to date, between December 2016 and March 2018, followed these. In addition, the group has held five workshops, from February to August 2018, focusing on the Development of a REDD+ Safeguards Information System (SISREDD+) Methodology.

Focus of work of CCT has followed closely assigned responsibilities as described above. The group started by developing a Brazil-specific conceptualization of the Cancun safeguards, following a suggestion by CONREDD+ for a clear understanding of the safeguards. A collective decision was made to elaborate a “concept, objective and details” for each safeguard. This was then provided as input towards the drafting of Brazil’s Second Summary of Information (SOI). The CCT also worked to identify possible shortcomings in the first SOI, to support the process of preparing the second version of the document. For example, the need for more gender language in the Second SOI was raised.

The representatives of the CCT then discussed the importance and usefulness of developing an ombudsman procedure related to the safeguards, including clarification of what ombudsman roles should entail and best practices. For example, it was determined that issues related to traditional peoples and communities should be directed to the National Commission of Traditional Peoples and Communities (CNPCT).

Attention has since turned towards the development of the REDD+ Safeguards Information System (SISREDD+). Workshops have focused on: (i) SISREDD+ purpose and requirements (concepts, approach, objectives, users, analyses and communications), (ii) development of dimensions and criteria for indicators (to assess respect for and compliance with REDD+ Safeguards), and (iii) REDD+ ombudsman grants. The five workshops held thus far have been well represented. For example, 59 people, including experts, representatives of indigenous and traditional peoples and communities, and members of the CCT-Safeguards, attended the first workshop. Seventeen states and 41 different institutes were represented. The subsequent workshops have garnered similar levels of participation. The Climate Change Policy Program (PoMuC), collaboration between the Ministry of Environment (MMA) and the German Cooperation Agency (GIZ), has supported the workshops. Within PoMuC, the Nature Society and Conservation Group (NSC Group) is responsible for technical and methodological support in the development of the methodologies for evaluating REDD+ safeguards.

Workshop summaries

The 1st Workshop to Develop the REDD + Safeguards Assessment Methodology took place in the city of Rio Branco-AC Between February 27 and March 1, 2018. This was the first step in the process of participatory construction of the indicators for assessing respect for and compliance with REDD + Safeguards. The event had as its objective to gather information about: SISREDD+ requirements (concepts, approach, objectives, participants, users, analyses and communications); attributes of the indicators (dimensions and criteria); and REDD+ ombudsman grants. Fifty-nine people, 17 states and 41 institutes attended the event.

The 2nd Workshop took place between April 09 and 11, 2018, in the city of Cuiabá-MT. Its objectives were: further conceptual improvement of the SISREDD + requirements built in the 1st workshop, proposition of targets, and

identification of indicators. Particularly, the indicator dimensions and criteria for Safeguards A, B and F were developed and refined further. Fifty-six people, 8 states and 35 institutes attended the event.

The 3rd Workshop was held in Belém, Brazil, from May 2 to 4. Its work consisted in the evaluation of Safeguards C and D. Work on Safeguard C focused on respect for the knowledge of indigenous peoples, traditional peoples and communities, and traditional and family farmers (PICTAFT). Work on Safeguard D focused on full and effective participation of stakeholders, in particular those considered to be the direct beneficiaries of REDD+. The morning was also spent aligning and clarifying concepts (at the request of PICTAFT) in order to make better use of the debates within the groups. After a day of introductory presentations, the work developed within groups, which focused on specific monitoring targets. The results were shared on the last day, in order to obtain input from participants from other groups. Forty-nine people, 5 states and 36 institutes attended the event.

After three months of work, the 4th Workshop took place in Belo Horizonte, between June 4 and 6, and ended the stage of information collection at the regional level. Participants worked in groups to develop indicators based on the monitoring targets defined in the 1st workshop, held in Rio Branco, AC. The workshop was also an opportunity for the development process to contemplate visions from the other biomes, especially the Cerrado. With representatives of traditional communities in Minas Gerais and other states in the Central-West region of Brazil, it was possible to address the concerns related to the displacement of emissions (Safeguard G) between the Amazon and Cerrado biomes. In addressing safeguard E (conservation of socio-biodiversity), the group was able to elaborate the indicators related to the valorization of the standing forest, its multiple functions and benefits, and the ways of life associated with it. Like previous workshops, members were able to assess the work of all the groups to refine contributions. Forty-two people attended the event.

The 5th workshop took place in Brasília from July 31st to August 2nd, 2018. The objective of this workshop was to refine the indicators proposed in the regional stages and discuss ways of measuring and implementing them.

Jurisdictional REDD+ programs in Acre

The Government of the State of Acre in Brazil has been pioneering a state-level, Jurisdictional REDD+ program Initiative since 2010. The REDD+ SES is being applied under the System of Incentives for Environmental Services (SISA). A [SISA law](#) was created, outlining social and environmental principles that need to be addressed and respected, and includes indicators and processes for monitoring, based on the [REDD+ Social & Environmental Principles & Criteria](#)

SISA was designed and validated with input and feedback gathered during a comprehensive stakeholder consultation process³. A draft law was first published in 2009 and was sent to 120 people from more than 72 national and international organizations for evaluation, it was also made available online. In addition, public consultation meetings with more than 170 people were organized by the State Secretariat of Environment to discuss the SISA proposal and to work toward a fair and efficient structure of benefit sharing⁴. This included representatives from 35 indigenous territories (out of 36 in the state), FUNAI, and indigenous NGOs, demonstrating the commitment to hearing the voices and integrating the needs of indigenous peoples in the state. Representatives from diverse groups also participated, including universities, companies, banks, family farmers, small producers, and traditional extractivist communities. Five meetings were held with technical staff from local NGOs, three workshops brought together potential beneficiaries, and a technical seminar included 10 national and international organizations that represented civil society, as well as representatives of seven State Secretariats⁵.

To oversee the implementation of SISA, a multi-stakeholder Commission of Validation and Monitoring of the SISA (CEVA - Comissão Estadual de Validação e Acompanhamento) was created. State law No. 2.308, Article 12, in

3 <http://imc.ac.gov.br/wp-content/uploads/2016/09/SISA-Construcao-Participativa.pdf>

4 Duchelle et al. Acre's State System of Incentives for Environmental Services (SISA), Brazil. CIFOR.

5 *ibid*

October 2010 and functions established the Commission as a balanced representation of government and civil society. The Commission held its first meeting in December 2011 and in early 2012, [the duties and functions of the Commission](#) were approved by the members. The Instituto de Mudanças Climáticas (IMC) facilitates the use of REDD+ SES in close coordination with CEVA.

Participants in the CEVA include the following state-level government bodies:

- Institute of Climate Change and Environmental Services Regulation (IMC)
- Secretary of Environment (SEMA)
- The State General Public Attorney (PGE)
- Brazilian Agricultural Research Company (EMBRAPA)

Civil society and stakeholder participation occurs through CEVA, as well as through public consultations. The following Civil society actors participate in CEVA:

- World Wildlife Fund (WWF)
- Single Center of Workers (CUT)
- Amazon Working Group (GTA)
- Association of Industries of Timber from Forest Management of the State of Acre (ASIMMANEJO)

The SISA law also created an Indigenous People's working group and a technical advisory committee to oversee activities of the SEVA, which includes representatives of FUNAI, of indigenous groups/federations and indigenous-led NGOs. This serves as another mechanisms to ensure that there is transparent decision-making and participatory monitoring and evaluation of SISA and SEVA activities in the state of Acre.

Annex C: Overview of Grievance Redress Mechanisms

As part of the REDD+ RBP retroactive alignment review of safeguards,, the country's institutional arrangements should demonstrate that a national feedback and grievance redress mechanism are effectively in place to demonstrate that systems were available to stakeholders to receive and address any complaints or disputes related to REDD+ activities for which payments are being sought.

National Level mechanisms

The Republic's General Office of the Ombudsman was created in 1995, and is currently called the Union General Office of the Ombudsman (OGU). It has the competence for the technical coordination of the Federal Executive Branch ombudsman segment. In 2004, the Constitutional Amendment # 45 was promulgated, which establishes the creation of the Office of the Ombudsman in the Judiciary Branch and in the Public Prosecutor's Office for the Union, States, Federal District and Territories. The Union General's Office of the Ombudsman has a website with information about all Offices of the Ombudsman, legislation, statistics, guidelines, among others¹.

Currently, the Federal Executive Branch has more than 250 Offices of the Ombudsman (*Ouvidoria*), distributed throughout the various agencies and entities and dealing with different issues. Complaints may be received directly to the ombudsman of the relevant ministry, secretariat, or other government body, serving as a channel of communication between society and governance institutions.

At Federal executive level, there is an ombudsman system that is used by all Offices of the Ombudsman to record feedback from citizens² (e-Ouv). It allows citizens to complain, to suggest, denounce, praise and to request measures and the simplification of services to public ombudsmen. This system ensures that the rights of users of public services are respected. Once receiving the complaint, the federal ombudsmen will analyze it and respond or find a solution to the problem with the responsible areas of the organs and entities that provide services within up to 20 days, extendable only once for 10 days.. In addition, ombudsmen are always working to transform individual problems into collective solutions: all the information about the manifestations they receive is constantly treated and analyzed in order to detect problems and propose improvements to managers, so that we can all have a public service each better.

