First Summary of Information on how UNFCCC Safeguards for REDD+ are being Addressed and Respected in Nepal

GOVERNMENT OF NEPAL
MINISTRY OF FORESTS AND ENVIRONMENT
REDD IMPLEMENTATION CENTRE
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Executive Summary

After long discussions and negotiations internationally for about a decade, the key elements of REDD+ were decided in the Warsaw Framework[1] at the 19th Conference of the Parties (COP 19) in December 2013 and later included in the Paris Agreement on Climate Change[2] in 2015. REDD+ is an international climate change mitigation policy under the United Nations Framework Convention on Climate Change (UNFCCC) that aims to reduce emissions from deforestation and forest degradation, support conservation of forest carbon stocks, sustainable management of forests and enhancement of forest carbon stocks in developing countries to achieve the ultimate objective of the Convention, as stated in Article 2 ("*stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system*"). Countries that wish to engage with REDD+ policy implementation and contribute to climate change mitigation through this initiative anticipate that they will be rewarded with financial incentives for their efforts to reduce forest-based emissions.

REDD+ is aimed at limiting global warming as well as helping to achieve other Sustainable Development Goals in developing countries. National and international stakeholders and communities are also aware that REDD+ could pose risks for millions of forest dependent people, Indigenous Peoples and local communities, and socially marginalized groups, if it is not designed and implemented carefully. Such concerns about potential environmental and social risks have led to the recognition of the importance of safeguards within the framework of REDD+. This resulted in an agreement on seven broad safeguard principles aimed at reducing risks and promoting benefits associated with REDD+ at COP 16 in Cancun in 2010. These principles are known as the UNFCCC safeguards for REDD+, or Cancun Safeguards. The REDD+ text agreed in Cancun is part of the "Outcome of the work of the Ad Hoc Working Group on long-term Cooperative Action under the Convention (AWG-LCA)". Paragraph 70 of the text refers to REDD+ (including conservation of forest carbon stocks, sustainable management of forest and enhancement of forest carbon stocks, the plus part of REDD+). The safeguards are described in paragraph 2 of Appendix I of the AWG-LCA text.[3]

Developing countries participating in REDD+ under the UNFCCC should meet three fundamental safeguard related requirements[4] to be eligible for results-based payments:

1. **Cancun Safeguards:** Countries should address and respect the seven Cancun Safeguards throughout the REDD+ process.

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[1] https://redd.unfccc.int/fact-sheets/warsaw-framework-for-redd.html
[2] https://unfccc.int/sites/default/files/english_paris_agreement.pdf
[3] https://unfccc.int/resource/docs/2010/cop16/eng/07a01.pdf#page=12
[4] Ibid 3, and https://unfccc.int/resource/docs/2011/cop17/eng/09a01.pdf

2. **Safeguard Information System (SIS):** Countries should develop a system for providing information on how the Cancun Safeguards are being addressed and respected.

3. **Summary of Information (SOI):** Countries should provide a Summary of Information on how all the Cancun Safeguards are being addressed and respected throughout the implementation of REDD+.

The need to effectively meet these requirements and other safeguards policies has led to the development of a Country Approaches to Safeguards (CAS), comprising:

1. **Policies, Laws and Regulations (PLRs)**: defining, on paper, what needs to be done to support REDD+ implementation in a manner consistent with the Cancun (and other) Safeguards.

2. **Institutional arrangements:** the mandates, procedures, and capacities of institutions responsible to ensure that the relevant PLRs are implemented in practice.

3. **Information systems and sources, or a SIS:** collecting and making available information on how safeguards are being addressed and respected throughout implementation of REDD+ actions.

Nepal began preparations to participate in the REDD+ framework right after the Bali Action Plan was adopted at COP 13 in Bali in 2007. The process was formalized in 2008 when Nepal became a member of the Forest Carbon Partnership Facility (FCPF) and submitted its REDD Readiness-Project Idea Note (R-PIN)[5] to the World Bank in early 2008. Furthermore, in October 2009, Nepal also joined the UN-REDD Programme as an observer country.

After successfully completing the first and second phases of its REDD+ Readiness Project, Nepal entered the implementation phase of REDD+. It signed an Emission Reduction Payment Agreement (ERPA) with the World Bank in February 2021 to seek result-based payments (RBPs) for verified emission reductions from the country's first Emission Reduction (ER) Program that is being implemented in the 13 districts of the Terai Arc Landscape under the Carbon Fund of the FCPF. Nepal expects to receive a first instalment of the RBPs (for the crediting period June 2018 to December 2021) for the emission reductions generated by the FCPF ER Program in the second half of 2025, after the first Emission Reduction Monitoring Report (ER-MR) is approved and verified by the World Bank.

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[5] https://www.forestcarbonpartnership.org/system/files/documents/Nepal_FCPF_R-PIN_Final_submitted_31-07-08.pdf

Nepal is now developing a second REDD+ ER Program under the Lowering Emissions through Accelerating Forest Finance (LEAF) coalition, including registration with ART-TREES (Architecture for REDD+ Transactions / The REDD+ Environmental Excellence Standard). The REDD Implementation Centre (REDD IC), with technical support from FAO and UNEP through the UN-REDD Programme, is leading efforts for Nepal's registration with ART-TREES, including the strengthening of Nepal's SIS and safeguards procedures.

The main objective of this first Summary of Information (SOI) is to provide information on how the Cancun Safeguards are being 'addressed' and 'respected' throughout the implementation of REDD+ in Nepal over the period from 2018 to 2023. Nepal's implementation of the safeguards and preparation of this SOI helps to meet the requirements set out by the UNFCCC decision 9/CP.19, to obtain and receive RBPs in accordance with decision 2/CP.17, and to communicate progress on safeguards with national and international stakeholders. Some other specific objectives of the SOI include:

- To provide information on national circumstances relevant to addressing and respecting the Cancun Safeguards, while implementing REDD+ actions.

- To provide a description of each safeguard in accordance with national circumstances.

- To provide a description of institutional arrangements, systems and processes relevant to addressing and respecting safeguards, including Nepal's SIS, in accordance with national circumstances.

- To provide information on how each of the safeguards has been addressed and respected, in accordance with national circumstances.

This SOI was consulted on with a range of stakeholder groups, including representatives of Indigenous Peoples and local communities. It identifies some gaps in the overall national REDD+ safeguards framework and suggested measures to address these gaps. While focused on the period 2018-2023, it also provides information on recent revisions to key policies, laws and regulations, and on some key measures being developed or put in place to address and respect the safeguards beyond 2023.

Details of these measures as well as future steps that will be taken to enhance implementation of the safeguards will be also provided in successive SOIs.

List of Acronyms

ACOFUN : Association of Collaborative Forest Users Nepal

AFFON : Association of Family Forests Owner of Nepal

ART-TREES : Architecture for REDD+ Transactions- The REDD+ Environmental Excellence Standard

AWG-LCA : Ad Hoc Working Group on long-term Cooperative Action under the UNFCCC

BSP : Benefit Sharing Plan

CAS : Country Approach to Safeguards

CBD : Convention on Biological Diversity

CBFM : Community Based Forest Management

CFUG : Community Forest User Group

CIPRED : Centre for Indigenous Peoples' Research and Development

CO_2 : Carbon Dioxide

CO_2e : Carbon Dioxide equivalent

COP : Conference of the Parties

CSO : Civil Society Organization

DFRS : Department of Forest Research and Survey

DWO : Dalit Welfare Organization

EIA : Environmental Impact Assessment

ER : Emission Reduction

ERPA : Emission Reduction Payment Agreement

ER-PD : Emission Reduction Program Document

ER-PIN : Emission Reduction Program Idea Notes

ESCP : Environmental and Social Commitment Plan

ESF : Environmental and Social Frameworks

ESIA : Environmental and Social Impact Assessment

ESMF : Environmental and Social Management Framework

ESMP : Environmental and Social Management Plan

ESSs : Environmental and Social Standards

FAO : Food and Agriculture Organization of the United Nations

FENFIT : Federation of Forest Based Industry and Trade, Nepal

FCPF : Forest Carbon Partnership Facility

FECOFUN   : Federation of Community Forest Users, Nepal
FPIC   : Free, Prior and Informed Consent
FRA   : Forest Resource Assessment
FREL   : Forest Reference Emissions Level
FRF   : Forest-remaining-Forest
FRL   : Forest Reference Level
FRTC   : Forest Research and Training Centre
GESI   : Gender and Social Inclusion
GHGs   : Green House Gases
GRM   : Grievance Redress Mechanism
HIMAWANTI: Himalayan Grassroots Women's Natural Resource Management Association
IEE   : Initial Environmental Examination
ILO   : International Labor Organization
LEAF   : Lowering Emissions by Accelerating Forest Finance
LHF   : Pro-poor Leasehold Forestry
LOI   : Letter of Intent
MoFE   : Ministry of Forests and Environment
MRV   : Monitoring, Reporting and Verification
NEFIN   : Nepal Federation of Indigenous Nationalities
NFP   : National Forest Programs
NLCMS   : National Land Cover Monitoring System
NTFP   : Non-Timber Forest Products
OWL   : Other Wooded Land
PAMs   : Policies and measures
PC   : Participant Committee
PES   : Payment for Ecosystem Services
PLRs   : Policies, Laws, and Regulations
REDD IC   : REDD Implementation Centre
REDD+   : Reducing Emissions from Deforestation and Forest Degradation, Conservation
              of Forest Carbon, Sustainable Forest Management and Enhancement of Forest
              Carbon Stocks in Developing Countries
R-PIN   : Readiness-Project Idea Note
R-PP   : Readiness Project Proposal

RWG   : REDD Working Group
SEP   : Stakeholder Engagement Plan
SEPC   : Social and Environmental Principles and Criteria
SES   : Social and Environmental Standards
SESA   : Strategic Environmental and Social Assessment
SFM   : Sustainable Forest Management
SIS   : Safeguard Information System
SMF   : Sustainable Management of Forest
SOI   : Summary of Information
TAL   : Terai Arc Landscape
UN   : The United Nations
UNDP   : United Nations Development Programme
UNDRIP   : United Nations Declaration on the Rights of Indigenous Peoples
UNEP   : United Nations Environment Programme
UNFCCC   : United Nations Framework Convention on Climate Change
UNGA   : United Nations General Assembly
VRA   : Vulnerability Risk Assessment

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Chapter 1. Introduction

1.1 REDD+ as an international climate change policy

After long discussions and negotiations internationally, Reducing Emissions from Deforestation and forest Degradation, conservation of forest carbon stocks, sustainable forest management and enhancement of forest carbon stocks in developing countries (REDD+) has been included in the Warsaw Framework[6] (2013) and Paris Agreement on Climate Change[7] in 2015. It is now an international climate change mitigation policy under the United Nations Framework Convention on Climate Change (UNFCCC). REDD+ aims to achieve the ultimate objective of the Convention, as stated in Article 2 ("*stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system*"). Countries contributing to climate change mitigation through this initiative are being rewarded with financial incentives for their efforts to reduce forest-based emissions and increase carbon stocks.

REDD+ includes the following five activities:[8]

> (a) Reducing emissions from deforestation.
>
> (b) Reducing emissions from forest degradation.
>
> (c) Conservation of forest carbon stocks.
>
> (d) Sustainable management of forests; and
>
> (e) Enhancement of forest carbon stocks.

REDD+ actions are the various national and/or subnational policies and measures planned or implemented under any of the five REDD+ activities to achieve the objectives of the REDD+. These include national strategies and programs, capacity building, subnational projects, and enacting policies and laws. The following five components need to be put in place in developing countries to participate in REDD+ as per the Conference of the Parties (COP) decision 1/CP.16, Paragraph 71:[9]

(a) Institutional and implementation arrangements.

(b) A national strategy or action plan.

(c) A national forest reference emission level and/or forest reference level.

(d) A robust and transparent national forest monitoring system; and

(e) A Safeguards Information System to provide information on how the Cancun Safeguards are being addressed and respected throughout implementation of REDD+.

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[6] https://redd.unfccc.int/fact-sheets/warsaw-framework-for-redd.html
[7] https://unfccc.int/sites/default/files/english_paris_agreement.pdf
[8] https://unfccc.int/resource/docs/2011/cop17/eng/09a01.pdf
[9] Ibid-7.

The United Nations Collaborative Programme on REDD+ (UN-REDD), the World Bank's Forest Carbon Partnership Facility (FCPF), the Lowering Emissions by Accelerating Forest finance (LEAF) coalition and numerous other international organizations are complementing the UNFCCC in supporting the development, piloting and scaling up of REDD+ policies and programs globally.

1.2 UNFCCC REDD+ safeguards requirements

There is a wide agreement among the international community that REDD+ is a progressive idea to mitigate climate change as well as help to achieve other Sustainable Development Goals (SGDs) in developing countries. However, national and international stakeholders and communities are also aware that REDD+ could pose risks for millions of forest dependent people, Indigenous Peoples and local communities, socially marginalized groups, and biodiversity, if it is not designed and implemented carefully. Parties to the UNFCCC have therefore agreed that implementation of REDD+ activities could create some environmental and social risks, while at the same time generate multiple benefits including carbon and other social and environmental benefits. These discourses have led to the recognition of the importance of safeguards within the framework of REDD+.

An agreement on seven broad safeguard principles aimed at reducing risks and promoting benefits associated with REDD+ was reached at the UNFCCC COP16 in Cancun, Mexico in 2010. These principles are known as the UNFCCC safeguards for REDD+ or the Cancun Safeguards[10], as follows:

When undertaking the activities referred to in paragraph 70 of this decision, the following safeguards should be promoted and supported:

 (a) That actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements;

 (b) Transparent and effective national forest governance structures, taking into account national legislation and sovereignty;

 (c) Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples;

 (d) The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities, in the actions referred to in paragraphs 70 and 72 of this decision;

 (e) That actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions referred to in paragraph 70 of this decision are not used for the conversion of natural forests, but are instead used to incentivize the protection and

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[10] The text agreed in Cancun is part of the "Outcome of the work of the Ad Hoc Working Group on long-term Cooperative Action under the Convention (AWG-LCA)". Paragraph 70 of the text refers to REDD+ including the 'plus' part of REDD+), and the safeguards are described in paragraph 2 of Appendix I of the AWG-LCA text.

conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits;

(f) Actions to address the risks of reversals; and;

(g) Actions to reduce displacement of emissions.

In 2011, a year after the Cancun Safeguards were adopted, the Parties agreed at the UNFCCC COP 17 in Durban (decision 12/CP.17) that those undertaking REDD+ activities **should provide a Summary of Information (SOI) on how the Cancun Safeguards are being addressed and respected.**[11]

Developing countries participating in the REDD+ initiative under the UNFCCC thus should meet **three fundamental safeguards related requirements** to be eligible for results-based payments (RBPs)[12]:

1. **Cancun Safeguards:** Countries should address and respect the seven Cancun Safeguards throughout the REDD+ process.

2. **Safeguard Information System (SIS):** Countries should develop a system for providing information on how the Cancun Safeguards are being addressed and respected.

3. **Summary of Information (SOI):** Countries should provide a SOI on how all the Cancun Safeguards are being addressed and respected throughout the implementation of REDD+.

The UNFCCC COP 19 held in Warsaw, Poland, in 2013 decided that a SOI on safeguards should be consistent with the provisions for submissions of National Communications from non-Annex I Parties, provided via the UNFCCC web platform. National Communications are to be submitted every four years. It was also decided (Decision 12/CP.19, Paragraph 2 and 3) that the country could voluntarily submit the SOI for posting on the UNFCCC web platform at any time.[13] Furthermore, the Warsaw conference determined that the SOI is required prior to receiving any results-based finance.

1.3 Understanding addressing and respecting safeguards

The UNFCCC has not specifically defined the terms 'addressing' and 'respecting'. However, commonly agreed working definitions of addressing and respecting REDD+ safeguards have emerged at the international level:[14]

- **Safeguards are addressed** – is understood to mean that the body of Policies, Laws, and Regulations (PLRs), and associated institutional arrangements are in place on paper to deal with the potential benefits and risks associated with REDD+ actions; and

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[11] https://unfccc.int/resource/docs/2011/cop17/eng/09a01.pdf
[12] https://unfccc.int/resource/docs/2010/cop16/eng/07a01.pdf#page=12
  and https://unfccc.int/resource/docs/2011/cop17/eng/09a01.pdf
[13] https://unfccc.int/resource/docs/2013/cop19/eng/10a01.pdf#page=3
[14] https://www.un-redd.org/sites/default/files/2021-10/REDD%20Info-Brief_REVISED%204Nov.pdf

- **Safeguards are respected** – is understood to mean that these PLRs, through the associated institutional arrangements, are implemented and enforced in practice, with real and positive outcomes on the ground, in line with the Cancun Safeguards.

Nepal, as one of the leading REDD+ participating countries, follows the above-mentioned internationally accepted definitions of addressing and respecting REDD+ safeguards:

- **Addressing the Cancun Safeguards** in the Nepalese context means that all necessary PLRs related to forest governance, REDD+ and the seven Cancun Safeguards, as well as relevant procedures and measures, are prepared and approved, and institutional arrangements to implement them are established.

- **Respecting the Cancun Safeguards means** that all the PLRs, procedures and measures related to forest governance, REDD+ and the Cancun Safeguards are enforced and effectively implemented in the field so that REDD+ actions "*do no harm*" to people or the environment, but rather enhance social and environmental benefits, i.e., "*do good*".

1.4 UNFCCC guidance on Summaries of Information (SOI)

SOIs are country reports, which provide information on the ways how the Cancun Safeguards are being addressed and respected throughout the design and implementation of the REDD+ actions in line with national circumstances. Although there is no UNFCCC-required structure, guidance on the content of SOIs has been adopted by COP 21 (UNFCCC decision 17/CP.21[15]):

- Information on which REDD+ activity or activities are included in the SOI.

- REDD+ participating countries are strongly encouraged to include the following elements in the SOI where appropriate:

    (a) Information on national circumstances relevant to addressing and respecting the safeguards.

    (b) A description of each safeguard in accordance with national circumstances.

    (c) A description of existing systems and processes relevant to addressing and respecting safeguards, including safeguards information systems, in accordance with national circumstances.

    (d) Information on how each of the safeguards has been addressed and respected, in accordance with national circumstances.

- Countries are encouraged to provide any other relevant information on the safeguards.

- Countries are also encouraged to improve the information provided in the summary, taking into account the stepwise approach.

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[15] https://unfccc.int/resource/docs/2015/cop21/eng/10a03.pdf#page=13

1.5 Objectives of this SOI and its timeframe

The main objective of Nepal's first SOI is to provide a summarized report on how all the Cancun Safeguards are being addressed and respected throughout the implementation of REDD+ in Nepal over the period from 2018 to 2023 as required by UNFCCC decision 9/CP.19, for the purpose of seeking to obtain and receive RBPs in accordance with decision 2/CP.17.[16] The other specific objectives of the SOI include:

- To provide information on progress in Nepal's safeguards approach, and results achieved in the country.
- To disseminate updated safeguards information publicly.
- To provide following information on other required content of the SOI according to UNFCCC guidance:[17]
  - ➢ national circumstances relevant to addressing and respecting the Cancun Safeguards, while implementing the REDD+ actions.
  - ➢ a description of each safeguard in accordance with national circumstances.
  - ➢ a description of existing systems and processes relevant to addressing and respecting safeguards, including the SIS.
  - ➢ how each of the safeguards has been addressed and respected, in accordance with national circumstances.

This SOI also identifies some gaps in the national REDD+ safeguards framework and safeguards implementation of the country, as well as suggested measures to address such gaps. Subsequent SOIs are expected to also provide more information on the implementation of these measures.

1.6 SOI development process

Nepal started working on the SOI in 2020, in parallel with its SIS, while the country was implementing the second phase of its FCPF REDD+ Readiness Project and developing the ER Program for the 13 districts of the Terai Arc Landscape (TAL). The REDD Implementation Centre (REDD IC) recruited a consultancy firm to draft the SOI in March 2021, a process that was disrupted by the COVID-19 pandemic.

In 2022, Nepal started to revise and update the draft SOI, and the steps of the SOI development process have included:

- Desk review of the relevant UNFCCC decisions and guidelines on SIS and SOI, as well as different documents developed by the UN-REDD Programme.

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[16] https://unfccc.int/resource/docs/2011/cop17/eng/09a01.pdf
[17] https://unfccc.int/resource/docs/2011/cop17/eng/09a02.pdf#page=16

- Review of the draft SOI, SIS document and SIS web-portal developed and established in 2021-2022.

- Drafting the SOI in coordination with REDD IC, with support from the UN-REDD Programme.

- Revision of the draft SOI incorporating feedback and inputs from expert reviewers.

- Making the revised draft SOI publicly available online to receive comments, feedback, and inputs.

- Organizing a consultation workshop and a review workshop at national level with relevant stakeholders including Indigenous Peoples' and local community representatives, to present and validate the draft SOI and obtain feedback, comments, and suggestions to improve it.

- Finalization of the SOI incorporating comments, feedback, and suggestions from stakeholders.

Information on the consultation process, as well as comments on the SOI received during the online public comment period and workshops are included in Appendix 1. Around 50 participants, representing government and non-government stakeholders, extensively discussed the draft SOI and provided valuable feedback. Major non-governmental stakeholder participated in the consultation process include NEFIN, FECOFUN, ACOFUN, HEMWANTI, CIPRED, AFFON, DWO, Leasehold Forestry Group, and FENFIT Nepal. Representatives of government stakeholders participating in the consultations included MoFE and its departments and Centres, Ministry of Finance, Ministry of Law, Justice and Parliamentary Affairs, Planning Commission, Provincial Forest Ministries from Bagmati, Gandaki and Lumbini provinces, and National Association of Rural Municipalities in Nepal.

Chapter 2. REDD+ context in Nepal

2.1 Nepal's REDD+ journey and institutional arrangements

As a party of the UNFCCC, Convention on Biological Diversity (CBD), Kyoto Protocol and other many international agreements, Nepal started its REDD+ journey right after the Bali Action Plan was adopted at the thirteenth UNFCCC Conference of the Parties (COP 13) in Bali in 2007. The process was formalized in 2008 when Nepal became a member of the FCPF of the World Bank and the Ministry of Forests and Soil Conservation (MoFE) submitted a Readiness-Plan Idea Note (R-PIN)[18]. In October 2009, Nepal joined the UN-REDD Programme as an observer country and ratified the Paris Agreement in 2016, adopted during COP 21, a landmark for the REDD+ process.

The Government of Nepal (GoN) established a three-tiered institutional framework for planning, design and implementation of various REDD+ readiness activities.[19] The REDD Forestry and Climate Change Cell was established in late 2008 under the former Ministry of Forests and Soil Conservation (MFSC), which was upgraded to the REDD Implementation Centre (REDD IC) in 2015. A multi-stakeholder REDD Working Group (RWG) with representation from government, experts, donors, and Civil Society Organizations (CSOs), and a high-level, inter-ministerial REDD Apex Body, were also formed. The institutional arrangements section in the National REDD+ Strategy (NRS) 2018-2022 also describes the mechanisms put in place to ensure the participation of stakeholders, including Indigenous Peoples and local communities:

The National REDD+ Steering Committee (NRSC), chaired by the Minister for Forests and Environment (MoFE), is the high-level policy institution for REDD+. It meets at least once a year and promotes cooperation among different sectors and stakeholders to harmonize REDD+ related policies and programs. In addition to providing overall policy direction, the NRSC oversees operating procedures and membership of related sectors and stakeholders, and can invite relevant experts, organizations, or individuals as observers where appropriate. The NRSC has representation from all stakeholders including Indigenous Peoples and local communities. The membership structure is provided below in *Table 1*.

The National REDD+ Coordination Committee (NRCC) was formed in February 2020 and ensures coordination across different sectors and actors. The NRCC makes decisions on technical matters, such as endorsing research documents, and implementation and monitoring of REDD+ programs. The NRCC is chaired by the Secretary of the MoFE. Its membership consists of representatives from relevant government departments, Indigenous Peoples organisations and private sector, among others. The full membership structure of the NRCC is provided in *Table 2*.

There are also two peripheral mechanisms: *a multi-stakeholder forum*, and a *REDD+ CSOs & IPOs Alliance*. These were established to facilitate knowledge exchange and sharing of feedback on

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[18] https://www.forestcarbonpartnership.org/system/files/documents/Nepal_FCPF_R-PIN_Final_submitted_31-07-08.pdf

[19] Noting that the review and update on the NRS in 2024-2025 may result in some changes to institutional arrangements.

REDD+ for stakeholders including women, Indigenous Peoples organizations (IPOs), Madhesis, Dalits, and CSOs.

A *multi-stakeholder REDD Working Group (RWG)* with representation from government, experts, donors, and Civil Society Organizations (CSOs), and a high-level, inter-ministerial *REDD Apex Body*, were also formed. In every province a 21-member Provincial REDD+ Coordination Committee (PRCC) is formed that is housed at the ministry responsible for forest, environment and climate change. At province level, *REDD+ Desks* have been established at the Forest Directorates under MoFE, which along with DFOs, coordinate and facilitate the implementation of REDD+ programs/activities within the province and DFO jurisdictions.

The NRS (2018-2022) also briefly mentions the monitoring arrangement for Measurement and Monitoring, Reporting and Verification (M & MRV). This provides for the involvement of local communities managing forests in monitoring of REDD+ activities and regular/periodic carbon monitoring at the subnational level. Institutional arrangements for REDD+ in Nepal[20] are shown in Figure 1.
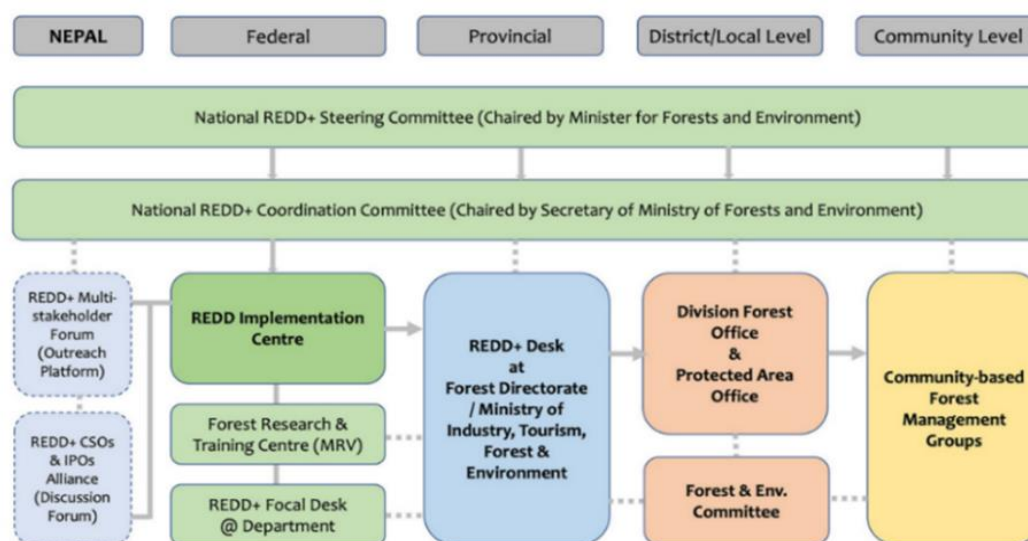
Figure 1. Institutional arrangements for REDD+ in Nepal

Table 1. Structure of the 35-member NRSC (adapted from NRS, 2018)

S No	Person/institution	Position
1	Hon. Minister, Ministry of Forests and Environment	Chairperson
2	Secretary, Ministry of Forests and Environment	Member
3	Secretary, Ministry of Finance	Member
4	Secretary, Ministry of Water Resource, Energy and Irrigation	Member
5	Secretary, Ministry of Agriculture, Land Management and Cooperatives	Member

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[20] https://www.redd.gov.np/page/institutional-mechanism-for-redd-nepal

S No	Person/institution	Position
6	Secretary, Ministry of Industry, Commerce and Supplies	Member
7	Secretary, National Planning Commission	Member
8	Secretary, National Natural Resources and Fiscal Commission	Member
9	Secretary, National Natural Resources and Fiscal Commission	Member
10	Representatives from the networks/organizations of women, Indigenous Peoples, local communities, Madhesis, Dalits and private sector engaged in forest resource management, not exceeding 6 representatives with at least two women to be nominated by the Ministry	Member
11	State secretaries, State Ministry of Industry, Tourism, Forests and Environment (7 Provinces)	Member
12	Representative from Network of Local Governments, 3 members with at least one woman nominated by the Ministry	Member
13	Chief, National REDD+ Centre	Member Secretary

Table 2. Structure of the NRCC (adapted from NRS, 2018)

S No	Person/institution	Position
1	Secretary, Ministry of Forests and Environment	Chairperson
2	Joint Secretary, Climate Change Management Division	Member
3	Joint Secretary, Environment and Biodiversity Division	Member
4	Joint Secretary, Planning, Monitoring and Coordination Division	Member
5	Joint Secretary, Participatory Forestry Division	Member
6	Joint Secretary, Forests and Watershed Division	Member
7	Joint Secretary, Administration Division	Member
8	Director General, Department of Forests and Soil Conservation	Member
9	Director General, Department of National Parks and Wildlife Conservation	Member
10	Director General, Department of Plant Resources	Member
11	Director General, Department of Environment	Member
12	Chief, Central Forests Training and Extension Centre	Member
13	Representatives from the networks/organizations of Indigenous Peoples, local communities, Madhesis, Dalits and private sector engaged in forest resource management not exceeding 9 representatives with at least three women to be nominated by the Ministry	Member
14	Chief, National REDD+ Centre	Member Secretary

2.2 National REDD+ Strategy

Developing a National REDD+ Strategy (NRS) is one of the four pillars of the Warsaw Framework for REDD+, and a requirement by the UNFCCC to access results-based payments. Nepal's NRS development process started during implementation of the first phase of the FCPF REDD+ Readiness Project (R-PP), when the R-PP was under implementation and had identified some critical issues such as tenure rights, access to traditional forest resources, carbon rights, forest governance, benefit distribution and safeguards.[21]

The NRS was drafted in 2014, followed by a series of local, sub-national and national level consultations held across the country in all physiographic regions and with relevant stakeholders. These consultations informed the second draft strategy, which was subsequently reviewed by a Technical Committee, and laid the foundation for a final version, which was approved by of the GoN in April 2018, after it was reviewed by the then REDD+ Working Group and REDD+ Apex Body. Studies on Drivers of Deforestation and Forest Degradation, Forest Reference Level, Strategic Environmental and Social Assessment (SESA) and Economic Modelling, which were carried out under the R-PP, provided key information for the development of the NRS.

The purpose of the NRS is to guide the development of a set of policies and programs that address the drivers of deforestation and forest degradation, and which ultimately improve the carbon sink capacity of Nepal's forests. The Strategy was developed to align with the principles of the country's sustainable development objectives, particularly with the Forest Policy (2015), Forestry Sector Strategy (2016-2025), and Nepal's 1st Nationally Determined Contribution (NDC), (2016). The NRS document outlines its vision, mission, objectives, 12 strategies and altogether 70 different action plans.[22]

Approval of the NRS paved the way for the approval of Nepal's 1st Emission Reduction Program Document (ER-PD)[23] for the 13 districts of the Terai Arc Landscape in December 2018. Subsequently, an ERPA was signed by the Government of Nepal (Ministry of Finance) and the World Bank in February 2021 and Nepal entered the implementation phase of the REDD+.

In 2024-2025, REDD IC led a review and update of the Strategy, with technical support from the UN-REDD Programme. The review has involved consultations with all stakeholders including government institutions at federal and provincial levels, CSO networks (e.g., FECOFUN, ACOFUN, etc.), IPOs (e.g., NEFIN and NIWF), and representatives of women's organizations, Dalits, Madhesis, and the private sector. Altogether, 10 consultations were carried out during March - May 2024 with a total of 218 participants.

The review provided information on the progress of implementation of the NRS strategies and priority actions, noting challenges such as inadequate coordination, lack of skilled human

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[21] https://www.forestcarbonpartnership.org/system/files/documents/R-PP_Nepal_revised_October.pdf

[22] https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20National%20REDD%2B%20Strategy.pdf

[23] https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20ERPD%2024May2018final_CLEAN_0.pdf

resources, knowledge and capacity, and limited financial resources. Key recommendations for a new NRS include:

- Providing strategic guidance on implementation arrangements with clear delineation of roles and responsibilities to strengthen coordination and cooperation among the three tiers of government and across sectors.

- Improving analysis of barriers to conservation, enhancement and SFM, thereby reducing emissions and enhancing carbon removals concomitantly and enhancing non-carbon benefits.

- Consolidating a guiding framework to synchronize the national sectoral and cross-sectoral policies and legal provisions in line with new policies and initiatives for REDD+ at the international level.

A revised NRS is being developed based on the review, reflecting recent developments in the REDD+ process at the international level as well as changes in Nepal's legal framework and policy commitments, including the National Forest Policy (2019), Forests Act (2019), Forest Regulation (2022), National Environment Policy (2019), Environment Protection Act (2019), Environmental Protection Regulations (2020), Nepal's second NDC, National Climate Change Policy (2019) and Long-term strategy for Net-zero Emissions (2021).

2.3 State of Nepal's forests

2.3.1 Different types of vegetation and ecoregions of Nepal

Six different types of vegetation found in Nepal are divided into 11 Ecoregions (Table 3). According to the Tree Improvement and Seed Centre, 35 forest types are found in Nepal. These 35 types are often categorized into 10 major forest ecosystems groups, namely tropical, subtropical broadleaved, subtropical conifer, lower temperate broadleaved, lower temperate mixed broadleaved, upper temperate broadleaved, upper temperate mixed broadleaved, and temperate coniferous, subalpine, and alpine scrub.[24]

Table 3. Vegetation types and eco-regions of Nepal[25]

Vegetation type	Eco-region	Altitude
Montane grasslands and shrubland	Trans-Himalayan alpine shrub/meadow	
	West Himalayan alpine shrub/meadow	3,700 m–4,400 m
	East Himalayan alpine shrub/meadow	4,000–4,500 m
	North-west Himalayan alpine shrub/meadow	Above 4,000 m
Subalpine conifer forest	Trans-Himalayan subalpine conifer forest	
	West Himalayan subalpine conifer forest	3,000–4,000 m
	East Himalayan subalpine conifer forest	3,000–4,000 m

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[24] https://www.mofe.gov.np/uploads/documents/tnc-nepalv21629966891pdf-7343-817-1658827818.pdf
[25] https://www.mofe.gov.np/uploads/documents/forest-biodiv-watshed-mgmtvra-20211633697969pdf-0572-555-1658827523.pdf

Temperate broadleaved forest	Himalayan subtropical pine forest	1,000–2,000 m
Tropical forests/subtropical conifer forest	Himalayan subtropical pine forest	1,000–2,000 m
Subtropical broadleaved forest	Himalayan subtropical broadleaved forest	500–1,000 m
Grasslands, savannahs, and shrub lands	Terai-Duar savannas and grassland	Below 500 m

The Forest Research and Training Centre (FRTC) is responsible for forest resource assessment. It also developed the National Land Cover Monitoring System (NLCMS) in 2022, completed the National Land Cover Monitoring, and produced land cover maps from 2000 to 2019. This NLCMS report provides comprehensive land cover statistics and land cover change analysis for all physiographic regions of the country at the national and provincial levels. As of 2019, 6,166,766 ha (41.69% of the land area of the country) is covered by forests, while Other Wooded Land (OWL) accounts for 535,179 ha or 3.62%. Forests and OWL together covered 45.31% of the country's land area. The report revealed that overall, forest cover increased by 0.57% between 2014 and 2019, while OWL decreased by 0.76%.[26]

The total carbon stock in Nepal's forest has been estimated as 1,054.97 million tons (an average of 176.95 t/ha).[27] Out of this total, tree components (live, dead standing, dead wood, and below-ground biomass), forest soils, and litter and debris constitute 61.53%, 37.80%, and 0.67%, respectively.

2.3.2 Forestland tenure and management regimes

There are two types of forests in Nepal based on land tenure and ownership. Forests grown and/or managed in private land with land ownership certificates are called "*private forests*". All other forests are "*national forests*", with land ownership with the government. National forests are managed under different management regimes with approved forest resource tenure rights as per prevailing laws. These are:

1. Government managed forests – including Protected Areas
2. Community forests - including buffer zone community forests
3. Collaborative forests
4. Leasehold forests
5. Religious forests

About 25% of the forest area of the country is managed under the Protected Area system, e.g. as National Parks and Wildlife Reserves. There are also 10 forest areas which are managed as protection forests outside of the National Park jurisdiction.

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[26] https://frtc.gov.np/uploads/files/Studyper cent20Reportper cent20Inner-final.pdf
[27] https://frtc.gov.np/downloadfile/state%20%20forest%20of%20Nepal_1579793749_1579844506.pdf

2.4 Other ecosystems and biodiversity

Nepal's Third Communication to the UNFCCC,[28] submitted in 2021, provides information on other ecosystems and biodiversity of the country, summarised in this section. Nepal houses 12 of the 867 global terrestrial ecoregions. The country occupies about 0.1% of the global area, but harbours 3.2% of the world's known flora and 1.1% of the fauna. This includes 5.2% of the world's known mammals, 9.5% of birds, 5.1% of gymnosperms, and 8.2% of bryophytes. A total of 312 flowering plants, 160 species of animals (including one species of mammal), one species of bird, and 14 species of herpeto-fauna are reportedly endemic to Nepal. The high-altitude rangelands are especially important from the perspective of endemism.

There are a total of 118 ecosystem types in Nepal. The natural ecosystems range from tall grasslands, wetlands and 10 major forest ecosystems including tropical and sub-tropical broadleaved forests and alpine meadows. Its tropical savannas and alpine meadows are exceptionally rich in biodiversity. Nepal's wetlands, including 10 Ramsar sites, harbour many threatened species of flora and fauna and serve as resting places for many migratory and globally threatened birds.

The country is also rich in a diversity of agricultural crops, their wild relatives, and domestic animal species and varieties. Over 550 crop species are identified as having food value, and around half of those species are believed to be currently under cultivation. The country's horticultural diversity includes around 400 species and subspecies of horticultural crops, including 45 species of seasonal fruits. An estimated 200 species of vegetables, including 11 different local varieties of potatoes, are grown in the country. Many species of plants and animals, including 54 species of wild mammals and 18 species of trees found in the mountains, are threatened. Birds are among the most threatened group of fauna. Over half of Nepal's nationally threatened bird species inhabit lowland forests, and over a quarter live in wetlands.

2.5 Drivers of deforestation and forest degradation

The preliminary analysis during the preparation of Nepal's R-PP[29] in 2010 indicated that the drivers of deforestation and forest degradation are diverse, complex, and differ across various physiographic regions. The analysis identified nine direct drivers and several indirect drivers, including socio-economic factors such as population increase, poverty, land scarcity and economic growth. More recently, the Strategy and Action Plan 2015-2025, Terai Arc Landscape, Nepal (2015) identified five major drivers (see Table 4). Similarly, during the national, provincial, and local level consultations conducted for the ER-PD of the FCPF ER Program, six major drivers and 10 underlying causes were identified. After reviewing different studies and receiving input through consultations, the NRS (2018) outlined nine major drivers of deforestation and forest degradation with 10 underlying causes. Table 4 summarises the drivers of deforestation and forest degradation and underlying causes from these different studies/strategies.

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[28] https://www.mofe.gov.np/uploads/documents/tnc-nepalv21629966891pdf-7343-817-1658827818.pdf
[29] https://www.forestcarbonpartnership.org/system/files/documents/R-PP_Nepal_revised_October.pdf

Table 4. Drivers of deforestation and forest degradation and underlying causes in Nepal

Drivers identified	Underlying causes
National REDD+ Strategy (2018)	
1. Unsustainable and illegal harvesting 2. Forest fire 3. Infrastructure development 4. Overgrazing/uncontrolled grazing 5. Weak forest management practices 6. Urbanization and resettlement 7. Encroachment 8. Mining/excavation (sand, boulders, stones) 9. Expansion of invasive species	● Disproportionate pattern of population distribution and migration ● Policy gaps and poor implementation, as well as policy contradiction among different sectors ● Poverty and limited livelihood opportunities ● Demand and supply gaps of forest products ● Land use policy and insecure forest tenure ● Poor governance and weak political support ● Weak coordination and cooperation among stakeholders ● Inadequate human resource development and management ● Low priority for research and development ● Poor coping strategies for natural disasters and climate change
FCPF ER Program ER-PD (2017), District, regional and national level stakeholder consultations	
1. Unsustainable and illegal harvest of timber and fuelwood 2. Overgrazing 3. Forest fires 4. Encroachment 5. Resettlement 6. Infrastructure development	● Disproportionate population distribution and migration patterns ● Policy gaps, poor implementation, policy contradictions among different sectors or jurisdictions ● Poverty and limited livelihood opportunities ● High dependency on forest products and gap in demand-supply ● Land use policy and insecure forest tenure ● Poor governance and weak political support ● Weak coordination and cooperation among stakeholders ● Inadequate human resource development and management ● Low priority for research and development ● Limited strategies for responding to natural disasters and climate change
Terai Arc Landscape, Nepal, Strategy and Action Plan (2015-2025)	
1. Unsustainable and illegal harvest of forest products 2. Overgrazing 3. Fuelwood collection 4. Forest fires 5. Conversion of forests to other land uses (encroachment, resettlement, infrastructure)	● Increasing demand for forest products exceeds sustainable supply ● Population growth ● Weak supply chain ● Regional increase in livestock numbers in the Terai
Understanding drivers and causes of deforestation and forest degradation in Nepal: potential policies and measures for REDD+ (2014). UN REDD supported the study.	
1. Illegal logging 2. Encroachment 3. Fuelwood consumption	● Poverty and high dependency on forest ● Increased demand for forest products ● Weak land tenure

Drivers identified	Underlying causes
4. Road construction 5. Forest fires 6. Mining 7. Grazing	• Weak governance and law enforcement • Population growth • Political instability • Poor technology in forest management
FCPF R-PP (2010)	
1. High dependency on forests and forest products (timber, fuelwood, and other NTFPs) 2. Illegal harvest of forest products 3. Unsustainable harvesting practices 4. Forest fire 5. Encroachment 6. Overgrazing 7. Infrastructure development 8. Resettlement 9. Expansion of invasive species	• Poverty and lack of livelihood alternatives • Weak governance mechanisms and weak law enforcement • Inefficient distribution mechanism for timber and fuelwood • High cross-border demand for forest products • Inadequate budget for research and development • Political interference • Unclear land tenure, policy and planning

2.6 Forest Reference Level (FRL) of Nepal (2000-2010)

Within the context of the UNFCCC, REDD+ results are measured against the Forest Reference Emissions Level (FREL) or Forest Reference Level (FRL). The FREL/FRL thus sets a benchmark for assessing the performance of REDD+ activities allowing countries to measure, report and verify (MRV) emission reductions and removals resulting from their mitigation efforts and seek RBPs.[30] The UNFCCC refers to both "*Forest Reference Emissions Level (FREL)*" and "*Forest Reference Level (FRL)*", and Nepal has interpreted that FREL refers only to the activities that reduce emissions while FRL refers to both activities that reduce emissions and enhance carbon stocks in forests.

Nepal submitted its first national Forest Reference Level (FRL)[31] (2000 -2010) to the UNFCCC in 2017. The FRL focused on net CO_2 emissions and removals and includes emissions from above and below-ground biomass carbon pools. The annual emissions and removals due to deforestation and afforestation in the 2000 and 2010 period are estimated at 929,325 tCO_2e and -151,077 tCO_2e respectively. It is estimated that the annual degradation due to unsustainable fuelwood extraction in Forest-remaining-Forest (FRF) resulted in emissions of 408,500 tCO_2e in the same period. The FRL therefore reports emissions of 929,325 tCO_2 e/year for deforestation, 408,500 tCO_2e/year for degradation, and removals of -151,077 tCO_2e/year for enhancement (Figure 2).

Figure 2. Annual Greenhouse Gas emissions and removals of Nepal (2000-2010)

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[30] Decision 12/CP.17: https://unfccc.int/resource/docs/2011/cop17/eng/09a02.pdf#page=16
[31] https://redd.unfccc.int/media/finalfrlnepal_jan2018.pdf
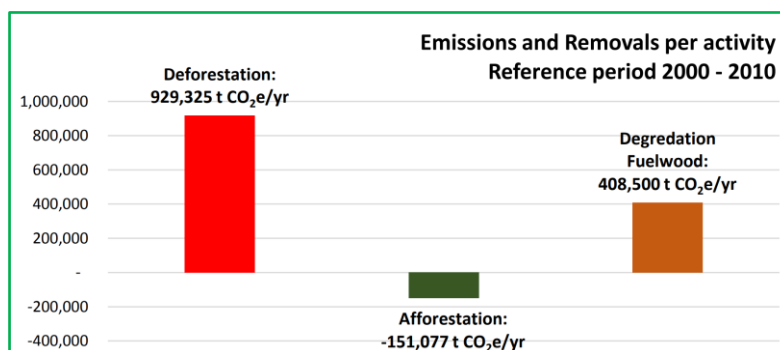
(tCO$_2$e/year) (from Nepal's national FRL, 2000-2010)

The national FRL scenario will certainly change due to emissions/removals from forest enhancement under community forestry, grazing, timber harvest and forest fire-based forest degradation. These will be included in future FRL submissions as appropriate.

2.7 REDD+ Initiatives in Nepal

2.7.1 REDD+ Readiness Project under the FCPF of the World Bank

Nepal's REDD+ Readiness Project Proposal (R-PP)[32] was accepted by the FCPF in 2010 and a grant of US$3.4 million was provided to implement the R-PP under the World Bank-managed Readiness Fund. The first phase began in 2010 and was completed in 2015. Nepal's Readiness Package[33] was approved by the Participant Committee meeting of the FCPF in 2016, as was a request for an additional readiness grant of US$5 million. Nepal's Readiness Package[34] was approved by the Participant Committee meeting of the FCPF in 2016. and further extended until December 2021 because of the COVID 19 pandemic, so that Nepal continued implementation of its second phase of REDD+ readiness activities from 2015 to 2021. Through the R-PP, Nepal prepared several key studies, including on the Forest Reference Level (FRL), Monitoring, Reporting, and verification (MRV), Strategic Environmental and Social Assessment (SESA), Drivers of Deforestation and Forest Degradation, as well as the draft NRS.

2.7.2 Emission Reduction Program under the FCPF of the World Bank

In 2013, the government of Nepal decided to prepare an Emission Reduction Program Idea Note (ER-PIN) for the then 12 (now 13) districts of the Terai Arc Landscape (TAL) for submission to the Carbon Fund of the FCPF. The ER-PIN[35] was approved and included into the Carbon Fund pipeline at the Fund's 9th meeting in Brussels in April 2014. In 2015, after signing the Letter of Intent with the World Bank for the potential sale and purchase of 14 million tons of CO$_2$e of ERs, expected to

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[32] https://www.forestcarbonpartnership.org/system/files/documents/R-PP_Nepal_revised_October.pdf

[33] https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20R-Package-Final-%20August%2016%202016.pdf

[34] https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20R-Package-Final-%20August%2016%202016.pdf

[35] https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20ER-PIN%20CF9.pdf

be generated through the ER Program for the crediting period of 2018-2023, Nepal received a grant of US$650,000 from the World Bank to prepare the ER-PD.

Following GoN approval of the NRS in April 2018, Nepal's ER-PD was also approved at the Eighteenth Carbon Fund meeting of the FCPF in June 2018 in Paris. Nepal formally entered the implementation phase of REDD+ after signing the ERPA[36] with the World Bank, under the Carbon Fund of the FCPF, in February 2021. Under the agreement, Nepal will receive RBPs for the verified ERs achieved through the implementation of the ER Program: *"People and Forests: A Sustainable Forest Management-based Emission Reduction Program in the Terai Arc Landscape, Nepal"*, which is being implemented in the 13 districts of five provinces (Madesh, Bagmati, Gandaki, Lumbini, and Sudur Paschim) covering 2.4 million ha of land area. The ER Program is expected to generate 35.6 $MtCO_2e$ of ERs over a ten-year period (2018-2027) through the implementation of seven REDD+ interventions. The interventions (Table 5) have been designed based on extensive district, regional and national-level consultations with the participation of women, local communities, Indigenous Peoples, Dalits, and other marginalized communities.

Table 5. Estimated emission reductions of the FCPF ER Program interventions

REDD+ Interventions	Target	Expected ERs ($MtCO_2e$)
1. Improve management practices in existing community and collaborative forests building on traditional and customary practices	336,069 ha	19.0
2. Localize forest governance through transfer of National Forests to Community and Collaborative Forest User Groups	200,937 ha	9.3
3. Expand private sector forestry operations through improved access to extension services and finance	30,141 ha	0.9
4. (a) Expand access to alternative energy with biogas	88,629 units	2.5
4. (b) Expand access to alternative energy with improved cookstoves	16,962 stoves	0.1
5. Scale up pro-poor leasehold forestry	12,056 ha	0.7
6. Improve integrated land use planning to reduce forest conversion associated with infrastructure development	11,736 ha	3.2
7. Strengthen capacity for management of Protected Areas (PAs)	6 PAs	
Total		35.6

The ERPA was signed for up to US$45 million for ERs of 9 $MtCO_2e$ (2018-2014), considering uncertainty and a buffer, for US$5 per transferred contract ER credit[37] (Table 6).

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[36] https://www.forestcarbonpartnership.org/system/files/documents/FCPF%20Carbon%20Fund%20ERPA-Nepal%20Tranche%20A.pdf
[37] https://www.forestcarbonpartnership.org/system/files/documents/FCPF%20Carbon%20Fund%20ERPA-Nepal%20Tranche%20B.pdf

Table 6. Reporting periods and contract ERs of the FCPF ER Program[38]

SN	Period	Minimum Contract ERs volume (CO_2e)	Cumulative Contract ERs volume (CO_2e)
1	June 22, 2018, to December 31, 2021	4,000,000	4,000,000
2	January 1, 2022, to December 31, 2024	5,000,000	9,000,000

Nepal submitted its first FCPF Emissions Reductions Monitoring Report (ER-MR) in 2023 (covering June 2018 to December 2021), which is currently under the verification and validation process. Nepal is expecting to receive the first instalment of RBPs in the second half of 2025. Table 7 summarises the first ER-MR content.

Table 7. Summary of the first ER-MR of the FCPF ER Program[39]

Forest Carbon Partnership Facility (FCPF) Carbon Fund - ER Monitoring Report (ER-MR)	
ER Program Name and Country:	People and Forests: A Sustainable Forest Management - Based Emission Reduction Program in the Terai Arc Landscape, Nepal.
Reporting Period covered in this report:	22-06-2018 to 31-12-2021
Number of FCPF ERs:	2,310,319
Quantity of ERs allocated to the Uncertainty Buffer:	485,361
Quantity of ERs to allocated to the Reversal Buffer:	302,542
Quantity of ERs to allocated to the Reversal Pooled Reversal buffer:	137,519
Date of Submission:	14-09-2023

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[38] Ibid

[39] https://www.forestcarbonpartnership.org/sites/default/files/documents/nepal_ermr_ghg_accounting_nov_2023_final.pdf

2.7.3 ER Program under the LEAF Coalition

Nepal is now developing a proposal for its second ER Program under the Lowering Emissions through Accelerating Forest Finance (LEAF) Coalition, including registration with ART-TREES (Architecture for REDD+ Transactions / The REDD+ Environmental Excellence Standard). Nepal exchanged a Letter of Intent (LOI)[40] with Emergent on behalf of the LEAF Coalition at the UNFCCC COP 26 in November 2021. submitted a TREES concept note in February 2022[41] and signed a Memorandum of Agreement (MOA) with the LEAF Coalition in December 2022[42] for a crediting period of four years (2022-2026), through a jurisdictional program covering 36 districts of Bagmati, Gandaki and Lumbini provinces (which covers 51.9% of country's forest). REDD IC, with technical support from FAO and UNEP through the UN-REDD Programme, has prepared the TREES Registration Document (TRD), which was submitted to ART-TREES Secretariat in 2024. A summary of the LEAF ER Program (based on the TRD) is provided in Table 8.

Table 8. Summary of the LEAF ER Program

Lowering Emissions through Accelerating Forest Finance (LEAF) coalition Summary of the Jurisdictional ER Program in Nepal	
ER Program area	Jurisdictional area of Bagmati, Gandaki and Lumbini provinces of Nepal covering about 7.0 million hectares of geographical area (41.33% of Nepal's total area).
TREES accounting area	About 3.64 million ha of forests which 78.6% comes under national forests while 21.48% is under protected area management system.
Reference period	01/01/2017 -12/31/2021
Crediting period and TREES crediting level for emissions	01/01/2022 -12/31/2026 Emissions from Deforestation 2017-21; tCO2e = 851,969 Emissions from Forest Degradation 2017-21; tCO2e = 3,591,746 Total Emissions during the 5-year historical reference period 2017-21; tCO2e = 4,443,715 Crediting Level for 5-year crediting period; tCO2e = 4,443,715 / 5 = 888,743
REDD+ activities and carbon pools included in the ER program	1. Emission reduction from deforestation 2. Emission reduction from forest degradation 3. Enhancement of carbon stock by afforestation and reforestation The crediting level considers above-ground biomass and below-ground biomass.

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[40] https://resources.leafcoalition.org/wp-content/uploads/2021/12/Letter-of-Intent_Nepal.pdf

[41] https://art.apx.com/mymodule/ProjectDoc/Project_ViewFile.asp?FileID=63&IDKEY=f903q4jsafkasjfu90amnmasdfkaidflnmdf9348r09dmfasdff86877

[42] https://resources.leafcoalition.org/wp-content/uploads/2022/12/MOA-Nepal-Emergent-signed.pdf

Chapter 3. Nepal's Approach to the REDD+ Safeguards

3.1 Introduction

The Country Approach to Safeguards (CAS) is an approach that a country develops and implements based on its own distinctive needs and situation to enhance REDD+ social and environmental benefits and reduce the risks.[43] Each CAS will be therefore be based on different national circumstances, policies and stakeholder perspectives regarding the definition, overall goals, scope, and scale of safeguards application.[44] CAS are usually developed by the government through consultations with stakeholders and considering the range of socio-economic issues and environmental concerns important for the REDD+ process of the country.[45] Three major components of any CAS include:

1. **Policies, Laws and Regulations (PLRs)**: defining, on paper, what needs to be done to support REDD+ design and implementation in a manner consistent with the Cancun (and other) Safeguards.

2. **Institutional arrangements for implementation:** the mandates, procedures and capacities of institutions responsible to ensure that the relevant PLRs are implemented in practice.

3. **Information systems and sources or SIS:** collecting and making available information on how safeguards are being addressed and respected throughout implementation of REDD+ actions.

Although there is not any blueprint for developing a CAS, the UN-REDD Programme has suggested some generic steps based on some early experiences[46], including: defining goals, scope and scale; clarifying the Cancun Safeguards in the country context; assessing and strengthening existing safeguards-relevant PLRs; developing new PLRs and/or procedures if needed; assessing and strengthening institutional capacities; and developing and operating a SIS.

The clarification or interpretation of the Cancun Safeguards in the country context is a crucial component. The Cancun Safeguards are a set of broad key principles that need to be explained in terms of specific thematic issues, PLRs, definitions and standards in the country. Such clarification can be a very important step to help all stakeholders to develop a common understanding of what it means to "*address and respect*" these safeguards in their specific country context.

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[43] UN-REDD Programme definition of CAS: https://www.un-redd.org/glossary/country-approach-safeguards#:~:text=A%20country%20approach%20to%20safeguards%20refers%20to%20the,order%20to%20respond%20to%20safeguards%20requirements%20for%20REDD%2B

[44] https://redd.unfccc.int/uploads/2234_6_country-approaches-info-brief-final__282_29.pdf

[45] https://www.un-redd.org/sites/default/files/2021-10/Concept%20Brief%20Country%20Approach%20to%20Safeguards-1.0-EN%20(360803).pdf

[46] https://www.un-redd.org/sites/default/files/2021-10/Concept%20Brief%20Country%20Approach%20to%20Safeguards-1.0-EN%20(360803).pdf

3.2 Key elements in Nepal's safeguards approach

Nepal has taken environmental and social safeguards for development programs and projects seriously since it became a party of the United Nations Conference in Environment and Development known as the Earth Summit held in Rio De Janeiro in 1992. Nepal is a party to the UNFCCC, CBD and Agenda 21, and the statement on a global consensus on the management, conservation and sustainable development of forests,[47] which are the major outcomes of the Conference.

The development of Nepal's REDD+ safeguards approach began in the early stages of its participation in REDD+. Nepal participated in the REDD+ Social and Environmental Standards (SES) initiative, beginning in 2009, to develop voluntary best-practice standards through a multi-stakeholder process, to support effective implementation and credible reporting on social and environmental performance of government-led REDD+ programs and related low-emissions land use. Work conducted through the FCPF REDD+ Readiness Project and the development of the FCPF ER Program has also contributed significantly to Nepal's CAS. Nepal developed its ER-PIN and ER-PD for the FCPF ER Program following the World Bank's Environmental and Social policies (also called Safeguard Policies), as well as the Cancun Safeguards, including: the preparation of a SESA and ESMF (which also established modalities for the various safeguards procedures for the ER Program, such as the Feedback and Grievance Redress Mechanism (FGRM), Resettlement Policy Framework, etc). A Gender Action Plan and a Benefit Sharing Plan (BSP)[48] for the ER Program have also been developed following a stakeholder consultations process, which will be tested in the field when RBPs are received from the Carbon Fund of the FCPF. The BSP has undergone revisions and updates in consultation with stakeholders, with the most recent version being approved by government in October 2024.

Nepal developed and approved the NRS in 2018, which further set out elements of the approach for respecting and addressing the Cancun Safeguards as well as safeguards policies and standards of other development partners such as GCF, GEF, FAO, UNDP, IUCN, and World Bank. The 'Building a Resilient Churia Region in Nepal' (BRCRN), the first GCF project being implemented in Nepal, has developed Environmental and Social Management Plans (ESMPs), Indigenous Peoples Plans (IPPs) and Social Inclusion Management Plans (SIMPs) for all 26 river systems involved in the project.

Recent developments, including the preparation of the proposed LEAF ER Program, have also further contributed to Nepal's safeguards processes. In 2023, REDD IC developed 'FPIC Guidelines for REDD+ and ER Programs in the Forestry Sector', which are under government approval process in 2024. The Guidelines will be used to guide the consultation processes for the LEAF ER Program. The draft BSP for the LEAF ER Program has also been developed in 2024, based on the BSP of the FCPF ER Program, which will be refined through stakeholder consultations at district, provincial and national levels.

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[47]https://digitallibrary.un.org/record/144461?v=pdf
[48]https://www.forestcarbonpartnership.org/sites/default/files/documents/revised_bsp_nepal_03_june_2023_clean_version_0.pdf

The draft SOI document [49] set out country specific principles, criteria and indicators, i.e. a clarification of the Cancun Safeguards, which have recently been further revised (to align with recent developments in REDD+ implementation, revisions to relevant PLRs and ART-TREES safeguards requirements) and are provided in Chapter 5 of this SOI.

3.2.1 Objectives of Nepal's safeguards approach

The main objectives of Nepal's REDD+ safeguards approach are: to improve and harmonize policy and legal frameworks, in line with national and international requirements and standards, to harness carbon and non-carbon benefits; to increase institutional capability and coordination; and to strengthen governance, gender equality and social inclusion of the forestry sector to ensure safeguards including environmentally friendly development processes of the country (Objective 4 and Strategy 11 of the NRS).[50] Other specific and relevant objectives are contained in strategic actions in the NRS (2018), such as:

1. Integrate and ensure social and environmental safeguards in all REDD+ programs and activities.

2. Adopt an approach to Free, Prior, and Informed Consent (FPIC) of rights holders, particularly Indigenous Peoples and local communities.

3. Develop and implement alternative rehabilitation arrangements for landless people (Sukumabasi) living in forest lands.

4. Ensure effective implementation of Initial Environmental Examination (IEE) and Environmental Impact Assessment (EIA) while using forest land under nationally prioritized development projects.

5. Establish and maintain a SIS and National Forest Monitoring System (NFMS) with robust measurement, monitoring, reporting and verification mechanisms.

3.2.2 Scope of Nepal's safeguards approach

As discussed in Section 4.2 above, respecting and addressing environmental and social safeguards while designing and implementing any development project/program has always been important for Nepal. This is reflected in Nepal's Constitution (2015) and many new policies, such as National Forest Policy (2019), National Environment Policy (2019), National Climate Change Policy (2019), Forestry Sector Strategy (2016-2025) and Long-term strategy for Net-zero Emissions (2021). In this context Nepal's safeguard approach is not limited to only REDD+ actions.

Safeguards will thus be applied to all REDD+ activities and actions, i.e. the strategies and action plans identified in Nepal's NRS (2018) and will be promoted beyond the forestry sector and REDD+ to include other relevant land use sectors, such as agriculture, hydropower, and infrastructure development, including activities supported by different international development partners. The environmental and social safeguards policies of different development partners will

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[49]Available online on the SIS website: http://sis.redd.gov.np/sis/documents/knowledge-center
[50]https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20National%20REDD%2B%20Strategy.pdf

also be integrated as appropriate. For example, the GCF-supported and FAO-implemented Building Resilient Churai Region project follows the safeguards policies of the GCF and FAO.[51] Some of the safeguard policies and standards that are relevant to Nepal's safeguards approach include:

- The UNFCCC Cancun Safeguards.
- The World Bank's Environmental and Social Framework and FCPF Carbon Fund Methodological Framework.
- The GCF Environmental and Social Safeguards; and
- The ART-TREES safeguards.

3.2.3 Nepal's key Policies, Laws, and Regulations (PLRs) relevant to addressing REDD+ safeguards

The table below provides an overview of some key, safeguards-relevant PLRs of Nepal. More information on these and how they relate to specific safeguards is provided in Chapter 5.

Table 9. Key Policies, laws and Regulations (PLRs) relevant to addressing REDD+ safeguards in Nepal

Name	Brief description
The Constitution of Nepal (2015)[52]	The constitution acknowledges the environmental and social rights of its citizens and commits to safeguard them by applying social equity and inclusive governance and ending any kind of discrimination relating to class, caste, region, language, religion, and gender.
The Environment Protection Act (2019)[53]	The Act aims to support the SDGs through minimizing adverse impacts on human beings, wildlife, plants, nature and physical objects, and protection of the environment (including social system, economic and human activities). The Act includes provisions on climate change and provides the Government with power to participate in carbon trading.
Environmental Protection Regulations (2020)[54]	These are the regulations to enforce the Environment Protection Act (2019). They include provisions for biodiversity conservation and the requirement and institutional arrangements to carry out environmental impact assessments for any development projects to occur.
The National Forest Policy (2019)[55]	The guiding document for forestry-sector related policies, strategies, programs/projects, and legal and regulatory instruments. Its main strategies include sustainable management of forest resources through

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[51] FAO's Framework for Environmental and Social Management (FESM) is the guiding document for the project
[52] https://ag.gov.np/files/Constitution-of-Nepal_2072_Eng_www.moljpa.gov_.npDate-72_11_16.pdf
[53] https://www.fao.org/faolex/results/details/en/c/LEX-FAOC202860/
[54] https://dpnet.org.np/resource-detail/1821#:~:text=The%20Environment%20Protection%20Regulation%202077,environmental%20impact%20assessment%20(EIA)
[55] https://dpnet.org.np/resource-detail/1864

	participation of all stakeholders; and increasing the productivity of the forestry sector, contributing to economic development while protecting biodiversity and forest ecosystem services. It explicitly covers the development of ER projects for international climate finance.
The Forests Act (2019)[56]	The Act provides the legal framework for the management of national forests, including provisions for land ownership and forest protection, and establishes the carbon rights of the GoN (Clause 44) and the creation of the Forest Development Fund (Clause 45).
Forest Regulation (2022)[57]	These are the regulations that lay out how the Forests Act (2019) will be actioned. The regulations include provisions for the formation of a Forest Development Fund, benefit-sharing, carbon trading provisions, and institutional arrangements for forest governance.
The Forestry Sector Strategy (2016-2025)[58]	This strategy aims to deliver five major outcomes: sustainable production and supply of forest products; improvement of biodiversity; protection of watersheds and ecosystem services; increased contribution to national economic development; and inclusive and accountable forestry sector institutions and organizations.
Nepal's Long-term Strategy for Net-zero Emissions (2021)[59]	This is the country's strategy towards the implementation of the Paris Agreement. For the 'Forestry and Other Land Use' sector, various actions are provided for Nepal to achieve its goal of net zero emissions by 2045, such as increasing and maintaining forest cover, afforestation, measures to decrease forest fire incidents, scale-up SFM practices, agroforestry, energy-efficient technologies, and improved monitoring and database systems.
The National Climate Change Policy (2019)[60]	This provides policy guidance for different sectors to build a climate resilient society. For forest, biodiversity and watershed conservation, the strategic actions proposed including increasing forest carbon sequestration by adopting SFM; developing agroforestry in the areas affected by climate induced risks; and distribution of financial benefits received from carbon storage through REDD+ and the Clean Development Mechanism in a just manner.

3.2.4 International conventions and agreements relevant to REDD+ in Nepal

Nepal has ratified a number of international conventions and agreements that are directly or indirectly relevant to REDD+. Based on the ER-PD of the FCPF ER Program and the NRS (2018),

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[56] https://faolex.fao.org/docs/pdf/nep202856.pdf
[57] https://www.mofe.gov.np/uploads/documents/%E0%A4%B5%E0%A4%A8-%E0%A4%A8%E0%A4%BF%E0%A4%AF%E0%A4%AE%E0%A4%BE%E0%A4%B5%E0%A4%B2%E0%A5%80-%E0%A5%A8%E0%A5%A6%E0%A5%AD%E0%A5%AF1656843781pdf-2202-765-1658748113.pdf
[58] https://www.mofe.gov.np/uploads/documents/forestry-sector-strategy-2016-20251526466721pdf-7869-771-1658747252.pdf
[59] https://www.mofe.gov.np/uploads/documents/nepal-lts-document-uploaded-in-unfccc1653986846pdf-0523-253-1657876086.pdf
[60] https://www.mofe.gov.np/uploads/documents/climatechangepolicyenglishpdf-9975-841-1660734867.pdf

the major international conventions and agreements relevant to the REDD+ process are provided in Appendix 2. The most relevant ones, with which REDD+ actions in Nepal align, are discussed briefly in this section as well as under Safeguard A in Chapter 5. These include:

The UNFCCC: Being a party to the UNFCCC, Nepal should comply with commitments to reduce emissions and the Cancun Safeguards. The Paris Agreement on Climate Change (2015), which is a legally binding international treaty, was adopted by 196 Parties, including Nepal, at COP 21 in Paris, France, on 12 December 2015.

The International Labour Organization (ILO) Convention 169[61] commits governments of signatory countries to adopt special measures as appropriate for safeguarding the persons, institutions, property, labour, cultures, and environment of Indigenous Peoples. Nepal has signed and committed to apply the polices. ILO 169 requires assessment of likely impacts of any development interventions on Indigenous Peoples and states that governments shall ensure that, whenever appropriate, studies are carried out, in cooperation with the peoples concerned, to assess the social, spiritual, cultural, and environmental impacts on them.

The UN Declaration on the Rights of Indigenous People (UNDRIP) (2007)[62] is an international policy safeguarding the rights of Indigenous Peoples. It encourages member countries to work alongside Indigenous Peoples to solve global issues and sets out the individual and collective rights of Indigenous Peoples, including to culture, identity, language, employment, health, education, among others. Nepal voted in favour of UNDRIP.

The UN Convention on Biological Diversity (CBD) and Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention) are also relevant to REDD+ in Nepal. The main objectives of the CBD include the conservation of biological diversity, the sustainable use of the components of biological diversity, and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources. The mission of the Ramsar Convention is "*the conservation and wise use of all wetlands through local and national actions and international cooperation, as a contribution towards achieving sustainable development throughout the world*".

The UN Convention on Combating Desertification (UNCCD) (1994)[63] has also been ratified by 197 Parties, including Nepal. The convention addresses the issues of land degradation and drought and aims to mitigate the impacts of these, by calling for sustainable land management.

3.3 Key safeguards processes and instruments

This section details some of the key safeguard processes and instruments in Nepal.

3.3.1 Strategic Environmental and Social Assessment (SESA)

The SESA is a systematic examination of environmental and social risks and impacts, and issues associated with a policy, plan, or program, typically at the national level but also in smaller areas. A

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[61]http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS_171810/lang--en/index.htm
[62]https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html
[63] https://catalogue.unccd.int/936_UNCCD_Convention_ENG.pdf

SESA[64] of potential national REDD+ strategies of Nepal was conducted in 2014 under the REDD+ Readiness Project. A number of consultations were undertaken with stakeholders at district and national levels to gather views on the REDD+ Strategy Options and perspectives on issues in forestry, and to identify available data. Representatives of relevant government ministries and agencies, private sector bodies, NGOs, and civil society organizations and community-based organizations including Indigenous Peoples and marginalized and disadvantaged groups participated in the consultations.

3.3.2 Free, Prior, and Informed Consent (FPIC)

Indigenous Peoples and other communities may be particularly vulnerable to the loss of, alienation from, or exploitation of their land and access to natural and cultural resources due to proposed REDD+ actions. In recognition of this vulnerability, Cancun Safeguard C focuses on the rights of Indigenous Peoples and local communities, although it does not explicitly require FPIC. FPIC is a way to ensure that potential impacts on Indigenous Peoples and local communities will be considered in the decision-making process of those programs or projects affecting them. FPIC encompasses a series of interconnected elements[65]:

- **Free:** Independent process of decision making.

- **Prior:** Right for Indigenous Peoples to undertake their own decision-making process regarding any project that concerns them before its implementation.

- **Informed:** Right to be provided and to have sufficient information on matters for decision making.

- **Consent:** Collective and independent decision of impacted communities after undergoing their own process of decision making.

FPIC is considered a key instrument in Nepal, including in the forest sector, for recognizing and respecting rights of Indigenous Peoples and local communities in relation to participation in programs. A number of policies, laws and regulations in Nepal have explicit and/or implicit requirements and provisions related to FPIC. These include the Constitution of Nepal (2015), the Forest Policy (2019), Forests Act (2019), Forest Regulation (2022), Environment Protection Act (2019) and Environmental Protection Regulations (2020). Furthermore, Nepal has ratified ILO 169 and voted in favour of UNDRIP, which require FPIC in designing and implementing development projects.

During the design of the FCPR ER Program, a number of field level consultations were organized, and participants were asked for their consent (although there were no specific guidelines for FPIC in the forest sector at the time). Indigenous Peoples Plans (IPPs) have been developed for all 26 river systems under the BRCRN project, which is the first GCF project in Nepal; during the IPP development process, a FPIC process was followed.

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[64] https://www.forestcarbonpartnership.org/system/files/documents/Annex%201%20-%20Nepal%20draft%20SESA%20and%20ESMF%20Reports.pdf
[65] https://openknowledge.fao.org/server/api/core/bitstreams/a5ca44db-0cdd-43a4-bf87-9e063e6d8252/content

The REDD IC has since developed with stakeholder input the "*FPIC Guidelines for REDD+ and ER Programs in the Forestry Sector*" (approved by MoFE in 2024, though further revision may occur in the future). The main objective of the Guidelines is to set out the steps that need to be followed while seeking FPIC from Indigenous Peoples and local communities who may be affected by the development of REDD+ programs/projects. The Guidelines provide definitions of key concepts, including Indigenous Peoples and Dalits, traditional /customary rights, and traditional knowledge. The Guidelines also set out recommended stages and steps in preparing for an FPIC process, sharing information, and seeking consent:

- Preparation, including: screening to identify in which areas an FPIC process is needed and for which REDD+ actions; mapping of rights, rights-holders and stakeholders (including forest user groups, Indigenous Peoples and other community members), land use and knowledge; identifying appropriate decision-making institutions and representatives for the process; preparing information on rights, relevant support structures, channels and legal advice available to Indigenous Peoples and local communities; developing a FPIC plan or proposal, covering all the key elements of the proposed FPIC process, to be shared and agreed with rights-holders/stakeholders; and preparing and sharing an information package in a transparent, timely and culturally appropriate manner.

- Consultations to confirm the FPIC process, share information and obtain feedback on the proposed REDD+ actions, ensure a full understanding of rights, support available and GRM, and to build knowledge and capacity.

- Consultations to seek consent, in accordance with the agreed FPIC process, including on key elements such as REDD+ activities to be implemented, potential positive and negative environmental and social impacts, , grievance redress channels, benefit sharing arrangements, and any potential relocation/resettlement, among others.

- Post-consultation monitoring and maintenance of FPIC.

The Guidelines have been piloted during the consultation phase of the LEAF ER Program developed for the jurisdictional areas of Bagmati, Gandaki and Lumbini provinces. Field level consultations in the 36 districts of the ER Program were completed in December 2024; and provincial level and national level [validation] workshops were completed in April 2025. The FPIC Guideline is a live document, and it will be revised based on the lessons learned during the implementation, feedback and suggestions received from the stakeholders, especially Indigenous Peoples and community forestry organisations.

3.3.3 Benefit Sharing

Benefit sharing for REDD+ refers to how financial incentives transferred from international funds or carbon markets are shared between actors within recipient countries.[66] It takes many forms and depends heavily on the context, particularly on the land tenure regime, the legal and institutional

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[66]https://www.forestcarbonpartnership.org/system/files/documents/9a.%20Knowledge%20Sharing%20Panel%202%20-%20Benefit%20Sharing%20Mechanisms%20for%20REDD%2B.pdf

frameworks, the drivers and history of land use change, and the political agenda.[67] Benefit sharing arrangements also depend on the objectives of the REDD+ project or program in question, the sources of finance and the landowners and other actors involved in the implementation of the REDD+ actions. Determining what share should go to which beneficiaries is complex and reflects issues such as providing incentives for future performance versus rewards for past performance; rights-based approaches; and the costs of implementing actions.[68]

Legal Context for Benefit Sharing in Nepal

The Constitution of Nepal (2015), Forest Act (2019), Forest Regulation (2022), Environment Protection Act (2019), Intergovernmental Fiscal Arrangement Act (2017), National Natural Resources and Fiscal Commission Act (2017), and Local Government Operation Act (2017) are the major legal documents that provide the basis for benefit sharing arrangements related to REDD+ RBPs. The provisions of these laws and regulations are discussed in detail in Chapter 5 of this SOI, under Safeguard B. Key elements include the establishment of a Forest Development Fund (FDF), through the Forest Regulation (2022), which is responsible for development of benefit sharing mechanisms. MoFE should share the benefits received based on BSPs prepared with the participation of local governments, private forest owners, forest user groups and affected local communities, as per the Regulation 115 (1) of the Forest Regulation (2022):

1) For fund management: 10%

2) Institutions and forest user groups involved in forest management: 80%

3) Private forest owners within the program area: 5%

4) Forest dependent households outside the forest user groups: 5%

Both the benefit sharing plans for the FCPF ER Program and the LEAF ER Program (draft) have been developed following the provisions of the national legal framework and taking into account the requirements from the relevant carbon standards.

BSP for the FCPF ER Program

The Benefit Sharing Plan (BSP)[69] for the RBPs expected to be received for the ER credits generated by the FCPF ER Program has been developed through bottom-up, participatory consultations held at the local, provincial, and national levels with multiple stakeholders including Indigenous Peoples, local communities and CSOs, as well as government, private sector, and social and technical thematic experts. The BSP approach was based on an iterative process, whereby the initially conceived mechanism was consolidated by considering suggestions and concerns voiced during stakeholder consultations. These consultations have led to revisions to the BSP to alter the

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[67] https://documents1.worldbank.org/curated/en/824641572985831195/pdf/Benefit-Sharing-at-Scale-Good-Practices-for-Results-Based-Land-Use-Programs.pdf

[68] Ibid.

[69] https://www.forestcarbonpartnership.org/sites/default/files/documents/revised_bsp_nepal_03_june_2023_clean_version_0.pdf

percentages distributed to each stakeholder group. The most recent version[70] has been approved by the Government of Nepal in October 2024. Figure 3 shows the benefit distribution arrangements and fund flow mechanism

Figure 3. Benefits distribution arrangements and fund flow mechanism for the FCPF ER Program
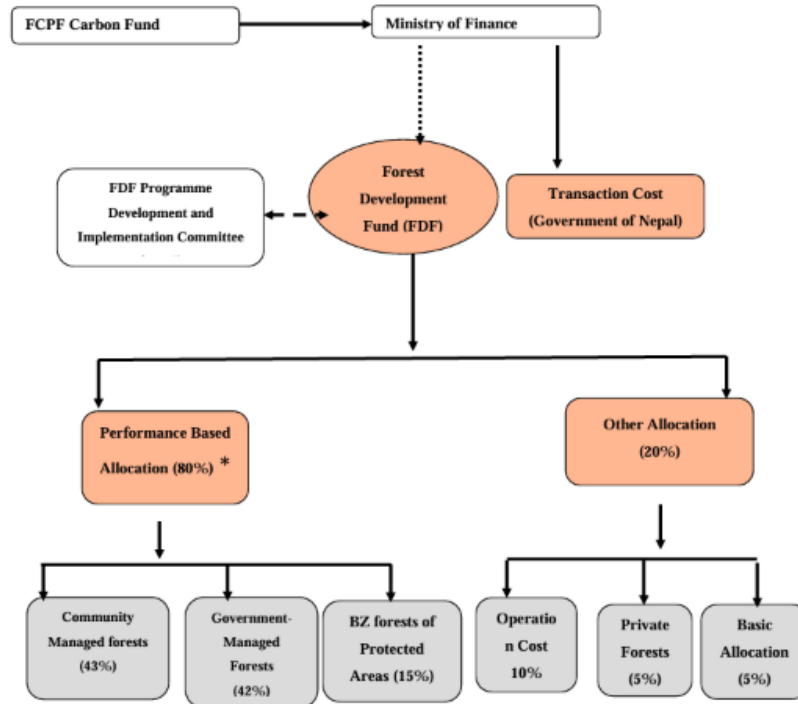
(Source: BSP of the FCPF ER Program)

BSP for the proposed LEAF ER Program

A draft BSP for the LEAF ER Program has been developed through a participatory process, linked to the FPIC consultations described above. and the draft BSP is based on that of the FCPF ER Program, noting the geographical overlap between the two Programs. The BSP has considered the interdependence of social, economic, and political circumstances of the LEAF ER Program districts, as well as the legal framework, and the requirements of the LEAF Coalition and ART-TREES. The proposed payment mode and disbursement approach focus on contributing to a long-term solution for addressing the underlying causes and drivers of deforestation and forest degradation and strengthening the local capacity to enhance carbon stocks, as well as the legal framework. Discussions on the BSP are ongoing, including considerations of the fund flow mechanism, and role of CFUGs, Indigenous Peoples and other local community members, and it is expected to be finalised in 2025.

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[70]https://www.forestcarbonpartnership.org/sites/default/files/documents/revised_bsp_nepal_03_june_2023_clean_version_0.pdf

3.3.4 Grievance Redress Mechanism (GRM)

All projects, regardless of their design and performance, carry environmental and social risks. To address concerns of stakeholders affected by project activities, it is crucial to have Grievance Redress Mechanisms (GRM) in place and operational. In the case of REDD+, the UN-REDD Programme defines GRMs as "*the formal and informal means of receiving and facilitating resolution (through dialogue, negotiation, mediation or arbitration) of complaints or disputes, of groups and individuals, whose rights may be affected through the implementation of REDD+ activities*".[71] GRMs allow stakeholders to share their concerns and make complaints, ensure that the design and implementation of REDD+ actions (see Box 1 below for more information on GRMs for REDD+).

Box 1: Overview of principles and best practices for REDD+ GRMs*

Grievances received in the context of REDD+ actions can be related to a wide range of topics, from complaints and feedback related to the implementation of activities, to the FPIC process, rights to lands and forests, encroachment, access to information, benefit sharing, customary practices, social inclusion, and environmental impacts, among others. GRMs are an important element of effective, sustainable and safeguarded REDD+ programs and projects. They allow stakeholders to share their concerns and make complaints, ensure that these grievances are addressed in a timely and transparent manner, and that they are considered in the ongoing design and implementation of REDD+ actions. GRMs should be:

- Legitimate: enabling trust from the stakeholder groups for whose use they are intended and being accountable for the fair conduct of grievance processes.

- Accessible: being known to all relevant stakeholder groups and providing adequate assistance for those who may face barriers to access.

- Predictable: providing a clear and known procedure with an indicative timeframe for each stage, and clarity on the processes and outcomes available and means of monitoring implementation.

- Equitable: seeking to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary.

- Transparent: keeping parties to a grievance informed about its progress and providing sufficient information about the mechanism's performance.

- Rights-compatible: ensuring that outcomes and remedies accord with internationally recognized human rights.

- A source of continuous learning: drawing on lessons for improving the mechanism and preventing future grievances and harms.

- Based on engagement and dialogue: consulting relevant stakeholder groups on design and performance, and focusing on dialogue as the means to address and resolve grievances.

GRMs include several elements, such as: a transparent grievance receipt and registration system; grievance eligibility assessment; grievance evaluation; different choices for solving problems; grievance tracking, monitoring, and reporting; and organizational learning and identification of systemic problems.

*Based on: https://www.ohchr.org/sites/default/files/Documents/Issues/Business/A-HRC-17-31_AEV.pdf

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[71] https://www.un-redd.org/glossary/grievance-redress-mechanism-grm#:~:text=Grievance%20redress%20mechanism%20%28GRM%29%20Definition%20The%20formal%20and,be%20affected%20through%20the%20implementation%20of%20REDD%2B%20activities

Nepal's Constitution (2015) guarantees access to justice and the right to a fair trial, and governs the court system at various levels, including specialized courts or tribunals. Other relevant PLRs are discussed in detail in Chapter 5 of this SOI, including the Local Government Operation Act (2017), which also provides for a participatory approach, and the Legal Aid Act (1997). Existing GRMs in the country and the forestry sector provide the basis of Nepal's REDD+ GRM, and a quasi-judicial approach is used, which applies both judicial and pragmatic approaches to address grievances. Forest sector PLRs and guidelines provide for receiving, reporting and addressing grievances (e.g. Forest Policy (2019), Forestry Sector Strategy (2016-2025), Forests Act (2019), and Forest Regulation (2022)) encourages citizens to report their forest governance-related grievances to the concerned authority and instruct the authority to redress them promptly and effectively. At the local level, various channels exist to submit a grievance or dispute, including those related to REDD+. For example, the Division Forest Offices have the power to adjudicate and settle cases under the Forests Act (2019); the Vice Chairpersons of local governments also have authority to settle disputes; submission via complaint boxes in any government office; through the National Vigilance Centre; and through the REDD+ desks at state and district levels. Specific channels for submission of REDD+ related grievances also include:

- The REDD IC website with a contact form (http://www.redd.gov.np/contact) and contact details (info@redd.gov.np, Tel: 015339126 (toll-free number).