In the Forestry sector, Brazilian Forest Service (SFB) an autonomous body and part of the structure of the Ministry of the Environment (MMA), and was created by Law No. 11,284, of March 6, 2006 – which provides for the management of public forests for sustainable production. The SFB has an ombudsman's office, where “anyone can make a statement, send a request, complaint, complaint, suggestion and praise about SFB and its activities”³, which are documented in annual reports. In addition to the typical activities of the ombudsman (approved internal and external demands regarding the request, complaint, complaint, suggestion and compliment), the SFB Ombudsman is mandated to perform the following duties:

- coordinate the Information Citizen Services (SIC), ensuring access to information in an efficient and appropriate manner, as envisaged in the Law on Access Information - LAI
- channel service flows and queries related to Register Rural Environment (CAR).

The number of complaints received by the SFB ombudsman office over the last decade is outlined in Table 1. The SFB implemented a series of measures to focus on better public service in relation to the SICAR, as well as availability of strategic information related to the CAR, resulting in a reduction in the number of complaints after 2016.

To ensure access to information and transparency of public administration activities, the Sistema Eletrônico do Serviço de Informações ao Cidadão (e-SIC) allows “any person, physical or legal, to forward requests for access to information, follow the deadline and receive the response of the request made to agencies and entities of the Federal Executive”. The number of requests made in the last decade are outlines in Table 1. Accessing the e-SIC

¹ <http://ouvidorias.gov.br/>

² <https://sistema.ouvidorias.gov.br/publico/Manifestacao/RegistrarManifestacao.aspx> .

³ <http://www.florestal.gov.br/ouvidoria>

system, a report on the grievances and complaints made to BNDES (Banco Nacional de Desenvolvimento Econômico e Social) can be evaluated for the period between 2012 and 2018, demonstrating that over 3795 complaints were received (see Figure at the end of this annex).

Tabela- demandas totais recebidas (2010-2017)

Ano	Ouvidoria	SIC	CAR*	TOTAL
2010	85	---	---	85
2011	101	---	---	101
2012	293	47	---	340
2013	149	37	---	186
2014	518	39	213**	770
2015	380	49	2.380	2.809
2016	316	79	930	1.325
2017***	244	25	46	315

*Com a adesão, em fevereiro/17, ao sistema e-Ouv, as demandas relativas ao CAR passaram a ser categorizadas como "típicas de ouvidoria" e, nessa condição, registradas como demandas de Ouvidoria.

** a partir do 2º semestre de 2014.

*** Janeiro-Junho.

In addition to the Brazilian Forestry Service, MMA has created within its organizational structure an office of the ombudsman for the Brazilian Environment and Renewable Natural Resources Institute and Chico Mendes Institute for Biodiversity Conservation (both autonomous federal agencies).

State-level systems

In Acre, the pioneering System of Incentives for Environmental Services (SISA, see Annex C Overview of Stakeholder Engagement) involved the establishment of an ombudsman office within the CEVA (Comissão Estadual de Validação e Acompanhamento) to deal specifically with grievances related to REDD+ activities. This office works in parallel to the state-level ombudsman office within the Office of the Attorney General, such that stakeholders can make complaints can either office. Furthermore, the design of the GRM for REDD+ SISA in the State of Mato Grosso is expected to be based on a network of ombudsman offices from different relevant ministries and other state-level organs/entities to coordinate complaints registry and resolutions in an effective manner.

Relatório de recursos e reclamações

(*)Informações adicionais para o correto entendimento do relatório podem ser encontradas na última seção.

Órgão(s) de Referência: BNDES – Banco Nacional de Desenvolvimento Econômico e Social

Período de Consulta: 8/2012 até 1/2018

1. Quadro geral dos recursos

Pedidos	Recurso ao chefe hierárquico	Recursos à autoridade máxima	Recursos à CGU	Recursos à CMRI
3795	215	45	25	8

Observações:

(1) Os dados referentes a recursos à CGU que foram registrados antes da inclusão da funcionalidade de interposição desse tipo de recurso no e-SIC (ocorrida em 22 de Agosto de 2012) estarão, provisoriamente, disponíveis em relatório estático à parte, acessível a partir do item de menu "Relatórios Estatísticos".

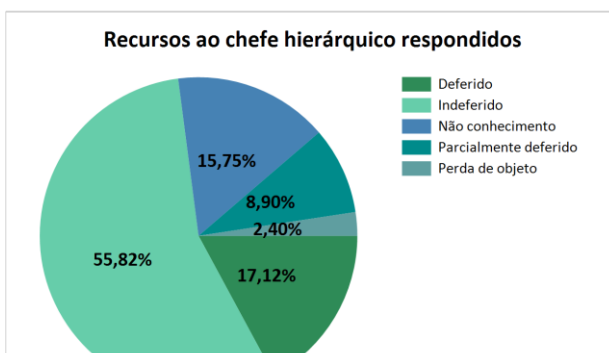
(2) Os dados referentes a recursos à CMRI que foram registrados antes da inclusão da funcionalidade de interposição desse tipo de recurso no e-SIC (ocorrida em 31 de janeiro de 2014) estarão, provisoriamente, disponíveis em relatório estático à parte, acessível a partir do item de menu "Relatórios Estatísticos".

2. Recursos ao chefe hierárquico

% de pedidos respondidos que geraram recursos ao chefe hierárquico: 5,67%

Recursos recebidos no período: 215

Recursos ao chefe hierárquico respondidos		
Total de recursos respondidos	214	99,53%
Deferido	37	17,29%
Indeferido	122	57,01%
Não conhecimento	32	14,95%
Parcialmente deferido	21	9,81%
Perda de objeto	2	0,93%



Informação incompleta	98	45,58%
Informação recebida não corresponde à solicitada	48	22,33%
Outros	31	14,42%
Justificativa para o sigilo insatisfatória/não informada	26	12,09%
Ausência de justificativa legal para classificação	10	4,65%
Informação recebida por meio diferente do solicitado	2	0,93%
TOTAL	215	

Ausência de justificativa legal para classificação	10	4,65%
Informação recebida por meio diferente do solicitado	2	0,93%
TOTAL	215	

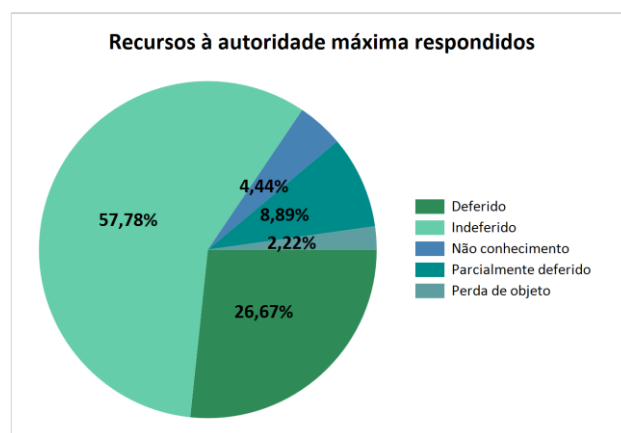
3. Recursos à autoridade máxima

% de pedidos respondidos que geraram recursos à autoridade máxima: 1,19%

% de recursos ao chefe superior que geraram recursos à autoridade máxima 20,93%

Recursos recebidos no período: 45

Recursos à autoridade máxima respondidos		
Total Respondidas:	45	100%
Deferido	12	26,67%
Indeferido	26	57,78%
Não conhecimento	2	4,44%
Parcialmente deferido	4	8,89%
Perda de objeto	1	2,22%



Motivos para interposição de recursos à autoridade máxima		
Motivo	Quantidade	%
Informação incompleta	19	42,22%
Justificativa para o sigilo insatisfatória/não informada	10	22,22%
Outros	9	20%
Ausência de justificativa legal para classificação	4	8,89%
Informação recebida não corresponde à solicitada	3	6,67%
TOTAL	45	

4. Recursos à CGU

Recursos recebidos no período: 25

% de pedidos respondidos que geraram recursos à CGU: 0,66%

% de recursos ao chefe hierárquico que geraram recursos à CGU: 11,63%

% de recursos à autoridade máxima que geraram recursos à CGU: 55,56%

Recursos à CGU respondidos		
Total Respondidas:	25	100%
Deferido	1	4%
Indeferido	13	52%
Não conhecimento	7	28%
Parcialmente deferido	1	4%
Perda de objeto	3	12%

Project Title: Going Green Project

The project executed by The National Conservancy (TNC) worked with 12 municipal governments in the states of Para and Mato Grosso to strengthen institutional capacity to promote environmental adjustment of rural properties through adhesion to the Rural Environmental Registry (CAR); and, thereby, reduce deforestation and move embargoed municipalities from the critical list of the Ministry of Environment (MMA). The project succeeded in updating municipal cartographic bases to a scale of 1:25,000; trained technical staff to operate a Municipal Environmental Portal (PAM); and, conducted a comprehensive information dissemination and awareness raising campaign directed to small, medium and large scale rural producers. As a result, the number of rural producers registered in the CAR exceeded project targets and some producers committed to steps for recovery of environmental liabilities (PRA); however, not all municipalities achieved sufficient reduction in deforestation rates to be eligible for removal from the MMA critical list.