- The Safeguards Information System contacts page (http://sis.redd.gov.np/sis/contact-us)

- The national Hello Sarkar platform: https://gunaso.opmcm.gov.np/home

To develop grievance redress for REDD+ specifically, REDD IC conducted a study to design a feedback and grievance redress mechanism (FGRM) in 2015. The FCPF ER Program FGRM has been designed based on the existing systems outlined above, and is set out in the Program's ESMF and the FCPF ER-PD. The structure and components of the FGRM for the FCPF ER Program is provided in Appendix 3. The same GRM approach and structure will be applied for the LEAF ER Program, and consultation processes have included the provision of information to stakeholders on how they can submit grievances and feedback. In addition, further review and strengthening of these mechanisms is planned for 2025.

3.3.5 Instruments developed under FCPF of the World Bank

This section provides an overview of a key instrument related to Nepal's FCPF ER Program, the ESMF. Apart from it, other safeguards instruments that have been developed FCPF ER Program include:

1. Environmental and Social Commitment Plan (ESCP), which is an agreement between Nepal as the Borrower and the World Bank, and forms part of the legal agreement. It is designed to consolidate into one summary document the material measures and actions that are required for the project to achieve compliance over a specified timeframe in a manner satisfactory to the Bank.

2. Gender Action Plan.

3. Benefit Sharing Plan (discussed in section 4.3.3 above).

Environmental and Social Management Framework (ESMF)

When Nepal prepared its ER-PIN and ER-PD under the Carbon Fund of the FCPF, seven out of the World Bank's safeguards policies (Operational Policies/Bank Policies, OP/BP) were triggered for the proposed ER Program. The ER-PIN[72] and ER-PD[73] were developed following the safeguards policies and an ESMF[74] was developed and approved, as required by the Methodological Framework.[75] The main objective of the ESMF is to provide a framework for effective management of the environmental and social issues and impacts that are likely to emerge while implementing the ER Program. This ESMF has the following specific objectives:

- Screen potential environmental and social risks and impacts of the proposed seven strategic interventions and specific activities to be implemented in the ER Program area;

- Identify policy-related, measures-related, and governance-related gaps in mitigating identified potential social and environmental impacts;

- Link identified impacts with the environmental and social safeguard policies of the World Bank and the Cancun Safeguards;

- Propose an appropriate framework for the mitigation and management of the identified potential environmental and social impacts; and

- Provide a basic guideline and set of procedures for the effective management of the social and environmental aspects of the Program interventions in general.

The ESMF was developed following wide consultation, including six field-level consultation workshops, with relevant stakeholders. In addition, seven consultations for the ER-PIN, 43 consultations for the ER-PD, and seven consultations for the FFCPF-supported study on "*gender integration in REDD+*'' were also considered in development of the ESMF. The ESMF includes an Indigenous People and Vulnerable Community Development Framework; Gender Mainstreaming Plan; Decent Work Planning Framework; Resettlement Policy Framework; and GRM arrangements.

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[72] https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20ER-PIN%20CF9.pdf
[73] https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20ERPD%2024May2018final_CLEAN_0.pdf
[74] https://www.forestcarbonpartnership.org/system/files/documents/NEPAL%20ER%20Program%20ESMF%20October%202019%20for%20FCPF%20website.pdf
[75] https://www.forestcarbonpartnership.org/system/files/documents/fcpf_carbon_fund_methodological_framework_revised_2020_final_posted.pdf

Chapter 4. Nepal's Safeguards Information System

4.1 Introduction and objectives

Nepal has developed its Safeguards Information System (SIS) as required by the UNFCCC decision (Decision 12/CP.17) to provide information on how the Cancun Safeguards are addressed and respected throughout the implementation of the REDD+ actions. The system was first initiated during the second phase of the REDD+ Readiness Project in 2019, which was disrupted because of the COVID-19 pandemic. However, it was still possible to design and establish the system by 2021 with limited information and functionality.

The SIS aims at collecting, compiling and showing information on how the social and environmental safeguards set forth by the UNFCCC and clarified in the Nepal context are being addressed and respected in the country. This portal is to regularly monitor the social and environmental impacts of the REDD+ programs and communicate information on how the safeguards are addressed and respected. The SIS is also intended to link to Nepal's REDD+ Grievance Redress Mechanism (GRM) to provide information on how and to what extent grievances and stakeholder feedback are collected and addressed. The SIS information is made accessible through a website and structured according to key principles, criteria, and indictors (PCIs) for each safeguard in line with the national clarification of safeguards.

4.2 Information and functions of the SIS

The initial information required for the SIS has been defined based on the seven Cancun Safeguards. A website (http://sis.redd.gov.np/sis) has been developed and established in 2021 to provide information that is accessible by all relevant stakeholders in Nepali and English, and which demonstrates how the safeguards are being addressed and respected throughout REDD+ implementation. However, the platform is not yet fully functional with data recorded against the safeguards. This information will be coming from a number of different sources, depending on the indicator, including:

- o NFIS and other forestry data, including from DFOs (see above) (example: data on natural forests, data on community forestry, etc);

- o Key policy, strategy and legal documents of the country related to safeguards (example: relevant objectives, principles and provisions from NRS, Forest Regulation, Law on Information, etc);

- o Data from other sectors and agencies in Nepal (example: on population of ethnic nationalities, protected areas, etc);

- o Reporting from REDD+ ER Programs, such as the FCPF ER Program, the LEAF ER Program, etc (example: ERP FPIC procedures, ERP reporting on non-carbon benefits, etc).

Along with the features of information dissemination, the SIS website also allows for the receipt of grievances and their tracking (which is not fully functional at the moment). The institutional arrangements for the SIS and GRM have been linked and set in line with the institutional

arrangements for the implementation of the REDD+ mentioned in the NRS (2018). See section 4. 3 below for more information on the SIS institutional arrangements.

The following are the five major functions of SIS:

1) **Collection of Information:** Collection of information refers to the process of identification and collection of all safeguards-related provisions along with the information of existing information systems related to safeguards in forestry sector. REDD+ implementers, including those within government, are the primary source of information at the ground level. It should also be noted that SIS will be linked with the National Forest Information System (NFIS) for the exchange of forest-related data.

2) **Aggregation of Information:** This function refers to the process of compiling or aggregating collected information and populating and maintaining the SIS database. The SIS database should make use of modern technological solutions for maintenance of collected information. The technological solution must have the basic functions of updating (such as add, edit or delete) whenever required. REDD IC shall be responsible for aggregation of information and regular maintenance of the SIS database.

3) **Analysis of Information:** Information after collection and aggregation must be analysed before dissemination to the relevant stakeholders. Analysis of information refers to the process of extraction of key information. For this purpose, data will be systematically described, and patterns identified to generalize the information. The REDD IC will analyse the information. Apart from the data provided by REDD+ program implementers, relevant information collected and reported by other methods will be considered and utilized.

4) **Review/ Validation of Information**: The safeguards information provided will then need to be reviewed and validated before being displayed in the SIS interface. This is to ensure that quality checks of the data are carried out. At the district and provincial level, this is done by Provincial REDD+ Focal Points and at the central level, this is done by REDD IC.

5) **Dissemination of Information:** This function refers to the process of disseminating the safeguards information produced in the SIS. As stated above a website has been developed where information can be updated on a regular basis. The data included in the website can be helpful in preparing SOIs and other reports.

6) **Grievance Registration and Tracking:** Grievance registration and tracking is another important function of the SIS, as part of Nepal's GRM for REDD+. Information on the application of REDD+ GRM is included within the national SIS. At the same time, any stakeholder can register his/her grievance or query through a website, via toll-free number, email and/or social media platforms. Such grievances are received by the SIS administrator (at REDD IC) and then escalated to the concerned authorities.

4.4 Institutional arrangements

REDD IC (under MoFE) is the institution responsible for the coordination and facilitation of REDD+ implementation in Nepal. Part of their responsibility is to have oversight of the SIS, including aggregating and analysing safeguards information to be presented on the website and

coordinating regular updates and maintenance. REDD IC coordinates the SIS update process by instructing Provincial Forest Directorates to coordinate data collection with districts (DFOs hold this responsibility) and instructing other stakeholders including REDD+ project implementers and other ministries to collect data.

The data which is entered into the SIS must be collected at district, provincial and central level. Key data providers such as DFOs (for local/ district-level information) and Provincial REDD+ Focal Points can input data directly into the SIS. For national-level information, actors including MoFE and REDD-IC can input data.

Provincial REDD+ Focal Points review/ check the data submitted to the platform at the district and provincial levels and REDD IC reviews/ checks the data submitted by other providers. REDD IC then analyses the safeguards information submitted, and it can then be verified to be presented on the SIS. For the information to be used in reports such as the SOI, it will then need to undergo a process of review by stakeholders.

Several activities are underway in 2024-2025 to further operationalise and strengthen the SIS, including the development of a Standard Operating Procedure (SOP) and user manual. The SIS platform will also undergo IT upgrades in line with the proposed SOP. Training on SIS operations and data entry will be held with REDD IC, DFOs and other key stakeholders /users of the SIS.

Chapter 5. How Cancun Safeguards are Addressed and Respected in Nepal

The following chapter sets out Nepal's safeguards Principles, Criteria, and Indicators (PCI), together with currently available information on how each safeguard is being addressed and respected, relevant roles and responsibilities, gaps identified, and measures to address the gaps, with a focus on the period of this SOI, 2018-2023. The PCI presented here form Nepal's interpretation of the safeguards in the national context. These have been revised to align with recent developments in terms of REDD+ implementation, revised PLRs and new relevant standards, such as ART-TREES. The PCI list is also provided in Appendix 4.

The PCIs shown in this SOI are based on Nepal's previously developed SES, with revisions based on new developments in relation to REDD+ and the safeguards in the country, and consideration of SIS operationalisation, These PCIs have been reviewed and finalised as part of the SOI consultation process.

The table below was developed using the national clarification represented by the PCI as a basis, with summarised information provided that covers the key elements of the PCI. However, the information in this SOI is not presented against each indicator separately, as respect information in particular is not yet fully available for all indicators.

Safeguard A: That actions complement or are consistent with the objectives of national forest programs and relevant international conventions and agreements
Narrative description: The REDD+ Strategy and programs complement and/or are consistent with objectives of national programs on forests, environment and development, and are consistent with objectives of international conventions for which Nepal is a member country.
Core elements of the interpretation are: • Nepal's REDD+ Strategy and programs are consistent with national policies and programs on forests, biodiversity, environmental conservation, development, and governance. • Nepal's REDD+ Strategy and programs are consistent with the objectives of the relevant and applicable international conventions and agreements.

Roles & responsibilities
 	
• Nepal's forest resources are overseen and managed by the federal Ministry of Forests and Environment (MoFE) and its subsidiaries as well as the concerned provincial ministries and Divisional Forest Offices (DFOs). MoFE, its divisions (Climate Change and Management Division (CCMD), Environment and Biodiversity Division, and Planning Division) are responsible for developing various policies and programs related to forestry, biodiversity and environment. Therefore, they are responsible for ensuring that REDD+ programs are aligned to the national policies/programs and international conventions and agreements Nepal has ratified.
 	
• A three-tiered institutional mechanism has been established to oversee and implement REDD+ in Nepal. It includes:
 	
  1) A multi-sectoral national REDD+ steering committee (NRSC) under the chairmanship of the Minister for Forests and Environment, which also endorses REDD+ programs/projects.
 	
  2) A multi-stakeholder national REDD+ coordination committee (NRCC) under the chairmanship of the Secretary of the MoFE, which makes decisions on technical matters, including oversight of the implementation and monitoring of REDD+ programs, and,

3) The REDD Implementation Centre (REDD IC) led by a Joint Secretary, established under the MoFE, is responsible for ensuring that REDD+ actions are designed and implemented in consistency with the forestry sector policy and legal framework. As coordinating entity, it is responsible for planning, development, implementation, and monitoring of the NRS and REDD+ programs. It also bridges state and district-level REDD+ planning with priorities under the NRS, further promoting alignment. The CCMD provides technical assistance to the REDD IC.

- The CCMD, formed in 2018, plays a role in coordination all climate change policies and programs, including their alignment with international obligations. The Division functions as a central nodal agency on climate change, leading the formulation of climate change-related policies, plans, and programs, implementing them in coordination with government and non-government organizations, and monitoring their implementation. It also works as a focal point for the UNFCCC.

- The MoFE also has a dedicated Environment and Biodiversity Division, which is the focal point for the CBD (one of the key international conventions relevant for REDD+). This Division also implements national laws related to biodiversity and prepares Nepal's NBSAPs and National Reports to the CBD.

- CSO alliance and multi-stakeholder platform coordinated by REDD IC

- At the subnational level, forest and environment related sections or coordination committees of local governments coordinate REDD+ programs in order to implement the NRS within their jurisdictions.

- At community level, groups such as Community Forestry User Groups and Collaborative Forest Management User Groups will implement REDD+ programs in their respective jurisdictions to complement the objectives of national forest programs and international conventions/agreement.

Principle A: The REDD+ Strategy and programs comply with applicable local and national laws, and are consistent with relevant national policies and programs, and international treaties, conventions and other instruments

How the safeguard is addressed

Consistency with national policies and programs

- Nepal's legal framework supports the reduction and removal of emissions in the forest sector, including through carbon trading. The Constitution of Nepal, promulgated in 2015, recognizes carbon services from forests, placing it under the list of exclusive federal powers (Schedule 5)[76].

- Section 2(i) of Environment Protection Act (2019)[77] defines "*emission reduction*" as any program or activity that stops or reduces greenhouse gas emissions resulting from human activities and Section 28 states that the Government of Nepal (GoN) may participate in carbon trading with mechanisms established by international treaties, with any foreign government or organization, business entity or private sector, for emission reductions and storage (Section 28). The Environmental Protection Regulations (2020) also specifies that the GoN can sell emission reductions and removals (ERRs) obtained through sustainable forest management in the national or international markets (Section 28, cl.1).

- The National Forest Policy (2019)[78] is the leading policy document for forest sector governance and complements other relevant policies, programs, and legal, and regulatory instruments on environment and climate change. The main objective of the policy is sustainable and inclusive management, and it identifies community, leasehold, protection, buffer zone, religious, and private forests as essential resources for the provision of social, economic, and forest ecosystem services, including the

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[76] https://lawcommission.gov.np/en/wp-content/uploads/2021/01/Constitution-of-Nepal.pdf
[77] https://faolex.fao.org/docs/pdf/nep202860.pdf
[78] https://www.mofe.gov.np/uploads/documents/ban-niti1554873640pdf-6074-801-1658747050.pdf

production of forest products. In section 8.5, i explicitly covers the development of ER projects for international climate finance and recognizes forests as being crucial to combating climate change.

- The Forests Act (2019)[79] recognizes carbon services as one of the environmental services generated from forest ecosystems. Section 44 (clauses 1a and 1b) gives the Federal Government the exclusive capacity to make appropriate arrangements for the management, utilization and distribution of benefits arising out of carbon services. The Government has also eloped the Forest Regulation (2022), of which Rule 107 sets out rules for the management of carbon services.

- In addition, the 15th National Plan (2019/20-2023/24)[80] from the Government of Nepal's National Planning Commission and the current 16th Plan (2024/25-2028/29)[81] both incorporate plans for the forestry sector: The 15th National Plan states: "*Contribution to prosperity and happiness through sustainable forest management and entrepreneurship*". The goal of the sector is "*to contribute to the economy through value addition and equitable distribution of incomes generated through forest products and services, forest-based industries, and eco-tourism while promoting environmental balance and sustainable development based on sustainable and participatory management of forests, biodiversity, and watersheds.*'' The plan also mentions REDD+ as one of the major programs to achieve both national and sectoral goals.

- Nepal's National REDD+ Strategy (NRS) (2018-2022)[82] was formulated in 2018 by MoFE and approved in line with the country's needs for managing forests and biodiversity as well as its commitments to Multilateral Environmental Agreements (MEAs) including decisions of UNFCCC on REDD+. Background studies, stakeholder consultations and review processes helped to ensure that the strategy was developed in line with key national development, climate change and forest policies. Local, subnational, and national level consultations on the first draft NRS (prepared in 2014 by REDD IC under MoFE's supervision) resulted in a second draft, which was reviewed by a Technical Committee and laid the foundation for the final NRS document. A number of REDD+ readiness phase studies, including on Drivers of Deforestation and Forest Degradation, Forest Reference Level, Strategic Environmental and Social Assessment (SESA)[83], Economic Modelling, carbon ownership, the political economy of land use and the value of Nepal's forests, and measurement, reporting and verification (MRV) provided key information for the development of the NRS. An assessment of policies and laws in the context of REDD+ provided the basis to the Strategy, while also identifying gaps in the legal framework. The objectives of the NRS include: to improve and harmonize policy and legal frameworks, in line with national and international requirements and standards; to harness carbon and non-carbon benefits; and to increase institutional capability and coordination; and strengthen governance, gender equality and social inclusion of the forestry sector. Action 9.2 of the NRS is to identify and align legal frameworks in line with international commitments and harmonize cross-sectoral policies and legal frameworks.

- The purpose of the NRS is to guide the development of a set of policies and programs that address the drivers of deforestation and forest degradation, which ultimately improves the carbon sink capacity of Nepal's forests. The Strategy was developed to align with Nepal's sustainable development objectives. As one of its guiding principles the NRS states that it aligns with overall national development goals and strategies. The Strategy identified various policies and laws relevant in the context of REDD+ including the Climate Change Policy (2011), Land Use Policy (2015),

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[79] https://faolex.fao.org/docs/pdf/nep202856.pdf
[80] https://npc.gov.np/images/category/15th_plan_English_Version.pdf
[81]https://npc.gov.np/images/category/25012706265316TH%20PLAN%20English%20transaltion%202081%20final%20for%20web.pdf
[82] https://redd.gov.np/post/national-redd-strategy-2018
[83] https://www.forestcarbonpartnership.org/system/files/documents/Annex%201%20-%20Nepal%20draft%20SESA%20and%20ESMF%20Reports.pdf

Biodiversity Strategy and Action Plan (2014), Forest Policy (2015) and Forestry Sector Strategy (2016-2025) and Nationally Determined Contribution (2016).

- Many of these key policies and strategies have been updated since 2018, and these will be integrated into the next NRS, which is being reviewed and revised in 2024-2025. Some of the key updated national PLRs include the National Climate Change Policy (2019), Nepal's Long-Term Strategy for Net-Zero (2021) and the Land-Use Act (2019). The revision of the NRS, including updated analysis of PLRs and drivers of forest change, as well as stakeholder consultations aims to ensure that the NRS remains reflective of the national context and is in line with national policies and programs.

- Effective communication and coordination among REDD+ relevant agencies also contribute to alignment with national policies and programs. For example, under the NRS, MoFE established a multi-tiered institutional mechanism at federal and provincial levels to oversee and implement REDD+ actions (see roles and responsibilities section above for responsibilities at national, subnational and community levels).

Consistency with relevant international conventions and agreements

- Nepal must ensure that REDD+ actions recognize and promote the implementation of ratified relevant international conventions and agreements as per the provisions of the Nepal Treaty Act (1990). This Act states that is mandatory to fulfil its obligations under various international conventions and agreements of which the country is a Party or that have been ratified/voted in favour by the country,[84] including that inconsistent provisions in prevailing laws shall be considered void, and the provisions of the treaty shall be enforceable as good as Nepalese laws (Article 9).

- The National Forest Policy (2019) also states that the required legal framework, institutional arrangements and capacity enhancement will be arranged for the implementation of relevant international conventions and treaties relevant to forests and environment ratified by Nepal and for promotion of regional and international cooperation (Strategy 8.8.5).

- In terms of overarching climate change strategies, Nepal's Long-term Strategy for Net-zero Emissions (2021) has been developed in accordance with Article 4, paragraph 19 of the Paris Agreement. Nepal's (enhanced) Second Nationally Determined Contribution (2020) has an activity level target to manage 50% of Terai and Inner Terai forests and 25% of middle hills and mountain forests sustainably by 2030, including through the use of funding from REDD+ initiatives.

- The Ministry of Law and Justice has published lists of international conventions, treaties and agreements to which Nepal is a party and signatory.[85] The NRS (2018) identifies a number of international conventions and agreements relevant to the REDD+ in Nepal (which may be updated in the revised NRS). ER Programs also identify international conventions and agreements of relevance to the programs and are expected to design interventions in alignment with these international commitments. Using the FCPF ER Program as an example, the Emission Reduction Program Document (ER-PD)[86] has provided a list of relevant conventions and agreements that are relevant for REDD+ in Nepal. A list of 12 relevant international conventions/agreements relevant for REDD+ as per the FCPF ER-PD and NRS (2018) is provided in Appendix 2.

- The NRS also emphasizes that the strategy will be implemented through stakeholder consultations in line with FPIC as per relevant national and international decisions, including UNFCCC, UNDRIP, ILO 169, CBD, Nagoya Protocol on Access and Benefit Sharing, among others. Nepal's draft FPIC

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[84] A Treaty is defined in the Act as "*an agreement concluded in writing between two or more states, or between any state and any inter-governmental organization and this term also includes any document of this nature, irrespective of how it is designated*".

[85] https://www.moljpa.gov.np/wp-content/uploads/2019/04/List-of-Multilateral-Treaties-Signed-by-Nepal.pdf

[86] https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20ERPD%2024May2018final_CLEAN_0.pdf

for REDD+ Guidelines are supporting this goal, were developed following a consultative process with stakeholders in 2024 and are being piloted in the LEAF ER Program area.

How the safeguard is respected

Consistency with national policies and programs

- The NRS (2018) was developed and implemented under the national policy on forestry and climate change and environmental as well as forestry sector strategy. The support of the NRS to the objectives of key national forestry, environmental and other development policies and legal instruments has not yet been assessed. However, a review of the NRS was undertaken in 2024, and a new NRS 2025-2035 has been developed in 2025, which is under the government approval process.

- The seven REDD+ interventions and related actions for the FCPF ER Program have been consistent with or complemented the objectives of national forest policies and programs and the NRS (2018). For example, the fifth intervention is to scale up Pro-poor Leasehold Forestry (LHF); LHF is a unique forest management modality in Nepal, expanded under the Leasehold Forest Policy[87] (2002), which seeks to rehabilitate degraded forest ecosystems and enhance local livelihoods.

- REDD+ interventions for the LEAF ER Program have also been developed to align with and support the objectives of key national forest and other sectoral policies and programs, as well as the NRS, with a particular focus on expanding community forestry, increasing the uptake of Sustainable Forest Management practices, and ensuring equitable distribution of carbon and non-carbon benefits. DFOs' annual work plans and activities in the Program area are prepared and implemented keeping emissions reduction and removal enhancement into consideration.

Consistency with the objectives of the relevant and applicable international conventions and agreements.

- Nepal developed and submitted its Third National Communication to the UNFCCC in 2021, which refers to the role of REDD+ in reducing emissions in the country.

- Nepal's design and implementation of REDD+ actions are supporting the objectives of relevant treaties and agreements, but the country does not yet have full information on implementation of REDD+ and associated outcomes.

- FPIC, especially from the Indigenous Peoples that may be affected by REDD+ actions, is required under various international conventions and agreements, including the UNFCCC, CBD, Paris Agreement, UNDRIP, and ILO 169. Guidelines on FPIC for REDD+ have been developed as recommended by the NRS and is currently under approval process. More information is provided under Safeguard C below.

- The REDD+ actions being implemented under the FCPF ER program were designed considering the relevant provisions of the international agreements. For instance, the 7th intervention is the improvement of the management of existing Protected Areas, which helps to achieve the objectives of the CBD. Similarly, programmed interventions on SFM and expansion of community-based forest management program support achieve the forestry sector targets of Nepal's second NDC to the Paris Agreement. The Environmental and Social Management Framework (ESMF)[88] and the Benefit Sharing Plan (BSP)[89] for the program have been developed in accordance with the FCPF Methodological Framework[90] and World Bank's safeguards policies and considering all the relevant

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[87] https://faolex.fao.org/docs/pdf/NEP217729.pdf
[88] https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20ESMF%20Advanced%20Draft%20June%2016-2018_0.pdf
[89] https://www.forestcarbonpartnership.org/sites/default/files/documents/revised_bsp_nepal_03_june_2023_clean_version_0.pdf
[90]

international conventions and agreements for the REDD+ process including the Paris Agreement and Cancun Safeguards.

- The proposed REDD+ interventions for the LEAF ER Program have also been designed to be consistent with and complement the objectives of relevant international conventions and agreements. For example:
  - forest fire management, restoration and assisted natural regeneration, and grazing management (proposed interventions 2, 3 and 7 respectively) will help achieve the Global Forest Goal 1 and associated targets of the United Nations Strategic Plan for Forests (2017-2030) under the United Nations Forum on Forest (UNFF)[91]; and
  - human-wildlife conflict management and Protected Areas (PA) support (proposed intervention 6 and 10 respectively) will help achieve the objectives of the Convention on International Trade in Endangered Species (CITES) and the CBD. For example, they help achieve the Global Biodiversity Framework Target 1 (Plan and Manage all Areas to Reduce Biodiversity Loss), Target 3 (Conservation 30% of land, Waters and Seas) and others.

Criteria and indicators

The following criteria and indicators set out how the principle is to be addressed and respected in Nepal, and will be reported on in more detail in the future:

Under criterion A1, The REDD+ Strategy and programs are in line with, or contribute to achieving, the objectives of key national policies and programs on forests, environment, and development, and relevant legal instruments:

- *A1.1 Key national forestry, environmental and development policies relevant to the REDD+ Strategy and programs are identified to ensure REDD+ actions are consistent with them (Address)*

- *A1.2 Appropriate measures are taken to ensure compliance of the REDD+ Strategy and programs with key national policies on forests, environment, and development, and relevant legal instruments (Address)*

- *A1.3 The REDD+ Strategy and programs comply with and support the objectives of key national policies and programs on forests, environment and development (Respect)*

Under criterion A2, Effective communication and coordination exists among policy and implementation agencies that carry out the REDD+ Strategy and programs, as well as forest, environmental, development and poverty reduction activities at all levels:

- *A2.1 Multistakeholder mechanisms for REDD+ are established and operational (Address)*

- *A2.2 Number of joint decisions made in relation to implementation of REDD+ programs at national, subnational and/or project level (Respect)*

- *A2.3 Number of REDD+ actions designed to be delivered through cross-sectoral cooperation, and number under implementation (Respect)*

Under criterion A3, The REDD+ Strategy and programs are in line with, or contribute to achieve, the objectives of the relevant international conventions and treaties ratified by Nepal:

- *A3.1 International conventions, treaties, and policies relevant to REDD+ are identified to ensure that the REDD+ Strategy and programs are consistent with them (Address)*

- *A3.2 Appropriate measures are taken to ensure compliance of the REDD+ Strategy and programs with the international conventions, treaties, and relevant legal instruments (Address)*

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[91] Reverse the loss of forest cover worldwide through sustainable forest management, including protection, restoration, afforestation and reforestation, and increase efforts to prevent forest degradation and enhance the contribution of forests to climate change

- *A3.3 The REDD+ Strategy and programs comply with and support the objectives of the international conventions, treaties and relevant legal instruments. (Respect)*
- *A3.4 In line with international and national policies on gender equality, the REDD+ Strategy, programs and forestry plans integrate key provisions for gender equality, such as equal pay. (Respect)*

Gaps and measures to address gaps

- The period of the NRS (2018-2022) finished in 2022, and new policies, laws and regulations have been issued since its publication. A review of the NRS was carried out in 2024 and a new NRS is under development, reflecting the changes in international policy as well as changes in national forest governance and legal framework.

- Nepal has not yet reported REDD+ results to the UNFCCC, although its Third National Communication includes REDD+ ER programs as one of the prioritized programs for emission reductions. Once reported, this information will assist in assessing the contribution REDD+ is making to national and international climate change targets, and thus should be considered in reporting against Safeguard A.

- A web-based National Forest Information System (NFIS) has been established; however, the platform is not yet sharing information related to forestry, biodiversity, etc, at all levels. REDD IC plans to update the NFIS alongside the SIS in 2024-2025.

- The role of sub-national policies, laws and regulations in guiding REDD+ actions has not yet been fully assessed; the relevance of these to REDD+ and addressing the safeguards should be explored in future reviews and SOIs.

Safeguard B: Transparent and effective national forest governance structures, taking into account national legislation and sovereignty

Narrative description: Institutions involved in the implementation of national REDD+ strategy and forestry programs and projects are transparent, and governance structures are effective.

Core elements of the interpretation are:

- Transparent and effective governance structures, with clear stakeholder roles and responsibilities, and capacity building
- Access to information
- Gender equity and equality
- Absence of corruption
- Fair and equitable benefit sharing
- Equal access to justice

Roles & responsibilities

Transparent and effective governance structures

- The federal GoN, provincial governments, local governments and all machineries under these governments are responsible for the transparent and effective governance in general. As discussed under Safeguard A, Nepal's forest resources are overseen and managed by the MoFE and its subsidiaries as well as the concerned provincial ministries and DFOs. These are responsible for transparent and effective forest governance as per the prevailing PLRs.

- The National Human Rights Commission (NHRC) is an independent constitutional body that works as a watchdog of human rights protection and promotion.

Access to information

- The Right to Information Act (2007) has established an independent National Information Commission for the protection, promotion, and practice of the right to information. The Commission

is led by a Chief Information Commissioner and two other Information Commissioners appointed by the GoN.[92]

- REDD+ governing institutions (Ministries, REDD IC, departments, provincial ministries, DFOs, and REDD+ Desks) have developed mechanisms to provide relevant information including:

  o The Planning, Monitoring and Coordination Division of the MoFE submits periodic and annual progress reports on the work of the Ministry and its departments, centers, committees, institutions, funds, companies and projects to the Office of the Prime Minister and Council of Ministers, the National Planning Commission and other designated bodies.

  o The REDD IC website[93] provides information on the Centre's functions and the REDD+ related activities, and the site (https://redd.gov.np/page/pro-active-disclosure/) discloses further financial information.

  o REDD+ Desks at provincial and district levels are to provide information through notice boards, radio, and other means. Local-level REDD+ Structures, led by local government, also share information at community and CBFM user group levels.

- As per the Good Governance Act (2008), government agencies should publish their public expenditure monthly. REDD IC is responsible for sending a monthly progress report of its work, including ER Program implementation, to the MoFE. The MoFE's Planning, Monitoring and Coordination Division is responsible for all programs and activities of the departments, centres, committees, institutions, funds, companies, and projects under the ministry, and for making arrangements for feedback. The Division is also responsible for monthly, quarterly and annual progress reviews of the annual program implementation and organizing ministry-level meetings for the resolution of any problems affecting implementation and progress.

Gender equity and equality

- The Women Commission was established under the Article 252 of the Constitution of Nepal (2015) and is responsible for: formulating policies and programs concerning the rights and interests of women; monitoring implementation of laws concerning the rights and interests of women and obligations under international treaties and making suggestions for effective compliance and implementation to the GoN; monitoring policies and programs and making recommendations to the GoN for their effective implementation; carrying out studies on legal provisions relating to gender equality, empowerment of women etc, and making recommendations on reforms; making recommendations to GoN related to reports to be submitted in accordance international treaties or agreements concerning women's rights; making recommendations to concerned bodies to file cases in courts on matters of violence against women, social ill-practices, or infringement on women's rights.

- The Ministry of Women, Children, and Senior Citizens is responsible for formulating, implementing, monitoring, and evaluating policies, plans, and programs related to women, children, senior citizens, and social welfare. All other ministries and government agencies should make their plan and programs aligned to the National Gender Equality Policy (2021).[94]

- Other Ministries have also developed their separate GESI policies, and all government institutions should have a GESI focal person. For example, MoFE has developed a 'GESI Strategy and Action Plan for Climate Change' (2021).[95]

Absence of corruption

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[92] Comprising the Speaker as Chairperson, the Minister or State Minister for Information and Communication and the President of the Federation of Nepalese Journalists.

[93] http://www.redd.gov.np/

[94] https://mowcsc.gov.np/rules/IMG-1634795515.pdf

[95] https://www.mofe.gov.np/uploads/documents/gesiclimate-chng-repnepali1625885588pdf-9628-989-1657876169.pdf

- The Commission for the Investigation of Abuse of Authority (CIAA) is in place to curb corruption, guided by the relevant provisions of the Constitution of Nepal (2015). A special court has been established for hearing corruption related cases under the CIAA Act (1991).
- In the forest sector, the Administrative Division of the MoFE acts as a point of contact for the CIAA and Governance Reform Unit and helps in the investigation of abuse of authority and any complaints received regarding the work carried out by the Ministry and subordinate bodies.

Fair and equitable benefit sharing

- The Forest Development Fund (FDF) is the mechanism to distribute benefits related to REDD+. The overall distribution of ER payments is managed by the FDF Program Development and Implementation Committee (PDIC). Until a fully functional FDF Secretariat is established, REDD IC works as the Secretariat and supports the Fund.
- At the local level, municipalities or rural municipalities will form fund management steering committees to oversee the overall fund distribution in their respective jurisdictions. These committees review and evaluate the Investment Plans prepared by DFOs and make decisions related to the equitable distribution of benefits from ER Programs to the identified beneficiaries. The REDD IC and DFOs as the Program Management Units (PMUs) at the federal and district level respectively will support the committees. The PMUs shall facilitate the distribution of benefits in coordination with the FDF PDIC, REDD IC and the municipality or rural municipalities.

Equal access to justice

- Powers relating to justice can be exercised by courts and other judicial bodies in accordance with the Constitution of Nepal (2015), other statutes, laws, regulations, and the accepted principles of justice and established doctrine of the Supreme Court of Nepal. Specialized courts or tribunals might be constituted for the purpose of hearing special types of cases. Judicial bodies might also be constituted at the local level to pursue cases under local government operation laws or other bodies.
- The DFOs have power to adjudicate and settle civil cases. Criminal cases are normally prosecuted by the courts through the police and settled following the judicial procedures.
- The National Judicial Academy (NJA), established in 2004 provides training to judges and other people involved in administration of justice, and coordinates with the Judicial Council and Judicial Service Commission in improving the judicial system of Nepal.
- The Central Legal Aid Committee and the District Legal Aid Committees provide legal aid to indigent people.

Principle B: The REDD+ Strategy and programs contribute to good governance, sustainable development, and social justice

How the safeguard is addressed

Transparent and effective governance structures

- Nepal considers that ensuring rule of law at national level has direct bearing on the empowerment of people. The building of functioning national institutions, clear delineation of powers and responsibilities, and strengthening of the national judicial system are necessary elements for people to enjoy the rule of law.
- The Constitution of Nepal (2015) is the fundamental law of Nepal and any law inconsistent with it shall be void (Article 1). It upholds internationally accepted norms of rule of law, human rights, fundamental freedoms, and democratic governance, such as separation of powers, independent judiciary, periodic elections, and inclusive and proportional representation.
- In recent years, various laws have been reformed, and institutions have been built to strengthen the rule of law. For example, two consolidated new laws have been passed: the National Penal (Code) Act (2017) and the National Civil Procedure (Code) Act (2017).

- Nepal's forest sector has a legal framework of laws and directives that aim to ensure transparency and good governance across all sectors. The National Forest Policy (2019), Forest Act (2019), Forest Regulation (2022), Forestry Sector Strategy (2016-2025), National Climate Change Policy (2019) and Long-term strategy for Net-zero Emissions (2021) all have provisions on good governance (which is to be transparent, effective, accountable, and corruption free). For example:
  - One of the objectives of the National Forest Policy (2019) is to improve the governance of the forestry sector and to ensure equitable distribution of benefits received (Objective 10), and one of its strategic actions is to provide effective services by maintaining transparency, accountability, and fairness in all the forest sector institutions (policy 8.8.4).
  - Section 11 of the Forest Act (2019) presents the governance structures for the management of national forests. Section 11 calls for GoN to consult with the Provincial Government to prepare strategic plans for managing national forest and gives the right to Division Forest Officers to prepare strategic plans for forest management within their jurisdiction (subject to approval). Section 73 enables GoN to form an inter-level coordination committee of representatives from national, provincial and local levels to implement the Forest Act. Across these three levels, the Ministry, Provincial Ministry and Division Forest Officers are also called to carry out monitoring and evaluation for the protection, development and use of forests (Section 80).
  - The Forest Regulation (2022) provides further guidance for these strategic plans in Rule 14 and the institutional structures for their submission and approval. Rules 121 and 122 respectively call for the creation of an Inter-Level Forest Sector Coordination mechanism/ taskforce and a District Forest Area Coordination Committee (with specific requirements for members). Rule 134 requires monitoring and reporting at all levels of the governance structures associated with national forest management, including requiring DFOs to prepare and send quarterly progress reports.
  - The goal of the Forestry Sector Strategy (2016-2025) is that forests, biodiversity, plant resources, wildlife, watersheds, and other ecosystems are protected, sustainably managed, and climate resilient through an inclusive, decentralized, competitive and well-governed forestry sector. Forestry sector organizations and institutions are to be devolved, competitive, accountable, and inclusive. Strategic pillars of the strategy include (i) Conducive policy process and operational environment, (ii) Responsive and transparent organizations and partnerships, and (iii) Improved governance and effective service delivery.
  - The National Climate Change Policy (2019) states that livelihoods will be facilitated and improved by mainstreaming good governance and gender equality and social inclusion (GESI) into formulation of climate policies, institutional frameworks and implementation of programs.

Access to information

- Nepal has ratified treaties related to the Universal Declaration of Human Rights (UNDHR), including the International Covenant on Civil and Political Rights (1966), International Covenant on Economic, Social and Cultural Rights (1966), and others. Nepal was the first country in South Asia to constitutionally recognize the right to information (in the 1990 constitution), which was subsequently been embedded in the 2015 Constitution of Nepal. This guarantees every citizen the right to demand and receive information on any matter concerning his or her interests or of public interest (Article 27).

- To implement this right, Nepal's parliament passed the Right to Information Act (2007).[96] Information is defined as "*any written document, material, or information related to the functions, proceedings thereof or decision of public importance made by a Public Body*". The right to information is described as the right to ask for and obtain information of public importance held in

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[96]https://nic.gov.np/files/new_files/rti-act-2007.pdf

the Public Bodies. The Act also requires that each Public Body (including REDD+ governing institutions) must respect and protect the right to information of citizens.

- Transparency is one of the criteria of good governance as described in the Preamble and Clause 6 of the Good Governance (Management and Operation) Act (2008).[97] The Act mandates the concerned authority of any government institutions and other organizations to carry out administrative functions in a speedy manner, to maintain good governance, and make available its outcomes to the people (Clause 8). The Act also requires that the chief officeholder at all levels involved in delivery of services shall conduct public hearings to make the activities of the office fair, transparent, and objective, and addressing the lawful concerns of general people and stakeholders (Clause 33).

- All the Public Bodies, including REDD+ governing institutions, have their own websites to provide relevant information. Every government office also has a designated information officer/spokesperson, a nodal officer and a gender focal point to deliver information to the public. Contact details (email, phone number, etc) are displayed on notice boards and on the website, and a. A hotline number is available on each website, and every government office has a complaints box. Every government agency also puts in place a citizen charter to share information on their work.[98]

- The Planning, Monitoring and Coordination Division of the MoFE submits periodic and annual progress reports on the work of the Ministry and its departments, centres, committees, institutions, funds, companies and projects to the Office of the Prime Minister and Council of Ministers, the National Planning Commission, and other designated bodies. MoFE prepares annual monitoring / progress reports and submits them to the Agriculture, Cooperative and Natural Resources Committee of the Federal Parliament. The latest annual progress report of the ministry is available online.[99]

- The "Information Officers" of public bodies are responsible for providing relevant information online about development programs, including REDD+ programs, their implementation status, budget allocation and fund disbursement, and updating it periodically (under Clause 5 of the Right to Information Act (2007) and Rule 3 of the Right to Information Rules (2009)). Clause 11 of the Act has also established an independent National Information Commission, which has the power to punish Chiefs or Information Officers and recommend departmental action if it finds that they held back information without valid reason, refused to provide information, provided partial or wrong information or destroyed information (Clause 32). According to Section 25 of the Right to Information Act (2007), the Commission should submit an annual report to the Federal Parliament through the Prime Minister. The Commission's reports are available on its website.[100]

- There are challenges related to the implementation of the Right to Information Act, such as the lack of information officers in some offices or lack of responsiveness, the lack of

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[97] https://faolex.fao.org/docs/pdf/nep137755.pdf

[98] The information a public body should publish include: (a) structure and nature of the Body, (b) functions, duties, and powers of the Body, (c) number of employees and working details of the Body, (d) service to be rendered by the Body) branch and responsible officer of the service-providing Body, (f) fee and time limit required for services, (g) decision making process and authority, (h) authority to hear appeal against decisions, (i) description of functions performed, (j) name and designation of Chief and Information Officer, (k) list of Acts, Rules, By Laws or Guidelines, (l) updated description of income, expenditures and financial transactions, and (m) other particulars as prescribed every three months (Clauses 5-3 and 4 of the Act). A Public Body shall assign an Information Officer for the purpose of disseminating information held in its office (Clause 6 (1) of the Act), and a Public Body shall also set up an Information Section for the purpose of disseminating information as per necessity (Clause 6 (3)).

[99] https://www.mofe.gov.np/uploads/documents/annual-report-079-80pdf-5895-844-1715750520.pdf

[100] www.nic.gov.np

categorisation/organisation of information published online, a tradition of confidentiality, a lack of engagement or advocacy related to these rights by CSOs.[101,102]

Gender equity and social inclusion

- Nepal is a party of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979). The Constitution of Nepal (2015) guarantees making public administration fair, competent, impartial, transparent, free from corruption, accountable and participatory, and includes special clauses on rights of women and Dalits. Article 18 (3) states: "*The State shall not discriminate citizens on grounds of origin, religion, race, caste, tribe, sex, economic condition, language, region, ideology or on similar other grounds, provided that nothing shall be deemed to prevent the making of special provisions by law for the protection, empowerment or development of the citizens including the socially or culturally backward women, Dalit, Indigenous Peoples, Indigenous nationalities, Madhesi, Tharu, Muslim, oppressed class, Pichhadiyeka (Backward) class, minorities, the marginalized, farmers, labours, youths, children, senior citizens, gender and sexual minorities, persons with disabilities, persons in pregnancy, incapacitated or helpless, backward region and indigent Khas Arya*".

- The National Land Policy (2019) and the Lands Act (1964) (last amended in 2021) aim at securing rights to land. The National Land Policy (2019) commits to securing tenure and land ownership, protection of land rights, rehabilitation of the landless, squatters and informal tenure-holders for improved housing, and equitable access to land for all, including women and vulnerable groups. The Social Tenure Domain Model (STDM), a land information system for capturing the relationships of person/s to land, has been implemented in Nepal and can generate the information required to implement the Lands Act (1964, amended 2021).

- The National Climate Change Policy (2019) states that livelihoods will be facilitated by mainstreaming good governance, gender equality and social inclusion (GESI) into formulation of policies, institutional framework and implementation of programs related to climate. Nepal's second Nationally Determined Contribution (2020) also includes the following target: "*By 2030, institutional mechanisms and structures in place and adequate provision of budget to ensure social and environmental safeguards including Free, Prior and Informed Consent (FPIC); forest tenure and access to finance and technology for local communities, women and Indigenous People…*".

- Nepal adopted the Forest Sector Gender and Social Inclusion (GESI) Strategy (2007)[103] and Gender Equality and Inclusion Strategy and Action Plan for Climate Change (2020)[104] to address gender and social inclusion issues. The 2020 strategy has identified four change areas: (i) gender and equity sensitive policy and strategy, (ii) equitable governance, (iii) gender and equity sensitive organizational development and programming, and (iv) equitable access to resources and benefits. The Forest Sector GESI (2007) provides guidelines to improve the participation of women in decision-making processes. An updated draft GESI Strategy and Action Plan of Forest and Environment Sector is also planned to incorporate capacity building (according to a 2021 ICIMOD, UNEP and UN Women report).[105]

- Following the GESI Strategy, the MoFSC amended the Community Forest guidelines in 2009, including a requirement for at least 50% female representation in CFUG committees. Rule 42 (8) of the Forest Regulation (2022) also requires that at least 50% of the 15-member working committee of

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[101] For example: https://kslreview.org/index.php/kslr/article/download/2207/1547;
http://www.cmr.org.np/esp_rti_policy_brief.pdf
[102] https://www.nepjol.info/index.php/nlr/article/view/57522/43003
[103] https://policy.asiapacificenergy.org/sites/default/files/Forest%20Sector%20Gender%20and%20Social%20Inclusion%20Strategy%20%28EN%29.pdf
[104] www.gesiclimate-chng-repnepali1625885588pdf-9628-989-1657876169.pdf
[105] https://policy.asiapacificenergy.org/sites/default/files/Forest%20Sector%20Gender%20and%20Social%20Inclusion%20Strategy%20%28EN%29.pdf

CFUGs must be women, including either one post of chairperson or treasurer and one post of vice-chairperson or secretary. Analysis has shown that policies for women's involvement has resulted in increased participation in the executive committees of CFUGs, and that this proportion has increased beyond 50%[106].

- The NRS (2018) has specific provisions related to gender and social inclusion: "*To improve resource tenure and ensure fair and equitable sharing of carbon and non-carbon benefits of forests among rights holders, women, Indigenous Peoples, Madhesis, Dalits, and forest-dependent local communities with effective implementation of safeguard measures*" (Strategy 5, 11); "*To increase livelihood assets and diversify employment opportunities of women, Indigenous Peoples, Madhesis, Dalits, local communities and forest-dependent poor.*" (Strategy 6, 7, and 8). The review of the NRS in 2024 has involved stakeholder consultations including representatives of communities, Indigenous Peoples, women, and other key stakeholder groups. As a part of the NRS, Nepal has been implementing Community Based Forest Management (CBFM) as the mainstream regime of forest management involving local communities, marginalized groups, women and Indigenous Peoples.

- The draft FPIC for REDD+ Guidelines highlight key principles such as gender equality and social inclusion and calls for particular attention to the participation of women, the poor and marginalised groups. In addition, it proposes use of the SIS target: 50% participation from women, and proportional representation from Indigenous Peoples and local communities, including Dalits.

- Within the FCPF BSP indicators include that "*At least 50% of the funds remaining after investing 25% in forest activities will be allocated to women's empowerment, leadership activities and income-generative activities targeting poor Indigenous Peoples, Dalits, Madhesis, Muslims households, and the female members of these groups*". In addition, a Gender Action Plan (GAP) was developed for the FCPF ER Program in 2017 by the organisation Women Organizing for Change in Agriculture and Natural Resource Management to provide baseline information and to identify opportunities through REDD+ interventions.[107] The GAP includes information on the status of gender in forestry in Nepal, key finding and gaps in gender integration in REDD+ and forestry, a gender assessment and recommendations for the ER-PD.

- The Forestry for Prosperity Project (A World Bank Project under the Forest Investment Program of Climate Investment Fund) has also developed a GAP.

- Building a Resilient Churia Region in Nepal (BRCRN) project has been informed by a Gender Assessment.[108] The GAP aims to mainstream gender-related measures, avoid/mitigate gender-related risks, and maximize climate and development co-benefits. It considers that women are not a homogenous group in the area, and notes additional challenges that women from Indigenous nationalities, Dalit caste and other marginalized groups may face. It further has identified gender-performance indicators and sex-disaggregated targets to be integrated into the project´s results framework.

Absence of corruption

- Nepal signed the United Nations Convention Against Corruption (UNCAC) in 2003 and ratified it in 2011. The objectives of this convention are: to promote and strengthen measures to prevent and combat corruption more efficiently and effectively; to promote, facilitate and support international cooperation and technical assistance in the prevention of, and fight against, corruption, including in asset recovery; and to promote integrity, accountability and proper management of public affairs and public property. To implement the UNCAC, the GoN has adopted a National Strategy and Action Plan, which includes legislative, administrative, and judicial measures.

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[106] https://www.sciencedirect.com/science/article/pii/S2666719321000455#fig0010
[107] https://www.forestcarbonpartnership.org/system/files/documents/Final%20Report%20and%20Gender%20Action%20Plan_FCPF.pdf
[108] https://www.greenclimate.fund/sites/default/files/document/gap-fp118.pdf

- A number of Acts have been developed and implemented to control corruption as guided by the Constitutions of Nepal (1990 Constitution, 2007 Interim Constitution and 2015 Constitution). These include the: Commission for the Investigation of Abuse of Authority (CIAA) Act (1991); Prevention of Corruption Act (2002); Audit Act (2019); Public Procurement Act (2007); Good Governance (Management and Operation) Act (2008); Local Government Operation Act (2017); Fiscal Arrangement Act (2018); Revenue Leakages (Investigation & Control) Act (1995); Special Court Act (2002); and Prevention of Money Laundering Act (2008).

- The Prevention of Corruption Act (2002)[109] recognizes prevention of corruption as a means to maintain peace, convenience, financial discipline, morality and good conduct among the general public. It covers punishable offences and lists the related punishments. It is applicable to and includes actions by non-Nepalese citizens residing in foreign countries, and actions by all Nepalese citizens and public servants residing anywhere outside Nepal. It provided the basis for establishing a National Vigilance Centre and to promote people's awareness against corruption.

- The Audit Act (2019) defines an audit as an examination of the accounts related to the business of the government offices, corporate bodies wholly owned by the GoN, Provincial Governments or Local Level Governments, and bodies or institutions whose audit is specified to be performed by the Auditor General. According to Clause 241 of the Constitution (2015), the accounts of all Federal and Provincial Government Offices[110] shall be audited by the Auditor General, with regards to their regularity, economy, efficiency, effectiveness, and propriety and to check for irregularities and/or misuse of budgets.

- In addition, the Good Governance Act (2008) includes a provision stipulating that government agencies (including REDD IC) should publish their public expenditure monthly. Monthly progress reports are also sent to the concerned Ministries to inform progress review meetings. Accordingly, REDD IC sends a monthly progress report of its works, including ER Program implementation, to the MoFE.

- The CIAA is a constitutional entity which provides an institutional framework to investigate and prosecute corruption. A special court has been established for hearing the corruption related cases under the CIAA Act (1991), the Prevention of Corruption Act (2002) and the Prevention of Money Laundering Act (2008). The CIAA publishes annual reports and submits them to the President of the country. These reports include information on the work of the CIAA, corruption cases investigated and registered to the court for judicial procedure, including complaints related to the forest sector. Reports are available online in Nepali.[111]

- Nepal has also made international commitments regarding money laundering and organized crime, recognizing the system of anti-money laundering and instruments countering the financing of terrorism (AML/CFT) as tools to control financial crimes, including corruption, and intends to make its electronic monitoring system 'goAML' fully operational.[112]

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[109] https://www.lawcommission.gov.np/en/wp-content/uploads/2018/10/prevention-of-corruption-act-2059-2002.pdf
[110] Including the Office of the President, Office of the Vice-President, Supreme Court, Federal Parliament, Provincial Assembly, Provincial Government, Local Level, Constitutional Bodies and Offices thereof, Courts, Office of the Attorney General, Nepal Army, Nepal Police and Armed Police Force
[111] The most recent report (33rd) is available at https://ciaa.gov.np/uploads/publicationsAndReports/0wS8NV.pdf
[112] The existing AML/CFT frameworks have legal and institutional provisions in line with the standards and good practices of the Financial Action Task Force (FATF), which is the global money laundering and terrorist financing watchdog. The Financial Intelligence Unit of the Nepal Rastra Bank (Central Bank of the country) has assisted other agencies in developing their AML/CFT instruments and has provided resource persons for AML/CFT training and capacity building programs, as well as preparing policies and guidelines. Nepal is also a member of the Asia-Pacific Group on Money Laundering, Egmont Group of Financial Intelligence Units, Asset Recovery Interagency Network for Asia Pacific (ARIN-AP), and INTERPOL (since 1967), and is committed to providing cooperation internationally.

- A number of codes of conduct and procedures for government employees are in place, such as: the Codes of Conduct for Judges (2018) and Government Attorneys (2017); Work procedures of the CIAA (2021); Code of Conduct for the Employees of the Finance Ministry (2019); Code of Ethics Implementation Directives of the Office of the Auditor General (2023); and the Regulation Concerning the Conduct of Employees of the Civil Service (2009). Anti-corruption measures through the Hello Sarkar (Hello Government) public grievances redress mechanism[113] of the Office of the Prime Minister and Council of Ministers (OPMCM), and the National Vigilance Centre (NVC)[114] are also functioning.

- In the forest sector, the Administrative Division of the MoFE acts as a point of contact for the CIAA and Governance Reform Unit, and it helps in the investigation of abuse of authority by forest sector public servants. Other functions and responsibilities of the Division include: to investigate any complaints received regarding the work carried out by the Ministry and subordinate bodies; and establishing Standard Operating Procedures (SOPs) for the management of organizational and administrative processes in the forest sector.

- According to the Forest Regulation (2022), the Community Forest and Collaborative Forest User Groups shall submit a detailed yearly report to the concerned DFOs and local governments on their activities including financial statements, figures on forest products harvested and sold, activities implemented in forest, community and social development, forest enterprises and ecotourism, and employment generated through forest management, along with the audit report of the group (Rules 44 and 59). Similarly, at provincial level, the Provincial Forest Director monitors the implementation of Management Plans of Government Managed Forests within its jurisdiction (Forest Regulation 39 (7) and also monitors implementation of the Forest Management Plans of CBFM groups through the DFOs (including REDD+ activities) and submits an annual report to the relevant provincial and federal ministries.

Fair and equitable benefit sharing

- The Constitution of Nepal (Article 51(g)(1)) states that the State will give priority and preferential rights to local communities during the equitable distribution of benefits generated from natural resources, considering the national interest. Article 59(4) further sets out that certain portions of the benefits generated from the use or development of natural resources shall be distributed in the form of royalties, services, or goods to the areas and local communities affected by the pertinent project.

- Equitable benefit sharing is one of the nine principles of the NRS: "*Promoting people-centric, gender and socially inclusive practices and approaches, as well as equitable benefit sharing and social justice*".

- Section 44 of the Forests Act (2019) requires the Government to make appropriate arrangements for the management, utilization and distribution of benefits arising out of carbon services. The Act includes the establishment of a Forest Development Fund (FDF) as the mechanism to distribute benefits to rights-holders, including CFUGs, Indigenous Peoples and local communities. The Fund's financing, governance system and decision-making process, and other provisions are defined in Section 45 of the Act and specified in Sections 108-114 of the Forest Regulations (2022). The Fund was operationalized in 2022, and operational guidelines are being developed. These will define roles and responsibilities, and the distribution of verified ER credits as per approved BSPs (developed by ER Program implementers with consultations and approved by the GoN). The FDF, being a public body, must proactively and transparently provide information on fund management and benefits distribution as per the Right to Information Act (2007).

- Pursuant to the Forest Regulation (2022), the overall distribution of benefits will be managed by the FDF Program Development and Implementation Committee (PDIC). Until a fully functional FDF

[113] https://gunaso.opmcm.gov.np/home
[114] https://www.nvc.gov.np/

Secretariat is established, REDD IC will work as the Secretariat. At the local level, municipalities or rural municipalities should form fund management steering committees, under the coordination of an elected member of local level government and comprising seven to nine members representing the local government, Indigenous Peoples, Dalits, women, and Muslim populations. These committees review Investment Plans prepared by DFOs and make decisions related to the equitable distribution of benefits, according to criteria that have been agreed and presented in the approved BSP. While the FDF PDIC and the municipality or rural municipality are responsible for supervising and decision-making regarding benefit sharing, PMUs of relevant programs (e.g., REDD IC and DFOs) shall facilitate the distribution of benefits.

- Section 115 of the Forest Regulation (2022) sets out the proportional distribution of benefits: (a) For the management of Fund: 10%; (b) For agencies or users' groups involved in forest management: 80%; (c) For owners of private forests within the program area: 5%; (d) For households that are not associated with any forest users' group but are dependent on forests: 5%.

- The BSP[115] for the FCPF ER Program was developed following a rigorous consultative process with all stakeholders and following requirements of the FCPF Carbon Fund Methodological Framework.[116] It provides information on the beneficiaries identified, the performance criteria applied, fund management through the FDF, and proposed monitoring. The beneficiaries were identified based on a combination of criteria, including institutional factors, involvement in the implementation of the REDD+ actions, degree of forest dependency, and social justice, and include: (i) government entities; (ii) community-managed forest groups; (iii) private forest owners; and (iv) forest dependent households outside of the user groups. In accordance with the Forest Regulation (2022), 80% of the benefits will be disbursed for performance-based allocation to the government forest entities (for government-managed forests and BZ forests of Protected Areas) and Community-based Forest Management (CBFM) groups. Private forest owners and forest dependent households and communities outside the CBFM groups will get 5% each. The remaining 10% will be allocated to cover the operation and management costs.

- For the LEAF ER Program, a stakeholder mapping report identifies stakeholders and rights-holders at Federal level and in each province, including Indigenous Peoples (more information is provided under safeguard C). A preliminary Benefit Sharing Plan (BSP) for the program has been prepared, and several rounds of consultations with key stakeholders and rights-holders have taken place. Ongoing discussions are being held with various groups at the national, provincial, and district levels, which include representatives from Indigenous Peoples, Community-Based Forest Management (CBFM) groups, experts, women's organizations, and marginalized communities such as Dalits. The BSP will be finalized and approved by the government once a broader consensus among the stakeholders and rightsholders has been reached, as it is considered the most contentious document of the ER Program.

Equal access to justice

- Nepal's Constitution (2015) guarantees access to justice and the right to a fair trial to all citizens and the GoN has put in place policies, laws, and institutions to meet that guarantee. The Nepalese legal system is based on common law and civil law traditions. Powers relating to justice in Nepal can be exercised by courts and other judicial bodies in accordance with the Constitution, other statutes, laws, regulations, and the accepted principles of justice and established doctrine by the Supreme Court of Nepal. The courts constitute three levels: the Supreme Court, Appellate courts, and District

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[115]https://www.forestcarbonpartnership.org/sites/default/files/documents/revised_bsp_nepal_03_june_2023_clean_version_0.pdf
[116]https://www.forestcarbonpartnership.org/system/files/documents/fcpf_carbon_fund_methodological_framework_revised_2020_final_posted.pdf

courts and other courts/bodies. Specialized courts or tribunals might be constituted for the purpose of hearing special types of cases. The arrangements for the justice system in Nepal are further laid out in the Administration of Justice Act (2016).

- Judicial bodies can be constituted at the local level to pursue cases under local government operation laws or other bodies as required to trial alternative dispute settlement or Alternative Dispute Resolution (ADR) methods. Clause 217 of the Local Government Operation Act (2017) provisions a judicial committee (Nyayik Samiti) led by the Deputy Mayor/Chairpersons of the municipalities/rural municipalities. Disputes within the municipalities can be resolved by this committee following a non-adversarial participatory approach.

- Legal aid is a fundamental human right and an essential service for those who are poor and marginalized. The Legal Aid Act (1997) established a Central Legal Aid Committee (clause 6) and a District Legal Aid Committee (Clause 7) to make necessary arrangements to provide legal aid to indigent people.[117] A legal aid fund has also been established under the Act (1997).

- The forestry sector policy, laws, by-laws and guidelines have clear provisions for reporting and redressing grievances. Related policy documents such as the Constitution (2015), Forest Policy (2019), Forestry Sector Strategy (2016-2025), Forests Act (2019), and Forest Regulation (2022) encourage citizens to report their forest governance-related grievances to the concerned authority and instruct the authority to redress them promptly and effectively. There are compulsory provisions for citizens charters, complaint boxes, information officers, and gender focal officers in every government office (see also 'Access to Information' above).

- The DFOs have powers to adjudicate and settle cases under the Forests Act (2019) that are punishable under the Act following the proceedings referred to the Special Court Act (2002). These include civil cases related to illegal harvesting of trees and other forest products punishable under the Act. Criminal cases are normally prosecuted by the courts through the police and settled following the judicial procedures.

- At the local level, various channels and mechanisms exist to submit a grievances or disputes, including those related to REDD+. The Vice Chairperson/Deputy Mayer of local government, the Chief District Officer (CDO) both have authority to settle disputes as the sub-judiciary institutions. Stakeholders can also submit grievances through the local Judicial committee; the Court of conduct at district level (district court); the Reconciliation Centre at local level and in district courts; the Information officer, Nodal officer and spokesperson, and complaint boxes, which are to be available in all offices.

- The GRMs used for REDD+ in Nepal are based on existing regulations and channels and are established at federal, provincial and local levels. GRMs aim to address any potential complaint or conflict related with REDD+ design and implementation. If the disputes cannot be resolved through a REDD+ specific GRM, any party can use the formal judiciary procedures by the courts. The REDD+ desks at state and district level should also enable stakeholders to submit their grievances.

- REDD IC conducted a study to design a feedback and grievance redress mechanism (FGRM) in 2015, and the FCPF ER Program then started designing a FGRM. The FGRM is based on the

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[117] The functions, duties, and powers of the Central Aid Committee include: (a) To determine Program and policy of Legal Aid, (b) To supervise and control the performance of District Committees and provide necessary directives to such committees, (c) To provide grant to District Committee for Legal Aid, (d) To make necessary arrangement of funding for Legal Aid, (e) To make a panel of lawyers to represent at Supreme Court on behalf of indigent person for providing Legal Aid, (f) To make arrangement to publish and distribute introductory booklets, pamphlets, handouts relating to law and Legal Aid to aware general public and make or cause to make arrangement for research for the same, (g) To constitute different committees as required and specify functions, duties and powers of the committees for the purpose of Legal Aid, (h) To appoint required staffs for Central Committee, (i) To delegate some authority out of the powers entrusted to the committee to any such committee or any staff of the central committee constituted under this Act, (j) To conduct other functions as prescribed to fulfil the objectives of this Act.

existing systems outlined above, and grievances can be submitted via written submissions through existing channels and REDD+ specific ones, including via letter, email, website, suggestion/complaint box, SMS and toll-free number. For local cases, an investigating team shall be formed in each of the municipalities, with the forest officer designated as the ER Program focal officer leading the team. The system aims to address grievances within 28 days. The FGRM principles, steps and procedures are also described in the FCPF ER-PD (section 14.3) and ESMF (see also Appendix 3 of this SOI).

- In addition to the complaints received through the CIAA, the National Vigilance Centre, and other channels described above, specific channels for submission of REDD+ related grievances include:
  o The REDD IC website with a contact form (http://www.redd.gov.np/contact) and contacts (info@redd.gov.np, telephone: 015339126, toll-free).
  o The Safeguards Information System (http://sis.redd.gov.np/sis/contact-us) contact page, complaint page and email address info@redd.gov.np).
  o Hello Sarkar: https://gunaso.opmcm.gov.np/home.

- Under the LEAF ER Program, information has been provided to stakeholders on how they can submit grievances and feedback. A review of effectiveness and appropriateness of the GRM channels available to REDD+ stakeholders and associated capacity building are planned for 2025, recognising that there are still limitations to their operation.

How the Safeguard is Respected

Transparent and effective governance structures and right to information

- REDD+ governing institutions (Ministries, REDD IC, departments, provincial ministries, Divisional Forest Offices, and REDD+ Desks) have developed mechanisms to provide adequate information related to the REDD+ actions. These include:
  o Information on the forestry sector can be found on the National Forest Information System (NFIS)[118] online portal established to provide a wide range of information on forests.
  o The REDD IC website provides information on the Centre's functions and the REDD+ related activities, and the site (Pro-active Disclosure (redd.gov.np) proactively discloses further financial information. REDD IC also set up an email address (info@redd.gov.np) and a contact form for any REDD+ stakeholder to use. Between October 2023 and January 2024, , information requests received by the MoFE from different channels totalled to 182 requests including 130 requests by telephone, 15 by emails, 14 by letters and 23 directly in person at the ministry.[119]
  o REDD IC has also established the SIS online portal to provide information on how the safeguards for REDD+ are addressed and respected in the country, using the national PCIs. The website (http://sis.redd.gov.np/sis) is available in English and Nepali and provides key REDD+ documents in its Knowledge Center section. Further information on the SIS, its institutional arrangements and data sources have been provided in *Chapter 4* above.

- REDD+ Desks, which are established at Provincial Forest Directorate and DFOs led by a government officer provide information to local people through notice boards, radio, and other means. Different forms of stakeholder consultations, including FPIC processes, are conducted in the design, implementation and monitoring and evaluation phases of REDD+ programs and activities, and facilitate dialogue and exchange of information. Guidelines on FPIC for REDD+ have been prepared and will be piloted in the LEAF ER Program area. The draft Guidelines include preparing and sharing an "*information package*" and communicating about the program/project and the proposed FPIC process to the rights-holders and stakeholders prior to the start of consultations. They

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[118] http://nfis.redd.gov.np/nfis
[119] https://www.mofe.gov.np/notices/details/proactive-disclosure-on-rti-2080-kartik-poush-0747

also recommend that information shall be communicated in an accessible, clear, accurate, consistent, and transparent way and be conveyed in appropriate language and culturally appropriate formats (for example, radio, video, graphics, documentaries, photographs, oral presentations, etc.).

- REDD+ stakeholder engagement mechanisms also provide a platform for information sharing, including the meetings and other operations of the National REDD+ Steering Committee (NRSC), National REDD+ Coordination Committee, Provincial REDD+ Coordination Committees (PRCC), REDD+ Multi-Stakeholder Forum, REDD+ CSOs and IPOs Alliance, and the regular meetings with stakeholders organized by the REDD IC (see Safeguard D for more information on stakeholder engagement mechanisms). Consultations and meetings to provide information have already taken place for the development of the NRS, for the FCPF ER Program, and in preparation for the LEAF ER Program, among others. More details on the consultations are included under Safeguards C and D in this document.

- ER Programs also share relevant information through websites (e.g. the REDD IC website, the SIS, the FCPF website, etc) as well as through monitoring reports. Further information is also expected to be available in the future on user statistics on the REDD IC website, the SIS platform and the NFIS website.

Gender equity and equality

- Information on gender equality, including on the participation of women in REDD+, such as in committees (e.g. NRSC) and in consultations related to REDD+ (e.g. ongoing consultations for the review of the NRS) is provided under Safeguards C and D.

Absence of corruption and benefit sharing

- Nepal has not yet received any RBPs for the emission reductions and removals generated from the implementation of REDD+. However, some information is available related to anti-corruption measures and ER programs benefit sharing:

  o The latest quarterly proactive disclosure of the REDD IC's work, including information on public expenditure, is available online.[120] Yearly progress reports of the MoFE are also available online.[121]

  o The CIAA publishes annual reports including information on its work as well as corruption complaints/cases investigated and registered to the court for judicial procedure. The latest (33rd) report covering the fiscal year 2022-2023 is available online and includes the number of corruption cases registered to the special court, which also includes corruption cases against the Forest Officers/Community Forest User Groups of different districts.[122] The number of complaints registered and settled (including the number of cases prosecuted to the special court) by the CIAA in fiscal year 2022/23 under the MoFE are provided in Table 1 under Appendix 5 of this SOI.

  o Under the FCPF ER Program, a first Emission Reduction Monitoring Report (ERMR) was published in November 2023. However, information on the implementation of the BSP and on non-carbon benefits (annexes 2 and 3 respectively) is not yet available. The FCPF BSP provides a list of indicators for its monitoring and evaluation, including verified through a financial audit report, and reporting on these indicators is expected to be available in the future. Similarly, reporting on the LEAF ER Program BSP is expected in the future including disaggregated data and outcomes and impacts of benefit sharing.

Equal access to justice

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[120] http://redd.gov.np/post/proactive-disclosure-srawan-to-poush-2080
[121] annual-report-078-79pdf-7076-384-1684837725.pdf (mofe.gov.np)
[122] https://ciaa.gov.np/uploads/publicationsAndReports/0wS8NV.pdf

- Although GRMs are in place for REDD+ related grievances and disputes, limited information is available yet on REDD+ specific grievances registered and resolved. In the case of the FCPF ER Program, this information is expected to be provided with the first ERMR, which is still under verification and validation process and expected to be publicly available soon after verification and validation process is completed. The number of complaints registered and settled (including the number of cases – prosecuted to the special court) by the CIAA in fiscal year 2022/23 under the MoFE are available for 2023-2024 in Table 2 under Appendix 5.

Criteria and indicators

The following criteria and indicators set out how the principle is to be addressed and respected in Nepal, and will be reported on in more detail in the future:

Under criterion B1, the governance structures for REDD+ are clearly defined, effective, transparent, and accountable, and promote shared ownership of REDD+ programs and actions:

- *B1.1 Effective REDD+ institutions and governance structures are in place with clearly defined roles and responsibilities (Address)*

- *B1.2 Information on the roles, responsibilities and decision-making processes of REDD+ institutions and governance structures is publicly available, including information on stakeholder engagement processes and procedures for Free, Prior and Informed Consent (FPIC)(Address)*

- *B1.3 Adequate information on various aspects of REDD+ actions (technical, financial and safeguards) is provided to all relevant stakeholders and rights holders including Indigenous Peoples, Dalits, women, and local communities. (Respect)*

- *B1.4 REDD+ institutions and governance structures include stakeholder representatives (including adequate representation of Indigenous peoples, women, Dalit and local communities), selected by and accountable to their constituencies. (Respect)*

Under criterion B2, The REDD+ Strategy and programs ensure gender inclusion and social equity while designing and implementing REDD+ actions:

- *B2.1 The REDD+ Strategy and programs assess and identify risks and measures related to gender inclusion and social equity (Address)*

- *B2.2 The REDD+ Strategy and programs apply gender-sensitive and socially inclusive approaches and procedures throughout the design, implementation, monitoring and evaluation of REDD+ actions (Address)*

- *B2.3 Gender inclusion and social equity is promoted through participation of all relevant stakeholders (including Indigenous Peoples, women, Dalit and local communities) in REDD+ design, implementation, monitoring and evaluation (Respect)*

Under criterion B3, REDD+ implementing agencies maintain financial governance, including financial transparency and accountability, and avoid the misuse of funds:

- *B3.1 Policies, laws and regulations on accountability and corruption control are in place (Address)*

- *B3.2 The REDD+ Strategy and programs identify risks and measures related to accountability and corruption control (Address)*

- *B3.3 REDD+ implementing agencies ensure implementation of measures for accountability and corruption control (Respect)*

- *B3.4 Financial information related to the REDD+ Strategy and programs at all levels, including community level, is duly audited and made publicly available (Address)*

Under criterion B4, Capacities and awareness of REDD+ institutions and all relevant stakeholders, including government staff, forest user groups, Indigenous Peoples, women, Dalits, and local communities, are increased:

- *B4.1 REDD+ institution staff are trained in REDD+ processes (Respect)*

- *B4.2 Capacity development and awareness raising activities are conducted with stakeholders (with participation of 50% from Indigenous Peoples, local communities, women, and Dalits (Respect)*

Under criterion B5, Benefits of REDD+ programs are distributed to beneficiaries in a transparent and equitable manner:

- *B5.1 Policies, laws and regulations on benefit sharing are in place (Address)*

- *B5.2 Beneficiaries of REDD+ programs are identified and mapped in consultation with relevant stakeholders (Address)*

- *B5.3 REDD+ benefits sharing mechanisms, plans and procedures are developed through consultation with all relevant stakeholders (Address)*

- *B5.4 Total benefits received and distributed by the REDD+ programs to different types of beneficiaries in accordance with the approved BSP (Respect)*

- *B5.5 Outcomes of REDD+ benefit-sharing are monitored and evaluated (Respect)*

Under criterion B6, REDD+ programs ensure that all grievances related to the program design, implementation, monitoring and evaluation and benefit sharing are addressed in a timely and culturally appropriate manner.

- *B6.1 Functional and appropriate grievance redress mechanisms for REDD+ are in place at all levels in accordance with national laws (Address)*

- *B6.2 Information on the availability of grievance redress mechanisms and procedures is widely disseminated to all relevant the stakeholders using appropriate channels (Respect)*

- *B6.3 Grievances related to REDD+ programs are registered, addressed and resolved in a timely and culturally appropriate manner (Respect)*

Gaps and measures to address gaps

- A web based NFIS has been established, which is expected to provide information related to forestry, biodiversity, etc, but is not fully functional yet. The NFIS should be updated making it fully functional to provide the related information at all levels of forest governance, with an update planned for 2024-2025. An update to the SIS web platform is also underway.

- Although GRMs are in place for REDD+ related grievances and disputes, further information collection and capacity building is needed for agencies such as DFOs, who play a key role in managing grievances at local level. There is also a need for a focal person or desk in REDD IC for the handling of grievances. These capacity building needs will be integrated into the review of and strengthening plans for the GRM in 2025.

Safeguard C: Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous People

Narrative description: The REDD+ strategy and programs respect and honor the rights and knowledge of Indigenous Peoples and local communities, including protecting the land traditionally occupied by them, as well as their skills, culture, norms, and practices and their traditional way of life upon their wish, in line with the provisions of national PLRs and international obligations resulting from Nepal's ratification of ILO 169 (Indigenous and Tribal Peoples Convention, 1989) and UNDRIP.

Core elements of the interpretation are:

- The rights of forest users and local communities, Indigenous Peoples, customary landowners and vulnerable groups are promoted and protected in the context of the implementation of Nepal's REDD+ Strategy and programs, and in consistency with relevant and applicable international conventions and treaties.

- Indigenous and traditional skills, knowledge, practices and culture are recognized and protected in the context of the implementation of the National REDD+ Strategy and programs.

Roles & responsibilities

- The federal GoN, provincial and local governments, and all machinery under these governments including the institutions responsible for the REDD+ programs are responsible for respecting the rights and knowledge of Indigenous Peoples and members of local communities including stakeholders such as forest users' groups.

- The Indigenous Nationalities Commission (INC), a constitutional body, is responsible for conducting study and research work to protect the rights and interest of Indigenous nationalities and the National Foundation for Development of Indigenous Nationalities (NFDIN), affiliated to the Ministry of Local Development, ensures their overall welfare. It is responsible for:

    o Formulating and implementing programs relating to the social, educational, economic and cultural development and elevation of Indigenous nationalities.

    o Preserving and promoting their languages, scripts, cultures, arts, and histories, their traditional knowledge, skills, technologies, and special know-how, and assisting in its vocational use.

    o Facilitating the participation of Indigenous Peoples in the development of the country, and building harmonious relationships between different Indigenous groups, castes, tribes, and religious communities; and

    o Helping to make an equitable society through the social, economic, religious, and cultural enhancement of Indigenous Peoples.

In addition, the Dalit Commission, is responsible for:[123]

- Conducting study and research as to the situation of the Dalit community, identify areas of necessary policy, legal and institutional reforms, and make recommendations to the GoN and make suggestions to the GoN for formulating, implementing and monitoring of national policies and programs concerning the interests of the Dalit for their upliftment and development and ensure their proportional participation in all organs of the State and reporting requirements under international treaties and making suggestions for effective compliance and implementation to the GoN;

- Making recommendations to the concerned bodies to file cases in courts on matters of caste-based discrimination and untouchability or social ill-practices or infringement of or deprivation of enjoyment of the rights of the Dalit.

Principle C: The REDD+ Strategy and programs recognize and respect the rights of Indigenous Peoples and local communities to lands, territories, and resources, and their traditional skills and knowledge

How the safeguard is addressed

Recognition of Indigenous Peoples and local communities

- In Nepal, the term "Indigenous People" or "Indigenous nationalities" (*Aadibasi Janajati)*] are used to refer to some ethnic groups, as recognised by the Constitution of Nepal (2015). One of the State's policies is to help ensure that Indigenous nationalities participate in decisions concerning that community by making special provisions for opportunities and benefits, in order to ensure the right of these nationalities to live with dignity, along with their identity, and protect and promote traditional knowledge, skill, culture, social tradition and experience of the Indigenous nationalities and local communities.

- The National Foundation for Development of Indigenous Nationalities (NFDIN) Act (2002) has defined Indigenous Peoples as "*those ethnic groups or communities who have their own mother tongue and traditional customs, distinct cultural identity, distinct social structure and written or oral history of their own*". Following that definition, 60 groups in Nepal have been identified as ethnic

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[123] https://ndc.gov.np/pages/about-us?lan=en

Indigenous groups, which are further classified into 5 groups based on their vulnerability.[124] These are:

Endangered Groups	Bankariya, Kusunda, Kushbadia, Raute, Surel, Hayu, Raji, Kisan, Lepcha, Meche (10 groups)
Highly Marginalized Groups	Santhal, Jhangad, Chepang, Thami, Majhi, Bote, Dhanuk (Rajbansi), Lhomi (Singsawa), Thudamba, Siyar (Chumba), Baramu, Danuwar (12 groups)
Marginalized Groups	Sunuwar, Tharu, Ranatharu, Tamang, Bhujel, Kumal, Rajbansi (Koch), Gangai, Dhimal, Bhote, Darai, Tajpuria, Pahari, Dhokpya (Topkegola), Dolpo, Free, Magal, Larke (Nupriba), Lhopa, Dura, Walung (21 groups)
Disadvantaged Groups	Jirel, Tangbe (Tangbetani), Hyolmo, Limbu, Yakkha, Rai, Chhantyal, Magar, Chhairotan, Tingaunle Thakali, Bahragaunle, Byansi, Gurung, Marphali Thakali, Sherpa. (15 groups)
Advanced Groups	Newar, Thakali (2 groups)

- There is no legal definition of "*local communities*", but the Local Government Operation Act (2017) defines "*local level*'' as a village or town, and the word also refers to a district assembly. In the Forests Act (2019), a Community Forest (CF) is defined as: "*A Community Forest is the part of national Forests transferred by the DFOs to the user group of the forest formed and registered at the Divisional Forest Offices to utilize the forest products by protecting, developing and managing such forest for collective interest with entitlement to develop, conserve, use and manage the forest and to sell and distribute the forest products by fixing their price independently*".

- For the FCPF ER Program, stakeholders were mapped and identified in seven categories: a) Government and Government Institutions; b) Private sector; c) Civil society; d) Tribal and Indigenous Peoples and other forest dependent groups; e) Groups directly connected with forests for livelihood sustenance; f) Vulnerable groups; g) Academic and Research Institutions. More information is provided in the FCPF R-PP document.[125]

- For the LEAF ER Program, the stakeholders, rights-holders and affected communities were identified at Federal and provincial levels based on the draft FPIC for REDD+ Guidelines in 2024 including Indigenous Peoples in the program area namely, Tharu, Magar, Gurung, Tamang, Newar, Dhimal, Tajpuriya, Rajbanshi, Gangai, Majhi, Kumal, Darai, Chepang (Praja) and Danuwar. The draft report notes that Indigenous Peoples make up the largest segment, followed by high caste hill Brahmins and Chhetris, while Dalits and Muslims are small groups in the area. Activities in the Program area align with the objectives of the NRS, with a particular focus on expanding community forestry, and increasing the uptake of Sustainable Forest Management (SFM) practices. These interventions also provide opportunities to improve the recognition of customary rights and practices through the development and/or updating of forest management plans under different management regimes.

Rights of Indigenous Peoples and local communities

- Nepal has ratified treaties related to the Universal Declaration of Human Rights (UNDHR), including the International Covenant on Civil and Political Rights (1966), International Covenant on Economic, Social and Cultural Rights (1966), the ILO Convention Concerning Indigenous and Tribal Peoples in Independent Countries (ILO Convention No. 169) (1989), and voted in favour of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (2007). It has also signed or ratified several other international instruments that have provisions relating to FPIC, such as the CBD (ratified in 1993), Nagoya Protocol (ratified in 2018) and the UNFCCC (signed as the party of the convention on 12 June 1992 and ratified on 2 May 1994).

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[124] https://english.indigenousvoice.com/indigenous-peoples-of-nepal (source: NEFIN (2004))
[125] *https://www.forestcarbonpartnership.org/system/files/documents/R-PP_Nepal_revised_October.pdf*

- The Constitution of Nepal (2015)[126] has guaranteed various fundamental rights of its citizens including Indigenous Peoples and local communities. Article 18 (3) of the Constitution states: "*The State shall not discriminate citizens on grounds of origin, religion, race, caste, tribe, sex, economic condition, language, region, ideology or on similar other grounds, provided that nothing shall be deemed to prevent the making of special provisions by law for the protection, empowerment or development of the citizens including the socially or culturally backward women, Dalit, indigenous people, indigenous nationalities, Madhesi, Tharu, Muslim, oppressed class, Pichhadiyeka (Backward) class, minorities, the marginalized, farmers, labours, youths, children, senior citizens, gender and sexual minorities, persons with disabilities, persons in pregnancy, incapacitated or helpless, backward region and indigent Khas Arya*". Article 24 also grants the citizens of Nepal the right against untouchability and discrimination (based on race, ethnicity or caste). The rights for Dalits are specified in Article 40, including provisions for their engagement in decision-making processes and education.

- Similarly, the "*right to social justice*" (Article 42) and rights of citizens to participate in decision-making have also been recognized as fundamental rights in the Constitution. Other fundamental rights guaranteed by the Constitution of Nepal include Articles 36 (right to food), 37 (right to housing) and 43 (right to social security), as well as Articles 38 and 39 which specify the rights of women and children respectively. In addition, Nepal is the first country in South Asia to constitutionally recognize the right to information as a fundamental right of the citizens (Article 27).

- Specifically on rights to participation, the Constitution of Nepal (including Article 51 (j)(8), 40(5); 40(4) and 32 (2015)), Forest Regulation (2022) Rule 107, Forest Policy and Forests Act (2019); Climate Change Policy and National Environment Policy (2019); and Forestry Sector Strategy (2016-2025) have emphasized the active participation of stakeholders including Indigenous Peoples and local communities in decision-making for developmental programs. The Forest Act (2019) states in Section 11(3) that the Division Forest Officer must prepare the strategic plan for the national forest in the jurisdiction in a participatory manner.