Review Indicators	Alignment Review	Evaluation / Recommendations
Human Rights		
<i>Key objective: Support universal respect for, and observance of, human rights and fundamental freedoms for all</i>		
<ul style="list-style-type: none"> Measures in place to uphold human rights principles of accountability and rule of law, participation and inclusion, and equality and non-discrimination No activities undertaken that may contribute to violations of a State's human rights obligations and the core international human rights treaties 	<ul style="list-style-type: none"> The project did not directly address human rights issues, per se, but was aligned with national land tenure regularization policies The project activities did not pose any risks of violations of Brazil's human rights obligations and/or its commitments to international human rights treaties 	<ul style="list-style-type: none"> Good level of alignment, in line with key objectives of UNDP SES, without significant shortcomings.
Gender Equality and Women's Empowerment		
<i>Key objective: Promote gender equality and women's empowerment</i>		
<ul style="list-style-type: none"> Activity does not discriminate against women or girls or reinforce gender-based discrimination Activity designed in gender responsive manner (e.g. address both women's and men's needs, interests and concerns) Equitable access to opportunities, benefits, and resources Meaningful and equitable participation of women and men 	<ul style="list-style-type: none"> The project did not directly address gender equality or women's empowerment Notwithstanding, women were involved in project activities, e.g., working for and supporting adhesion to the CAR process, in the coordination of local communications and awareness raising and, in some instances, as leaders for project activities 	<ul style="list-style-type: none"> Satisfactory result – Project falls short of covering key objectives of UNDP SES but the positive alignment dominates. While the project design did not promote gender integration, it did not hinder the participation of women as beneficiaries Recommendation: Projects undertaken under the Amazon Fund should i) conduct a gender analysis to inform project design; and, for monitoring and evaluation, ii) establish a baseline with data disaggregated by sex and other relevant parameters and iii) define relevant gender and social inclusion indicators and targets. In a project such as this one, a gender analysis would be important to understand gender roles and relations with respect to, among others, adoption of alternative sustainable use practices in agriculture and linking to

Project Title: Going Green Project

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Review Indicators	Alignment Review	Evaluation / Recommendations
		markets (control and access to resources), raising awareness and assuming leadership to promote adherence to CAR and follow-on actions (women's voice, social networks) and women's in local governance of environmental management (decision-making). The gender analysis should inform the preparation of an explicit gender and social inclusion strategy and action plan including performance indicators and targets
Social and Environmental Assessment and Management		
<i>Key objective: Potential social and environmental risks and impacts are identified, assessed and managed, and monitored</i>		
<ul style="list-style-type: none"> Systematic process in place to identify, assess, mitigate and manage potential social and environmental risks and impacts Assessment and management conducted in manner proportionate to significance of risks Impact mitigation measures follow mitigation hierarchy Mitigation measures monitored in manner proportionate to risks and corrective actions are taken as required 	<ul style="list-style-type: none"> The scope and objective of the project was to strengthen municipal capacity for land use planning and environmental management to reduce deforestation Notwithstanding, the project did not undertake any systematic assessment of potential social and environmental risks, e.g., with reference to alternative productive activities, continuing/new threats of deforestation or the sustainability of institutional capacity development 	<ul style="list-style-type: none"> Satisfactory result – Project falls short of covering key objectives of UNDP SES but the positive alignment dominates. The project was very successful in achieving positive environmental, economic and social outcomes, i.e., developing methods and tools to strengthen local land use planning and environmental management; exceeding targets for rural properties registered under CAR; facilitating some PRA commitments; and, collaborating with smallholders and commercial agricultural producers in identifying sustainable alternative production activities Recommendation: The design of projects undertaken under the Amazon Fund, such as Going Green, should be informed by systematic assessment of potential direct and indirect environmental and social risks as a basis for, e.g., expanding project scope to include greater follow-through on recovery of environmental deficits (PRA and

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Review Indicators	Alignment Review	Evaluation / Recommendations
		PRAD), exploiting potential synergies with other projects, establishing ESIA guidelines for sub-projects, etc.
Stakeholder Engagement		
<i>Key objective: Promote effective stakeholder engagement throughout the project-cycle</i>		
<ul style="list-style-type: none"> Stakeholders and engagement process identified Stakeholders, in particular project-affected groups, involved in planning, implementation, monitoring Vulnerable or disadvantaged groups identified and consulted Stakeholders views taken into account and considered in project design and implementation 	<ul style="list-style-type: none"> The project adopted a participatory approach with key stakeholders from municipal government, state and national environmental agencies, rural unions, producer associations and other local leaders Municipal government stakeholders were key, direct beneficiaries of project Partnerships with other key stakeholders were instrumental for project design and implementation, e.g., development of methods and tools, development of innovative production strategies, participation of medium and large producers As noted, however, the project did not target women or other vulnerable groups, e.g., rural workers' unions, rural women workers 	<ul style="list-style-type: none"> Good level of alignment, in line with key objectives of UNDP SES, without significant shortcomings.
<i>Key objective: Ensure stakeholders have access to relevant and timely information</i>		
<ul style="list-style-type: none"> Information on project opportunities and risks disclosed in timely, accessible, appropriate manner, language, form Environmental/social reviews and assessments disclosed 	<ul style="list-style-type: none"> A wide information dissemination and awareness-raising process was carried out to inform and motivate rural producers to join the CAR The project produced and disseminated Forest Restoration Manuals to support environmental adequacy of rural productive units The partnership between municipalities and other 	<ul style="list-style-type: none"> Ibid

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Review Indicators	Alignment Review	Evaluation / Recommendations
	<p>stakeholders enhanced the transparency of how the methods and tools developed by the project are used for monitoring land uses for their environmental regularity</p> <ul style="list-style-type: none"> There is no indication, however, that environmental and social reviews were conducted or disclosed 	
<i>Key objective: Ensure stakeholders may communicate project concerns</i>		
<ul style="list-style-type: none"> Stakeholders have access to effective grievance redress mechanism or process 	<ul style="list-style-type: none"> The project relied on partnerships agreed among key stakeholders. However, there is no evidence of any explicit process or mechanism for grievance redress. 	<ul style="list-style-type: none"> Satisfactory result – Project falls short of covering key objectives of UNDP SES but the positive alignment dominates. At present, there is no Feedback and Grievance Redress Mechanism (FGRM) identified as part of Brazil National REDD+ Strategy, in Amazon Fund and/or BNDES social and environmental policies and/or for this project. Recommendation: Projects undertaken under the Amazon Fund are required to adopt a FGRM (existing or new) to facilitate stakeholders and project-affected people or communities to obtain information, register complaints or grievances and resolve conflicts. The FGRM should be socially and culturally appropriate and accessible and provide opportunities and clear procedures for a tiered process that includes informal dispute resolution, an administrative quasi-judicial review and negotiation as well as referral to the courts.
Biodiversity and Sustainable Natural Resource Management		
<i>Key objectives: Conserve biodiversity. Maintain and enhance benefits of ecosystem services</i>		
<ul style="list-style-type: none"> Adverse impacts (direct and indirect) to natural resources, biodiversity, ecosystem services identified, assessed, mitigated and managed 	<ul style="list-style-type: none"> The project was aligned with the PPCDam and State plans to prevent and control deforestation A main indicator for the project was the annual rate of 	<ul style="list-style-type: none"> Satisfactory result – Project falls short of covering key objectives of UNDP SES but the positive alignment dominates.

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Review Indicators	Alignment Review	Evaluation / Recommendations
<ul style="list-style-type: none"> No conversion of natural forests No measurable adverse impacts to critical habitats Adverse impacts to other habitat types avoided, minimized and managed No reduction in endangered species No introduction of known invasive species 	<p>deforestation: Initially, the rates in project areas declined; however, before and following the end of the project, rates increased in some project areas</p> <ul style="list-style-type: none"> Another project indicator was removal of participating municipalities from the list of priority municipalities for control and monitoring of deforestation (Federal Decree No. 6,321/2007): The project contributed to achievement of CAR alignment requirements, but due to continuing high levels of deforestation did not meet criteria for lifting agricultural embargoes in some municipalities. Review of the scope of the project noted that the command and control approach was insufficient to address continued deforestation that is driven by population growth, infrastructure development and other factors. 	<ul style="list-style-type: none"> The project was relevant to the initial process of strengthening environmental monitoring and control actions with an emphasis on the formalization of the CAR – all essential steps in a process of reducing deforestation and conserving biodiversity. Recommendation: A key lesson learned from the Going Green project is that the design of such projects, i.e., for strengthening institutional capacity, should have an expanded scope to go beyond the initial stage of command and control, e.g., CAR registration, to provide support/incentives for further work on recovery of environmental deficits (PRA, PRAD), other initiatives for alternative production measures, linkages to markets, etc.; and/or, should be conceived in the context of a commitment to a cascade of projects/funding of multiple initiatives that encompass the above.
<i>Key objective: Promote sustainable management of living natural resources (e.g., forestry, agriculture, livestock, fisheries)</i>		
<ul style="list-style-type: none"> Ensure sustainable resource management that protects biodiversity and ecosystem services Appropriate industry-specific sustainable resource production/management practices applied, including credible certification systems where appropriate Sustainable practices supported for small-scale producers Equitable benefit sharing arrangements reached for utilization of genetic resources 	<ul style="list-style-type: none"> The project was successful in building the technical and institutional capacity of municipalities to monitor land use and environmental management; it exceeded targets for CAR registration and achieved progress in encouraging farmers to undertake PRA and PRAD; and, collaborated with smallholders and commercial farmers to identify sustainable alternative production strategies for crop cultivation and livestock raising. 	<ul style="list-style-type: none"> Ibid
Climate Change Mitigation and Adaptation		
<i>Key objective: Ensure projects sensitive to climate change risks</i>		