- In addition, the NBSAP (2014-2020), Long-term strategy for Net-zero Emissions (2021) and 15th National Plan (2020-2024) all have provisions on active participation of all stakeholders especially Indigenous Peoples and local communities in the design and implementation of programs. For example, Nepal's NBSAP calls for the meaningful participation of local communities in the management of natural resources, implementation of landscape approaches to address multiple drivers of biodiversity loss, and cooperation among relevant agencies to achieve success in biodiversity conservation.

- Specifically on rights to lands, territories, and resources, Nepal voted in favour of UNDRIP in 2007, whose Article 26(1), states that Indigenous Peoples are entitled to own, use, develop, and control the lands, territories, and resources they possess by reason of traditional ownership or other traditional occupation or use, as well as those they have otherwise acquired.

- Nepal is also implementing the National Land Policy (2019) and the Lands Act 1964 (8th amendment 2021), including securing rights to land. The Social Tenure Domain Model (STDM), a land information system for capturing the relationships of person/s to land, has been implemented in Nepal and can generate the information required to implement the new amended provisions of the Lands Act. Since 2013, the Global Land Tool Network within the Land, Housing and Shelter Section of UN-Habitat has also been supporting land reform interventions in Nepal. This includes strategy development for Fit-For-Purpose Land Administration (FFP-LA), and interventions towards the improvement of earthquake recovery and resilience for affected communities for sustainable and improved livelihoods. The GoN already has the experiences and lessons learnt from STDM and FFP-

[126] https://lawcommission.gov.np/en/wp-content/uploads/2021/01/Constitution-of-Nepal.pdf

LA application in three settlements of Dolakha district and in the municipalities of Ratnanagar and Belaka.

- The Lands Act (1964) (last amended in 2021) also contains restrictions on acquisition of land, including exemptions. For example, notwithstanding anything contained in Sections 7 and 10, the provisions contained in those Sections shall not apply to the following land: (a) The land owned and possessed by GoN, (b) The land owned and possessed by the District Development Committee, Village Development Committee or Municipality at various levels and gives provisions in favour of Indigenous Peoples and local communities. Under section 21, if the prescribed authority shall sell or dispose land acquired or confiscated pursuant to this Act to a local person, priority shall be given to Dalit, Indigenous Peoples (Aadibasi Janajati) and others among the local landless people (Sukumabasi). The maximum limit of area of land a person (or company) can hold is defined in the Act. Anything above the ceiling limit[127] requires approval by the Ministry of Land Management, Co-operatives and Poverty Alleviation before acquiring land for the project. Clause 11 provides for the right of landowners to file a complaint about the land acquisition, setting out the time for submitting and resolving complaints, provisions related to hearings, etc.

- Article 3 of the Land Act states that Government can take any land by paying cash compensation, which can be decided by agreement, or in absence of agreement, in the presence of a mediator appointed by the Government128. Section 19 states that a committee will determine the compensation amount following the guidelines issued by the Government. If a person wants land as compensation for land that is taken, the GoN can distribute wasteland, government-owned land, or other available land.

- Stakeholders, especially CBFM groups have access to, use of, and management control based on the approved forest management plans over forest land and resources as per the Forests Act (2019) and Forest Regulation (2022). However, Indigenous Peoples and local communities, who are part of the CBFM regimes, are allowed to include different customary practices of forest management in the Management Plans of the CBFM regimes, which can be implemented after getting approval from the concerned DFOs as per the Forests Act (2019) and Forest Regulation (2022). In some cases, CBFM regimes allows locals to use Indigenous Forest management systems, Indigenous knowledge, cultural practices, customary institutions and to have traditional authority and self-regulation.[129] Under the Kipat land tenure rights, members of the communities had ownership of the land by virtue of their membership in a particular ethnic group and their location in particular area.[130]

- Various commissions and organisations are in place to ensure the recognition and respect of rights of Indigenous Peoples and local communities including:
  - The National Human Rights Commission (NHRC) is an independent constitutional body that works as a watchdog of human rights protection and promotion. It is fully compliant with the Paris Principles which set out the main criteria that National Human Rights Institutions (NHRIs)

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[127] The current ceiling limits are: All Terai (Plain) Regions (including Inner Terai): 68,820 Square Meter; Kathmandu Valley: 12,718.50 Square Meter; All Hilly Regions Except Kathmandu Valley: 35,611.80 Square Meter
[128] https://jndmeerut.org/wp-content/uploads/2022/09/volume-34-No.2-winter-2021-16.pdf
[129] https://nepjol.info/index.php/sjs/article/view/63807/48244
[130] https://lcipp.unfccc.int/sites/default/files/2022-04/CIPRED%20Climate%20Change%20and%20Indigenous%20Peoples%20Policies%20and%20Practices%20in%20Nepal_0.pdf#page=25

are required to meet)[131] and received an "*A category*" accreditation status by the Global Alliance of NHRIs.[132]

- o The National Foundation for Development of Indigenous Nationalities (NFDIN), established as per the NFDIN Act, ensures the overall welfare of the different indigenous nationalities who lives across the country (more information is provided in the roles and responsibilities section).

- o In addition, the Dalit Commission, established under the Article 255 of the Constitution of Nepal (2015) is responsible for ensuring human rights protection and empowerment of the Dalit community (see roles and responsibilities section above for more information).

- o The INC governed by the Constitution of Nepal and Indigenous Nationalities Commission Act (2017), conducts studies and research to protect the rights and interest of Indigenous nationalities.

- In the context of REDD+, the Constitution of Nepal (2015) as well as other REDD+ related legal instruments including the NRS (2018), Forest Policy (2019), Forests Act (2019), Forest Regulation (2022), Forestry Sector Strategy (2016-2025), National Environment Policy (2019), Environment Protection Act (2019), National Climate Change Policy (2019), NBSAP (2014), Long-term strategy for Net-zero Emissions (2021) and 15th Periodic Plan all have provisions on recognizing and respecting the rights of the Indigenous Peoples and local communities in the design and implementation of the REDD+ actions.

- The NRS (2018) emphasizes that clarity of forest tenure is vital and key in shaping the social and environmental impacts of REDD+. Particular attention is given to the usage rights of local forest-dependent communities and to the rights of Indigenous Peoples to customarily manage and use forests. Strategy 5 of the NRS calls to improve resource tenure and ensure fair and equitable sharing of carbon and non-carbon benefits of forests among rights holders, women, Indigenous Peoples, Madhesis, Dalits, and forest dependent local communities, with effective implementation of safeguard measures. The REDD+ Social and Environmental Standards (SES), (2014) were developed jointly by the REDD IC and the Federation of Community Forestry Users Nepal (FECOFUN) through a participatory and inclusive process that started in 2009. It can be used voluntarily by governments, NGOs, financing agencies, and other stakeholders to support the design and implementation of REDD+ programs that recognise and respect the customary and cultural rights of Indigenous Peoples and local communities and generate significant social and environmental benefits. Several indicators are detailed under the principles including 7.1.2: "*The REDD+ program recognizes and respects the human rights of Indigenous Peoples and local communities*". The REDD+ SES informed the development of the country's SIS.

- The draft FPIC for REDD+ Guidelines also includes provisions related to tenure and rights. For example, section 1.2 suggests that land and forest use maps, including formal and informal tenure and use rights, and digitised maps where possible are developed to engage Indigenous Peoples and local communities in the FPIC process. They also suggest assisting these communities in identifying their areas of legal and customary rights, including any cultural and spiritual areas they may exercise. The Guidelines also state that it is the duty of the program/project to identify mechanisms to secure

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[131] For example: Establishment under primary law or the Constitution; a broad mandate to promote and protect human rights; formal and functional independence; freedom to address any human rights issue arising etc.

[132] The meeting of the Global Alliance of National Human Rights Institutions (GANHRI) held in Geneva from September 25 to 29, 2023, reached a decision to sustain the 'A' category status (("A" meaning "*Fully compliant with the Paris Principles*") for the National Human Rights Commission of Nepal, which was influenced by significant progress in the legislative process related to the National Human Rights Commission and the Commission's enhanced performance and overall satisfaction (https://inseconline.org/en/news/ganhri-decides-to-maintain-national-human-rights-commission-in-category-a/)

the recognition of community rights on traditional land both within the project site and at the national level.

- The Forestry for Prosperity Project, which is being implemented by the World Bank and the REDD IC under the Forest Investment Program of the Climate Investment Fund in 50 municipalities of Madesh and Lumbini Provinces, has developed an ESMF, which includes an Indigenous Peoples Planning Framework (IPPF); and Resettlement Policy Framework (RPF). The project has also developed a Stakeholder Engagement Plan (SEP) and Environmental and Social Commitment Plan (ESCP).

- For the FCPF ER Program, stakeholders were mapped and consulted during the ER-PIN and ER-PD development phase (more information under safeguard D below). NEFIN organized a regional-level consultation workshop to explore the issues and concerns of Indigenous Peoples in the design and implementation of the FCPF ER-PD. Following the consultation, it developed a 28-point position paper, submitted to REDD IC from the 12 District Coordination Councils of NEFIN through its national secretariat. This paper strongly recommends ensuring the resource rights of Indigenous Peoples over forestland during the design and implementation of the ER Program. These recommendations have been considered during the design and implementation of the FCPF ER Program and are included in Annex 11 of the ER-PD.

- The ER-PD mentions that before the delineation of forest areas, proper mapping of the lands traditionally owned and used by Indigenous Peoples will be conducted in order to avoid involuntary relocation and a land and natural resources tenure assessment was conducted in 2016. FPIC is required when Indigenous Peoples may be affected by the ER Program implementation as per the World Bank Safeguards policy (OP/BP4.10). The ESMF (2019), further provides guidelines for environmental and social safeguards that need to be considered while implementing the REDD+ actions in the field. These include:

  o The Indigenous People and Vulnerable Community Development Framework (IPVCDF), which emphasizes that the ER-P implementation will fully respect Indigenous Peoples' rights over the land they have been managing traditionally within the scope of governments' legal provision as per the Article 26(1) of the UNDRIP. If deemed necessary, the IPVCDF will ensure that customary rights are recognized, respected, and preserved, such as tenure, access to natural resources, territories, livelihood strategies, knowledge, social fabric, traditions, and traditional systems of local communities.

  o The Resettlement Policy Framework (RPF) which was developed as a precautionary measure even though the ER Program does not envision any land acquisition.

Free and Prior Informed Consent

- FPIC is considered a key instrument in Nepal, including in the forest sector, for recognizing and respecting rights of Indigenous Peoples and local communities. A number of international conventions that Nepal ratified and PLRs in the country have explicit and/or implicit requirements and provisions related to FPIC. For example, consultation with Indigenous Peoples is required under the ILO Convention 169 whenever legislative or administrative measures affect them directly.[133] Nepal's second NDC (2020) includes the following target: "*By 2030, institutional mechanisms and structures in place and adequate provision of budget to ensure social and environmental safeguards including Free, Prior and Informed Consent (FPIC); forest tenure and access to finance and technology for local communities, women and Indigenous People…*".

- The Forest Policy (2019) propose strategic actions that require FPIC from affected communities before implementing any projects in forest areas. The MoFE issued a Work Policy to Make Forest Land Available for Other Purposes BS 2063 (2006) that lays out procedures for obtaining consent

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[133] https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_205225.pdf

from CFUGs Executive Committees and General Assembly for conversion of CF lands for any infrastructure development. Rule 107.6 of the Forest Regulation (2022) states that FUGs and other affected local communities shall be notified, and prior informed consent shall be obtained through the process established by the GoN, before any national and international agreements related to SFM-based ER payments/the sale of forest carbon services are made.

- Action 11.2 of the NRS (2018) also mentions FPIC. National FPIC for REDD+ Guidelines have been prepared in 2024 and are under the government approval process. They detail procedures that need to be followed while seeking consent, especially from Indigenous Peoples and local communities who may be affected by REDD+ programs. This will be piloted in the LEAF ER Program area. In particular, the Guidelines mention that the first round of consultation should ensure that the program/project has full understanding of rights, assistance available for rights assurance and mechanisms such as GRMs. In the second round of consultations, the program/project should include various key elements they are seeking consent on and integrate various rights protection standards and plans (e.g. Environmental and Social Management Plan, Indigenous Peoples Plans, Social Inclusion Plans, SEP etc.). They mention that there is a need to obtain FPIC from Indigenous Peoples and local communities at the REDD+ program formulation stage and before the REDD+ program is implemented if the activities directly or indirectly affect them and/or their rights over land, territory and resources and/or their cultural heritage.

Indigenous and traditional skills and knowledge

- Nepal has ratified various international conventions/agreements that define and provide guidance for respecting and protecting knowledge of Indigenous Peoples and local communities namely: the ILO Convention 169; Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits; the CBD, UNDRIP etc. For example, Nepal's NBSAP (2014) included principles that: knowledge, innovations, and practices of Indigenous and local communities play crucial roles in the management of biodiversity; and the legitimate rights of Indigenous and local communities, women, Dalits, and other disadvantaged social groups over local biological resources deserve due recognition.

- More specifically the NBSAP's Traditional Knowledge Strategy A1 calls for development and implementation of programs for the protection and promotion of traditional knowledge, innovations, and practices of Indigenous and local communities relevant to conservation and sustainable use of biodiversity. This Strategy is implemented by the MoFSC with support from NEFDIN and NEFIN. In addition, Nepal's third National Communication to the UNFCCC (2021) also makes several references to traditional knowledge and practices of Indigenous Peoples and local communities.

- Further, the Article 7 of the Nagoya Protocol on Access to Genetic resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS) to the CBD states that "*In accordance with domestic law, each Party shall take measures, as appropriate, with the aim of ensuring that traditional knowledge associated with genetic resources that is held by indigenous and local communities is accessed with the prior and informed consent or approval and involvement of these indigenous and local communities, and that mutually agreed terms have been established*".

- According to the INC Act (2017), the INC is to conduct studies to protect the rights and interests of Indigenous nationalities and has the duty to protect and promote traditional skills, technology and special knowledge existing within the Indigenous nationalities and to assist in its application for commercial use.

- Within the Constitution (2015), a stated policy is "*to make the Indigenous nationalities participate in decisions concerning that community by making special provisions for opportunities and benefits in order to ensure the right of these nationalities to live with dignity, along with their identity, and protect and promote traditional knowledge, skill, culture, social tradition and experience of the indigenous nationalities and local communities*" (Article 51 (j)8). Article 51 (c)(3) is "*to make community development through enhancement of local public participation, by promoting and mobilizing the creativity of local communities in social, cultural and service-oriented works*". Article

32 also grants Nepal's citizens the 'Right to language and culture', including 32(3) *"Each community living in Nepal shall have the right to preserve and promote its language, script, culture, cultural civilisation and heritage".*

- Under the Environment Protection Act (2019), the GoN may formulate and implement an "environment protection plan" for maintaining, conserving, and promoting a clean and healthy environment (Clause 31(1)) and provincial government and local level may make and implement necessary plans for environmental protection (Clause 31(2)). This plan should include traditional and local practices on the protection, conservation, sustainable use of the environment.

- Under the National Forest Policy (2019), policy 8.8.2 calls to record, register and protect the biological diversity and traditional knowledge of Indigenous Peoples and local communities. Similarly, the National Wetland Policy (2012) recognizes the value of Indigenous Peoples' and local communities' knowledge, skills, and practices in the innovations and traditional research for the sustainable management and use of wetland resources (Objective 4.2). Rule 107.2 of the Forest Regulation (2022) also specifies that during the preparation and implementation of forest carbon programs, it must be ensured that there is no adverse effect on the social, economic and cultural rights of the local community or on their traditional knowledge and practises.

- The NEDFIN Act (2002) establishes the functions, duties and powers of the Foundation in Section 6. These include functions on promoting and preserving traditional indigenous knowledge, culture and languages, and to establish archives and schools to teach the languages of indigenous communities.

- The Traditional Knowledge Database of Nepal (TKDN) is an information centre which comprises information about traditional knowledge related to plants. The TKDN documents scattered Indigenous knowledge and practices related to plant resources in a single library to support the conservation, protection, preservation, and dissemination of such types of knowledge, including information from the public domain on uses of plants by local communities.[134]

- In relation to REDD+, the NRS (2018) also includes specific actions related to recognizing and respecting the rights of Indigenous Peoples and local communities including: Action 1.4 to recognize customary forest and pasture management practices and related indigenous knowledge systems and skills by forest and pasture policies and management plans and Action 5.5 on recognizing and integrating traditional and customary knowledge and practices in forest management plans, particularly in CF, CFM and other CBFM.

- In 2015, REDD IC carried out a study on Indigenous Forest and pasture management practices in Nepal[135] to identify suitable customary forest and pasture management categories, approaches and structures to be included in REDD+ programs. The study revealed that major customary institutions include: the Kipat or Subba institution of forest and pasture management; Jimmawal and Mukhiyas institution; the Shingginawa institution of the Khumbu region. Mukhiya, Nora/Rokaya institutions in Karnali region; the Gumba system in Pugmo Village Dolpa, and traditional village councils in Nar and Phu Village of Upper Manang. The study recommended developing a supportive policy environment to recognize and respect Indigenous/customary lands, forests, and pasture resources management system/practices.

- The draft FPIC for REDD+ Guidelines also include provisions related to traditional knowledge and practices. Section 1.2 sets out provisions for mapping of rights holders, stakeholders and their land

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[134] Based on these data further research could be carried out which will support bioprospecting and discovery of new drugs. It was created in fiscal year 2019/2020, and as of June 2022, has compiled 13,464 pieces of information. The Department of Plant Resources (DPR) is responsible within the MOFE with a mandate to maintain this database and is continuously compiling information regarding traditional knowledge.

[135] REDD Implementation Centre (2015). Documentation and assessing customary practices of managing forest resources at local level. Babarmahal, Kathmandu: REDD Implementation Centre, Ministry of Forests and Soil Conservation.

use and knowledge, including genetic resources, and cultural heritage (tangible and intangible) that may be affected by REDD+. It also notes that Indigenous peoples and local communities have the right to refuse to participate in transferring their knowledge in written or recorded form and should be informed in advance to ensure that traditional knowledge is collected only for consultation purposes and will not be shared with any third parties without their consent.

- In the case of ER programs, the FCPF ER-PD includes one intervention dedicated to improving management practices in existing community and collaborative forests building on traditional and customary practices. The proposed LEAF ER Program will include traditional knowledge within the FPIC discussions and will ensure that Indigenous Peoples and local communities are informed on the potential social and environmental benefits and risks of the Program (including those related to traditional knowledge).

Carbon rights

- After the promulgation of the Constitution of Nepal in 2015, the country has been restructured into a three-tiered federal governance system: Federal, Provincial, and Local. Article 57 (1) and Schedule 5(27) of the Constitution identifies carbon services as among areas vested with the federal power, therefore under the responsibility of the federal GoN.

- Various PLRs are relevant to carbon rights in Nepal including:
  - The Civil Code (2017) states that forests, trees, and bushes in the national forests are part of the property deemed to be government property (Section 299).
  - The Forests Act (2019) recognizes carbon services as one of the environmental services generated from forest ecosystems. Section 44 (clauses 1a and 1b) stipulates that the GoN makes provisions for the "*management, utilization and distribution of dividends*" arising from carbon services. Notwithstanding the above, for payments to owners of private forests from the same services, DFOs may make provisions following prescribed conditions (Forests Act (2019), section 44, (2)). The Act also includes a provision for the establishment of a Forest Development Fund as the mechanism to distribute benefits to the rights holders, including forest user groups, Indigenous Peoples and local communities (Section 45).
  - The Environment Protection Act (2019) states that the GoN may participate in carbon trade with mechanisms established by international treaties, any foreign government or organization, business entity or private sector, for carbon emission reductions and storage (Section 28).
  - Section 28 of the Environmental Protection Regulations (2020) stipulates that the GoN can sell carbon reserves in the national or international markets. The only reference made to parties other than the GoN allowed to sell carbon is under the same Section clause 6, which stipulates that "*if a private forest owner wants to include his rightful forest in carbon trade, the ministry may include it in carbon trade on the condition that he will work with such owner in accordance with the action plan*".

- The GoN at the federal level is therefore the primary entity having the capacity/authority to trade emissions reductions from carbon services, and other parties are able to include their forests within the government's trading activities, and to receive dividends thereof, following prescribed plans.

- A number of REDD+ readiness phase studies, including on Drivers of Deforestation and Forest Degradation, carbon ownership, etc provided key information for the development of the NRS. It is a key priority of Nepal's NRS (2018) to ensure that communities that have been managing the forests are entitled to benefit from the sale of carbon stored in the forests under clarified usufruct rights. It states that CFUGs (comprising Indigenous Peoples and other stakeholder groups such as Women, Dalits and other marginalized groups) have the right to develop, conserve, manage and use the forests handed over to them. That means forest carbon rights of CFUGs can be similar to the rights to other products and services produced by forests and can be attributed to management inputs. This might address the CFUGs and other stakeholders' concerns on the carbon rights- that Communities who managed the forests and help reduce the forest-based emissions should have the carbon rights.

How the safeguard is respected

Rights of Indigenous Peoples and local communities

- Stakeholders, especially CBFM groups have had access to, use of, and management control over forest land and resources. In recent years, more than 30,000 CBFM Groups covering more than 4 million households are managing more than 2.5 million hectares of forest in the country.[136]

- Stakeholder engagement mechanisms have been established to support REDD+ governance which promote the participation of Indigenous Peoples and local communities including NRSC, NRCC, the REDD+ Stakeholder Forum. All have included representatives from Indigenous Peoples, local communities and more details are provided under safeguard D.

- There is not much information yet on how REDD+ programs promote and contribute to establishing and securing statutory rights to lands, territories, and resources but information will be demonstrated in the future through the progress of actions in the revised and updated NRS and other relevant REDD+ programs/projects documents.

- For the FCPF ER Program, an extensive consultation approach was utilized, following the Guidelines on Stakeholder Engagement in REDD+ Readiness (2012)[137] and covered institutional arrangements, benefit sharing, roles of stakeholders, carbon and non-carbon benefits, safeguards, and strategies for implementation of ER activities. A total of 822 participants from different ethnic and caste backgrounds were involved in the district level consultation process during ER-PD development. Brahmin and Chhetri participation amounted to 44% followed by 28% for Indigenous Peoples, 21% for Madhesis and 7% from Dalit backgrounds. There was 80% male and 20% female participation[138]. A total 91 participants (male: 61; female: 30) were involved in focus group discussions on the ER-PD (including Indigenous Peoples: 33; Dalit: 20; and Madheshi: 6).[139]

- For the LEAF ER Program, consultations and a FPIC process for Indigenous Peoples, local communities and other stakeholders, conducted through a 3rd party NGO in the 36 districts of the ER Program. Consultations in Gandaki and Bagmati provinces were held in May and June 2023 with the participation of a total of 229 stakeholders (including 25% representing FECOFUN, 14% representing NEFIN, 13% representing local governments, 32% representing DFOs and 16% representing others like Dalits, local media, private owners, and entrepreneurs). Participants were informed about the ER Program, including role of different stakeholders; proposed interventions; carbon, tenure and customary rights, possible benefits and unintended outcomes; safeguards; benefit sharing; and GRMs. Participants were asked for their concerns and opinions on the FPIC process, institutional mechanisms, carbon rights, etc. Another round of consultations in Gandaki and Bagmati provinces were completed in June 2024, and final stage consultations at multiple levels were completed during August 2024 to April 2025.

- In the case of other relevant projects, according to its ESMF, the GCF supported BRCRN project is expected to directly benefit 750 local community-based organizations/user groups, comprising at least 173,160 households with over 831,168 people in 26 of the most vulnerable river systems in the Churia Region. The activities have been designed to ensure the participation of Indigenous Peoples and local communities including participation targets are described under safeguard D.

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[136] http://journals.grassrootsinstitute.net/journal1-natural-resources/vol-3/issue-2/nr.03-02-2.ghimire-lamichhane.pdf
[137] https://www.forestcarbonpartnership.org/system/files/documents/Guidelines%20on%20Stakeholder%20Engagement%20April%2020,%202012%20(revision%20of%20March%2025th%20version).pdf
[138] ER-PD of the FCPF ER Program. Table 66

[139] Ibid, Table 70

Free and Prior Informed Consent

- FPIC is required for ER programs in Nepal, and an FPIC guideline for REDD+ ER program (2024) was piloted for the LEAF ER Program. In the case of the FCPF ER Program, its first ERMR report was produced in 2023, which is still under verification and validation process and the annex on implementation of safeguards is not yet available publicly.

- As per Nepal's PCI (C2.3), *"no relocation shall take place without the Free, Prior, and Informed Consent of affected stakeholders, and where any relocation or displacement occurs, there is prior agreement on the provision of alternative lands and/or fair compensation".* No information is available yet on any case of relocation but in the case of the FCPF ER program, land acquisition or involuntary relocation is not supported (according to the ESMF).

- There will be no involuntary relocation under the LEAF ER Program and FPIC process will be strictly followed for any voluntary relocation (if any). Any relocation incident will be tracked in future through FPIC process including FPIC obtained; complaints on relocation submitted to GRM and status of resolution; any reports/investigations into allegations of involuntary relocation etc.

Indigenous and traditional skills and knowledge

- Nepal currently has limited information on the protection of traditional knowledge during REDD+ implementation. In the case of the FCPF ER Program, REDD+ actions were designed following a consultation process with all the stakeholders including Indigenous Peoples and local communities. All the concerns and issues related to the proposed actions raised were discussed and resolved during the design phase of the ER-PD of the Program.

- For the LEAF ER Program, at this stage, the draft stakeholder mapping report identifies a set of Indigenous Forests Management Practices (IFMPs) in Chitwan, Nawalparasi, Gorkha, Tanahu, Makawanpur, Myagdi, Baglung, Sindhupalchowk and Dolakha districts in the three LEAF provinces (Bagmati, Gandaki and Lumbini), based on the REDD IC 2015 study. REDD IC further organised consultations aimed at informing stakeholders about the proposed Program, possible outcomes, and implications, and to consult them on their related concerns, including safeguards and proposed the stakeholders to be invited for this first round of consultations: FECOFUN, NEFIN, DFO, Dalit, Women groups and local governments were key stakeholders selected for the consultations. The next round of consultations, linked to FPIC, is currently underway in all three provinces and relevant districts of the LEAF Program area. More information is provided under safeguard D.

Carbon rights

- As noted above (under address section), the GoN at the federal level is the primary entity governing carbon services and with the authority to trade emissions reductions/removals from carbon services, and other parties are able to include their forests within the government's trading activities, and to receive benefits.

- Nepal's PCI, indicator specifically refer to carbon rights (indicator C1.4.2, see below). The procedures and frameworks for ER programs, such as ESMF, resettlement policies, etc, as well as FPIC processes and BSPs, ER program monitoring reports, and data on transfer of ERs and distribution of benefits will form the main instruments for implementing and monitoring aspects related to the recognition of carbon rights.

- For the FCPF ER Program, the GoN, supported by the ER-PD development team, followed an extensive, bottom-up consultation approach that generated feasible district- and community-level activities. All consultations were carried out following the "Guidelines on Stakeholder Engagement in REDD+ Readiness" on topics ranging from institutional arrangements, benefit sharing, and roles of stakeholders, carbon and non-carbon benefits, safeguards, and ER activities. (See also sections on FPIC and stakeholder consultation).

- For the LEAF ER Program, and as mentioned above, consultations and a FPIC process for Indigenous Peoples, local communities and other stakeholders have been completed. Stakeholders' consultations in the Gandaki and Bagmati provinces were held in May and June 2023 with the participation of a

total of 229 stakeholders representing different needs, interests and categories where participants were informed about the ER Program, including on carbon rights. Another round of consultations in Gandaki and Bagmati provinces were completed in June 2024, and further consultations at multiple levels were completed during August 2024 -April 2025, including consultations to seek consent.

Criteria and indicators

The following criteria and indicators set out how the principle is to be addressed and respected in Nepal, and will be reported on in more detail in the future:

Under criterion C1, The REDD+ Strategy and programs identify different right holders and respect both statutory and customary rights to lands, territories, and resources, which Indigenous Peoples and local communities have traditionally owned, occupied or otherwise used or acquired:

- *C1.1 Policies and procedures of the REDD+ Strategy and programs include recognition of protection of and respect for statutory and customary rights, as per prevailing laws, in gender sensitive, socially inclusive and participatory way (Address)*

- *C1.2 REDD+ programs undertake an effective and transparent process to identify and map all relevant rights holders, including Indigenous Peoples, local communities, women and Dalits, their statutory and customary rights over and to access lands, territories and resources and cultural and spiritual sites (Address)*

- *C1.3 REDD+ programs promote and contribute to establishing and securing statutory rights to lands, territories and resources (Respect)*

- *C1.4 The REDD+ Strategy and programs promote sustainable forest management and community-based forest management systems, including recognition of and respect for the rights of Indigenous Peoples and local communities within forest management and land use plans (Respect)*

Under criterion C2, The Free, Prior and Informed Consent of Indigenous Peoples and local communities is required for any REDD+ programs or actions affecting their rights to lands, territories and resources:

- *C2.1 The process of obtaining Free, Prior and Informed Consent is developed collectively by stakeholders, rights holders, and the REDD+ implementing agencies (Address)*

- *C2.2 Free, Prior, and Informed Consent is obtained from Indigenous Peoples and local communities for their participation in any REDD+ programs or actions affecting their rights to lands, territories and resources (Respect)*

- *C2.3 No relocation shall take place without the Free, Prior, and Informed Consent of affected stakeholders, and where any relocation or displacement occurs, there is prior agreement on the provision of alternative lands and/or fair compensation (Respect)*

Under criterion C3, The REDD+ Strategy and programs recognize and respect the knowledge and practices of Indigenous Peoples and local communities:

- *C3.1 Legal framework is in place for recognizing and respecting the culture, traditional knowledge and practices of Indigenous Peoples and local communities in the context of REDD+ (Address)*

- *C3.2 Policies and procedures for the REDD+ Strategy and REDD+ programs promote and uphold respect for the culture, sites, traditional knowledge and practices of Indigenous Peoples and local communities, in a participatory manner (Address)*

- *C3.3 Traditional knowledge, skills and practices, as well as cultural/ spiritual sites, of Indigenous Peoples and local communities are respected and promoted through the design and implementation of REDD+ actions (Respect)*

Under criterion C4, Carbon rights in relation to REDD+ are clearly defined and respected in the design and implementation of REDD+ programs, based on statutory and customary rights to lands, territories and resources*:*

- *C4.1 Carbon rights are defined and regulated as per the prevailing laws of the country (Address)*

- *C4.2. REDD+ programs implement policies and procedures to recognise and allocate rights to carbon, including private ownership if relevant, based on the statutory and customary rights to the lands, territories and resources in areas that generate the greenhouse gas emissions reductions and removals (Respect)*

Gaps and measures to address gaps

- Nepal's NRS (2018-2022) stated that the existing legal framework of the forestry sector and protected areas did not adequately recognize the customary rights of Indigenous Peoples over forest resources. There are also limited regulatory requirements for procedures like mapping tenure. This issue is starting to be addressed through the Forest Regulation (2022) (on customary practices) and the development of the FPIC guidelines and was discussed during the recent review of the NRS. The development of the revised NRS and piloting of the FPIC guidelines provide opportunities to further address this issue.

- Although there are legal provisions related to the traditional knowledge and customary practices of forest management by Indigenous Peoples and local communities, more information is needed about their implementation. Despite the legal provision (Forest Regulation 15 and Annex 24)), as yet few Forest Operational Plans incorporate traditional and customary practices. DFOs should ensure that traditional knowledge and customary practices are included in the Forest Management Plans before they approve the revised Plans.

- Until 2023, there had been no national level guidance in place related to FPIC for REDD+. The draft FPIC for REDD+ Guidelines was developed and began piloting in 2024. The Guidelines are a 'living document' and will be revised based on the learnings and feedback during the implementation in the field.

Safeguard D: The full and effective participation of relevant stakeholders, in particular Indigenous Peoples and local communities

Narrative description: The REDD+ Strategy and programs ensure full and effective participation of relevant stakeholders including rights holders, in particular Indigenous Peoples, Women, Dalit, Madhesi and youth, Peoples with disability and forest- and land-dependent local communities.

Core elements of the interpretation are:

- Identifying relevant stakeholders and ensuring their full and effective participation (see also safeguard C).

- Providing information about all REDD+ programs and REDD+ activities in appropriate languages and channels (see also safeguard B).

- Ensuring that relevant stakeholders and rights holders are aware of their rights and the provisions of relevant PLRs and procedures.

- Consulting with relevant stakeholders and rights holders in an appropriate manner, including through culturally sensitive, gender-sensitive, and inclusive ways, to obtain their opinions on program goals and issues.

- Consulting with relevant stakeholders and rights holders' representative organizations, including traditional authorities, community organizations and Indigenous People's organizations.

- Fully respecting Free, Prior Informed Consent (FPIC) principles (see also Safeguard C).

Roles & responsibilities

- The federal GoN, provincial and local governments and all machineries under these governments including the institutions responsible for the REDD+ programs are responsible for ensuring the full and effective participation of relevant stakeholders, in particular Indigenous Peoples and local communities including Women, Dalit, Madhesi and Youth, Peoples with disability and forest and land dependent local communities in development programs/projects including the REDD+ programs.

- The MoFE and the REDD IC are especially responsible for ensuring the full and effective participation of all stakeholders including Indigenous Peoples and local communities (Women, Dalit, Madhesi and youth, Peoples with disability and forest and land dependent local communities) in designing and implementing the REDD+ program.
- The executive committees of all stakeholder and right holder groups are also responsible to ensure the full and effective participation of their representatives in designing and implementing the REDD+ program.

Principle D: All relevant stakeholders participate fully and effectively in the REDD+ Strategy and programs, in particular Indigenous Peoples and local communities

How the safeguard is addressed

Identifying and recognizing relevant stakeholders/rights holders and their rights

- Nepal has ratified many international conventions and has obligations to promote and implement these provisions as per the Nepal Treaty Act (1990).
- Relevant PLRs and International Conventions relevant to Indigenous Peoples and local communities including their identification and their rights are listed under Safeguard C.
- The FPIC for REDD+ Guidelines set out steps for mapping of stakeholders, rights holders, their rights related to land, property, forests and other natural resources and customary rights (if any) as well as land use status and knowledge, which include (a) preliminary review or mapping of key factors relevant to the FPIC process (b) review of relevant documents, data collection and mapping and spatial analysis and (c) full and effective participation of stakeholders and rights holders in the process.
- More information on the identification and mapping of relevant rights holders, including Indigenous Peoples, local communities, women and Dalits and their rights is provided under safeguard C above.

Full and effective participation

- Nepal has ratified international conventions and agreements recognizing the full and effective participation of all stakeholders including Indigenous Peoples and local communities and therefore has obligations to promote and implement these provisions as per the Nepal Treaty Act (1990). For example:
  - Article 21 (1) of the UNDHR declares that "*Everyone has the right to take part in the government of his country, directly or through freely chosen representatives*".[140]
  - Article 25 (1) of the United Nations International Covenant on Civil And Political Rights says "*Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions to take part in the conduct of public affairs, directly or through freely chosen representatives*".[141]
  - Principle 10 of the Rio Declaration on Environment and Development (1992) states that environmental issues are best handled with the participation of all concerned citizens, at the relevant level.[142]
- The Constitution of Nepal (2015) as well as other policies and strategies including the Forest Policy (2019), Forests Act (2019), Forest Regulation (2022), Forestry Sector Strategy (2016-25), National Environment Policy (2019), Environment Protection Act (2019), National Climate Change Policy (2019), NRS (2018), NBSAP (2014), Long-term strategy for Net-zero Emissions (2021), 15th National Plan (2019-2024) and recently approved 16th National Plan (2024-2029) all have provisions

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[140] https://www.un.org/en/about-us/universal-declaration-of-human-rights
[141] Ibid
[142] https://www.un.org/en/conferences/environment/rio1992

on recognizing the rights of all relevant stakeholders to participate fully and effectively, including timely access and culturally appropriate information prior to consultations. For example, the Constitution (2015) guarantees making public administration accountable and participatory and includes special clauses on rights of women and rights of Dalits. The National Environment Policy (2019) emphasizes mobilizing people's participation in environmental conservation and sustainable natural resource management (Objective 7.6), and Rule 107 of the Forest Regulation (2022) makes FPIC mandatory before any national and international agreements related to ER payments can be reached.

- The Good Governance (Management and Operation) Act (2008) provisions for stakeholder participation in decision-making, including Sec. 28, which gives the option for GoN to arrange for any project/ programme to have direct participation and ownership by citizens, and Sec. 30 and 31 on public hearings and grievance management.

- The Local Government Operation Act (2017) also specifies in Sec. 24 that rural municipalities should formulate and develop their plans with participation from stakeholders including Dalits and those from 'marginalised and endangered communities'. Sec. 25 of this act requires local governments to work in coordination with NGOs and social and community organisations.

- The GESI Strategy for the Forest Sector (2008)[143] provides guidelines to improve the participation of women in decision-making processes (described in more details under safeguard B above). Following the GESI Strategy, the MoFSC amended the Community Forest guidelines in 2009, including a requirement for at least 50% of female representation in the committees of CFUGs.

- CBFM regimes, where forests are managed collaboratively with community stakeholders, have also been used in Nepal since the 1970s, and currently include the categories of: Community Forest, Leasehold Forest, Collaborative Forest management, Religious Forest, Protection Forest and Buffer-zone Community Forests. Collaborative forestry shares the use rights of forest resources among the communities, and local and central governments, with joint management of forests by DFOs, local governments and Forest User Groups.

- User or CBFM groups are the key governance unit, made up of representatives selected from multiple wards (including women, Dalit and Aadibasi Janajati). The modalities of these various CBFM regimes are set out in the Forests Act (2019) as well as the Leasehold Forest Rules (1978) and Buffer Zone Management Rules (1996). For example, protected forests are managed by Forest Management Councils that allow local people's participation that can be defined in PF management plans, and Buffer Zone Community Forest (BZCFs) can be established in Buffer Zones of PAs. CFUGs are made up of representatives of households and include a General Assembly. Rule 42 (8) of the Forest Regulation (2022) requires that at least 50% of the 15-member working committee of CFUGs must be women, including either one post of chairperson or treasurer and one post of vice-chairperson or secretary.

- FECOFUN is a formal network of FUGs from around the country, and currently includes 22,415 CFUGs covering 2.9 million households, as well as affiliated leasehold forestry groups, religious forestry groups, buffer zone and traditional forest management groups[144]. FECOFUN develops and revises its policies in consultation with its members at the various levels, and has a GESI Strategy and Action Plan, which aims to mainstream the inclusion of Indigenous Peoples, Dalits, women, the disabled, poor and minority communities. FECOFUN associations extend to province, district and local levels with around 15,000 members elected across FECOFUN chapters that seeks 50% women's representation, including in key positions.

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[143] https://policy.asiapacificenergy.org/sites/default/files/Forest%20Sector%20Gender%20and%20Social%20Inclusion%20Strategy%20%28EN%29.pdf

[144] https://fecofun.org.np/about/

- Strategy 10 of the NRS (2018) aims to ensure adequate representation and participation of women, Indigenous Peoples, Madhesis, Dalits, local communities, private sector and forest-dependent poor in relevant decision-making processes through policy provisions, institutionalization and capacity development. The strategy also seeks stakeholder consultations in line with FPIC as per the national and international decisions, and provides for the involvement of local communities managing forests in monitoring of REDD+ activities.
- The NRSC, which ensures coordination across different sectors and actors, has representation from all stakeholders including Indigenous Peoples and local communities. There are also two peripheral mechanisms, a Stakeholder Forum and a REDD+ CSOs & IPOs Alliance, which were established to develop a common understanding on REDD+ among stakeholders including women, Indigenous Peoples organizations (IPOs), Madhesis, Dalits, and civil society organizations.
- Stakeholder engagement processes have also been designed and implemented as part of Nepal's ER programs and related projects:
  - FCPF ER Program: extensive stakeholder consultations were conducted during the ER-PD development phase (September 2016) to generate feasible district- and community-level activities. All consultations were carried out following the Guidelines on Stakeholder Engagement in REDD+ Readiness (2012)[145] on topics ranging from institutional arrangements, benefit sharing, and roles of stakeholders, carbon and non-carbon benefits, safeguards, and ER activities. A Gender Action Plan (GAP) (2017) was developed by the Women Organizing for Change in Agriculture and Natural Resource Management to provide baseline information and to identify opportunities through REDD+ interventions.[146] The GAP includes information on the status and gaps for gender integration in REDD+ and forestry in Nepal, a gender assessment, and recommendations for the ER-PD. The Program's ESMF details the mechanisms for stakeholder engagement, including through public meetings; information/awareness campaigns; groups, civil society organizations, and NGOs; interviews/surveys in project-affected households; focus groups, etc. The Program also aims to expand CBFM regimes; according to the ER-PD, clear guidelines for SFM by CBFM groups will be developed, and DFOs will then work with these groups to improve and update their forest management plans. Forest management plans will be developed with the participation and engagement of local communities and Indigenous Peoples, private sector and local government agencies.
  - A Dedicated Grant Mechanism for Indigenous Peoples and local communities in Nepal, the DGM Nepal Project,[147] is part of a global initiative launched by the Climate Investment Fund and the World Bank. DGM Nepal is strengthening engagement with Indigenous Peoples and local communities in the Forests for Prosperity (FFP) program, REDD+ and other climate change-oriented programs, and it promotes SFM by securing the right to customary practices and increasing the income of forest-dependent communities in Madhesh and Lumbini provinces. The program includes a wide range of stakeholders at the national and sub-national levels, including relevant ministries, local governments and civil society and IPOs. A Stakeholder Engagement Plan (SEP)[148] sets out stakeholder engagement and communications activities aiming to ensure that all the stakeholders and communities in the project area are informed, consulted, and mobilized, and to meet World Bank safeguards.