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Review Indicators	Alignment Review	Evaluation / Recommendations
<ul style="list-style-type: none"> Project components reviewed for sensitivity and vulnerability to potential climate change Social and gender risks and differentiated impacts related to climate change addressed 	<ul style="list-style-type: none"> The project was aligned with National Climate Change Program and Paris Agreement However, the project does not appear to have addressed climate change directly, in the context of any review of climate-change related opportunities and/or risks associated with initiatives, e.g., alternative production strategies, or in terms of differential social and gender risks and impacts 	<ul style="list-style-type: none"> Satisfactory result – Project falls short of covering key objectives of UNDP SES but the positive alignment dominates. To the extent that the project promoted/ supported recovery of environmental deficits and/or adoption of alternative production strategies, it addressed climate change risks, e.g., GHG emissions Recommendation: The design of projects undertaken under the Amazon Fund should be informed by an assessment of climate change risks and associated environmental, economic and social impacts for different groups of stakeholders; and, identify appropriate mitigation and/or adaptation strategies, indicators and targets.
<i>Key objective: Reduce project-related GHG emissions</i>		
<ul style="list-style-type: none"> Feasible alternatives considered and adopted for reducing project-related greenhouse gas emissions (GHGs) 	<ul style="list-style-type: none"> The project exceeded targets for CAR registration, obtained some commitments to recover environmental deficits and piloted sustainable alternative production and, thereby, contributed to increased medium-term carbon storage by natural regeneration 	<ul style="list-style-type: none"> Ibid
Community Health, Safety and Working Conditions		
<i>Key objective: Avoid adverse health and safety impacts</i>		
<ul style="list-style-type: none"> Risks to communities and workers from construction and other interventions prevented or minimized and managed Measures adopted to prevent or minimize health risks and spread of infectious disease 	<ul style="list-style-type: none"> The project activities did not pose any risks to communities or workers due to construction or other interventions 	<ul style="list-style-type: none"> This UNDP SES does not apply in the case of this project
<i>Key objective: Respect and promote workers' rights</i>		

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Review Indicators	Alignment Review	Evaluation / Recommendations
<ul style="list-style-type: none"> Measures in place to promote non-discrimination, equal opportunity and fair treatment of workers No use of forced labor or child labor, consistent with relevant ILO conventions 	<ul style="list-style-type: none"> The project activities did not pose any risks to workers' rights 	<ul style="list-style-type: none"> Ibid
<i>Key objective: Provide safe and healthy working conditions</i>		
<ul style="list-style-type: none"> Measures adopted to ensure healthy and safe working conditions 	<ul style="list-style-type: none"> The project activities did not pose any risks to safe and healthy working conditions 	<ul style="list-style-type: none"> Ibid
Cultural Heritage		
<i>Key objective: Protect, manage, conserve cultural heritage</i>		
<ul style="list-style-type: none"> Cultural heritage protected from adverse risks and impacts Qualified experts utilized for risk management and conservation Chance find procedures in place 	<ul style="list-style-type: none"> The project activities did not pose any risks to cultural heritage 	<ul style="list-style-type: none"> This UNDP SES does not apply in the case of this project
<i>Key objective: Promote equitable benefit sharing from utilization of cultural heritage</i>		
<ul style="list-style-type: none"> Inform affected communities of rights and proceed only if good faith negotiations provide for fair and equitable benefit sharing 	<ul style="list-style-type: none"> The project activities did not pose any risks to cultural heritage 	<ul style="list-style-type: none"> Ibid
Displacement and Resettlement		
<i>Key objectives: Avoid adverse impacts from land or resource acquisition or restrictions on land/resource use. Minimize adverse impacts where avoidance not possible.</i>		
<ul style="list-style-type: none"> Measures in place to avoid, and where avoidance is not possible, minimize and mitigate physical or economic displacement from land or resource acquisition or restrictions on land or resource use Any displacement activities carried out in fully participatory manner 	<ul style="list-style-type: none"> No physical or economic displacement occurred as a result of the project 	<ul style="list-style-type: none"> This UNDP SES does not apply in the case of this project

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Review Indicators	Alignment Review	Evaluation / Recommendations
<i>Key objective: Recognize and respect the prohibition on forced evictions</i>		
<ul style="list-style-type: none"> No forced evictions, allowing evictions only in exceptional circumstances meeting lawful criteria 	<ul style="list-style-type: none"> No physical or economic displacement occurred as a result of the project 	<ul style="list-style-type: none"> Ibid
<i>Key objective: Enhance or at least restore livelihoods of all displaced persons, and improve living standards of displaced poor and other displaced groups → ? other vulnerable groups</i>		
<ul style="list-style-type: none"> Livelihoods of any displaced persons enhanced or at least restored through compensation at full replacement costs and other assistance 	<ul style="list-style-type: none"> No physical or economic displacement occurred as a result of the project 	<ul style="list-style-type: none"> Ibid
Indigenous Peoples		
<i>Key objective: Recognize and foster full respect for indigenous peoples' human rights</i>		
<ul style="list-style-type: none"> Indigenous peoples' rights recognized and protected No actions supported that violate indigenous peoples' rights 	<ul style="list-style-type: none"> The project did not work in any indigenous or traditional communities 	<ul style="list-style-type: none"> This UNDP SES does not apply in the case of this project
<i>Key objective: Ensure projects designed in partnership with full, effective indigenous peoples' participation, and securing FPIC where IP rights, lands, resources, territories of traditional livelihoods affected</i>		
<ul style="list-style-type: none"> Culturally appropriate meaningful participation undertaken for all activities that affect indigenous peoples Free Prior and Informed Consent (FPIC) obtained for activities that affect the rights, interests, lands, resources, territories, traditional livelihoods of affected indigenous peoples No relocation of indigenous peoples without FPIC and only after just and fair compensation, with option of return where possible 	<ul style="list-style-type: none"> The project did not work in any indigenous or traditional communities 	<ul style="list-style-type: none"> Ibid

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Review Indicators	Alignment Review	Evaluation / Recommendations
<i>Key objective: Promote greater indigenous peoples' control and management of developments affecting their lands and resources, aligning with their visions and priorities</i>		
<ul style="list-style-type: none"> Measures recognize indigenous peoples' collective rights to own, use, develop, control lands, resources, territories they have traditionally owned, occupied, otherwise used or acquired 	<ul style="list-style-type: none"> The project did not work in any indigenous or traditional communities 	<ul style="list-style-type: none"> Ibid
<i>Key objective: Avoid adverse impacts, mitigate residual impacts, ensure just equitable benefits and opportunities in a culturally appropriate manner</i>		
<ul style="list-style-type: none"> Adverse impacts on indigenous peoples are avoided, and where avoidance is not possible, minimized and mitigated Measures in place to ensure equitable benefit sharing from project activities in culturally appropriate manner 	<ul style="list-style-type: none"> The project did not work in any indigenous or traditional communities 	<ul style="list-style-type: none"> Ibid
Pollution Prevention and Resource Efficiency		
<i>Key objective: Avoid/minimize adverse impacts on human health and environment from pollution</i>		
<ul style="list-style-type: none"> Measures in place to avoid, minimize and mitigate risks posed to human health and the environment from pollutants, wastes, and hazardous materials Integrated Pest Management (IPM) approaches utilized to reduce reliance on synthetic pesticides. Least toxic effective pesticides utilized and pesticides handled per FAO Code of Conduct 	<ul style="list-style-type: none"> No project activities posed risks to human health or the environment due to pollutants, wastes or hazardous materials 	<ul style="list-style-type: none"> This UNDP SES does not apply in the case of this project
<i>Key objective: Promote more sustainable use of resources, including energy, land and water</i>		
<ul style="list-style-type: none"> Feasible measures implemented to improve efficiency in consumption of inputs (e.g. raw materials, energy, water) Use of water resources does not adversely impact others or sensitive ecosystems 	<ul style="list-style-type: none"> No project activities posed risks to efficient consumption of inputs 	<ul style="list-style-type: none"> Ibid

Project Title: Catalyzing the Contribution of Indigenous Lands to the Conservation of Brazil's Forest Ecosystems (GEF Project #2934)

The project (2009-2016) had a long-term goal to consolidate Indigenous Lands (ILs) as essential protected areas for the conservation of biodiversity in Brazilian forests and as constituent parts of the National Protected Areas Plan (PNAP). The National Foundation for Indigenous Affairs (FUNAI), the Executing Agency, worked in 32 IL references areas in various states, in close consultation with relevant government agencies, Indigenous Peoples' (IP) organizations and NGOs. The project achieved: i) adoption of the National Policy for Environmental and Territorial Management of Indigenous Lands (PNGATI); ii) development of methods and tools for ethno-environmental management of ILs by IPs; and, iii) development of sustainable and replicable models for ethno-management plans in ILs.