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[145]https://www.forestcarbonpartnership.org/system/files/documents/Guidelines%20on%20Stakeholder%20Engagement%20April%202020,%202012%20(revision%20of%20March%2025th%20version).pdf

[146]https://www.forestcarbonpartnership.org/system/files/documents/Final%20Report%20and%20Gender%20Action%20Plan_FCPF.pdf

[147] https://dgmnepal.org/en/about-us/

[148]https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fdocuments1.worldbank.org%2Fcurated%2Fen%2F488691583855357506%2FStakeholder-Engagement-Plan-SEP-Investing-in-Forests-for-Prosperity-at-a-Time-of-Transformation-P170798.docx&wdOrigin=BROWSELINK

- Under the GCF project BRCRN, a GAP was developed in 2019[149] to mainstream gender-related measures, ensuring that gender-related risks are avoided or mitigated, and to maximize climate and development co-benefits. More information is provided under Safeguard B.
- For the LEAF ER Program, the first round of consultations was held in May/June 2023 to with stakeholders of different levels (i.e., federal to local) and categories including government agencies, forest users, private forest owners, Indigenous Peoples, and local communities, at the stage of developing the ER Program interventions and the TREES Registration Document. Consultations have continued at various levels in 2024-2025 following the draft FPIC for REDD+ Guidelines. RECOFTC completed a Stakeholder Mapping/Analysis including rights holders for the Program (more information on the stakeholder mapping and the FPIC Guidelines is provided under Safeguard C). As part of the implementation of some of the planned LEAF ER Program activities, local communities will be involved in collecting forest-level information. Forest-level data collection is already a central component of DFO and CFUG activities.
- Information related to gender equality is provided under Safeguard B. Access to Grievance Redress Mechanisms, another key element of stakeholder engagement, is described under safeguard B.

Information sharing

- Safeguard B above provides information on how the "right to information" has been addressed, and respected.
- The FPIC for REDD+ Guidelines provide procedures that need to be followed during consultation with stakeholders, aimed at ensuring that information about REDD+ programs activities is provided in appropriate languages and channels, that relevant stakeholders and rights holders are aware of their rights, and that consultations are conducted in an appropriate way. Prior to consultations, an information package on the proposed project/program should be prepared and shared with the identified stakeholders and their representatives. Details about the proposed program, its interventions, GRM, Benefit Sharing Mechanism, and the FPIC process should be presented and discussed with stakeholders.

How the safeguard is respected

Identifying and recognizing relevant stakeholders/rights holders and their rights

- The REDD+ Readiness Preparation Plan[150] under the FCPF ER Program, identified various stakeholders of the REDD+ program. These were grouped into 7 categories and include: (1) Government and government institutions, (2) Private sector, (3) Civil society, (4) Tribal and Indigenous Peoples and other forest dependent groups, (5) Groups directly connected with forest for livelihood sustenance, (6) Vulnerable groups, and (7) Academic and research institutions. Stakeholder mapping for the LEAF ER Program area include different stakeholders' groups in Federal and Provincial level. These include:
  - Federal Level: Government Institutions, Civil Societies and Networks, Academia (Faculties of Forest and Environment), and Private Sectors.
  - Provincial Level: State Actors, Non-state Actors (Civil Societies and Networks), Academia (Faculties of Forest and Environment), and Private sectors.

- For the LEAF ER Program, initially based on stakeholder mapping reports prepared during the REDD+ readiness phase, FECOFUN, NEFIN, DFO, Dalit, Women groups and local governments were key stakeholders selected invited for the consultations. The draft stakeholder mapping report

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[149] https://www.greenclimate.fund/sites/default/files/document/gap-fp118.pdf
[150] https://www.forestcarbonpartnership.org/system/files/documents/R-PP_Nepal_revised_October.pdf

for the LEAF ER program area identifies stakeholders and rights-holders at Federal level and in each province, including Indigenous Peoples in the program area namely, Tharu, Magar, Gurung, Tamang, Newar, Dhimal, Tajpuriya, Rajbanshi, Gangai, Majhi, Kumal, Darai, Chepang (Praja) and Danuwar. The draft report notes that Indigenous People's make up the largest segment, followed by high caste hill Brahmins and Chhetris, while Dalits and Muslims are small groups in the area.

Full and effective participation and information sharing

- CBFM is a key policy in Nepal's forest sector, and a key strategy for REDD+ implementation. In recent years, more than 30,000 CBFM Groups covering more than 4 million households are managing more than 2.5 million hectares of forest in the country[151].

- The stakeholder engagement mechanisms established to support REDD+ governance promote the participation of Indigenous Peoples and local communities. The National REDD+ Steering Committee (NRSC), the Provincial REDD+ Coordination Committee (PRCC), NRCC, PRCC and the REDD+ Stakeholder Forum have all included representatives from Indigenous Peoples, local communities and civil society. For example, the NRSC shall include up to 6 representatives from the organizations of women, Indigenous Peoples, local communities, Madhesis, Dalits and private sector. A 2018 study on representation and participation of non-state actors in REDD+ structures in Nepal found through workshops and interviews that "their degree of participation, quality of information, understanding and interpretation, and power relations in deliberations vary, most particularly among the user networks of indigenous peoples, forest user groups, Dalits and women"[152]. Interviewees reported that NEFIN were able to participate and provide substantive inputs through their participation in REDD+ governance structures and have advocated for increased inclusion of Indigenous Peoples views and concerns in REDD+ policies and programmes, including through the publication of a position paper[153]. Meanwhile, interviewees reported that the degree of participation by women (through HIMAWANTI) and Dalits (through DANAR) was more limited.

- To inform the development of the NRS (2018), consultations to gather views on REDD+ Strategy Options and to identify available data and sources, were undertaken at national and district levels, engaging with key relevant government ministries and agencies, private sector bodies, NGOs, and civil society and community-based organizations (including those representing marginalized and disadvantaged groups). National-level consultations in November-December 2013 involved different stakeholder groups and individual organizations (government departments, CSO and IP organizations, NGOs, and private sector bodies). Regional and local level consultations were held in 2013 in Makawanpur, Chitwan, Parsa and Bara districts. REDD+ pilot projects/programs were visited and focus sessions organized with Indigenous, marginalized, and disadvantaged groups, Dalits and women. A consultation report was also circulated to participants for comment and revised to incorporate feedback. Review and update of the NRS is underway in 2024. Review consultations were led by REDD IC with REDD+ related stakeholders and rights-holders, Indigenous Peoples, women, government sectors and other key stakeholder groups. The consultations aimed at collecting feedback, inputs, and experiences, including experts, federal and provincial level government officials, CSO networks (e.g., FECOFUN, ACOFUN, etc.), Indigenous Peoples' Organizations (e.g., NEFIN and NIWF), and women's organisations, Dalits, Madhesis, and the private sector. Altogether 10 consultations were carried out (seven in Kathmandu and three in the FCPF ER Program area) with a total of 218 participants (21% and 27% were women and Indigenous Peoples respectively).

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[151] http://journals.grassrootsinstitute.net/journal1-natural-resources/vol-3/issue-2/nr.03-02-2.ghimire-lamichhane.pdf

[152] Satyal, P., Corbera, E., Dawson, N., Dhungana, H., & Maskey, G. (2018). Representation and participation in formulating Nepal's REDD+ approach. *Climate Policy*, *19*(sup1), S8–S22. https://doi.org/10.1080/14693062.2018.1473752

[153] Sherpa, P. D., & Rai, T. B. (2013). Experience of Nepali indigenous peoples on Free, Prior and Informed Consent (FPIC). *Journal of Forest and Livelihood*, *11*(2), 82–86. doi:

- The FCPF R-PP also provides information on the consultations conducted during the R-PP development process:
    - A national-level awareness workshop in May 2009.
    - Thirteen institutions, including community federations, civil society organizations, national associations, academic institutions, private consulting firms and the REDD-Forestry and Climate Change Cell were involved in carrying out the consultation process.
    - In total, 57 workshops (17, 13 and 27 at the local, regional, and national level respectively) were conducted targeting a range of stakeholders. Four of these workshops were held with Indigenous Peoples, three with women and one with Dalit communities. A total of 3,075 individuals participated in these workshops.
        - Expert consultations, with 105 individuals consulted, including forestry experts, environmental layers, donors, private sector, government officials, Indigenous Peoples, media representatives, journalists, project staff, forest users' federations, Dalits, training and extension specialists, academics, and researchers.
- For the FCPF ER Program, relevant stakeholders including Indigenous Peoples and local communities participated in the design phase, and the ER-PD provides details of stakeholder participation at different levels. For example, the GAP team, comprised of WOCAN, HIMAWANTI and REDD IC, obtained data from 585 members (384 women and 201 men) from CBFM groups in 6 Terai and 1 hill district/s, and held a multi-stakeholder meeting in Kathmandu. Consultations on the BSP were held at the federal level with a total of 45 participants (29 men; 16 women).[154]
- Consultation meetings for the development of the ESMF were also documented.[155] A total of 822 participants were involved in the district level consultations during the ER-PD development, with Brahmin and Chhetri making up 44% followed by 28% Indigenous Peoples, 21% Madhesis and 7% Dalit backgrounds (averaging 80% Male and 20% female). In addition, 91 participants (male: 61; female: 30; Indigenous Peoples: 33; Dalit: 20; and Madheshi: 6) were involved in focus group discussion. Six REDD+ Trainings of Trainers (ToTs) were conducted in 12 districts in 2017, with a total of 114 participants (of which 65% were from CSOs, 35% from government agencies, and 32% were female). According to the draft 1st ERMR (2023), communities were involved and encouraged to participate in forest resource assessment and national forest monitoring system, e.g. getting access to plot location, species identification, and understanding the characteristics of deforestation and forest degradation. The FCPF ER Program published its ERMR in November 2023, which isunder verification and validation process and Annex 1: Information on the implementation of the Safeguards Plans, which is expected to provide information on implementation of the ESMF, FPIC and respect of Indigenous Peoples and local communities rights, is not yet available.
- In the case of other relevant projects, the ESMF of the GCF-supported BRCRN project states that it is expected to directly benefit 750 local community-based organizations/user groups, comprising at least 173,160 households with over 831,168 people in 26 of the most vulnerable river systems in the Churia Region. Various activities have been designed to ensure the participation of Indigenous Peoples and local communities. For example, nurseries will be developed in line with GESI principles, promoting equitable employment opportunities for women, Indigenous Peoples, Dalits

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[154] With representatives of the South Asia Institute for Advanced Studies (SIAS), The Centre for People and Forests (RECOFTC), the Nepal Foresters' Association (NFA), the Nepal Federation of Indigenous Nationalities (NEFIN), FECOFUN, ACOFUN, the Dalit NGO Federation (DNF), the Rastriya Dalit Network (RDN), the Dalit Alliance for Natural Resources (DANAR), the Himalayan Grassroots Women's Natural Resource Association (HIMAWANTI), the National Indigenous Women Forum (NIWF), the Community-Based Forestry Supporters' Network, Nepal (CoFSUN), and the International Watershed Management Institute (IWMI).
[155] https://www.forestcarbonpartnership.org/system/files/documents/NEPAL%20ER%20Program%20ESMF%20October%202019%20for%20FCPF%20website.pdf

and marginalized groups. They have also established a minimum participation target based on proportional representation of highly vulnerable groups, including Indigenous Peoples (31%) and Dalits (13%).[156]

- For the LEAF ER Program, the first rounds of consultations were completed in 2023 with the participation of a total of 229 stakeholders (including 25% representing FECOFUN, 14% representing NEFIN, 13% representing local governments, 32% representing DFOs and 16% representing others like Dalit, local media, private owners, and entrepreneurs). Further consultations at the local and district, provincial and national levels were completed during the period of August 2024- April 2025 focusing to obtain feedback from Indigenous Peoples, local communities, and other stakeholders on the proposed program, and to ascertain consent. The implementation of some of the planned LEAF program activities will also involve local communities, e.g., measuring and monitoring activities, which will strengthen and enhance the engagement of local communities and Indigenous Peoples in the monitoring of forest carbon stocks on the ground. Details of the consultations and outcomes are provided in Appendix 1.

- Access to information is also covered under Safeguard B above.

Criteria and indicators

The following criteria and indicators set out how the principle is to be addressed and respected in Nepal, and will be reported on in more detail in the future:

Under criterion, D1, The REDD+ Strategy and programs recognize the rights of relevant rights holders and stakeholders, including Indigenous Peoples and local communities, to fully and effectively participate in the design, implementation and monitoring of REDD+:

- *D1.1 Legal framework for identifying and recognising Indigenous Peoples and local communities and their rights is in place (Address)*

- *D1.2 The REDD+ Strategy and programs identify and map in a participatory manner all relevant rights holders and stakeholders, including Indigenous Peoples, local communities, women and Dalits, with their interests and relevance to the programs (Address)*

- *D1.3 REDD+ Programs implement policies and procedures to recognise the rights of Indigenous Peoples, local communities, women and Dalits to participate in the programs (Address)*

Under criterion D1.2, The REDD+ Strategy and programs ensure the full and effective participation of all relevant rights holders and stakeholders in design, implementation, monitoring and evaluation:

- *D2.1 Culturally and gender sensitive processes, institutional structures, and communications channels are in place to support the full and effective participation of all relevant rights holders and stakeholders in the design, implementation, monitoring and evaluation of REDD+ actions (Address)*

- *D2.2 Where appropriate, customary institutions and decision-making processes of Indigenous Peoples and local communities are reflected and integrated into REDD+ and relevant forest sector plans and processes (Respect)*

- *D2.3 Stakeholder groups are equitably represented in REDD+ governance structures, forest management and participatory processes, with particular attention to Indigenous Peoples, local communities, women, Dalit and other marginalised groups[157]; stakeholder representatives are transparently selected and accountable to their stakeholder constituencies (Respect)*

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[156]https://openknowledge.fao.org/server/api/core/bitstreams/9b13b19b-7c9a-4221-8de3-17aa5a4eed32/content

[157] 'Other marginalised groups' includes youth, the elderly, disabled people, disaster-affected groups and landless poor people. This cannot be defined for all contexts as the use of this term may vary across the country and per REDD+ action.

- *D2.4 Feedback or inputs from rights holders and stakeholders are recognized and adopted in REDD+ Strategy and program design and implementation (Respect)*
- *D2.5 Stakeholders and rights holders, including Indigenous Peoples, members of local communities, women Dalits, and members of other marginalised groups participate in the design, implementation, monitoring and evaluation, and benefit sharing of the REDD+ Strategy and programs (Respect)*

Under criterion D3, REDD+ implementing agencies ensure that rights holders and stakeholders are provided with information about REDD+ programs and actions in a culturally appropriate, gender sensitive and timely way, and that they have the capacity to participate fully and effectively in program design, implementation, monitoring and evaluation:

- *D3.1 Legal framework is in place to support information sharing about REDD+ (Address)*
- *D3.2 The REDD+ Strategy and programs identify target recipients of information and establish culturally appropriate and gender-sensitive information sharing channels and mechanisms (Address).*
- *D3.3 Information on REDD+ design, implementation, monitoring, evaluation and safeguards, and on relevant rights and legal provisions, is effectively and transparently shared with rights holders and stakeholders in culturally appropriate, gender sensitive and timely ways including use of local language/s wherever possible (Respect)*
- *D3.4 REDD+ programs identify the capacity needs of relevant rights holders and stakeholders and provide support to enable them to participate fully and effectively in REDD+ design, implementation, monitoring and evaluation, with special attention to Indigenous Peoples, local communities, women, Dalits and marginalised groups (Respect)*

Gaps and measures to address gaps

- Although substantial information on stakeholder participation is available for the design stage, information on participation, including for Indigenous Peoples and local communities in implementing and monitoring REDD+ programs is not yet available, but it is expected in the future.
- Although Nepal's PCI refer to 'members of other marginalised groups', as specified in indicator D2.5, these stakeholders have not been formally defined. Other key stakeholder groups, including marginalised groups, is expected to differ across different projects and programs. However, there is a need to better disaggregate data on all relevant groups in future safeguards monitoring and reporting.
- Stakeholder engagement processes have been conducted and documented for Nepal's various REDD+ programs, as well as the NRS development and review process in 2024. However, regular and consistent opportunities for participation in REDD+ decision-making and safeguards, and fully functioning stakeholder engagement platforms, are also needed, particularly for Indigenous Peoples, local communities and CSOs. Review and strengthening of stakeholder engagement mechanisms is planned for 2025.

Safeguard E: Actions are consistent with the conservation of natural forests and biological diversity, ensuring that actions referred to in paragraph 70 of this decision are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits

Narrative description: REDD+ actions under the National REDD+ Strategy and REDD+ programs will promote the conservation of natural forests and biodiversity and the enhancement of social and environmental benefits; and will not result in the conversion of natural forests or other natural ecosystems, in accordance with the relevant PLRs in the country.

Core elements of the interpretation are:

- Identifying natural forests, biological diversity and ecosystem services that are potentially affected by the REDD+ actions.
- Ensuring that REDD+ actions are not used for the conversion or degradation of natural forests or other natural ecosystems, but are instead used to incentivize the protection and conservation of nature,

and especially maintain and enhance the identified natural forests, biodiversity and their ecosystem services priorities, and
• Assessing positive and negative social and environmental impacts, mitigating negative impacts, and enhancing social and environmental benefits.

Roles & responsibilities
• The MoFE (all divisions, departments and centres) as well as provincial ministries of forests and environment, and DFOs are responsible for the conservation of natural forests and biological diversity. CBFM groups are also responsible to support the government institutions in conservation of natural forests and biodiversity.
• MoFE and REDD IC ensure the design and implementation of REDD+ actions consider information on natural forests and other natural ecosystems; and avoid the conversion of these forests and other natural ecosystems, in line with the provisions of the policies, plans and acts.
• In terms of mapping the distribution of forests, the Forest Research and Training Centre (FRTC) is responsible for forest resource assessment of the country including the inventory and mapping of the forest areas of the country. The roles and responsibility of the FRTC include (i) conduct scientific research and surveys on the forestry sector, (ii) conduct a national level forest inventory and develop a forest resource database, (iii) carry out forest cover mapping and prepare forest maps and, (iv) conduct training relevant to forest resource management for forestry sector personnel.
• Nepal's district level forest monitoring and reporting system complements its National Forest Monitoring System (NFMS). DFOs and Protected Area authorities monitor, measure, update and report land use change and forestry information to their central authorities (i.e. Department of Forests and Soil Conservation, DoFSC and Department of National Parks and Wildlife Conservation (DNPWC) annually. Consistent with the NFMS, the resource inventory of CBFM regimes is also conducted every five to 10 years. DFOs update data and information and report to the corresponding central authorities. Departments (including DoFSC and DNPWC) maintain and update their databases and publish summaries in their annual reports. At the national level, the monitoring and evaluation division of the MoFE coordinates all monitoring activities across departments and in other subsidiaries.

Principle E: The REDD+ Strategy and programs promote the conservation of natural forest and other natural ecosystems, and maintain and enhance biodiversity and ecosystem services, as well as other social and environmental benefits
How the safeguard is addressed
Identifying natural forests, biological diversity and ecosystem services
• The Lands Act (amended in 2021) provides for survey and measurement of lands and for determining their grade in order to maintain relations between people of different classes, communities or regions in Nepal, and establishes the mechanism for inventorying and mapping land in the country. The Act defines "*land"* as all categories of land, including those with buildings, gardens, trees, factories, lakes, ponds etc) and defines *"government land"* as: *"land where there exit roads, railways, government buildings or offices and this expression also includes forest, shrubs, jungle, rivers, streams, riverine land (Nadi Ukas), lakes, ponds and ridges thereof, main canals (Nahar), water courses (Kulo), and other types of land, which is under the control of Government, and such other lands as prescribed by the Government of Nepal by a Notification in the Nepal Gazette*". In general, government land is the land that is not registered in the name of privately owned firms/institutions/companies and individuals/families, as well as land registered in the name of government institutions.
• Under the Act, "survey and measurement" refers to collecting data related to landowners and tenants, preparing maps of lands, ascertaining the area of lands, categorizing the grades of lands or registering lands with the field book of the land on the basis of maps or records, and this term

- includes the act of carrying out an aerial survey, establishing controlling points for surveys, making cadastral surveys at various scale and publishing maps.

- The Land Use Act (2019) and Land Rules (2021) have categorized the land of the country into ten different categories and one of the categories is Forest Land. The Act provides that the Management, Cooperatives and Poverty Alleviation should prepare land use maps of the land under all local governments (Clause 5).

- The FRTC under the MoFE is responsible for forest resource assessment of the country including the inventory and mapping of the forest areas, maintaining the forest resource database, and has developed different manuals for the assessment, inventory, and mapping of forest areas, such as Forest Resource Assessment in Nepal Manual on Data Analysis and Results Generation.[158] The FRTC has also developed the National Land Cover Monitoring System (NLCMS)[159] to provide annual land cover maps by using consistent remote sensing datasets. This information includes forest areas under the various forest management regimes of Nepal.

- In addition, other organisations are involved in registering and inventorying land and forests. Community forests are registered with the Divisional Forest Offices (DFOs), while local governments are responsible for registering private forests within their jurisdictions. District land management offices are responsible for registering other types of land.

Non-conversion and incentivizing protection and conservation of natural forests, biodiversity and ecosystem services

- Nepal does not have a separate definition of natural forests. The Forests Act (2019) defines Forest as an area fully or partly covered by trees or plants. The Act also defines the environmental services of forests as: carbon services; protection of biodiversity; watershed and water-cycling; eco-tourism; and other products, services, and benefits as prescribed. Other natural ecosystems are also considered parts of forests as per the legal definition of forest area (Clause 2 (w)). Therefore, all legal provisions and regulations that prevent conversion of forest areas to other land use systems are also applied to any other natural ecosystem, except agricultural land and to some extent privately owned forests. The definition of forest used in Nepal is land with tree crown cover of more than 10%, area covering more than 0.5 ha, with minimum height of the trees to be 5 m at maturity and in-situ conditions.

- The National Wetlands Policy (2012)[160] defines wetlands as "*perennial water bodies that originate from underground sources of water or rainfall. It means swampy areas with flowing or stagnant fresh or salt water that is natural or man-made, or permanent or temporary. Wetlands also mean marshy lands, riverine floodplains, lakes, ponds, water storage areas and agriculture lands*". The Ramsar Strategy and Action Plan (2018-2024)[161] provides different strategies for wetland conservation.

- The Constitution of Nepal (2015) has provisions relating to protection, promotion and use of Natural Resources (Article 51 (g))[162]:
  - To protect, promote, and make environmentally friendly and sustainable use of, natural resources available in the country, in consonance with national interest and by adopting the concept of intergenerational equity, and make equitable distribution of benefits, according to priority and preferential right to the local communities.

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[158] https://frtc.gov.np/uploads/files/Final_FRA_data_analysis_manual_2021.pdf
[159] http://nepal.spatialapps.net/nlcms
[160] https://www.scribd.com/doc/247212092/Nepal-Wetland-Policy-Act-2069#:~:text=The%20policy%20aims%20to%20effectively,while%20supporting%20other%20sectoral%20policies
[161] https://faolex.fao.org/docs/pdf/nep197380.pdf
[162] The directive principles, policies and obligations set forth in the Part 4 of the Constitution shall be guidelines for governance of the State.

- o To conserve, promote, and make sustainable use of, forests, wildlife, birds, vegetation and biodiversity, by mitigating possible risks to environment from industrial and physical development, while raising awareness of public-in-general about environment cleanliness.
  - o To maintain the forest area required for ecological balance.
  - o To adopt appropriate measures to abolish or mitigate existing or possible adverse environmental impacts on the nature, environment or biological diversity.

- Nepal's NBSAP (2014) identifies strategies and priorities for conservation actions, grouped into six biodiversity themes, namely protected areas, forests outside protected areas, rangelands, wetlands, agriculture, and mountains. For example, under Strategy 1: Improvement in management of protected areas (PAs) and species, priority actions include the development and implementation of conservation plans for priority species. Other actions in the NBSAP include the establishment of protection forest, improving forest productivity, and biodiversity conservation and climate change resilience of forests through sustainable management. REDD+ is mentioned in the NBSAP as a priority action to achieve adaptation to and mitigation of the impacts of climate change on biodiversity.

- Nepal's forest related national policies, strategies and action plans have clearly identified priorities for protection and conservation of natural forests and other ecosystems, as well as biodiversity. The National Forest Policy (2019), National Environment Policy (2019), National Climate Change Policy (2019), Forestry Sector Strategy (2016-25), Environment Protection Act (2019), Long-term Strategy for Net-zero Emissions (2021) and Nepal's second NDC (2020) all identify priorities for conservation of forests, ecosystems and biodiversity, and all refer to REDD+ as one of the strategic actions to achieve their objectives For example, the National Forest Policy (2019) emphasizes conserving, re-establishing and using forests, plants, wildlife, and biodiversity (Objective 4), and establishing zoo and botanical garden for ex situ conservation of species at federal, province and local level (Strategy 8.4.2).

- The Forests Act (2019) and Forest Regulation (2022) strictly prohibit conversion of forest areas to other land use systems. The Forest Regulation Rule 107 (2) calls for forest carbon projects/ programs to ensure that there is *"no adverse impact on the conservation and sustainable management of existing natural forests and biological diversity and ecological systems".* The Forests Act restricts conversion of forest land use to non-forest land use except in the case for infrastructure development approved by the cabinet. Forests outside of PAs are managed under this Act and the related Regulation, while 12 National Parks, 6 Conservation Areas, 1 Hunting Reserve and 1 Wildlife Reserve are managed under the National Park and Wildlife Protection Act (1973). The Buffer Zone Management Regulation (1996) also prohibits the clearing of forest, damage of forest resources and illegal hunting/damage to wildlife within Buffer Zone forests. Likewise, the Land-use Act (2019) and Land-use Regulation (2022) have provisions for classifying land-use types and safeguarding these (making it difficult to convert from one to another).

- The Forestry Sector Strategy (2016-2025), NBSAP (2014), Environment Protection Act (2019) and Environmental Protection Regulations (2020), are the major strategic documents for the protection of the environment, natural forests, biological diversity, and ecosystem services. These Acts and Regulations do not permit conversion of forests to non-forest land and do not allow plantation to replace natural forests. Nepal's CBFM regimes and their management plans also play a key role in the avoidance of conversion. According to the FCPF ER-PD, improved management under CBFM reduces unsustainable logging practices and provides avenues for communities to align with federal encroachment policies.

- The Climate Change Policy (2019) emphasizes building resilience of the ecosystems which are at the risk of adverse impacts of climate change (Objectives 7.2),and ensuring sustainable environmental services by developing climate resilient ecosystems (Strategy 8.2). These ecosystems include riverbeds, wetlands, forests, etc.

- The Forests Act (2019) provides power to the GoN to declare forest areas important from environmental, ecosystem, scientific, and cultural perspectives at national or international levels, and

areas important for preserving plants and wildlife, as protected forest in consultation with Provincial Governments (Section 15), and to make arrangements for the protection of national parks, wildlife reserves, conservation areas and buffer zones (Section 3 (b)(1)). Protected forests are areas which are: a) of environmental, ecological, scientific or cultural importance nationally and internationally; b) are sensitive from a watershed management perspective; c) necessary for the protection and management of forests, vegetation and wildlife outside a PA; or d) appropriate for the development of eco-tourism.

- The NRS (2018) has been designed to promote conservation, with its objectives including enhance carbon stocks and ecosystem resilience, and promote sustainable forest management. For example, Action 2.1 aims to "*improve the management and conservation of forests, protected areas and watersheds at the landscape level by promoting integrated conservation, ecosystem-based adaptation measures, and participatory models of ecotourism*".

- The SESA (2014), which informed the development of the NRS and the FCPF ER Program, assessed possible social and environmental impacts and benefits related to reducing conversion of forests, such as promoting the development of environmentally friendly infrastructure, and sustainable management of natural fuelwood resources. Risks from REDD+ identified for natural forests included potential encroachment into forests from successful agricultural intensification leading to agricultural expansion, and habitat loss/fragmentation due to promotion of access to forests and private plantations. One of the seven interventions of the Program specifically aims at reducing the risk of conversion: "*Improve integrated land use planning to reduce forest conversion associated with infrastructure development*" and an identified strategic action was to "*ensure effective implementation and compliance of IEE and EIA for all types of forest land-use conversions*".

- The FRTC is responsible for mapping and inventory of forests, and has been the central authority in designing, operating and updating the National Forest Monitoring System (NFMS). The methodological framework of the NFMS includes estimating emissions by sources and removals by sinks following the methodological guidance in the IPCC Good Practice Guidance for Land Use, Land-use Change and Forestry.[163] The FRTC has also developed the National Land Cover Monitoring System (NLCMS)[164], allowing access to the harmonized land cover database for the entire country for the years 2000–2019 (including the categories of forest, other wooded land, grassland, cropland and others). In addition, FRTC's Ecosystem and Forest Types Mapping Program in 2020-2022 aimed to delineate critical ecosystems for the supply of ecosystem services. The FRTC's Remote Sensing and Mapping Lab[165] monitors changes in forest cover, produces forest resources maps at the national, provincial, district and local levels, produces land use/land cover maps, detects and disseminates information on these topics.

Assessing social and environmental impacts, mitigating negative impacts and enhancing social and environmental benefits

- REDD+ actions in Nepal, implemented through its NRS and ER Programs, are expected to generate a range of carbon and non-carbon benefits for communities and the country. Carbon benefits are defined as reductions in GHG emissions or enhancement of removals through reduced deforestation, reduced degradation, or regeneration / afforestation / reforestation activities. Non-carbon benefits are defined as broader sustainable development benefits generated by REDD+ actions, including for example improving local livelihoods, strengthening forest governance, securing forest tenure, and enhancing or maintaining biodiversity and ecosystem services.

- The ILO Convention 169 commits governments of signatory countries to adopt special measures as appropriate for safeguarding the persons, institutions, property, labour, cultures, and environment of Indigenous Peoples. It requires assessment of likely impacts of any development interventions on

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[163] https://www.ipcc.ch/site/assets/uploads/2018/03/GPG_LULUCF_FULLEN.pdf
[164] http://nepal.spatialapps.net/nlcms
[165] Forest Research and Training Centre (frtc.gov.np)

Indigenous Peoples and that, whenever appropriate, studies are carried out in cooperation with the peoples concerned. FPIC is another way to integrate the requirements of ILO 169 in REDD+ programs; more information on FPIC is provided under safeguards C and D.

- Nepal's policy and legal frameworks including the Constitution of Nepal (2015), National Forest Policy (2019), National Environment Policy (2019), National Climate Change Policy (2019), Forestry Sector Strategy (2016-2025), NBSAP (2014), Environment Protection Act (2019), Environmental Protection Regulations (2020), Long-term Strategy for Net-zero Emissions (2021), and NDC have all emphasized the importance of assessment of environmental and social benefits and risks of all programs (including REDD+ programs).

- Nepal has a system of project and program level environmental assessment, as established by the Environment Protection Act (2019) and Environmental Protection Regulations (2020). These define which types of projects/programs must carry out environmental assessments, which demand a more detailed study, and mandate wider participation of local communities. Mandatory impact assessment is divided into three categories - Brief Environmental Study (BES), Initial Environmental Examination (IEE) and Environmental Impact Assessment (EIA) - depending on the size and nature of the project. For example, for national level projects, a brief environmental study report or IEE is required for development projects with national priority, a project requiring construction work to be done in more than one province, and a project specified by the GoN, among others.

- The NRS (2018) has emphasized assessment and enhancement of environmental and social benefits in its vision, objectives, and strategic actions. The vision is that enhanced carbon and non-carbon benefits of forest ecosystems contribute to the prosperity of the people of Nepal; the mission of the NRS is to strengthen the resilience of forest ecosystems for ERs and increased environmental, social, and economic benefits through improved policies, measures and institutions with enhanced stakeholder capacity, capability, and inclusiveness. One of the actions of the NRS includes: to ensure effective implementation of IEE and EIA while using forest land under nationally prioritized development projects. The SESA conducted in 2014 informed the development of the NRS and the FCPF ER Program (more detailed information below) and set out a range of possible benefits, as well as potential negative impacts to be avoided/reduced. The NRS (2018) was reviewed in 2024, providing information on the impacts of the previous Strategy and feeding into a revised NRS. The draft NRS review mentions the challenge of a lack of provision for monitoring non-carbon benefits, and that the new NRS may provide for establishing a baseline of non-carbon benefits and measuring performance.

- Nepal's 2010 Readiness Preparation Proposal document for the FCPF REDD+ readiness grant emphasized the need for a SESA of REDD strategic options to avoid possible negative impacts and to ensure benefits. The SESA was commissioned in 2013, and conducted for the anticipated REDD+ strategies. The SESA report[166] includes sections on: stakeholder analysis; the baseline social and environmental situation of the forest sector in Nepal; the legislative, regulatory and policy regime, outline of REDD+ strategy options and implementation arrangements; analysis of possible positive and negative impacts of the options; and formulation of the ESMF and needs for its implementation. Multi-stakeholder consultations at national and district levels discussed the proposed interventions, identified potential social and environmental impacts, and reviewed mitigation measures to address environmental and social risks. The SESA also discusses institutional arrangements, procedures and methodologies, including a recommended screening process for ER Program implementation sites, and provides guidance on conducting initial environmental and social examinations (IESE) and environmental and social impact assessments (ESIA), scoping for ESIAs, and identifying mitigation measures.

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[166]https://www.forestcarbonpartnership.org/system/files/documents/Annex%201%20-%20Nepal%20draft%20SESA%20and%20ESMF%20Reports.pdf

- In the case of the FCPF ER Program, during its design phase the MoFE and REDD IC further assessed the potential social and environmental risks and benefits of the proposed REDD+ actions (seven interventions) through the development of the ESMF. The potential risks and benefits were identified, discussed, and finalized during the stakeholder consultations in the ER Program districts. The ER-PD lists different social and environmental benefits and risks that could be expected from the implementation of the REDD+ actions.
- The LEAF ER Program's interventions are based on those in the NRS (2018), but it will further consider the potential impacts and seek to enhance benefits. Stakeholders are being informed about potential social and environmental impacts and their views on potential impacts discussed and documented. The consultation process and participatory implementation of the Program is expected to enhance the social and environmental benefits in the ER Program area. Once the scale and scope of the LEAF ER Program interventions are finalised, these interventions will be screened to check whether they fall under the Environmental Protection Regulations (2020) schedules and whether additional environmental and social assessment is needed.

How the safeguard is respected

Identifying natural forests, biological diversity and ecosystem services

- As mentioned above, the National Land Cover Monitoring System (NLCMS) includes the categories of forest, other wooded land, grassland, cropland and others, and the FRTC's Remote Sensing and Mapping Lab monitors changes in forest cover, produces forest resources maps at the national, provincial, district and local levels, produces land use/land cover maps, detects and disseminates information on these topics.
- Also mentioned above, a land and natural resources tenure assessment for the FCPF ER program in TAL was conducted in 2016.[167]
- For the LEAF ER Program, the accounting area represents much of the country's rich biodiversity areas including Banke National Park, Bardiya National Park, Langtang National Park, Shivapuri-Nagarjun National Park, Chitwan National Park, Dhorpatan Hunting Reserve and Annapurna conservation area. Out of five conservation landscapes of Nepal, the accounting area also includes parts of two conservation landscapes of Terai Arc Landscape and Chitwan Annapurna Landscape. Different types of forest categories of the ER program area.

Non-conversion and incentivizing protection and conservation of natural forests, biodiversity and ecosystem services

- REDD+ actions encapsulated in Nepal's NRS, the FCPF ER Program and LEAF ER Program have been designed to avoid adverse impacts and to promote protection of natural forests and other natural ecosystem areas, biodiversity and ecosystem services, in alignment with Nepal's legal framework. For example, Strategy 2.1 of the NRS is to improve the management and conservation of forests, protected areas and watersheds at by promoting integrated conservation, ecosystem-based adaptation and participatory ecotourism; Strategy 11.4 aims to ensure effective implementation of IEE and EIA while using forest land under nationally prioritized development projects. The 7th intervention for the FCPF ER Program is improvement of the management of existing PAs, while DFO plans for implementation in the LEAF ER Program area include a range of activities contributing to conservation of natural forest, biodiversity and ecosystem services, such as human-wildlife conflict management, support to PAs, and assisted natural regeneration of forests.
- However, at this stage Nepal currently has limited information on the results that have been achieved through REDD+ actions related to conservation of natural forests, ecosystems, biodiversity and ecosystem services. The 1st ERMR reports that between 2018 and 2021, 154,766 ha of forest had improved forest management practises, and 6 PAs had improved management as a result of the FCPF

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[167] https://pdf.usaid.gov/pdf_docs/PA00MN1N.pdf

program. Drivers of deforestation were also tackled: deforestation for fuel wood was addressed by providing alternative energy sources (biogas and improved cookstoves) and forest conversion for infrastructure was reduced by efforts to improve integrated land use planning with local government jurisdictions[168].

- For the LEAF Program specifically, the forest cover in the accounting area, spatially and by management/ownership categories, includes 21.4% is within protected areas, and that less than 1% is privately owned. In addition, the NLCMS has been used to generate the activity data maps for TREES accounting area, and the attributes of the natural and planted forest area collected and estimated using CEO. No planted forests have been accounted for in the TREES accounting area, and an incidence of conversion of natural forests into planted forests would be identified through the CEO survey, with such actions accounted for as emissions, not removals.

Assessing positive and negative social and environmental impacts and mitigating negative impacts and enhancing Social and Environmental Benefits

- The NRS and REDD+ programs in Nepal have been assessed and designed in order to promote social and environmental benefits. However, at this stage of implementation, there is limited information available on the delivery of these benefits, though more information is expected in the near future.

- The NRS (2018) is currently undergoing a review which shall provide information on the impacts of the previous Strategy and feed into a revised NRS.

- REDD+ actions that are being implemented for the FCPF ER Program have contributed to enhancing various social and environmental benefits. These can be reported after the ERMR1 and relevant annexes (Annex 3 on priority non-carbon benefits) submitted to the World Bank are made public, which will happen after the validation and verification process is completed, most probably by June 2025.

- The ongoing consultation process for the LEAF Program will also include discussion of the potential social and environmental impacts of the interventions, including on forests and other ecosystems.

Criteria and indicators

The following criteria and indicators set out how the principle is to be addressed and respected in Nepal, and will be reported on in more detail in the future:

Under criterion E1, The REDD+ Strategy and programs identify, prioritize and map natural forests, biological diversity and ecosystem services that are potentially affected by REDD+ activities and actions:

- *E1.1 The legal framework supports the identification of natural forests, other important ecosystems and biodiversity relevant to the REDD+ strategies and programs, including in REDD+ areas (Address)*

- *E1.2 Natural forests, biodiversity and ecosystem services, including important and endangered plant and animal species, potentially affected by REDD+ programs are identified, prioritized and mapped, and relevant benefits and risks of REDD+ actions assessed, including through consultation with local knowledge holders (Respect)*

Under criterion E2, The REDD+ Strategy and programs maintain and enhance the identified natural forests, biodiversity and ecosystem service priorities:

- *E2.1 The REDD+ programs identify measures to maintain and enhance the identified natural forests, biodiversity and ecosystem services priorities including through incentives for their conservation (Address).*

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[168]https://www.forestcarbonpartnership.org/sites/default/files/documents/nepal_ermr_ghg_accounting_nov_2023_final.pdf

- *E2.2 REDD+ actions are implemented in such a way that the identified natural forests and sites important for biodiversity and ecosystem services are protected and enhanced (Respect)*

Under criterion E3, REDD+ programs do not lead to the conversion or degradation of natural forests or other areas that are important for maintaining and enhancing the identified biodiversity and ecosystem service priorities:

- *E3.1 Legal framework and/or procedures are in place to avoid and reduce the risks of conversion or degradation of natural forests and other natural ecosystems (Address)*

- *E3.2 No conversion or degradation of natural forests and other natural ecosystems due to REDD+ implementation is demonstrated though the monitoring of the REDD+ Strategy and programs (Respect)*

Under criterion E4, The REDD+ Strategy and programs contribute to the conservation of natural forests, biodiversity and other natural ecosystems:

- *E4.1The REDD+ Strategy and programs support the objectives of national and local policies for the conservation of natural forests, biodiversity and ecosystem services (Address).*

- *E4.2 REDD+ actions are designed and implemented to contribute to the conservation of natural forests, biodiversity and ecosystem services (Respect)*

Under criterion E5, The predicted and actual positive and negative social and environmental impacts of the REDD+ Strategy and programs are assessed, and programs are adapted in order to mitigate negative impacts and enhance social and environmental benefits:

- *E5.1 Legal framework and procedures are in place to support the assessment of social and environmental impacts associated with REDD+, as well as the mitigation of potential negative impacts (Address)*

- *E5.2 The potential social and environmental positive and negative impacts of the REDD+ Strategy and programs area assessed, and measures to reduce negative impacts and enhance benefits identified (Respect)*

- *E5.3 The REDD+ Strategy and programs monitor their social and environmental impacts and contribute to provision of social and environmental benefits (Respect)*

- *E5.4 The REDD+ Strategy and programs apply adaptive management to mitigate negative impacts and enhance environmental and social benefits, including for biodiversity and ecosystem services (Respect)*

Gaps and measures to address gaps

- There is as yet limited systematic measurement and documentation of non-carbon benefits of REDD+, including those related to biodiversity, ecotourism, and water resources, especially at the local level. The revised NRS should consider promoting development of a baseline for non-carbon benefits in the design of ER programs and their performance measurement along with carbon results.