Review Indicators	Alignment Review	Evaluation / Recommendations
Human Rights		
<i>Key objective: Support universal respect for, and observance of, human rights and fundamental freedoms for all</i>		
<ul style="list-style-type: none"> Measures in place to uphold human rights principles of accountability and rule of law, participation and inclusion, and equality and non-discrimination No activities undertaken that may contribute to violations of a State's human rights obligations and the core international human rights treaties 	<ul style="list-style-type: none"> The project focused on support for the management of indigenous lands (ILs) in Brazil, according to the interests and initiatives of indigenous peoples (IP) and was thus in conformity with federal legislation that guarantees the rights of indigenous peoples established in the Federal Constitution of 1988 A major outcome of the project is a National Policy for Territorial and Environmental Management in Indigenous Lands (PNGATI) The project is recommended as a model for replication in other indigenous areas to implement the PNGATI with adaptations to local contexts 	<ul style="list-style-type: none"> Good level of alignment, in line with key objectives of UNDP SES, without significant shortcomings.
Gender Equality and Women's Empowerment		
<i>Key objective: Promote gender equality and women's empowerment</i>		
<ul style="list-style-type: none"> Activity does not discriminate against women or girls or reinforce gender-based discrimination Activity designed in gender responsive manner (e.g. address both women's and men's needs, interests and concerns) Equitable access to opportunities, benefits, and resources Meaningful and equitable participation of women and men 	<ul style="list-style-type: none"> The project did not directly address gender equality or women's empowerment However, several local initiatives demonstrated the relevance of women's involvement in sustainable use and environmental management of natural resources 	<ul style="list-style-type: none"> Satisfactory result – Project falls short of covering key objectives of UNDP SES but the positive alignment dominates. Gaps identified are covered by other elements of PPCDAm. While the project design did not promote gender integration, it did not hinder the participation of women as beneficiaries in local initiatives Recommendation: Projects undertaken under the Amazon Fund should i) conduct a gender analysis to inform project design; and, for monitoring and evaluation, ii) establish a baseline with data disaggregated by sex and other relevant parameters and iii) define relevant gender and social inclusion indicators

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Review Indicators	Alignment Review	Evaluation / Recommendations
		<p>and targets.</p> <ul style="list-style-type: none"> In a project such as this one, a gender analysis would be important to understand gender roles and relations in diverse IP groups with reference to sustainable use, environmental management and decision-making about forest, water and other natural resources; to establish a baseline of sex-disaggregated data for regional and local initiatives; and, to identify opportunities and constraints to address women's empowerment at the institutional level (IP organizations, government agencies), in the development of culturally appropriate environmental management methods and tools and in community management of natural resources.
Social and Environmental Assessment and Management		
<i>Key objective: Potential social and environmental risks and impacts are identified, assessed and managed, and monitored</i>		
<ul style="list-style-type: none"> Systematic process in place to identify, assess, mitigate and manage potential social and environmental risks and impacts Assessment and management conducted in manner proportionate to significance of risks Impact mitigation measures follow mitigation hierarchy Mitigation measures monitored in manner proportionate to risks and corrective actions are taken as required 	<ul style="list-style-type: none"> The project successfully achieved its immediate objective to consolidate and test an environmental and territorial management strategy for indigenous lands (IL), namely the PNGATI The project developed methods and tools for ethno-mapping, ethno-zoning, ethno-environmental assessments and Territorial and Environmental Management Plans (PGTAs) for ILs; and, developed and tested models for forest management and recovery 	<ul style="list-style-type: none"> Good level of alignment, in line with key objectives of UNDP SES, without significant shortcomings.
Stakeholder Engagement		
<i>Key objective: Promote effective stakeholder engagement throughout the project-cycle</i>		
<ul style="list-style-type: none"> Stakeholders and engagement process identified Stakeholders, in particular project-affected groups, involved in planning, implementation, monitoring 	<ul style="list-style-type: none"> The project design and implementation was highly participatory, involving national, regional and local partnerships with relevant government agencies 	<ul style="list-style-type: none"> Good level of alignment, in line with key objectives of UNDP SES, without significant shortcomings.

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Review Indicators	Alignment Review	Evaluation / Recommendations
<ul style="list-style-type: none"> Vulnerable or disadvantaged groups identified and consulted Stakeholders views taken into account and considered in project design and implementation 	<p>(CGGAM, FUNAI), indigenous organizations, NGOs, other CSOs, universities and research and extension institutions.</p> <ul style="list-style-type: none"> The PNGATI Steering Committee (50% members = IPs, 50% members = government) served as an effective venue for different ministries to discuss policies and budgets with regard to indigenous peoples (IP). The project emphasized participatory adaptive management, i.e., regional project coordinators were encouraged to plan and implement activities in consultation with beneficiaries in order to adapt the project to local contexts Extensive national and regional consultations supported the design of the project, the development of the PNGATI and other initiatives The project leveraged funding strategies such micro-projects, UNDP small contracts and small collaborative projects to support local IP and NGO initiatives such as planting seedlings, recovery of degraded areas, preparation of Plans for the Territorial and Environmental Management of Indigenous Lands (PGTAs), production and dissemination of publications 	
<i>Key objective: Ensure stakeholders have access to relevant and timely information</i>		
<ul style="list-style-type: none"> Information on project opportunities and risks disclosed in timely, accessible, appropriate manner, language, form Environmental/social reviews and assessments disclosed 	<ul style="list-style-type: none"> The project supported wide disclosure of its results and knowledge generated, through publications with partners including user-friendly guides and manuals in native languages, methodological tools tailored to conditions in different biomes, exchange workshops, etc. 	<ul style="list-style-type: none"> Good level of alignment, in line with key objectives of UNDP SES, without significant shortcomings.
<i>Key objective: Ensure stakeholders may communicate project concerns</i>		
<ul style="list-style-type: none"> Stakeholders have access to effective grievance redress 	<ul style="list-style-type: none"> While the project did not have an explicit grievance 	<ul style="list-style-type: none"> Satisfactory result – There was negative deviation from

Project Title: Catalyzing the Contribution of Indigenous Lands to the Conservation of Brazil's Forest Ecosystems (GEF Project #2934)

The project (2009-2016) had a long-term goal to consolidate Indigenous Lands (ILs) as essential protected areas for the conservation of biodiversity in Brazilian forests and as constituent parts of the National Protected Areas Plan (PNAP). The National Foundation for Indigenous Affairs (FUNAI), the Executing Agency, worked in 32 IL references areas in various states, in close consultation with relevant government agencies, Indigenous Peoples' (IP) organizations and NGOs. The project achieved: i) adoption of the National Policy for Environmental and Territorial Management of Indigenous Lands (PNGATI); ii) development of methods and tools for ethno-environmental management of ILs by IPs; and, iii) development of sustainable and replicable models for ethno-management plans in ILs.

Review Indicators	Alignment Review	Evaluation / Recommendations
mechanism or process	redress mechanism, the project Steering Committee had 50% IP membership	<p>key objectives despite overall alignment.</p> <ul style="list-style-type: none"> At present, there is no Feedback and Grievance Redress Mechanism (FGRM) identified directly as part of Brazil National REDD+ Strategy, in Amazon Fund and/or BNDES social and environmental policies and/or for this project, however there is a national system for to report greivances. Recommendation: Projects undertaken under the Amazon Fund are required to adopt a FGRM (existing or new) to facilitate stakeholders and project-affected people or communities to obtain information, register complaints or grievances and resolve conflicts. The FGRM should be socially and culturally appropriate and accessible and provide opportunities and clear procedures for a tiered process that includes informal dispute resolution, an administrative quasi-judicial review and negotiation as well as referral to the courts.
Biodiversity and Sustainable Natural Resource Management		
<i>Key objectives: Conserve biodiversity. Maintain and enhance benefits of ecosystem services</i>		
<ul style="list-style-type: none"> Adverse impacts (direct and indirect) to natural resources, biodiversity, ecosystem services identified, assessed, mitigated and managed No conversion of natural forests No measurable adverse impacts to critical habitats Adverse impacts to other habitat types avoided, minimized and managed No reduction in endangered species No introduction of known invasive species 	<ul style="list-style-type: none"> The project was designed based on Government commitment to the Convention on Biological Diversity (CDB) and was in conformity with national policies for conservation of biodiversity, specifically the National Biodiversity Policy (NBP) and the National Strategic Plan for Protected Areas (PNAP) The project did not result in any adverse impacts to natural forests, critical habitats, endangered species, etc. 	<ul style="list-style-type: none"> Good level of alignment, in line with key objectives of UNDP SES, without significant shortcomings.
<i>Key objective: Promote sustainable management of living natural resources (e.g., forestry, agriculture, livestock, fisheries)</i>		
<ul style="list-style-type: none"> Ensure sustainable resource management that protects 	<ul style="list-style-type: none"> The project developed instruments for the recognition of 	<ul style="list-style-type: none"> Ibid.

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Review Indicators	Alignment Review	Evaluation / Recommendations
<p>biodiversity and ecosystem services</p> <ul style="list-style-type: none"> ▪ Appropriate industry-specific sustainable resource production/management practices applied, including credible certification systems where appropriate ▪ Sustainable practices supported for small-scale producers ▪ Equitable benefit sharing arrangements reached for utilization of genetic resources 	<p>ILs as areas of effective conservation and protection of biological diversity, managed by IPs and including sustainable use of resources</p> <ul style="list-style-type: none"> ▪ The adoption of the PNGATI facilitates IP access to financial resources to support environmental management of ILs ▪ The project established local and regional networks to share evidence and experience and to provide training to promote IP environmental management of ILs; and, developed models for forest management and recovery based on IP principles and concepts for sustainable use and ethno-management, to facilitate local initiatives 	
Climate Change Mitigation and Adaptation		
<i>Key objective: Ensure projects sensitive to climate change risks</i>		
<ul style="list-style-type: none"> ▪ Project components reviewed for sensitivity and vulnerability to potential climate change ▪ Social and gender risks and differentiated impacts related to climate change addressed 	<ul style="list-style-type: none"> ▪ Climate Fund provided funding to the project, particularly to support the development of PGTAs in 2 regions; the Fund also supported other projects related to ILs in project reference areas ▪ In the analysis of project objectives and outcomes, climate change is identified as risk in achieving a strategy for ethno-environmental management of ILs 	<ul style="list-style-type: none"> ▪ Satisfactory result – Project falls short of covering key objectives of UNDP SES but the positive alignment dominates. Gaps identified are covered by other elements of PPCDAm. ▪ While the project outcomes will contribute to reducing environmental stress on ILs, specific issues of climate change were not explicitly addressed, e.g., in context of sustainable use of forest resources and/or by different social groups within IP communities ▪ Recommendation: Projects undertaken under the Amazon Fund that identify and fund local initiatives should include guidelines for addressing climate change as it affects opportunities and constraints for different social groups related to sustainable use of forest and other natural resources
<i>Key objective: Reduce project-related GHG emissions</i>		

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Review Indicators	Alignment Review	Evaluation / Recommendations
<ul style="list-style-type: none"> Feasible alternatives considered and adopted for reducing project-related greenhouse gas emissions (GHGs) 	<ul style="list-style-type: none"> The project did not explicitly address reduction of GHG although increasing areas and connectivity of forests under conservation will contribute in the long term to reducing anthropic stresses on IL and increasing carbon stocks 	<ul style="list-style-type: none"> Ibid
Community Health, Safety and Working Conditions		
<i>Key objective: Avoid adverse health and safety impacts</i>		
<ul style="list-style-type: none"> Risks to communities and workers from construction and other interventions prevented or minimized and managed Measures adopted to prevent or minimize health risks and spread of infectious disease 	<ul style="list-style-type: none"> The project activities did not pose any risks to communities or workers due to construction or other interventions 	<ul style="list-style-type: none"> This UNDP SES does not apply in the case of this project
<i>Key objective: Respect and promote workers' rights</i>		
<ul style="list-style-type: none"> Measures in place to promote non-discrimination, equal opportunity and fair treatment of workers No use of forced labor or child labor, consistent with relevant ILO conventions 	<ul style="list-style-type: none"> The project activities did not pose any risks to workers' rights 	<ul style="list-style-type: none"> Ibid
<i>Key objective: Provide safe and healthy working conditions</i>		
<ul style="list-style-type: none"> Measures adopted to ensure healthy and safe working conditions 	<ul style="list-style-type: none"> The project activities did not pose any risks to safe and healthy working conditions 	<ul style="list-style-type: none"> Ibid
Cultural Heritage		
<i>Key objective: Protect, manage, conserve cultural heritage</i>		
<ul style="list-style-type: none"> Cultural heritage protected from adverse risks and impacts Qualified experts utilized for risk management and conservation Chance find procedures in place 	<ul style="list-style-type: none"> IPs cultural heritage and traditions related to sacred and secular/economic significance of forest, water and other natural resources formed the basis of policies, methods and tools for IP environmental management and conservation of ILs Policies, methods and tools developed with full participation of IP and indigenous organizations, and 	<ul style="list-style-type: none"> Good level of alignment, in line with key objectives of UNDP SES, without significant shortcomings.

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Review Indicators	Alignment Review	Evaluation / Recommendations
	adapted to respect values, conditions, etc., of diverse IP groups	
<i>Key objective: Promote equitable benefit sharing from utilization of cultural heritage</i>		
<ul style="list-style-type: none"> Inform affected communities of rights and proceed only if good faith negotiations provide for fair and equitable benefit sharing 	<ul style="list-style-type: none"> The project established local and regional networks to share evidence and experience and to provide training to promote IP environmental management of ILs; and, developed models for forest management and recovery based on IP principles and concepts for sustainable use and ethno-management, to facilitate local initiatives 	<ul style="list-style-type: none"> Ibid
Displacement and Resettlement		
<i>Key objectives: Avoid adverse impacts from land or resource acquisition or restrictions on land/resource use. Minimize adverse impacts where avoidance not possible.</i>		
<ul style="list-style-type: none"> Measures in place to avoid, and where avoidance is not possible, minimize and mitigate physical or economic displacement from land or resource acquisition or restrictions on land or resource use Any displacement activities carried out in fully participatory manner 	<ul style="list-style-type: none"> No physical or economic displacement occurred as a result of the project 	<ul style="list-style-type: none"> This UNDP SES does not apply in the case of this project
<i>Key objective: Recognize and respect the prohibition on forced evictions</i>		
<ul style="list-style-type: none"> No forced evictions, allowing evictions only in exceptional circumstances meeting lawful criteria 	<ul style="list-style-type: none"> No physical or economic displacement occurred as a result of the project 	<ul style="list-style-type: none"> Ibid
<i>Key objective: Enhance or at least restore livelihoods of all displaced persons, and improve living standards of displaced poor and other vulnerable groups</i>		
<ul style="list-style-type: none"> Livelihoods of any displaced persons enhanced or at least restored through compensation at full replacement costs and other assistance 	<ul style="list-style-type: none"> No physical or economic displacement occurred as a result of the project 	<ul style="list-style-type: none"> Ibid
Indigenous Peoples		

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Review Indicators	Alignment Review	Evaluation / Recommendations
<i>Key objective: Recognize and foster full respect for indigenous peoples' human rights</i>		
<ul style="list-style-type: none"> Indigenous peoples' rights recognized and protected No actions supported that violate indigenous peoples' rights 	<ul style="list-style-type: none"> The objectives of the project were to adopt an environmental and territorial management strategy for indigenous lands (ILs) by indigenous peoples (IP) based on IP cultural values and traditions, and to consolidate ILs as essential protected areas for the conservation of forest ecosystems and as constituent part of the National Protected Areas Plan (PNAP) 	<ul style="list-style-type: none"> Good level of alignment, in line with key objectives of UNDP SES, without significant shortcomings.
<i>Key objective: Ensure projects designed in partnership with full, effective indigenous peoples' participation, and securing FPIC where IP rights, lands, resources, territories of traditional livelihoods affected</i>		
<ul style="list-style-type: none"> Culturally appropriate meaningful participation undertaken for all activities that affect indigenous peoples Free Prior and Informed Consent (FPIC) obtained for activities that affect the rights, interests, lands, resources, territories, traditional livelihoods of affected indigenous peoples No relocation of indigenous peoples without FPIC and only after just and fair compensation, with option of return where possible 	<ul style="list-style-type: none"> The project engaged in extensive consultations to obtain agreement and participation of IP groups; it fulfilled the guidelines of ILO Convention 169 to obtain FPIC of IP groups prior to implementation of any public policy The project established partnerships with a large number of regional and local indigenous organizations that were actively involved in project design, Implementation and monitoring The project Steering Committee had 50% IP membership, 50% government membership The project activities relied on the experience and activities of IPs and IP organizations were strengthened by the project No physical or economic displacement occurred as a result of the project 	<ul style="list-style-type: none"> Ibid
<i>Key objective: Promote greater indigenous peoples' control and management of developments affecting their lands and resources, aligning with their visions and priorities</i>		
<ul style="list-style-type: none"> Measures recognize indigenous peoples' collective rights to own, use, develop, control lands, resources, territories they have traditionally owned, occupied, otherwise used or acquired 	<ul style="list-style-type: none"> The project developed instruments for the recognition of ILs as areas of effective conservation and protection of biological diversity, managed by IPs and including sustainable use of resources 	<ul style="list-style-type: none"> Ibid

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Review Indicators	Alignment Review	Evaluation / Recommendations
<i>Key objective: Avoid adverse impacts, mitigate residual impacts, ensure just equitable benefits and opportunities in a culturally appropriate manner</i>		
<ul style="list-style-type: none"> Adverse impacts on indigenous peoples are avoided, and where avoidance is not possible, minimized and mitigated Measures in place to ensure equitable benefit sharing from project activities in culturally appropriate manner 	<ul style="list-style-type: none"> In addition to defining conservation of ILs based on IP cultural values and traditional knowledge, the project has facilitated an exchange of information between older generations' traditional knowledge and younger generations' experience with new concepts and tools for environmental management 	<ul style="list-style-type: none"> Ibid
Pollution Prevention and Resource Efficiency		
<i>Key objective: Avoid/minimize adverse impacts on human health and environment from pollution</i>		
<ul style="list-style-type: none"> Measures in place to avoid, minimize and mitigate risks posed to human health and the environment from pollutants, wastes, and hazardous materials Integrated Pest Management (IPM) approaches utilized to reduce reliance on synthetic pesticides. Least toxic effective pesticides utilized and pesticides handled per FAO Code of Conduct 	<ul style="list-style-type: none"> No project activities posed risks to human health or the environment due to pollutants, wastes or hazardous materials 	<ul style="list-style-type: none"> This UNDP SES does not apply in the case of this project
<i>Key objective: Promote more sustainable use of resources, including energy, land and water</i>		
<ul style="list-style-type: none"> Feasible measures implemented to improve efficiency in consumption of inputs (e.g. raw materials, energy, water) Use of water resources does not adversely impact others or sensitive ecosystems 	<ul style="list-style-type: none"> No project activities posed risks to efficient consumption of inputs 	<ul style="list-style-type: none"> Ibid

Project Title: Amazon Portal Seeds Project

The project was executed by the Instituto Ouro Verde (IOV) in 6 municipalities as well as on the Terena Indigenous Land, all in the extreme north of the State of Mato Grosso. Working with 518 farmer families as direct beneficiaries, IOV promoted sustainable production through the recovery of degraded land and planting of 1,246 ha of Agroforestry Systems (SAFs), as well as the establishment of a cooperative to collect and market seeds. The project raised the socio-environmental awareness of beneficiaries, created a new source of family income and increased food security; it also worked to raise environmental awareness and skills of youth and to market produce to government school feeding programs. Work with Terena Indians was adversely affected by the lack of experience working with indigenous peoples; as a result, indigenous seed collectors only participated during the initial phase of the project.