- The contribution of the FCPF ER Program on social and environmental benefits, e.g. as reported in the safeguards annexes to ERMR1, is not yet public but is expected to be available in the future.

- While there has been consultation during the design stage of REDD+ programs, there is an ongoing need to consult with forest-dependent communities and consider the development of livelihood strategies as part of REDD+ activities, to ensure that REDD+ actions deliver community level benefits.

Safeguard F: Actions to address the risks of reversals

Narrative description: The REDD+ strategy and programs shall ensure the identification and implementation of actions to address the risks of reversals or to stop emissions of forest carbon at a later stage.

Core elements of the interpretation are:

- Risks of reversals are defined and assessed, and mitigation plans developed
- Forest monitoring and evaluation of forest related emissions and changes in forest carbon stock incl. incidents of reversals at national, provincial, and local levels by mobilizing experts, forest bureaucracy, and local communities, in order to detect reversals

Roles & responsibilities

- The MoFE (all divisions and, departments and centres) as well as provincial ministries of forests and environment and DFOs are responsible for actions to address the risks of reversals.
- DFOs and PAs authorities monitor, measure, update and report land use change and forestry information to their central authorities (i.e. DoFSC and DNPWC) annually. Divisional level offices maintain updated data and information and report to the corresponding central authorities. Departments (including DoFSC and DNPWC) maintain and update their databases and publish the summary in their annual reports.
- In addition, the monitoring and evaluation division of the MoFE coordinates all monitoring activities across departments in the Ministry and in other subsidiaries.
- Furthermore, CBFM groups are also responsible for implementing the policies and strategies in their jurisdiction to address the risks of reversal. FRTC is responsible for regular monitoring and identify the reversals if any. MoFE and REDD IC are responsible for developing the policies and strategies for assessing the risks of reversals and also for addressing them appropriately. One of REDD IC key responsibilities is the establishment of a forest carbon registry and national forest monitoring system, and coordination with FRTC for carbon measurement, report preparation and verification.
- The FRTC has been the central authority in designing, operating, and updating the National Forest Monitoring System (NFMS), and the Forest Survey and Carbon Monitoring Division (FSCMD) of FRTC is the focal institution for forest monitoring systems. FRTC is also responsible for national forest cover monitoring and periodic national forest inventory (NFI).

Principle F: The REDD+ Strategy and programs reduce risks of reversals through means appropriate to the scale and context, emphasizing sub-national action and national level policy initiatives, and effective monitoring

How the safeguard is addressed

Risks of reversals are defined and assessed, and mitigation plans developed

- A reversal occurs when previously achieved emission reductions are ''undone'' due to a natural disaster, a change in policy and/or other factors such as lack of broad and sustained stakeholder support, lack of institutional capacities and/or ineffective coordination, or lack of long-term effectiveness in addressing underlying drivers of deforestation and forest degradation. A range of PLRs in Nepal contribute to mitigating the risk of reversals. For example, the National Forest Policy (2019) emphasizes policy areas that will help to mitigate that risk, including: enhancing productivity, production, and environmental services of forests; protection, restoration and sustainable use of forests and wildlife; restoration of degraded forests and prohibiting reduction in the present forest area; contributing to Nepal's ER target through forests;; and developing national SFM standards for certification, among others. The Forests Act (2019) and Forest Regulation (2022) strictly prohibit the conversion of forestland to other land use systems. Article 12 of the Act prohibits development of settlements and resettlements in forest areas; Article 41- prohibits converting forest land to other land use types; Article 44 not only protects but also promotes ecosystem services on a sustainable basis; Article 45 has provisions for prosecution of forest and environmental crimes such as forest encroachment, deforestation, forest fire, illegal harvesting, and grazing.
- In addition, the National Land Use Act (2019) and Land Use Regulation (2022) have provisions to safeguard land use classes, which have made it difficult to change and transform land use from one class to another. Nepal's Long-term strategy for Net-zero Emissions (2021), second NDC (2020), Forest Policy (2019), National Climate Change Policy (2019), NRS (2018), and NBSAP (2014-2020)

are other key policy documents that help to address risks of reversal. Nepal's international commitments through different treaties and agreements, such as ILO 169, the Paris Agreement of the UNFCCC, and the Ramsar Convention on Wetlands of International Importance also support its claim that the country has applied long term strategy to address risks of environmental degradation and carbon emissions and minimize climatic impacts by following sustainable development pathway. Incentivising the conservation and sustainable management of forests also contributes to reducing risks of reversals. For example, considering the growing role of local communities, Nepal's Forests Act (2019) and Forest Regulation (2022) provide more legal rights to CFUGs, so they remain encouraged and engaged in sustainable management of forests. The provision of channelling 80% of benefits received as the results-based payments from the implementation of the REDD+ ER Programs to the community level through the FDF (Article 45, Forests Act 2019) is an example of the government's strategy to develop strong local ownership of forest management, and contributes to mitigating risks of anthropogenic reversals within Nepal.

- In the context of REDD+ programs, the NRS (2018) aims to address the underlying drivers of deforestation and forest degradation and promote sustainable livelihoods, which will significantly reduce the risks of reversals. Specific strategies in the NRS include:
  - Identify, delineate, and expand CF, CFM and other CBFM, and improve management practices. (Action 1.1)
  - Update and improve management plans of all forest management regimes with provisions of carbon stock measurement, monitoring methods and measures to control drivers of deforestation and forest degradation. (Action 1.3)
  - Strengthen fire control capabilities of DFOs, Protected Area Management Authority and CBFM groups with specific management plans, financial and human resources, monitoring, technologies and insurance mechanisms. (Action 1.5)
  - Improve the management and conservation of forests, protected areas and watersheds at the landscape level by promoting integrated conservation, ecosystem-based adaptation measures, and participatory models of ecotourism. (Action 2.1)
  - Ensure social and environmental safeguards during the formulation and implementation of land use plans. (Action 4.4)
  - Improve access to alternative technologies (e.g. carpentry, food processing, efficient stoves, power looms and biogas) by providing information, knowledge and loan services for women, Indigenous Peoples, Madhesis, Dalits, local communities and forest-dependent poor. (Action 6.5)
  - Enhance national capability with investment, technology and human resources to conduct forest resource surveys and inventories. (Action 12.1)
  - Strengthen community-based monitoring systems with identified monitoring indicators in community-based forest management. (Action 12.5)
- Nepal has demonstrated success of bringing back forest cover through CBFM through the past decades [169,170]. Nepal's continued commitment to community-based approaches in forest management is confirmed also through the NRS (2018) and acts as a core mitigation measure against potential reversals. Along with this, various efforts are being taken to invest in aspects that support the community-based approaches including:
  - Introduction of community-based conservation in and around PAs with expansion of buffer zones areas and conservation areas.
  - Forest research, surveys, and inventory to provide information.

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[169] https://openknowledge.fao.org/server/api/core/bitstreams/3d27d36f-8ea7-45a7-b3f6-bbad6fd3e3c3/content
[170] Study Report Inner-final.pdf (frtc.gov.np)

- o Expansion of forestry education, human resource development and large-scale re-orientation and re-training of forestry staff.
- o Awareness campaign and institutional mechanism to control encroachment, forest fire and overgrazing.

- The provisions and enforcement of BES, IEE and EIA in the Environment Protection Act (2019) and Environmental Protection Regulation (2022) are also effective means to ensure environmental and social safeguards including reducing risks associated with the impacts of development projects including REDD+ programs (more information is provided on impact assessment requirements under Safeguards E (as mentioned above).

- Measures to screen and assess possible social impacts and issues related to REDD+ including risks of reversals have also been implemented for the NRS and REDD+ programs (see section on respect below). Further assessment of risks of reversals will take place during the review and update of the NRS in 2024. More information on the SESA and other types of assessment is provided under Safeguard E. As a part of its NRS, Nepal has been implementing CBFM as the mainstream regime of forest management involving local communities, marginalized groups, women and Indigenous Peoples. CBFM includes CF, leasehold forestry, collaborative forestry, religious forests and buffer zone management. CBFM has led to improved forest conditions, enhanced environmental services and sustainable sources of livelihood support to local communities that have significantly helped reduce the risks of reversals. A MoFE report in 2021[171] shows that about 48% of the country's forestland is under CBFM system managing over 3.1 million ha area by 31,468 local communities.

Monitoring and evaluation of forests, emissions, and reversals

- Nepal has established a National Forest Monitoring System (NFMS), comprising the National Land Cover Monitoring System (NLCMS) and NFIS (more information on the NFMS, NLCMS and NFIS is provided under Safeguard E above). In line with UNFCCC Decision 11/CP.19, the NFMS will provide information that is transparent, consistent over time, suitable for measuring, reporting and verifying anthropogenic forest-related emissions by sources, and removals by sinks, forest carbon stocks, and forest-area changes. The establishment of an NFMS was also called by the NRS (2018) is Actions 11.6 and 12.3: Establish and maintain a National Forest Monitoring System with robust measurement, monitoring, reporting and verification mechanisms and establish a well-functioning Forest Management Information System under the NFMS.

- The FRTC has been the central authority in designing, operating, and updating the NFMS. The key parameters monitored by the NFMS are: activity data estimates and associated uncertainty; forest regrowth removal rates and forest carbon densities calculation including the uncertainty estimates; emission and removal calculations; and emission reduction uncertainty estimate and sensitivity analysis.

- To assess forest resources periodically, a minimum number of sample plots are selected, meeting 95% confidence limits, to achieve the inventory results with a range of ±10% accuracy for the actual total volume or biomass. All the sample plots are expected to be re-measured in five-year intervals. Under the broader theme of NLCMS, forest cover monitoring and mapping using satellite images are carried out on an annual basis. Furthermore, for precise estimation of volume and biomass, a program to develop allometric equations of 16 major tree species of the country has been initiated in 2022.

- The NFIS links to available databases related to national forests and relevant others, analysis, synthesis, tabulation, and other thematic tools. It includes tools for decision support modules and

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[171] MOFE, 2021. Implementation Status of Community-based Forest Management in Nepal, Ministry of Forests and Environment, Singhadurbar, Kathmandu (in Nepali)

- user-friendly graphical user interfaces for data query and reporting, basic GIS data visualization of existing layers on forest management regimes.

- The Planning Monitoring and Coordination Division of the MoFE coordinates all monitoring activities across departments in the Ministry and in other subsidiaries. There are established mechanisms for monitoring and evaluation such as annual planning and monitoring workshops, quarterly review workshops, annual monitoring and reporting of CBFM groups, monitoring systems for harvesting of forest products, and publication of annual reports by departments.

- The district level monitoring and reporting system complements the NFMS. DFOs and Protected Areas authorities monitor, measure, update and report land use change and forestry information to their central authorities (i.e. Department of Forests and Soil Conservation, DoFSC and Department of National Parks and Wildlife Conservation, DNPWC) annually. Consistent with the NFMS, the resource inventory of CBFM is also conducted every five to 10 years. Divisional level offices maintain updated data and information and report to the corresponding central authorities. Departments (including DoFSC and DNPWC) maintain and update their databases and publish the summary in their annual reports.

How the safeguard is respected

Risks of reversals are defined and assessed, and mitigation plans developed

- Nepal's FRL is compiled at national level, which is advantageous to avoid internal displacement of emissions and to ensure that the impact of national policies and measures can be properly assessed. Drivers of deforestation and forest degradation, including underlying drivers, were assessed during Nepal's readiness phase and preparation of the FCPF ER-P; and the 2024 review of the NRS will update information on key drivers.

- The Strategic Environmental and Social Assessment (SESA) prepared in 2014 aimed to screen and assess possible social impacts and issues related to REDD+ programs in Nepal and propose methods and measures to mitigate environmental and socio-economic risks during REDD+ strategy implementation, and this improve the sustainability of REDD+. The SESA focused on a set of strategic options (identified before development of the NRS), and while it did not consider reversal risks explicitly, it did consider the long-term sustainability of REDD+. Further assessment of risks and benefits – including risks of reversals – is proposed during the review and update of the NRS in 2024.

- ER programs in Nepal also undertake program specific assessments and put in place measures such as actions to address particular risk factors for REDD+ permanence and buffers in relation to risks of reversals:

  o To prevent and mitigate the risk of reversal through resettlement and infrastructure development in particular, the FCPF ER Program includes a cross-cutting component on land use planning in all districts, and training on improved sustainable forest management techniques (e.g. training on forest fire fighting techniques), awareness raising programs, and planting of more climate-resilient tree species. The ER-PD (2018)[172] also assessed the risk of reversals, together with a justification of the risk assessment; the program applies a total buffer allocation of 19%. According to the FCPF ERMR1 (2023)[173], the ER-PD development team estimated that the risk of reversal, both natural and human-induced, was 11%. However, this estimate did not account for the default risk value of 10%. Therefore, the risk of reversal was reviewed and revised. The FCPF Buffer Guidelines were used to determine acceptable values, and the discounts were applied accordingly. The updated estimate of the overall risk due to reversals is 16%. More

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https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20ERPD%204May2018final_CLEAN_0.pdf
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https://www.forestcarbonpartnership.org/sites/default/files/documents/nepal_ermr_ghg_accounting_nov_2023_final.pdf

details including on factors that may impact the risk of reversals are provided in the FCPF ERMR1.

  o The interventions in the LEAF ER Program area will be implemented with the active participation of all stakeholders including Indigenous Peoples and local communities after getting consent from them, which will help to reduce the risk of reversals. Section 12 of this document provides information on the level of risk of reversals identified for the LEAF ER Program, how reversals will be monitored, and the 5% carbon accounting buffer that will be set aside for the risk.

- Information on the provision of incentives for the conservation and the sustainable management of forest can be found above, for example under Safeguard B for benefit sharing or Safeguard E for the enhancement of social and environmental benefits.

Forest monitoring conducted and information on risks and/or incidences of reversals

- The National Forest Information System and National Forest Database reports were prepared in 2016, and information is available at the website: http://nfis.redd.gov.np/nfis. FRTC is the mandated government agency to operate and update NFMS and carry out forest resource inventory in Nepal supporting and related to REDD+. The National Land Cover Monitoring System was developed by the FRTC for Nepal in 2021. For MRV work, FRTC has prepared a Manual on "data analysis and results generation" and on "Quality Control and Quality Assurance of National Forest Inventory".

- Nepal also prepared the ER Monitoring Report of the FCPF ER Program covering MRV and submitted it to the World Bank in September 2023 for their validation and verification.

Criteria and indicators

The following criteria and indicators set out how the principle is to be addressed and respected in Nepal, and will be reported on in more detail in the future:

Under criterion F1, Risks of reversals, including internal and external threats to forest carbon stocks, are defined and assessed, and mitigation plans developed:

- *F1.1 Policies and procedures for REDD+ support assessing, mitigating and monitoring risks of reversals, in accordance with relevant laws (Address)*

- *F1.2 REDD+ implementing agencies carry out assessment of risks of reversals, internal and external threats to forest carbon stocks, with drivers of these risks and threats identified, and mitigation plans developed and implemented including incentives to promote the conservation and the sustainable management of forests (Respect)*

Under criterion F2, Periodic monitoring and evaluation of forest-related emissions and changes in forest carbon stocks, including any incidences of reversals, is conducted:

- *F2.1 Forest monitoring system is established, and able to detect and respond to reversals (Address)*

- *F2.2 Forest monitoring is conducted regularly and monitoring reports with information on any risks and/or incidences of reversals, are available to REDD+ stakeholders (Respect)*

Gaps and measures to address gaps

- Although Nepal has PLRs in place to address risks of reversals, there are no specific protocols for the assessment of these risks and development of mitigation plans for REDD+ programs/projects. The revised NRS may address this gap by ensuring that risk assessment is done for the updated NRS strategies, and by recommending protocols for assessment of risks are developed and mitigation measures are proposed when ER programs/projects are designed.

- Although the NFMS is established and in operation, the system may need further testing in relation to its capacity to capture reversals, especially related to forest degradation, and to then manage / report these incidences.

Safeguard G: Actions to reduce displacement of emissions

Narrative description: The REDD+ Strategy and programs ensure a range of actions at national, provincial, regional, and local levels are carried out to reduce displacement or leakage from REDD+ project areas or forests to other areas or forests.

Core elements of the description are:

- Risks of displacement are defined and assessed and mitigation plans developed. Forest monitoring and evaluation of forest related emissions and changes in forest carbon stock at national, provincial, regional, and local levels by mobilizing experts, forest bureaucracy, and local communities, in order to detect displacement.

Roles & responsibilities

- The MoFE (all divisions) and departments and centres under the ministry as well as provincial ministries of forests and environment and DFOs are responsible for actions to address the risks of displacement of the emissions when REDD+ programs are implemented. Furthermore, CBFM groups are also responsible to implement the policies and strategies in their jurisdiction to address the risks of emission displacement. FRTC is responsible for regular monitoring and identifying the emission displacement if any. MoFE and REDD IC are responsible for developing the policies and strategies for assessing the risks of emissions displacement and also for addressing them appropriately.

Principle G: The REDD+ Strategy and program includes actions to reduce risks of emissions displacement (leakage) and support monitoring at the sub-national (forest management unit, district, and province) and national levels

How the safeguard is addressed

Risks of displacement are defined and assessed, and mitigation plans developed

(This has been described in detail in Safeguard F)

- Nepal has several policies and laws relevant to reducing the risk of displacement, for example the National Forest Policy (2019) and Forests Act (2019), which strictly prohibit conversion of forest to non-forest land use system in all types of forests, which will help reduce the risk of displacement of emissions.

- REDD IC has been integrating consideration of the risk of displacement in the design, prioritization, implementation, and regular assessment of REDD+ policies and programs. For example, the NRS has various national scale actions on forest monitoring, which will also help reduce the risk of displacement of emissions. These include:

  o Increase supply of sustainably harvested timber and timber products with improved distribution mechanisms. (Action 1.8)

  o Promote agroforestry in public land such as canals, roadside areas, marginal lands, and riverbanks through regulatory frameworks and incentive mechanisms, with participation of poor, women and marginalized households. (Action 3.3)

  o Promote implementation of the Land Use Policy (2015), particularly provisions related to the forestry sector, and update zoning and mapping of forest land use regularly. (Action 4.1)

  o Strengthen enforcement and monitoring capacity of district level land encroachment control committees and law enforcement agencies to reclaim illegally occupied forest lands. (Action 4.5)

  o Control cross-border illegal trade of forest products through intercountry cooperation with Indian and Chinese authorities. (Action 9.7)

  o Avoid forest areas in infrastructure development and resettlement and make compulsory provisions for tree planting to compensate for forest areas being cleared. (Action 11.5)

- o Establish and maintain a National Forest Monitoring System with robust measurement, monitoring, reporting and verification mechanisms (Action 11.6) and establish a well-functioning Forest Management Information System under the NFMS. (Action 12.3).
- o Enhance national capability with investment, technology, and human resources to conduct forest resource surveys and inventories. (Action 12.1)
- o Strengthen community-based monitoring systems with identified monitoring indicators in community-based forest management. (Action 12.5)
- o Establish spatially explicit information systems on land use potential, allocations, and potential conflicts/complementarity with REDD+ strategies. (Action 12.6)

Some other measures related to REDD+ design, implementation and monitoring that will reduce the risk of emissions displacement include:

- Nepal's FRL is compiled at national level, which is advantageous to avoid internal displacement of emissions and to ensure that the impact of national policies and measures can be properly assessed.
- The NRS also includes strategies or REDD+ actions that are undertaken nationally, which are linked to national scale policies and measures (such as CBFM and alternative energy promotion).
- Drivers of deforestation and forest degradation, including underlying drivers, were assessed during Nepal's readiness phase and preparation of the FCPF ER Program. In addition, the 2024 review of the NRS will update information on key drivers. This makes it possible to focus REDD+ actions on targeting the root causes of forest loss and degradation, rather than only controlling specific forest and land uses in certain areas, which carries a high risk of displacement.
- The SESA (2018)[174] aimed to screen and assess possible social impacts and issues related to REDD+ programs in Nepal and propose methods and measures to mitigate environmental and socio-economic risks during REDD+ strategy implementation. It focused on a set of strategic options (identified before development of the NRS), and while it did not consider displacement risks explicitly, it did consider the sustainability and effectiveness of REDD+.

Forest monitoring and evaluation of forest related emissions and changes in forest carbon stock at national, provincial, regional, and local levels by mobilizing experts, forest bureaucracy, and local communities, in order to detect displacement

- Nepal established a National Forest Monitoring System (NFMS), comprising the National Land Cover Monitoring System and NFIS. FRTC is the national MRV agency and conducts forest cover monitoring, and the national forest inventory, and provides activity data and emission/removal factors. In line with Decision 11/CP.19, the NFMS will provide information that is transparent, consistent over time, suitable for measuring, reporting and verifying anthropogenic forest-related emissions by sources, and removals by sinks, forest carbon stocks, and forest-area changes.

(These are described in more detail under Safeguard F)

How the safeguard is respected

Risks of displacement are defined and assessed and mitigation plans developed

- Drivers of deforestation and forest degradation, including underlying drivers, were assessed during Nepal's readiness phase and preparation of the FCPF ER Program; in addition, the 2024 review of the NRS will update information on key drivers. This makes it possible to focus REDD+ actions on targeting the root causes of forest loss and degradation, rather than only controlling specific forest and land uses in certain areas, which carries a high risk of displacement.
- In the case of ER Programs, these also undertake program specific assessment and put in place measures to address risks of displacement:

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[174]https://www.forestcarbonpartnership.org/system/files/documents/Nepal%20ESMF%20Advanced%20Draft%20June%2016-2018_0.pdf

- o The FCPF ER-PD (2018)[172] assessed the risks of displacement of emissions, for example from timber extraction, encroachment, resettlement, and other factors, including transboundary displacement risks, and proposed several strategies for mitigating/ minimizing displacement.
- o The LEAF ER Program covers entire jurisdictions of the three Provinces included in the program, namely Bagmati, Gandaki and Lumbini, and therefore likelihoods of leakage are negligible. However, the possibility of spillover effects of the project interventions cannot be ruled out completely because the project area represents only 41.7% and 48% of Nepal's total land area and forest area respectively. Based on the leakage deduction assessment tool, this ER Program is categorized as "*Medium*" and leakage deduction is 10%.

Forest monitoring and evaluation of forest related emissions and changes in forest carbon stock at national, provincial, regional, and local levels by mobilizing experts, forest bureaucracy, and local communities, in order to detect displacement

- Information will be reported on in the future on monitoring of forest-related emissions and carbon stock changes in REDD+ program areas with information on any risks and/or incidences of displacement through NFMS/NLCMS reporting, as well as ER Program monitoring reports and reporting to the UNFCCC (e.g. technical annexes on REDD+).

Criteria and indicators

The following criteria and indicators set out how the principle is to be addressed and respected in Nepal, and will be reported on in more detail in the future:

Under criterion G1, Risks of emissions displacements, including direct, indirect and underlying drivers of deforestation and forest degradation, are defined and assessed, and mitigation plans developed:

- *G1.1 Policies and procedures for REDD+ support assessing, mitigating and monitoring risks of displacement, in accordance with relevant laws (Address)*
- *G1.2. REDD+ implementing agencies carry out assessment of risks of displacement, including direct, indirect and underlying drivers of deforestation and forest degradation, and mitigation plans are developed and implemented including incentives to promote the conservation and the sustainable management of forests (Respect)*

Under criterion G2, Periodic monitoring and evaluation of forest-related emissions and changes in carbon-stock conducted including monitoring of measures implemented and any incidences of displacement:

- *G2.1 Forest monitoring system is established and able to detect and respond to displacement (Address)*
- *G2.2 Forest monitoring is conducted regularly and monitoring reports with information on any risks and/or incidences of displacement are available to REDD+ stakeholders (Respect).*

Gaps and measures to address gaps

- As with reversals, there are no specific procedures for assessing, mitigating and monitoring risks of displacement from REDD+ actions. The revised NRS may address this gap by ensuring that risks are assessed for the update strategies, and by recommending that protocols for assessment of risks are developed, and mitigation measures are proposed when ER programs/projects are designed.
- As mentioned under Safeguard F, the NFMS may require additional testing for the detection and management of displacement.

Appendix 1. Consultation Process and Online Feedback on the Draft SOI

1.1 National Stakeholder Consultation Workshop

Date: 27 October 2024

Organizer: REDD IC, UN-REDD Programme

Venue: Krystal Party Venue, New Baneshwor, Kathmandu, Nepal

The main objective of this workshop (which was followed by the online comment period) was to present and discuss the draft SOI with key national-level stakeholders to get their input, suggestions and feedback to strengthen the final draft report. The consultation workshop also provided an opportunity to increase stakeholder knowledge about the REDD+ safeguards.

A total of 32 participants (14 women) representing government agencies, civil society organizations and other stakeholders actively participated in the workshop. Materials for the workshop were made available online in a shared drive.

In addition to presentations on the safeguards and the SOI draft, participants carried out safeguards related awareness raising activities and group work to provide feedback on the draft SOI content. The time for discussion was considered too short and it was not possible to go through the document in detail. However, the draft report would be shared with the participants to provide further comments, suggestions and input accordingly, and made available through an online comment period. Feedback from this workshop and the whole consultation process is provided on the table below.

1.2 Online comment period

Following the national consultation workshop, the draft SOI was shared again with all workshop participants and made publicly available online for comments and feedback in December 2024. The comments received on the SOI through written/online feedback are provided in the table below.

1.3 Stakeholder Review Workshop

Date: 30-31 March 2025

Venue: Sky Garden Resort, Dhulikhel

Organizer: REDD IC, UN-REDD Programme

Following the online comment period and further revisions to the draft SOI, in order to allow further opportunity for feedback (particularly from non-government organisations), REDD IC initiated another workshop. This review workshop was focused on collecting additional stakeholder feedback before the SOI isinalized for the government approval process and submission to the UNFCCC.

A total 19 participants (06 women) representing various REDD+ stakeholders, including MoFE and REDD IC, Provincial Forest Directorate-Gandaki Province, FECOFUN, NEFIN, HEMWANTI, and Dalit Welfare Organization
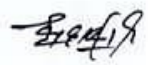
Following the provision of feedback, it was also agreed that SOI should be approved and submitted to the UNFCCC as soon as possible after revising it by incorporating inputs provided by the participants. It was noted that there will be an opportunity for further revisions, including more recent progress in different aspects of the REDD+ process in the country, when the 2nd SOI will be prepared in 2026. The minute of the decision is provided below:

आज मिति २०८१ साल चैत्र १८ गते सोमबार रेड कार्यान्वयन केन्द्र, बबरमहल काठमाडौंका केन्द्र प्रमुख श्री नवराज पुडासैनी ज्यूको अध्यक्षतामा निम्न अनुसारको उपस्थितिमा रेड कार्यान्वयन केन्द्रले तयार पारेको मस्यौदा सूचनाको सारांश (Summary of Information on Safeguard) तथा तराई भूपरिधि क्षेत्रका १३ वटा जिल्लाको Benefit Sharing Plan का सम्बन्धमा छलफल गरि देहाय अनुसार निर्णय गरियो ।

उपस्थिति

१. श्री नवराज पुडासैनी, केन्द्र प्रमुख, रेड कार्यान्वयन केन्द्र, बबरमहल, काठमाडौं

२. श्री ठाकुर भण्डारी, अध्यक्ष, सामुदायिक वन उपभोक्ता महासंघ

३. श्री विर्ख बहादुर शाही, वरिष्ठ उपाध्यक्ष, सामुदायिक वन उपभोक्ता महासंघ

४. श्री पार्वता गौतम, सचिव, सामुदायिक वन उपभोक्ता महासंघ

५. श्री शान्ता न्यौपाने, कोषाध्यक्ष, सामुदायिक वन उपभोक्ता महासंघ

६. श्री बिमल सारु मगर, कोषाध्यक्ष, आदिवासी जनजाति महासंघ

७. श्री यमुना छन्त्याल, सचिव, आदिवासी जनजाति महासंघ

८. श्री भद्र बराम, सचिव, आदिवासी जनजाति महासंघ

९. श्री रिदार नोसाङ भोटे, सहकोषाध्यक्ष, आदिवासी जनजाति महासंघ

१०. श्री निर्मला श्रेष्ठ, महासचिव, हिमवन्ती

११. श्री मुना जोशी, हिमवन्ती

१२. श्री टंक बहादुर विश्वकर्मा, कार्यकारी निर्देशक, दलित सेवा संघ
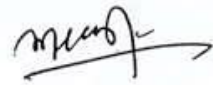
१३. श्री प्रकाश थापा, उपसचिव, रेड कार्यान्वयन केन्द्र, बबरमहल, काठमाडौं

१४. श्री मनोज रानाभाट, वरिष्ठ वन अधिकृत, प्रदेश वन निर्देशनालय, गण्डकी प्रदेश

१५. श्री सुजस फुयाल, वन अधिकृत, रेड कार्यान्वयन केन्द्र, बबरमहल, काठमाडौं

विशेष आमन्त्रित

१. डा. सिन्धु प्रसाद ढुङ्गाना, रेड विज्ञ

२. डा. मोहन पौडेल, National Coordinator UN REDD TA
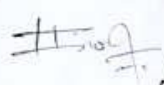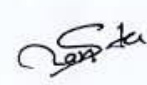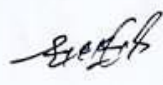
३. डा. यादव कँडेल, वन विज्ञ

४. गोपाल काफ्ले

प्रस्ताव तथा निर्णयहरु:

क. नेपालको Summary of Information on Safeguards का सम्बन्धमा

१. समुदायमा आधारित वन उपभोक्ता समूहका साथै सामुदायिक वन उपभोक्ता समूहलाई प्रष्ट रुपमा राख्ने ।

२. कार्बन अधिकारको खण्डमा नेपाल सरकारले अन्तराष्ट्रिय ब्यापारको बार्ता तथा सम्झौतामा नेतृत्व रहने भए तापनि कार्बन अधिकारमा उत्सर्जन न्यूनीकरणमा प्रत्यक्ष योगदान पुर्‍याउने आदिवासी जनजाति, स्थानीय समुदाय, महिला, दलित लगायतका अधिकारवाला समूह तथा निकायको हुने राम्बन्धमा वरतावेजमा उल्लेख गर्ने ।
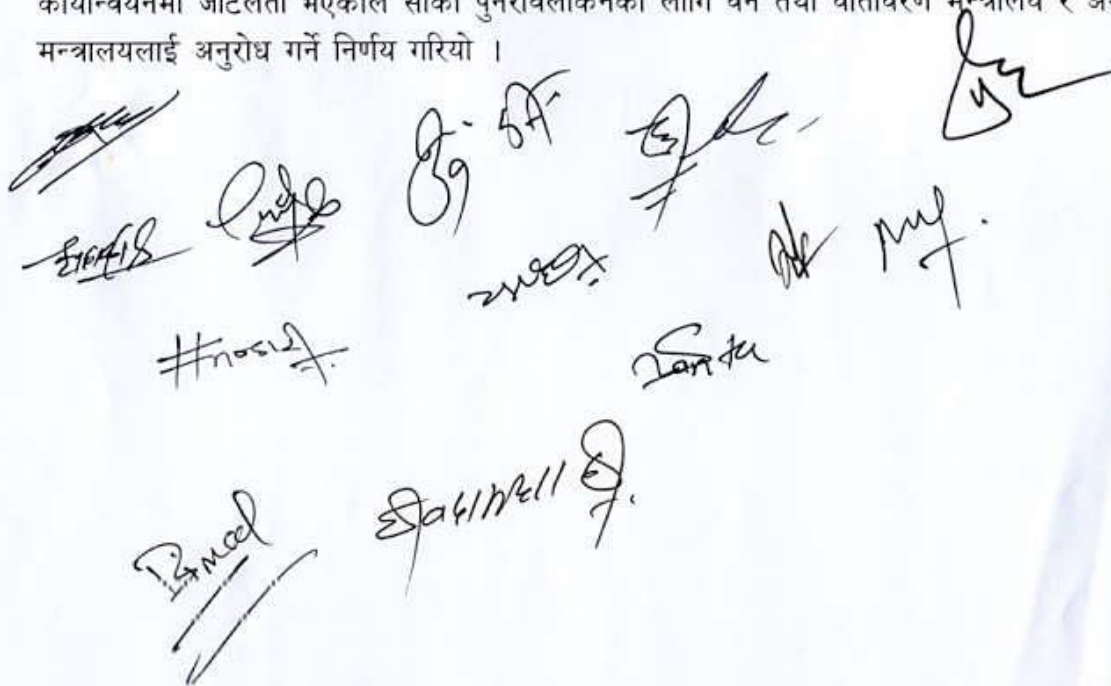
३. दस्तावेजमा आदिवासी जनजाति, दलित, मधेसी, अपांगता भएका व्यक्ति लगायत सीमान्तकृत समुदायका साथै आदिवासी महिला, दलित महिला, मधेसी महिला, अपांगता भएका महिलाको पूर्ण तथा प्रभावकारी सहभागिताको बारेमा उल्लेख गर्ने ।

ख. यु एन रेडमा प्रस्ताव पेश गर्ने सम्बन्धमा

१. नेपालको रेड प्रक्रियामा आदिवासी जनजाति, स्थानीय समुदाय, महिला, दलित लगायतका अधिकारवाला समुदायको नेतृत्व विकास र निरन्तर क्षमता अभिवृद्धिका रेड कार्यान्वयन केन्द्र मार्फत कार्यक्रम निरन्तरताका लागि युएन रेडमा अनुरोध गर्ने र परियोजना प्राप्त भएमा फेकोफन, नेफिन लगायतका सरोकारवालासंगको सहकार्यमा परियोजना संचालन गर्ने ।

ग. तराई भूपरिधि क्षेत्रका १३ जिल्लामा सञ्चालित उत्सर्जन न्यूनीकरण कार्यक्रमको लाभांस बाँडफाँट योजना (Benefit Sharing Plan) का सम्बन्धमा

१. तराई भूपरिधि क्षेत्रका १३ जिल्लामा विश्व बैंक सँग सम्झौता भई भुक्तानीको चरणमा प्रवेश गरेको कार्बन उत्सर्जन न्यूनीकरण कार्यक्रमको नेपाल सरकारबाट स्वीकृत लाभांस बाँडफाँट योजना (Benefit Sharing Plan) Emission Reduction Purchase Agreement अनुसार नभएको हुँदा कार्यान्वयनमा जटिलता भएकोले सोको पुनरावलोकनका लागि वन तथा वातावरण मन्त्रालय र अर्थ मन्त्रालयलाई अनुरोध गर्ने निर्णय गरियो ।

1.4 Comments received in October 2024 and March 2025 on the draft of Nepal's first SOI

This table presents the comments received from stakeholders on the draft of Nepal's first SOI, received through: a) a national consultation workshop held on 27 October 2024; b) an open online comment period until December 10, 2024 and follow up email communication; and c) a review workshop held on 30th and 31st March 2025.

Chapter	Section/Safeguards	Page	Comment	Source	How to address
Chapter 1	…				
Chapter 2	2.1 Nepal's REDD+ journey and institutional arrangements	14	Clear flow diagram of REDD + institution and governance structure with roles and responsibilities should be shown	SOI consultation workshop, 27 October 2024	The SOI already includes an institutional diagram; this comment is interpreted as requesting an updated diagram and/or more info on roles & responsibilities. This information is provided already in the text **but will be reviewed to make sure it is clear and comprehensive**. The diagram can only be updated when the new NRS is approved/released, so suggest **title of diagram in SOI is also changed to delete ''present''.**
Chapter 2		27	Information on LEAF ER program is not sufficient as TRD has yet not formally been submitted and ERPA is not yet signed.	Yadav Kandel 19 April 2025	The TRD has been submitted to the ART-TREES secretariat, so the information provided in this table should at least match with the latest TRD.
Chapter 3	3.2 Key elements in Nepal's safeguards approach	28	Amendment in BSP of the FCPF ER Program based on discussion in BSP Workshop at Dhulikhel on 24th. Regarding BSP for the FCPF ER program, rigorous discussion was held in the Dhulikhel workshop; same decision should be considered for the LEAF BSP.	SOI consultation workshop, 27 October 2024	The FCPF BSP has been revised and updated, which was approved by the government in October 2024. **The main changes will be checked and reflected in the SOI text on the FCPF BSP.** The comment that the same principles would be applied in the LEAF BSP is not relevant for the SOI but

| | | | | | must be addressed through the BSP process; in addition, the LEAF BSP has been revised as per suggestions from Government and stakeholders in a separate process.

Suggest not to include details on LEAF BSP if still not agreed. |
|---|---|---|---|---|---|
| Chapter 3 | | 38 | Suggesting to include other details on LEAF ER after January 2024 in the 2nd SOI. | Yadav Kandel

19 April 2025 | Agreed that further detail can be provided in future SOI; however, any details provided should be as accurate/recent as possible.