Review Indicators	Alignment Review	Evaluation / Recommendations
Human Rights		
<i>Key objective: Support universal respect for, and observance of, human rights and fundamental freedoms for all</i>		
<ul style="list-style-type: none"> Measures in place to uphold human rights principles of accountability and rule of law, participation and inclusion, and equality and non-discrimination No activities undertaken that may contribute to violations of a State's human rights obligations and the core international human rights treaties 	<ul style="list-style-type: none"> Project design included work in indigenous and non-indigenous communities Project not directly involved with land rights although project activities related to legal compliance (CAR, PPAs) and creation of management councils prompted producers to debate and organize joint demands re land tenure rights and needs; little/no changes as project did not work with responsible land tenure agencies; project work with small farmers helped them to avoid sale of their land due to existing pressures from large and medium farmers 	<ul style="list-style-type: none"> Satisfactory result – Project falls short of covering key objectives of UNDP SES but the positive alignment dominates. The project adopted a process that was inclusive of different communities and raised awareness of land tenure rights Recommendation: The design of projects undertaken under the Amazon Fund that address issues related to CAR, PRA and PRAD should be informed by an assessment of i) pressures of land conversion, land grabbing and consolidation of land holdings in the project area, ii) potential risks and impacts of these activities for project beneficiaries and to achieving project objectives and iii) strategies to assist and/or directly support project beneficiaries to secure land tenure as a key factor in promoting long-term recovery of degraded areas and sustainable use of forest and water resources.
Gender Equality and Women's Empowerment		
<i>Key objective: Promote gender equality and women's empowerment</i>		
<ul style="list-style-type: none"> Activity does not discriminate against women or girls or reinforce gender-based discrimination Activity designed in gender responsive manner (e.g. address both women's and men's needs, interests and concerns) Equitable access to opportunities, benefits, and 	<ul style="list-style-type: none"> The project did not explicitly address gender issues and did not collect sex-disaggregated data for planning and monitoring purposes. Women accounted for 46% of participants who worked on seed collection and product marketing Women also participated on project management 	<ul style="list-style-type: none"> Satisfactory result – Project falls short of covering key objectives of UNDP SES but the positive alignment dominates. Despite not addressing gender specifically, the project has positive alignment in terms of women's participation Recommendation: Recommendation: Projects

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Review Indicators	Alignment Review	Evaluation / Recommendations
<p>resources</p> <ul style="list-style-type: none"> Meaningful and equitable participation of women and men 	<p>councils</p> <ul style="list-style-type: none"> In one municipality, project partner is the Peasant Women's Movement 	<p>undertaken under the Amazon Fund should i) conduct a gender analysis to inform project design; and, for monitoring and evaluation, ii) establish a baseline with data disaggregated by sex and other relevant parameters and iii) define relevant gender and social inclusion indicators and targets.</p> <ul style="list-style-type: none"> In a project such as this, a gender analysis would be important to understand explicitly women's and men's roles, access to and control of resources and decision-making opportunities at household and community levels related to sustainable environmental management and economic use of forest resources, and to design project initiatives that are, in general, gender-responsive, that build on women's strengths, interests and needs and that promote women's economic empowerment and leadership opportunities.
Social and Environmental Assessment and Management		
<i>Key objective: Potential social and environmental risks and impacts are identified, assessed and managed, and monitored</i>		
<ul style="list-style-type: none"> Systematic process in place to identify, assess, mitigate and manage potential social and environmental risks and impacts Assessment and management conducted in manner proportionate to significance of risks Impact mitigation measures follow mitigation hierarchy Mitigation measures monitored in manner proportionate to risks and corrective actions are taken as required 	<ul style="list-style-type: none"> Project outputs include positive environmental, economic and social impacts, e.g., reforestation of degraded areas with majority native species of economic value, promotion of sustainable use of forest resources and protected water resources, establishment of cooperatives for seed production. Project also assisted National Rural Education Policy to raise environmental awareness and skills of young people for rural environmental work. However, there is no evidence that any ESIA-type assessment has been conducted for project design or 	<ul style="list-style-type: none"> Satisfactory result – Project falls short of covering key objectives of UNDP SES but the positive alignment dominates. Recommendation: The design of projects undertaken under the Amazon Fund should be informed by i) a systematic due diligence and/or assessment of potential environmental and social risks and impacts, ii) establishment of a baseline with data disaggregated by sex, age, ethnicity, jurisdiction, ecosystem and other relevant parameters, iii) identification of project components/activities that can enhance and/or mitigate

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Review Indicators	Alignment Review	Evaluation / Recommendations
	implementation.	impacts and iv) relevant M&E indicators and targets.

Stakeholder Engagement

Key objective: Promote effective stakeholder engagement throughout the project-cycle

<ul style="list-style-type: none"> Stakeholders and engagement process identified Stakeholders, in particular project-affected groups, involved in planning, implementation, monitoring Vulnerable or disadvantaged groups identified and consulted Stakeholders views taken into account and considered in project design and implementation 	<ul style="list-style-type: none"> Project-based Local Management Councils established to promote farmer participation, share in decision-making for planning and implementation of activities; participatory management contributed to identification of environmental and economic valuation of resources Beneficiary families showed moderate to high levels of involvement in the project Project led to creation of farmer cooperative to collect, process, store and market forest seeds However, project activities to work with indigenous community not successful (see below) Also, the state government, e.g., state environmental and extension agencies, was not directly involved in project activities 	<ul style="list-style-type: none"> Good level of alignment, in line with key objectives of UNDP SES, without significant shortcomings.
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Key objective: Ensure stakeholders have access to relevant and timely information

<ul style="list-style-type: none"> Information on project opportunities and risks disclosed in timely, accessible, appropriate manner, language, form Environmental/social reviews and assessments disclosed 	<ul style="list-style-type: none"> Project technicians met regularly with Local Management Councils Local training and exchanges conducted with beneficiaries to increase knowledge of SAFs 	<ul style="list-style-type: none"> Ibid
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Key objective: Ensure stakeholders may communicate project concerns

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Review Indicators	Alignment Review	Evaluation / Recommendations
<ul style="list-style-type: none"> Stakeholders have access to effective grievance redress mechanism or process 	<ul style="list-style-type: none"> Beyond Local Management Councils, no specific grievance redress mechanism identified 	<ul style="list-style-type: none"> Satisfactory result, although some negative deviation from key objectives there was alignment with UNDP SES objectives. At present, there is no Feedback and Grievance Redress Mechanism (FGRM) identified as part of Brazil National REDD+ Strategy, in Amazon Fund and/or BNDES social and environmental policies and/or for this project, but stakeholders have access to a national grievance mechanism. Recommendation: Projects undertaken under the Amazon Fund are required to adopt a FGRM (existing or new) to facilitate stakeholders and project-affected people or communities to obtain information, register complaints or grievances and resolve conflicts. The FGRM should be socially and culturally appropriate and accessible and provide opportunities and clear procedures for a tiered process that includes informal dispute resolution, an administrative quasi-judicial review and negotiation as well as referral to the courts.

Biodiversity and Sustainable Natural Resource Management

Key objectives: Conserve biodiversity. Maintain and enhance benefits of ecosystem services

<ul style="list-style-type: none"> Adverse impacts (direct and indirect) to natural resources, biodiversity, ecosystem services identified, assessed, mitigated and managed No conversion of natural forests No measurable adverse impacts to critical habitats Adverse impacts to other habitat types avoided, minimized and managed No reduction in endangered species No introduction of known invasive species 	<ul style="list-style-type: none"> Project developed solutions consistent with PPCDAM and State Plan for Prevention and Control of Deforestation and Forest Fires Project contributed to maintaining relatively low level of deforestation overall in supported municipalities Reforestation based on at least 50% native species, in areas of permanent preservation (APPs) and in areas of family farms However, project areas with greatest proportion of 	<ul style="list-style-type: none"> Satisfactory result – Project falls short of covering key objectives of UNDP SES but the positive alignment dominates. The biodiversity achievements are tempered by the small scale of the project (number of beneficiaries, scale of marketing activities) and the project scope that did not address ongoing pressures contributing to deforestation. Recommendation: The design of projects undertaken
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Review Indicators	Alignment Review	Evaluation / Recommendations
	<p>natural vegetation also areas where deforestation is expanding and where most resistance to environmental and land regularization; use of fire and aerial spraying</p> <ul style="list-style-type: none"> ▪ Areas of forest seed collection threatened/decreasing due to expansion of livestock raising, introduction of intensive grain production and construction of hydropower plants 	<p>under the Amazon Fund should be informed by i) an assessment of opportunities and risks for long-term project social, economic and environmental sustainability based on, among others, lessons learned from project such as the Amazon Portal Seeds project; and, ii) identification of strategies for initiatives to be included in the project, to be addressed through linkages to other projects that are ongoing and/or would follow on the project in question.</p>
<i>Key objective: Promote sustainable management of living natural resources (e.g., forestry, agriculture, livestock, fisheries)</i>		
<ul style="list-style-type: none"> ▪ Ensure sustainable resource management that protects biodiversity and ecosystem services ▪ Appropriate industry-specific sustainable resource production/management practices applied, including credible certification systems where appropriate ▪ Sustainable practices supported for small-scale producers ▪ Equitable benefit sharing arrangements reached for utilization of genetic resources 	<ul style="list-style-type: none"> ▪ Project contributed to biodiversity: reforestation (>1,200 ha) with Agroforestry Systems (SAFs) with environmental and economic potential; recovery of degraded forest areas and water sources; promotion of technologies and methods for sustainable production, use and marketing of forest resources ▪ Increased use of natural seeds for reforestation of degraded areas; development of a forest seed market combines sustainable forest use with new source of family income ▪ SAFs used that contribute to increased value of forest and quality of life (thermal comfort, water quality, food security, economic value) ▪ Project raised awareness and promoted the Rural Environmental Registry (CAR), with some participants initiating process of georeferencing their properties ▪ However, public policies did not follow project efforts: existing projects financing agricultural activities do not use credit lines for environmentally oriented programs such as SAFs and the protection of APPs 	<ul style="list-style-type: none"> ▪ Ibid

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Review Indicators	Alignment Review	Evaluation / Recommendations
Climate Change Mitigation and Adaptation		
<i>Key objective: Ensure projects sensitive to climate change risks</i>		
<ul style="list-style-type: none"> Project components reviewed for sensitivity and vulnerability to potential climate change Social and gender risks and differentiated impacts related to climate change addressed 	<ul style="list-style-type: none"> The project was aligned with National Policy on Climate Change as well as PPCDAm and Forest Code. However, the project did not assess the sensitivity and vulnerability of project activities to climate change or the differential risks and impacts for different social groups. 	<ul style="list-style-type: none"> Satisfactory result – Project falls short of covering key objectives of UNDP SES but the positive alignment dominates. While the project outcomes will contribute to reducing GHG emissions due to deforestation, specific issues of climate change were not explicitly addressed, e.g., in context of sustainable use of forest resources and/or by different social groups Recommendation: Projects undertaken under the Amazon Fund that identify and fund local initiatives should include guidelines for addressing climate change as it affects opportunities and constraints for different social groups related to sustainable use of forest and other natural resources
<i>Key objective: Reduce project-related GHG emissions</i>		
<ul style="list-style-type: none"> Feasible alternatives considered and adopted for reducing project-related greenhouse gas emissions (GHGs) 	<ul style="list-style-type: none"> Reforestation carried out by project effectively increased carbon stocks and contributed to mitigation of emissions due to deforestation 	<ul style="list-style-type: none"> Ibid
Community Health, Safety and Working Conditions		
<i>Key objective: Avoid adverse health and safety impacts</i>		
<ul style="list-style-type: none"> Risks to communities and workers from construction and other interventions prevented or minimized and managed Measures adopted to prevent or minimize health risks and spread of infectious disease 	<ul style="list-style-type: none"> The project activities did not pose any risks to communities or workers due to construction or other interventions 	<ul style="list-style-type: none"> This UNDP SES does not apply in the case of this project
<i>Key objective: Respect and promote workers' rights</i>		

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Review Indicators	Alignment Review	Evaluation / Recommendations
<ul style="list-style-type: none"> Measures in place to promote non-discrimination, equal opportunity and fair treatment of workers No use of forced labor or child labor, consistent with relevant ILO conventions 	<ul style="list-style-type: none"> The project activities did not pose any risks to workers' rights 	<ul style="list-style-type: none"> Ibid
<i>Key objective: Provide safe and healthy working conditions</i>		
<ul style="list-style-type: none"> Measures adopted to ensure healthy and safe working conditions 	<ul style="list-style-type: none"> The project activities did not pose any risks to safe and healthy working conditions 	<ul style="list-style-type: none"> Ibid
Cultural Heritage		
<i>Key objective: Protect, manage, conserve cultural heritage</i>		
<ul style="list-style-type: none"> Cultural heritage protected from adverse risks and impacts Qualified experts utilized for risk management and conservation Chance find procedures in place 	<ul style="list-style-type: none"> The project activities did not pose any risks to cultural heritage 	<ul style="list-style-type: none"> This UNDP SES does not apply in the case of this project
<i>Key objective: Promote equitable benefit sharing from utilization of cultural heritage</i>		
<ul style="list-style-type: none"> Inform affected communities of rights and proceed only if good faith negotiations provide for fair and equitable benefit sharing 	<ul style="list-style-type: none"> The project activities did not pose any risks to cultural heritage 	<ul style="list-style-type: none"> Ibid
Displacement and Resettlement		
<i>Key objectives: Avoid adverse impacts from land or resource acquisition or restrictions on land/resource use. Minimize adverse impacts where avoidance not possible.</i>		
<ul style="list-style-type: none"> Measures in place to avoid, and where avoidance is not possible, minimize and mitigate physical or economic displacement from land or resource acquisition or restrictions on land or resource use Any displacement activities carried out in fully participatory manner 	<ul style="list-style-type: none"> No physical or economic displacement occurred as a result of the project 	<ul style="list-style-type: none"> This UNDP SES does not apply in the case of this project
<i>Key objective: Recognize and respect the prohibition on forced evictions</i>		

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Review Indicators	Alignment Review	Evaluation / Recommendations
<ul style="list-style-type: none"> No forced evictions, allowing evictions only in exceptional circumstances meeting lawful criteria 	<ul style="list-style-type: none"> No physical or economic displacement occurred as a result of the project 	<ul style="list-style-type: none"> Ibid
<i>Key objective: Enhance or at least restore livelihoods of all displaced persons, and improve living standards of displaced poor and other vulnerable groups</i>		
<ul style="list-style-type: none"> Livelihoods of any displaced persons enhanced or at least restored through compensation at full replacement costs and other assistance 	<ul style="list-style-type: none"> No physical or economic displacement occurred as a result of the project 	<ul style="list-style-type: none"> Ibid
Indigenous Peoples		
<i>Key objective: Recognize and foster full respect for indigenous peoples' human rights</i>		
<ul style="list-style-type: none"> Indigenous peoples' rights recognized and protected No actions supported that violate indigenous peoples' rights 	<ul style="list-style-type: none"> Project identified an indigenous community (Terena) among those included in project Nothing in project scope, design, outputs violates indigenous peoples' rights 	<ul style="list-style-type: none"> Satisfactory result, despite negative deviation from key objectives, there is alignment with UNDP SES. The lack of knowledge and experience of the project proponent to engage in culturally appropriate ways with the indigenous community nullified the project design and objectives in this respect. Recommendation. Projects undertaken under the Amazon Fund to work with indigenous peoples (IPs) and/or with issues of indigenous lands (ILs), indigenous systems of natural resource management and agricultural production, etc., must ensure that i) the project proponent has demonstrated knowledge of, experience and achievements working with different IP groups and relevant issues related to the management of ILs; and, ii) the design, implementation and monitoring of the project is done through a comprehensive process of active participation, informed consent, shared benefits and, preferably, partnership with relevant IP group(s).
<i>Key objective: Ensure projects designed in partnership with full, effective indigenous peoples' participation, and securing FPIC where IP rights, lands, resources, territories of traditional livelihoods affected</i>		

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Review Indicators	Alignment Review	Evaluation / Recommendations
<ul style="list-style-type: none"> ▪ Culturally appropriate meaningful participation undertaken for all activities that affect indigenous peoples ▪ Free Prior and Informed Consent (FPIC) obtained for activities that affect the rights, interests, lands, resources, territories, traditional livelihoods of affected indigenous peoples ▪ No relocation of indigenous peoples without FPIC and only after just and fair compensation, with option of return where possible 	<ul style="list-style-type: none"> ▪ Project proponent and its staff did not have adequate knowledge of or experience working with indigenous communities, their culture and ways of life; as a consequence, the Terena (indigenous) community only participated in seed collection in initial phase of project 	<ul style="list-style-type: none"> ▪ Ibid
<i>Key objective: Promote greater indigenous peoples' control and management of developments affecting their lands and resources, aligning with their visions and priorities</i>		
<ul style="list-style-type: none"> • Measures recognize indigenous peoples' collective rights to own, use, develop, control lands, resources, territories they have traditionally owned, occupied, otherwise used or acquired 	<ul style="list-style-type: none"> • Project proponent and its staff did not have adequate knowledge of or experience working with indigenous communities, their culture and ways of life. 	<ul style="list-style-type: none"> ▪ Ibid
<i>Key objective: Avoid adverse impacts, mitigate residual impacts, ensure just equitable benefits and opportunities in a culturally appropriate manner</i>		
<ul style="list-style-type: none"> ▪ Adverse impacts on indigenous peoples are avoided, and where avoidance is not possible, minimized and mitigated ▪ Measures in place to ensure equitable benefit sharing from project activities in culturally appropriate manner 	<ul style="list-style-type: none"> ▪ Project proponent and its staff did not have adequate knowledge of or experience working with indigenous communities, their culture and ways of life. 	<ul style="list-style-type: none"> ▪ Ibid
Pollution Prevention and Resource Efficiency		
<i>Key objective: Avoid/minimize adverse impacts on human health and environment from pollution</i>		
<ul style="list-style-type: none"> ▪ Measures in place to avoid, minimize and mitigate risks posed to human health and the environment from pollutants, wastes, and hazardous materials ▪ Integrated Pest Management (IPM) approaches utilized to reduce reliance on synthetic pesticides. ▪ Least toxic effective pesticides utilized and pesticides 	<ul style="list-style-type: none"> ▪ No project activities posed risks to human health or the environment due to pollutants, wastes or hazardous materials 	<ul style="list-style-type: none"> ▪ This UNDP SES does not apply in the case of this project

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Review Indicators	Alignment Review	Evaluation / Recommendations
handled per FAO Code of Conduct		
<i>Key objective: Promote more sustainable use of resources, including energy, land and water</i>		
<ul style="list-style-type: none">▪ Feasible measures implemented to improve efficiency in consumption of inputs (e.g. raw materials, energy, water)▪ Use of water resources does not adversely impact others or sensitive ecosystems	<ul style="list-style-type: none">▪ No project activities posed risks to efficient consumption of inputs	<ul style="list-style-type: none">▪ Ibid