This comment however suggests that all content from after Dec 2023 – i.e. all references to NRAP review, new forest info, all info on ART & LEAF be removed – this would need confirmation from RIC as would be a big job |
| Chapter 3 | 3.2.3 Nepal's policies, laws and regulations relevant to the REDD+ safeguards | 30 | UNCCD (1994) and CBD should be considered in the list of relevant conventions. | SOI consultation workshop, 27 October 2024 | The CBD is already included in the list of relevant conventions. In the case of UNCCD, this is not referred to currently in other REDD+ documents. However, **the previous NRS text will be checked again for reference to UNCCD. If it is there, it can be added to page 30 and to the point on NRS under Principle A. If not, it can still be added as recommended by stakeholders.** |
| Chapter 3 | | | CFUG should be explicitly mentioned in the SOI instead of the local community. | FECOFUN, at review workshop 30-31st March 2025 | This appears to be a general comment about specifically recognising the role of CFUGs. However, no detail has been provided on the |

			Kandel added that FECOFUN has a strong objection on fund flow and suggest that RBPs be directly transfer to the bank account of CFUGs.		context or how/where CFUGs should be mentioned. As forest user groups are already mentioned under the benefit sharing section, assume this refers to the FPIC section (?) **The FPIC Guidance will be checked and a reference added to CFUGs if possible.**
Chapter 4	4.3 Information and functions of the SIS	41	Website (SIS) should be – user friendly in both English and Nepali languages	SOI consultation workshop, 27 October 2024	It is specified on page 41 that the SIS will provide information to all relevant stakeholders in both English and Nepali.
Chapter 5	A		The following PLR articles should be included: - Section 8.5 of the National Forest Policy, 2018 - Section 44 of the Forest Act, 2019 - Rule 107 of the Forest Regulations, 2022	Dil Raj Khanal	**These three articles will be cross-checked within Safeguard A, Chapter 5, and relevant points added if missing.**
Chapter 5	B	63	B1.2. This is only partially an address indicator (*B1.2 Information on roles, responsibilities and decision-making process of REDD+ institutions and governance structures is publicly available, including information on stakeholder engagement processes and procedures for Free, Prior and Informed Consent (FPIC) (Address)*)	SOI consultation workshop, 27 October 2024	It is noted that this indicator includes elements of both address and respect; it has been characterised as address because the information being shared is limited to roles & responsibilities and structures of REDD+ institutions. Therefore, it shall remain as ''address''.
Chapter 5	B	63 64	B1.4 What will be verifier? B5.5 who monitors and evaluates?	SOI consultation workshop, 27 October 2024	Verifiers are not provided for any indicators in the SOI. Nor are details on data sources. These aspects are still being piloted through

					the SIS and may be updated in future SOIs. **However, information is added in the section on SIS to clarify expected data sources and M&E.**
Chapter 5	B	54	Toll-free numbers should be provided for grievance reporting. Local level capacity building needed for grievance handling. There should be a functional GRM at REDD IC with a focal/dedicated person/desk.	SOI consultation workshop, 27 October 2024	The number itself and the fact that it is toll-free is already mentioned in sections 3.3.4 and Safeguard B of the SOI; **However, this will be checked to make sure it is clear.** **Add a point in 'Gaps and measures to address gaps' on these recommendations for future GRM strengthening plans, noting that GRM review & strengthening activities are planned in 2025.**
Chapter 5	B	all	The following PLR articles should be included: - Sections Sec. 11, 73 and 80 of Forest Act, 2019 - Rules 14, 15, 121, 122, 134 of Forest Regulation, 2022 - Other policies/laws relevant to safeguards C and D	Dil Raj Khanal	**The specified articles will be cross-checked within Safeguard B, Chapter 5, and relevant points added if missing.**
Chapter 5	B		There are no REDD+ structures at the local level.	Yadav Kandel 19 April2025	**Add a point that local level structures will be (if the plan is so) functional to share information.**
Chapter 5	C	77	C2.3 respect indicator: What is fair compensation for the relocated/ displaced families/ communities? Is there negotiation for the compensation?	SOI consultation workshop, 27 October 2024	Compensation is provided for under the Nepal legal framework and reflected in the REDD+ FPIC process. **The following sections will be checked to make sure the provisions on compensation are clear:** - 3.3.2 on FPIC

					- Safeguard C address, i.e. legal provisions related to compensation - Gaps & measures for Safeguard C, to make sure up to date in relation to status of FPIC Guidance
Chapter 5	C	66	"Indigenous nationalities" is used for Indigenous peoples. Aadibasi Janajati is used in Nepal's official documents including the Constitution.	Yadav Kandel 19 April 2025	SOI will be double-checked for correct use of term Aadibasi Janajati
Chapter 5	C	74	All the CBFM groups have management and utilization rights of forest resources (within the framework of approved Management plan. But tenure rights of land is solely with the government. Active engagement in CBFM is now in decreasing trend due to migration, low dependency on forest resources as compared to previous decades	Yadav Kandel 19 April 2025	Information to be considered in the text in this section but as no citation is given, may not be possible to use.
Chapter 5	C & D	68	There are some misunderstandings about the legal framework, particularly on the substantial rights (addressing/promoting), procedural rights (respecting/supporting), and collective tenure rights of IPLCs which are very important to analyze in the SOI. The following PLRs should be included in the safeguards C and D: - Constitution of Nepal (Art 18, 24, 27, 39, 32, 36, 37, 38, 40, 42, 43) - Forest Act, 2019 (Sec. 11.3, 44.1.a)	Dil Raj Khanal	Many of these PLRs are already mentioned in the SOI and therefore each specific article will have to be cross-checked in the text for C and D. It is difficult to address the comment with no specific misunderstandings highlighted. **The section on tenure rights will be checked and revised if needed, focusing on relevant sections of Forest Act 2019, Forest Regulation 2022, and National Foundation for Development of**

			- Forest Regulation, 2022 (Rule 42.8, 107.2, 107.6, 115) - Environment Protection Act, 2019 (Chapter 4) - Environment Protection Rule, 2020 (Rule 28.4) - National Park and Wildlife Reserve Act 1973 (Sec. 5.2) - Buffer Zone Regulation, 1996 - Rights to Information Act, 2007 (Sec. 4-10) - Good Governance (Management and Operation) Act, 2008 (Chapter 4, Sec. 25, 28, 30, 31) - Administration of Justice Act, 2016 - National Civil (Code) Act, 2017 (Chapter 5) and National Penal (Code) Act, 2017 (Chapter 8) - Local Government Operation Act 2017 (Sec. 11, 15, 24, 25) - National Foundation for Development of Indigenous Nationalities Act, 2002 - National Forest Policy 2018 (Sec. 8.8) - FPIC Guidelines 2024		**Indigenous Nationalities Act 2002.**
Chapter 5	C & D	all	IPLC perspectives and analysis are missing, while policy/government perspectives are well reflected	Dil Raj Khanal	This has been interpreted as a general comment that more non-policy or govt related, and IPLC consultation/review and/or data sources are needed for the SOI. NEFIN, FECOFUN and other organisations were invited to provide their views in the consultation workshop and through the online comment

					period. However, no feedback was received. For this first SOI, there were no resources available for consultations at local level, and the main Stakeholder Forum for REDD+ is considered the key platform to engage. **To address this comment:** - **Add a point on need for strengthened stakeholder engagement process under the ''gaps and measures'' section for Safeguard D, also noting planned work in this area in 2025, and specific need to address this for future SOIs.** - **Approach REDD IC, FECOFUN, NEFIN and Himawanti again to check for final comments** - **Conduct quick desk-top review for any IPLC led reports on land/forest/conservation/carbon projects.**
Chapter 5	C, D			The carbon rights of Indigenous People should be explicitly mentioned in the SOI as they have direct contribution to the emission reduction	NEFIN Stakeholder workshop, 30-31st March, 2025	Within the SOI, we can only refer to the rights that are recognised and/or under discussion in Nepal. 1. Check references to IP rights in the references to the Constitution

			program. (This is linked to the constitution of Nepal 2015). The carbon right raised by NEFIN is to be addressed through policy revision. For example, the BSP outline in the existing Forestry Regulation will have to be amended.		2. Check references to For Reg – it has a split on benefits? 3. Can a clear statement be made about carbon rights of IPs on this basis? 4. If not, add to "gaps"
Chapter 5	C, D		Consideration of socially marginalized groups, including Dalits, persons with disabilities, and senior citizens, is essential. The SOI should explicitly address their inclusion and ensure their recognition within relevant provisions.	Dalit Welfare Organization Review workshop 30 -31st March, 2025	The SOI reports on how safeguards are addressed and respected; it cannot make changes to legal provisions. It is unclear whether this comment relates to legal provisions; safeguards procedures like FPIC; or proposed indicators.
Chapter 5	D	83-84	Community mobilization for REDD+ related programs should be ensured.	SOI consultation workshop, 27 October 2024	This is a recommendation for REDD+ programs more broadly. **A point can be added as a recommendation under Safeguard D ''gaps and measures''.**
Chapter 5	D	78	'Other groups' should be included along with Indigenous Peoples, Women and Dalits, when they are specially mentioned in the documents and PCIs	Dil Raj Khanal	Most PCI refer to Indigenous Peoples, members of local communities, women and Dalits. However, some (e.g. D2.5) refer to Indigenous Peoples, members of local communities, women, Dalits, *and members of other marginalised groups*. While one option is to remove other groups and have all indicators consistent, there is value in retaining 'other groups' in those related to tracking overall participation. However, there is not one

					definition of ''other groups'' as this may vary across the country and per REDD+ action. **The SOI can be revised as follows:** - **A footnote to be added at first appearance of ''other marginalised groups'' to give examples (e.g. youth, elderly, disabled, disaster-affected), and noting that this cannot be defined for all contexts** - **The need for better disaggregated data on all relevant groups to be added to Safeguard D ''gaps and measures''.**
Chapter 5		90	Buffer zone management guidelines / regulation (1996) to be included in legal context	SOI consultation workshop, 27 October 2024	Add a point on this PLR to Safeguard E section, which provides for protection of buffer zone forests (https://faolex.fao.org/docs/pdf/nep6229.pdf)
Chapter 5	E	95	Prepare livelihood strategies for forest dependent communities	SOI consultation workshop, 27 October 2024	This appears to be a recommendation for REDD+ programs more broadly. Livelihoods for forest-dependent communities are briefly referenced earlier under Safeguard E. **A point can be added under the ''gaps and measures'' for Safeguard E on the need to consult with forest-dependent communities and consider the development of livelihoods**

					strategies as part of REDD+ activities.
Chapter 5	E	all	Include the following PLRs: - Forest Regulation, 2022 (Rule 107.2) - Environment Protection Act, 2019 (Chapter 2) - Environment Protection Rule, 2020 (Chapter 2) - Land Act, 1964 (8th Amendment 2021) (Sec. 52b (4)) - Land-use Act 2019 and Land-use Regulation 2022	Dil Raj Khanal	**The specified articles will be cross-checked within Safeguard E, Chapter 5, and relevant points added if missing.**
Chapter 5	E	92	There is no information on biodiversity/ecosystem assessment, Forest Resource Assessment and NLMS are only reports.	Yadav Kandel 19 April2025	**It has been noted in the SOI that there is an information gap on biodiversity, ecosystems and ecosystem services.**
Chapter 5	F	all	Add relevant policies and procedures which are listed in the ER Program documents	Dil Raj Khanal	No specific documents related to the ER Program have been recommended, nor a specific ER Program. This comment is interpreted to mean those solely related to reversals and displacement *in FCPF documents*. **Therefore, the following revisions can be made:**
Chapter 5	G	all	Add relevant policies and procedures which are listed in the ER Program documents	Dil Raj Khanal	**- Check the final FCPF ERPD for any references to reversals & displacement management, such as the buffer applied** **- Check the ESMF for any measures related to reversals & displacement.**

General / overall comments	Laws, rules and regulation of the province and municipality should be included where REDD+ program is to be operated	Dil Raj Khanal	As a national summary, it is not feasible to include the PLRS of all municipalities and provinces in the country (as technically REDD+ is implemented in all of them). Should examples be given of specific subnational PLRs that affect how safeguards are addressed, these can be included in future SOIs. **In 1st SOI, a point to be added to ''gaps and measures'' under Safeguard A (alignment with national policies'' noting that the relevance of sub-national PLRs for safeguards should be explored in future reviews.**
General / overall comments	Word Clarity – Indigenous People's This was raised due to the Nepali translation of Indigenous Peoples - the standard term accepted in English for Nepal is Indigenous Peoples and local communities (to reflect what is in other key documents). The capacity-building efforts for CFUG in relation to the emission reduction program should be accelerated. Traditional forest-related practices of indigenous People from different regions of the country should be studied and documented.	Review workshop, 30-31st March 2025 HIMAWANTI	This comment will be passed to translator for final review of Nepali version. It may relate to separate of terms for IP and LCs. The two terms are already separate and clear in Eng version. Some studies have already been conducted and are mentioned in SOI. Add a point to the "gaps & measures" section of SG C No specific suggestions have been provided on how to make sure women's participation is beyond "token" representation. However, sections on stakeholder engagement and in SGs B and D can be checked for opportunities to strengthen language on gender equality. Concerns related to carbon rights and BSP.

	Meaningful participation of women should be actively encouraged, rather than limiting their involvement to token representation.

Government will have to make sure that these and similar concerns of rights holders will be addressed to the extent possible in the next SOI. | | |

Appendix 2. International Conventions/Agreements relevant for REDD+

Based on the ER-PD of the FCPF ER Program and the NRS (2018), as the development of this SOI, the following table shows international conventions and agreements considered relevant for REDD+ in Nepal.

S No.	International conventions/ agreements	Nepal: Party (P), Signatory (S) or Voted in Favour (ViF)
1	Convention on Biological Diversity (CBD) (1992)	P
2	Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (1973)	P
3	Ramsar Convention on Wetlands of International Importance (1971)	P
4	International Labour Organisation Convention Concerning Indigenous and Tribal Peoples in Independent Countries (ILO Convention No. 169) (1989)	P
5	Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits arising from their Utilization (ABS) to the Convention on Biological Diversity (2010)	P
6	Paris Agreement on Climate Change (2015)	P
7	United Nations Forum on Forest (UNFF) / UN Strategic Plan for Forests 2017-2030	Member
8	United Nations Convention to Combat Desertification (UNCCD) (1994)	P
9	UN Convention against Corruption (2005)	P
10	United Nations Declaration on Human Rights (UNDHR) (1948)	ViF
11	United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (2007)	ViF
12	United Nations Framework Convention on Climate Change (UNFCCC) (1992)	P

Appendix 3. Grievance Redress Mechanism for the FCPF ER Program

Background

Nepal is implementing a REDD+ Emission Reduction (ER) Program under the Carbon Fund of the Forest Carbon Partnership Facility (FCPF) of the World Bank in the 13 districts of the Terai Arc Landscape (TAL). Seven REDD+ actions are being implemented and the 1st Emission Reduction Monitoring Report for the reporting period from July 2018 to December 2021 has been prepared and submitted to the World Bank for verification. After the verification process is completed, Nepal is expected to receive the results-based payments for the ER credits generated from the implementation of the ER Program. As part of this ER Program,

An Environmental and Social Management Framework (ESMF) has been developed, which includes feedback and grievance redress mechanism (FGRM). The FGRM developed for the FCPF ER Program is described briefly below.

The FGRM arrangements for the FCPF ER Program have four basic steps:

1. **Registration:** Individuals and or groups having feedback and or grievances in relation to the ER Program implementation can report their grievance using different means such as verbal (face to face, phone), written (delivery of written complaints at designated authorities, complaint boxes, post offices), and electronically (i.e., emails,[175] websites[176]) at their convenience. Grievance can be reported at different levels ranging from local (CBFM offices, municipalities, district court and local forest officials/offices), province (Ministry of Industries, Tourism, Forest, and Environment), and central or federal (NRC, Department of Forests, Ministry of Forests and Environment, and Prime Ministry's Office (PMO) through Hello Government scheme). There is no specific reporting format, unless reports are to be registered at court.

2. **Investigation:** The investigation begins immediately after the grievance/complaint is reported or registered. Since this mechanism is not new but a modification of the existing practice, a quasi-judicial system following both legal and/or customary approaches shall be applied. As identified in the ESMF, most of the likely impacts of the proposed ER Program interventions involve diverse social and environmental issues requiring pragmatic approaches. Taking into account where a grievance was reported and what the issue is, investigation can begin at any of the three levels: (i) local, (ii) provincial, and (iii) national. In most cases, however, investigation shall reach to the area (e.g., communities, municipalities, local forest authorities) where the grievance emerged.

   (i) Local investigation: It is anticipated that most of the grievances related to the ER Program interventions will be at the local level requiring pragmatic approaches to handle them (i.e. pragmatic approach largely follows informal but participatory methods). In order to investigate a local-level grievance, an investigating team of three to five members

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[175]info@MFSC-redd.gov.np; email addresses of related provincial ministries; email addresses of local governments
[176] http://www.mfsc.gov.np/;http://www.dof.gov.np/; http://MFSC-redd.gov.np/; websites of related provincial ministries; websites of local governments

from key stakeholders shall be formed in each of the municipalities. A forest officer designated as the ER Program focal officer will lead the team. Municipality-level FECOFUN (ACOFUN in case of the grievance being investigated is related to collaborative forestry) and NEFIN will nominate a representative each. The remaining two out of the five team members will be nominated as per requirements. For example, if the case is related to gender discrimination, one female member from the ER Program-related women's group functioning in the area will be nominated. The investigating team's primary purpose is to resolve conflicts (i.e., address the grievance) using a participatory approach. If an agreement is not reached (between conflicting parties if they exist), the team can make a decision and forward the investigation to higher authority (e.g., head of the Forest and Environment Division of the Municipality). The team's decision will also be a basis for any legal action required by the local government and/or the judicial body (district court, for example) where the case was registered. The concerned ER Program authority (such as a local forest and environment officer) will ensure that the decision made by the investigating team is implemented within a given time with due respect of the laws and regulations triggered.

(ii) Provincial investigation: A provincial-level investigation will be undertaken if the grievance and/or conflict triggers the forest laws of the provincial government. At this level, the GRM will largely follow a quasi-judicial approach (i.e., formal process). The related DFO will investigate and make necessary decisions as guided by the triggered law and regulation within a given timeframe (see Table 19). If an issue requires a pragmatic approach (which is not expected at provincial level as much as at the local level), the provincial ER Program coordinating division will assign a forest officer, preferably one experienced in the ER program, to address the issue in collaboration with related stakeholders and conflicting parties.

(iii) National investigation: The Ministry of Forests and Environment (MoFE) is responsible for managing the grievances emerging from ER Program implementation. At the national level, the Department of Forests and Soil Conservation (DFSC), Department of Forest Research and Survey (DFRS), and/or Department of National Park and Wildlife Conservation (DNPWC) will redress all grievances arising from ER Program implementation within their respective areas. GRM at this level largely follows a quasi-judicial approach. Each of the departments will have a REDD+ focal person with responsibilities to address all feedback and grievances. The National REDD+ Steering Committee (NRSC) will serve as a coordinating and facilitating body in resolving grievances by supporting respective departments, provincial governments, and local governments in resolving issues and grievances emerging from ER Program implementation. The NRC will assign a grievance coordinator (GC) who will have overall responsibility in coordinating, facilitating, and providing other necessary support for the FGRM. It is imperative that this person has received training in conflict resolution, for example. The GC can be a senior forest officer who has received training in conflict resolution or a related field. The GC will be responsible for central registration of all grievances reported from all levels and monitoring and evaluating the functionality of the FGRM.

3. **Implementation:** In this step of the FGRM, decisions that come out of the investigation or resolution process will be implemented. Authorities responsible for implementing the ER Program at local, provincial, and national levels will make a final decision addressing the issues as recommended by the investigating team in their respective jurisdiction. A clear instruction (with resources if required) will also be provided (i.e., process, place, and time) to be followed while redressing grievance.

4. **Monitoring and feedback:** To further make sure that decisions are properly implemented, and unintended outcomes are not emerging, the responsible ER Program authority (forest and environment section of the related rural municipality, for example) will follow the guidelines and established protocol of monitoring and evaluation. Feedback from conflicting parties (or stakeholders who were having grievances) will also be anticipated on a regular basis.

The five-level FGRM (including the court system) is shown in the Figure A4.1 below. Table A4.1 summarizes key steps, processes, and timeline of the FGRM proposed for the FCPF ER Program.

Figure A4.1. Diagram of proposed grievance redress mechanism for the REDD+ program (Source: ESMF of the FCPF ER Program
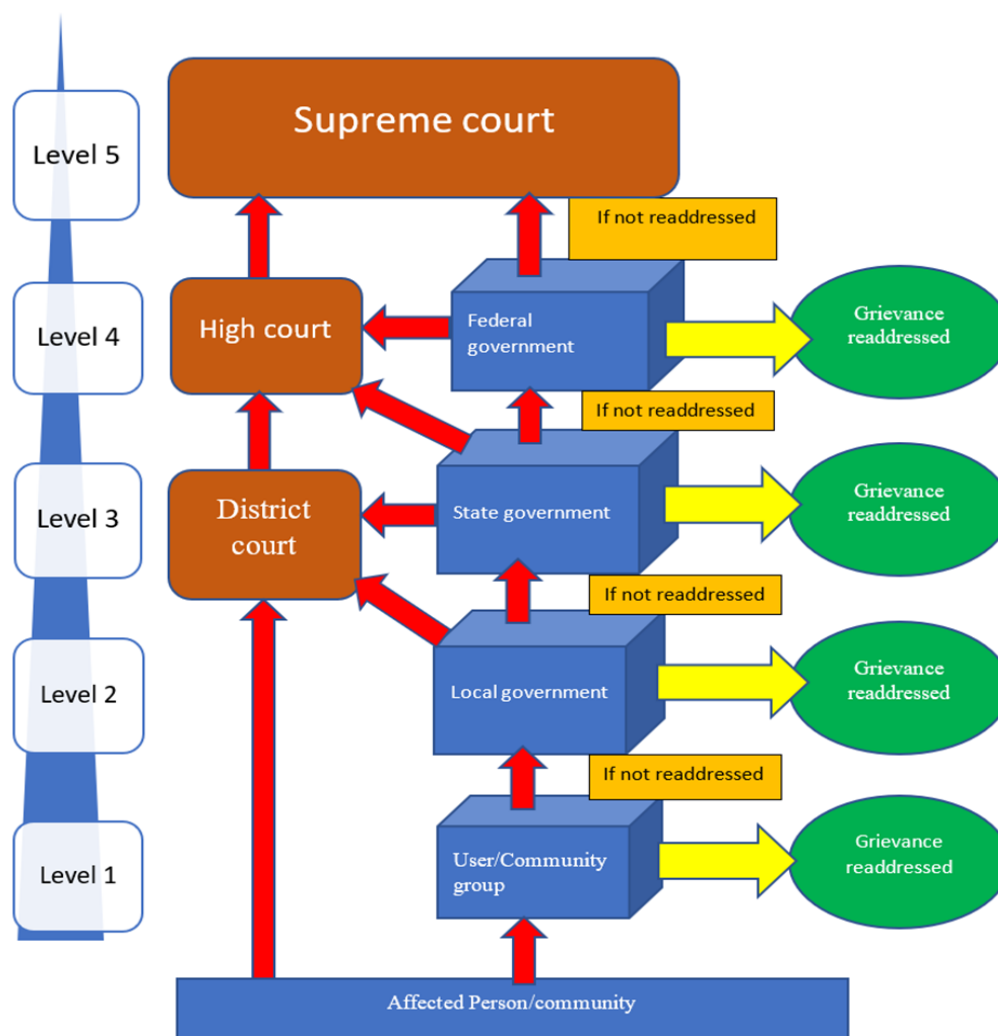
Table A4.1 Summary of proposed GRM for the FCPF ER Program

Step	Stage	Process description	Time frame	Other arrangements required
		Uptake or register grievance/complaints: How: (i) verbally: face to face, phone		- Email ID, phone number, PO box number, complaint box. - Grievance expressed in public forum should also be considered. - No specific format required unless grievance is to be registered at court

1	**Registration**	(ii) written: complaint box, post office (iii) electronic media (email) Where: -related forest offices, departments, ministries -ER Program service centres at local, provincial and national level	1 day	- Grievance expressed in public forum, media, and newspaper must also be considered
2	**Investigation: Respond to grievance/complaints**			
2.1	-screening	- assess reliability, validity, significance and sensitivity (scale and scope) of the grievance - identify of related group(s) and sector(s)	7 days	- Cross-check with related stakeholders and available other information. - Grievance related to local level but registered at provincial and national level should be transferred
2.2	-confirmation	- inform concerned individuals/groups that the grievance/complaints are verified - inform investigation plan and process to the related parties/stakeholders	1 day	- A notice informing screening outcome should be delivered to the individuals/ groups reporting grievance
2.3	-investigation	-formulate investigating team and assign task -undertake investigation following defined protocol	15 days	- Three members including forest officer, representative from FECOFUN/ACOFUN, and NEFIN - Two additional members can be added according to context, scale, and sensitivity of grievance being investigated. - Pragmatic (informal) and judiciary (formal and guided by triggered laws and bylaws)

2.4	-decision	-conclude investigation and provide decision to the designated higher authority	6 days	- The investigating team must submit its report within six days after field investigation completed.
3	**Implementation: Grievance redress/conflict management**			
3.1	-decisions and instructions	-higher authority should endorse the decision made by investigating team	6 days	- Decisions along with clear instructions for implementation should be provided to the implementing section (field office)
3.2	-redressing grievance	-start implementation of the decision(s) made	Within 7 days	- Implementation plan should be developed and shared with related parties/stakeholders
4	**Monitoring and feedback: Monitor progress and outcomes**		Regularly	- Monthly report will be required

Note: Process and timeframe were defined taking pragmatic approach into account. In case of conflict with legal provisions, the latter will be applied.

Appendix 4. Principles, Criteria and Indicators of the Cancun Safeguards for Nepal.

Principles, Criteria, and Indicators for Safeguard A		
Principle A. The REDD+ Strategy and programs comply with applicable local and national laws, and are consistent with relevant national policies and programs, and international treaties, conventions and other instruments		
Criteria	**Indicators**	**Type of Indicator**
A1. The REDD+ Strategy and programs are in line with, or contribute to achieving, the objectives of key national policies and programs on forests, environment, and development, and relevant legal instruments.	A1.1. Key national forestry, environmental and development policies relevant to the REDD+ Strategy and programs are identified to ensure REDD+ actions are consistent with them.	Address
	A1.2 Appropriate measures are taken to ensure compliance of the REDD+ Strategy and programs with key national policies on forests, environment, and development, and relevant legal instruments.	Respect
	A1.3 The REDD+ Strategy and programs comply with and support the objectives of key national policies and programs on forest, environment and development.	Respect
A.2 Effective communication and coordination exists among policy and implementation agencies that carry out the REDD+ Strategy and programs, as well as forest, environmental, development poverty reduction activities at all levels.	A2.1 Multistakeholder mechanisms for REDD+ are established and operational.	Address
	A2.2 Number of joint decisions made in relation to implementation of REDD+ programs at national, subnational and/or project level.	Respect
	A2.3 Number of REDD+ actions designed to be delivered through cross-sectoral cooperation, and number under implementation.	Respect
A.3 The REDD+ Strategy and programs are in line with, or contribute to achieve, the objectives of the relevant international conventions and treaties ratified by Nepal.	A3.1 International conventions, treaties, and policies relevant to REDD+ are identified to ensure that the REDD+ Strategy and programs are consistent with them.	Address
	A3.2 Appropriate measures are taken to ensure compliance of the REDD+ Strategy and programs with the international conventions, treaties, and relevant legal instruments.	Address
	A3.3 The REDD+ Strategy and programs comply with and support the objectives of the international conventions, treaties, and relevant legal instruments.	Address
	A3.4 In line with international and national policies on gender equality, the REDD+ Strategy, programs and forestry plans integrate key provisions for gender equality, such as equal pay.	Respect

Principles, Criteria, and Indicators for Safeguard B

Principle B. The REDD+ Strategy and programs contribute to good governance, sustainable development, and social justice		
Criteria	**Indicators**	**Type of Indicator**
B.1 The governance structures for REDD+ are clearly defined, effective, transparent, and accountable, and promote shared ownership of REDD+ programs and actions	B1.1 Effective REDD+ institutions and governance structures are in place with clearly defined roles and responsibilities.	Address
	B1.2 Information on the roles, responsibilities and decision-making processes of REDD+ institutions and governance structures is publicly available, including information on stakeholder engagement processes and procedures for Free, Prior and Informed Consent (FPIC)	Address
	B1.3 Adequate information on various aspects of REDD+ actions (technical, financial and safeguards) is provided to all relevant stakeholders and rights holders including Indigenous Peoples, Dalits, women, and local communities.	Respect
	B1.4. REDD+ institutions and governance structures include stakeholder representatives (including adequate representation of Indigenous Peoples, women, Dalit and local communities), selected by and accountable to their constituencies	Respect
B.2 The REDD+ Strategy and programs ensure gender inclusion and social equity while designing and implementing REDD+ actions.	B2.1 The REDD+ Strategy and programs assess and identify risks and measures related to gender inclusion and social equity.	Address
	B2.2 The REDD+ Strategy and programs apply gender-sensitive and socially inclusive approaches and procedures throughout the design, implementation, monitoring and evaluation of REDD+ actions	Address
	B2.3 Gender inclusion and social equity is promoted through participation of all relevant stakeholders (including Indigenous Peoples, women, Dalit and local communities) in REDD+ design, implementation, monitoring and evaluation.	Respect
B.3 REDD+ implementing agencies maintain financial governance, including financial transparency and accountability, and avoid the misuse of funds.	B3.1 Policies, laws and regulations on accountability and corruption control are in place.	Address
	B3.2 The REDD+ Strategy and programs identify risks and measures related to accountability and corruption control.	Address
	B3.3 REDD+ implementing agencies ensure implementation of measures for accountability and corruption control.	Respect
	B3.4 Financial information related to the REDD+ Strategy and programs at all levels, including community level, is duly audited and made publicly available.	Address
	B4.1 REDD+ institution staff are trained in REDD+ processes.	Respect

B.4 Capacities and awareness of REDD+ institutions and all relevant stakeholders, including government staff, forest user groups, Indigenous Peoples, women, Dalits, and local communities, are increased.	B4.2 Capacity development and awareness raising activities are conducted with stakeholders (with participation of 50% from Indigenous Peoples, local communities, women, and Dalits.	Respect
B.5 Benefits of REDD+ programs are distributed to beneficiaries in a transparent and equitable manner.	B5.1 Policies, laws and regulations on benefit sharing are in place.	Address
	B5.2 Beneficiaries of REDD+ programs are identified and mapped in consultation with relevant stakeholders.	Address
	B5.3 REDD+ benefits sharing mechanisms, plans and procedures are developed through consultation with all relevant stakeholders.	Address
	B5.4 Total benefits received and distributed by the REDD+ programs to different types of beneficiaries in accordance with the approved BSP.	Respect
	B5.5 Outcomes of REDD+ benefit-sharing are monitored and evaluated.	Respect
B.6 REDD+ programs ensure that all grievances related to the program design, implementation, monitoring and evaluation and benefit sharing are addressed in a timely and culturally appropriate manner.	B6.1 Functional and appropriate grievance redress mechanisms for REDD+ are in place at all levels in accordance with national laws.	Address
	B6.2 Information on the availability of grievance redress mechanisms and procedures is widely disseminated to all relevant the stakeholders using appropriate channels.	Respect
	B6.3 Grievances related to REDD+ programs are registered, addressed and resolved in a timely and culturally appropriate manner.	Respect

Principles, Criteria, and Indicators for Safeguard C

Principle C. The REDD+ Strategy and programs recognize and respect the rights of Indigenous Peoples and local communities to lands, territories, and resources, and their traditional skills and knowledge.

Criteria	Indicators	Type of Indicator
C.1 The REDD+ Strategy and programs identify different rights holders and respect both statutory and customary rights to lands, territories, and resources, which Indigenous Peoples and local communities have traditionally owned,	C1.1 Policies and procedures of the REDD+ Strategy and programs include recognition of protection of and respect for statutory and customary rights, as per prevailing laws, in a gender sensitive, socially inclusive and participatory way.	Address
	C1.2 REDD+ programs undertake an effective and transparent process to identify and map all relevant rights holders, including Indigenous Peoples, local communities, women and Dalits, their	Address

occupied or otherwise used or acquired.	statutory and customary rights over and to access lands, territories and resources and cultural and spiritual sites.	
	C1.3 REDD+ programs promote and contribute to establishing and securing statutory rights to lands, territories and resources.	Respect
	C1.4The REDD+ Strategy and programs promote sustainable forest management and community-based forest management systems, including recognition of and respect for the rights of Indigenous Peoples and local communities within forest management and land use plans.	Respect
C.2 The Free, Prior and Informed Consent of Indigenous Peoples and local communities is required for any REDD+ programs or actions affecting their rights to lands, territories and resources.	C2.1 The process of obtaining Free, Prior and Informed Consent is developed collectively by stakeholders, rights holders, and the REDD+ implementing agencies.	Address
	C2.2 Free, Prior, and Informed Consent is obtained from Indigenous Peoples and local communities for their participation in any REDD+ programs or actions affecting their rights to lands, territories and resources.	Respect
	C2.3 No relocation shall take place without the Free, Prior, and Informed Consent (FPIC) of affected stakeholders, and where any relocation or displacement occurs, there is prior agreement on the provision of alternative lands and/or fair compensation.	Respect
C.3 The REDD+ Strategy and programs recognize and respect the knowledge and practices of Indigenous Peoples and local communities.	C3.1 Legal framework is in place for recognizing and respecting the culture, traditional knowledge and practices of Indigenous Peoples and local communities in the context of REDD+	Address
	C3.2 Policies and procedures for the REDD+ Strategy and REDD+ programs promote and uphold respect for the culture, sites, traditional knowledge and practices of Indigenous Peoples and local communities, in a participatory manner.	Address
	C3.3 Traditional knowledge, skills and practices, as well as cultural/ spiritual sites of Indigenous Peoples and local communities are respected and promoted through the design and implementation of REDD+ actions.	Respect
C.4 Carbon rights in relation to REDD+ are clearly defined and respected in the design and implementation of REDD+ programs, based on statutory and customary rights to lands, territories and resources.	C4.1 Carbon rights are defined and regulated as per the prevailing laws of the country.	Address
	C4.2. REDD+ programs implement policies and procedures to recognise and allocate rights to carbon, including private ownership if relevant, based on the statutory and customary rights to the lands, territories and resources in areas that generate the greenhouse gas emissions reductions and removals.	Respect

Principles, Criteria, and Indicators for Safeguard D		
Principle D. All relevant stakeholders participate fully and effectively in the REDD+ Strategy and programs, in particular Indigenous Peoples and local communities		
Criteria	**Indicators**	**Type of Indicator**
D.1 The REDD+ Strategy and programs recognize the rights of relevant rights holders and stakeholders, including Indigenous Peoples and local communities, to fully and effectively participate in the design, implementation and monitoring of REDD+.	D1.1 Legal framework for identifying and recognising Indigenous Peoples and local communities and their rights is in place.	Address
	D1.2 The REDD+ Strategy and programs identify and map in a participatory manner all relevant rights holders and stakeholders, including Indigenous Peoples, local communities, women and Dalits, with their interests and relevance to the programs.	Address
	D1.3 REDD+ Programs implement policies and procedures to recognise the rights of Indigenous Peoples, local communities, women and Dalits to participate in the programs.	Address
D.2 The REDD+ Strategy and programs ensure the full and effective participation of all relevant rights holders and stakeholders in design, implementation, monitoring and evaluation.	D2.1 Culturally and gender sensitive processes, institutional structures, and communications channels are in place to support the full and effective participation of all relevant rights holders and stakeholders in the design, implementation, monitoring and evaluation of REDD+ actions.	Address
	D2.2 Where appropriate, customary institutions and decision-making processes of Indigenous Peoples and local communities are reflected and integrated into REDD+ and relevant forest sector plans and processes.	Respect
	D2.3 Stakeholder groups are equitably represented in REDD+ governance structures, forest management and participatory processes, with particular attention to Indigenous Peoples, local communities, women, Dalit and other marginalised groups; stakeholder representatives are transparently selected and accountable to their stakeholder constituencies.	Respect
	D2.4 Feedback or inputs from rights holders and stakeholders are recognized and adopted in REDD+ Strategy and program design and implementation.	Respect
	D2.5 Stakeholders and rights holders, including Indigenous Peoples, members of local communities, women Dalits, and members of other marginalised groups participate in the design, implementation, monitoring and evaluation, and benefit sharing of the REDD+ Strategy and programs.	Respect
D.3 REDD+ implementing agencies ensure that rights	D3.1 Legal framework is in place to support information sharing about REDD+	Address

holders and stakeholders are provided with information about REDD+ programs and actions in a culturally appropriate, gender sensitive and timely way, and that they have the capacity to participate fully and effectively in program design, implementation, monitoring and evaluation.	D3.2 The REDD+ Strategy and programs identify target recipients of information and establish culturally appropriate and gender sensitive information sharing channels and mechanisms	Address
	D3.3 Information on REDD+ design, implementation, monitoring, evaluation and safeguards, and on relevant rights and legal provisions, is effectively and transparently shared with rights holders and stakeholders in culturally appropriate, gender sensitive and timely ways including use of local language/s wherever possible	Respect
	D3.4 REDD+ programs identify the capacity needs of relevant rights holders and stakeholders, and provide support to enable them to participate fully and effectively in REDD+ design, implementation, monitoring and evaluation, with special attention to Indigenous Peoples, local communities, women, Dalits and marginalised groups.	Respect

Principles, Criteria and indicators for Safeguard E.		
Principle E. The REDD+ Strategy and programs promote the conservation of natural forest and other natural ecosystems, and maintain and enhance biodiversity and ecosystem services, as well as other social and environmental benefits		
Criteria	**Indicators**	**Type of Indicator**
E.1 The REDD+ Strategy and programs identify, prioritize and maps natural forests, biological diversity and ecosystem services that are potentially affected by REDD+ activities and actions.	E1.1 The legal framework supports the identification of natural forests, other important ecosystems and biodiversity in relevant to the REDD+ Strategy and programs, including in REDD+ areas	Address
	E1.2 Natural forests, biodiversity and ecosystem services, including important and endangered plant and animal species, potentially affected by REDD+ programs are identified, prioritized and mapped, and relevant benefits and risks of REDD+ actions assessed, including through consultation with local knowledge holders.	Respect
E.2 The REDD+ Strategy and programs maintain and enhance the identified natural forests, biodiversity and ecosystem service priorities.	E2.1 The REDD+ programs identify measures to maintain and enhance the identified natural forests, biodiversity and ecosystem services priorities including through incentives for their conservation.	Address
	E2.2 REDD+ actions are implemented in such a way that the identified natural forests and sites important for biodiversity and ecosystem services are protected and enhanced.	Respect
E.3 REDD+ programs do not lead to the conversion or degradation of natural forests or other areas that are important for maintaining	E3.1 Legal framework and/or procedures are in place to avoid and reduce the risks of conversion or degradation of natural forests and other natural ecosystems.	Address
		Respect

	E3.2 No conversion or degradation of natural forests and other natural ecosystems due to REDD+ implementation is demonstrated though the monitoring of the REDD+ Strategy and programs.	
and enhancing the identified biodiversity and ecosystem service priorities.		
E.4 The REDD+ Strategy and programs contribute to the conservation of natural forests, biodiversity and other natural ecosystems.	E4.1The REDD+ Strategy and programs support the objectives of national and local policies for the conservation of natural forests, biodiversity and ecosystem services.	Address
	E4.2 REDD+ actions are designed and implemented to contribute to the conservation of natural forests, biodiversity and ecosystem services.	Respect
E.5. The predicted and actual positive and negative social and environmental impacts of the REDD+ Strategy and programs are assessed, and programs are adapted in order to mitigate negative impacts and enhance social and environmental benefits.	E5.1Legal framework and procedures are in place to support the assessment of social and environmental impacts associated with REDD+, as well as the mitigation of potential negative impacts.	Address
	E5.2 The potential social and environmental positive and negative impacts of the REDD+ Strategy and programs area assessed, and measures to reduce negative impacts and enhance benefits identified.	Respect
	E5.3 The REDD+ Strategy and programs monitor their social and environmental impacts, and contribute to provision of social and environmental benefits.	Respect
	E5.4 The REDD+ Strategy and programs apply adaptive management to mitigate negative impacts and enhance environmental and social benefits, including for biodiversity and ecosystem services.	Respect

Principle, Criteria, and Indicators for Safeguard F		
Principle F. The REDD+ Strategy and programs reduce risks of reversals through means appropriate to the scale and context, emphasizing sub-national action and national level policy initiatives, and effective monitoring.		
Criteria	**Indicators**	**Type of Indicator**
F.1 Risks of reversals, including internal and external threats to forest carbon stocks, are defined and assessed, and mitigation plans developed	F1.1 Policies and procedures for REDD+ support assessing, mitigating and monitoring risks of reversals, in accordance with relevant laws.	Address
	F1.2 REDD+ implementing agencies carry out assessment of risks of reversals, internal and external threats to forest carbon stocks, with drivers of these risks and threats identified, and mitigation plans developed and implemented including incentives to promote the conservation and the sustainable management of forests.	Respect

| F.2 Periodic monitoring and evaluation of forest-related emissions and changes in forest carbon stocks, including any incidences of reversals, is conducted. | F2.1 Forest monitoring system is established, and able to detect and respond to reversals. | Address |
| | F2.2 Forest monitoring is conducted regularly and monitoring reports with information on any risks and/or incidences of reversals, are available to REDD+ stakeholders. | Respect |

Principle, Criteria and Indicators for Safeguard G

Principle G. The REDD+ Strategy and program includes actions to reduce risks of emissions displacement (leakage) and support monitoring at the sub-national and national levels

Criteria	Indicators	Type of Indicator
G.1 Risks of emissions displacements, including direct, indirect and underlying drivers of deforestation and forest degradation, are defined and assessed, and mitigation plans developed.	G1.1 Policies and procedures for REDD+ support assessing, mitigating and monitoring risks of displacement, in accordance with relevant laws.	Address
	G1.2. REDD+ implementing agencies carry out assessment of risks of displacement, including direct, indirect and underlying drivers of deforestation and forest degradation, and mitigation plans are developed and implemented including incentives to promote the conservation and the sustainable management of forests.	Respect
G.2 Periodic monitoring and evaluation of forest-related emissions and changes in carbon-stock conducted, including monitoring of measures implemented and any incidences of displacement.	G2.1 Forest monitoring system is established and able to detect and respond to displacement.	Address
	G2.2 Forest monitoring is conducted regularly and monitoring reports with information on any risks and/or incidences of displacement are available to REDD+ stakeholders.	Respect

Appendix 5. Data tables referenced in Chapter 5.

Table A5.1. CIAA records of Complaints registered and settled for fiscal year 2022/23

S. N.	Ministry and institutions	Number of complaints registered			Number of complaints settled (including the cases-prosecuted to the special court)
		From previous Fiscal year	Fiscal year 2022/2023	Total	
1	MoFE (Federal)	62	174	236	179
2	Ministry of Industry, Tourism, Forests and Environment (Provincial)				
	Koshi	38	87	125	98
	Madesh	16	59	75	55
	Bagmati	18	89	107	65
	Ganddki	25	65	90	68
	Lumbini	17	183	200	160
	Karnali	31	87	118	72
	Sudurpacchim	70	142	212	154

Table A5.2. Governance improvement Branch: Complaints/grievances and information related details

S No	Complaints/grievance sending agency	FY 2023/2024	Oct/Nov	Nov/Dec	Dec/Jan	Total
1	Complaints/ grievances received from Office of Prime Minister and Council of Ministers	No of complaints received	0	0	2	2
		Settled	0	0	0	0
		On the process	0	0	2	2
2	Complaints/ grievances received from Hello Sarkar Unit	No of complaints received	2	5	4	11
		Settled	1	4	3	8
		On the process	1	1	1	3
3	Complaints/ grievances received from CIAA	No of complaints received	4	2	4	10
		Settled	1	0	1	2
		On the process	3	2	3	8

S No	Complaints/grievance sending agency	FY 2023/2024	Oct/Nov	Nov/Dec	Dec/Jan	Total
4	Complaints/ grievances received and registered in the Ministry (MoFE)	No of complaints received	0	0	1	1
		Settled	0	0	0	0
		On the process	0	0	1	1
5	Complaints/ grievances received from National Vigilance Centre	No of complaints received	0	4	1	5
		Settled	0	1	0	1
		On the process	0	3	1	4

पत्र संख्या :-
चलानी नं. :- ६ (क)

मितिः २०८२/०४/०२
ने.सं. ११४५

श्री रेड कार्यान्वयन केन्द्र,
बबरमहल, काठमाडौं

विषयः UNFCCC मा Summary of Information पेश गर्ने सम्बन्धमा।

प्रस्तुत विषयमा नेपालमा REDD Plus कार्यक्रम संचालन गर्दा पालना गरिएको सुरक्षणका विधिहरू (Safeguard Measures) समेटेर नेपालको तर्फबाट Summary of Information (SOI) लाई UNFCCC को 9/CP-19 को निर्णय नं. ९ मा पेश गर्न यस मन्त्रालय(सचिवस्तर)को मिति २०८२/०४/०२ को निर्णय बमोजिम अनुरोध छ।

स्मृति पहारी
संरक्षण अधिकृत