

Independent Technical Review: ECUADOR National Programme Document

UN-REDD PROGRAMME

Reviewer: Johnson Cerda

Date: February 2011



General comments to National Programme Document of Ecuador

This independent review to the *PNC ONU-REDD ECUADOR, version for the sixth policy board document*, was elaborated using some supporting documents among others, *memories of the information sharing process, matrix of comments and the UN-REDD Programme Rules of Procedure and Operational Guidance*. The main document has plenty of explanation on policies, laws and the Ecuadorian planning process in relation to climate change issues.

The document states activities being implemented by the Ministry of Environment in a regular basis and connects to the country initiative to implement *redd+*; an important new structure has been implemented in the MAE to include a new undersecretary on climate change with two national directors on mitigation and adaptation.

With the support of several national and international organizations they are doing research and analysis to define the base line and identify precise information of deforestation in Ecuador. The national target to reduce deforestation by 2013 is the 30%.

The full and effective participation of forest dependant stakeholders is a key challenge to fulfill in the implementation of the plan. The recommendations for the full and effective participation of indigenous peoples have been collected in the information sharing process held through workshops across the country. Nongovernmental organizations have participated in the meetings to support the country efforts or actions to prepare the National Joint Program.

Assessing the National Programme Document against review criteria

1. Ownership of the Programme :

The undersecretary on climate change was in charge to elaborate the National Joint Program with the support of MoE staff and some of the civil society organizations through some meetings across the country. The recommendations from the workshops were included in the NJP document which is a clear message on the great significance of the process. It was set up an important follow up process roundtable with the participation of key stakeholders of civil society organizations including some national and regional indigenous organizations as recommended by the Coordinator of the UNDP Ecuador.

The article 414 of the new Ecuadorian constitution states a mandate for the mitigation actions to climate change and the National Planning Secretary includes in their planning the reduction of 30% of emissions coming from deforestation by 2013. This action is in charge of the MoE and its structure responds to a national planning. The environmental services that the new constitution recognizes are still going to be regulated in Ecuador. One of the important element I'd like to highlight is the recognition of community plans to be included in the implementation of the NJP.

Through the “partners in forest” program, the Ecuadorian government has released own funding to provide incentives for communities and private owner to protect their forest which is a step forward to prepare the key stakeholder into the discussion on forest issues, however it's not clear the sustainability in the long term.

2. Level of consultation, participation and engagement:

After a review of the information sharing process and the matrix of comments, I conclude that there were several opportunities at the local and national level, for comments to the NJP, even better the cities were located in provinces where the deforestation rate is high (Napo, Sucumbíos and Esmeraldas provinces in the chart 7). My only observation to this process is about the timing in providing the information in advance to the participants and key stakeholders especially indigenous communities as they need to get consensus in their own internal process.

In relation to participation, there are several nongovernmental organizations with their head quarters in Quito, which facilitate their participation in the follow up roundtable process to validate the preparation of the NJP document, nevertheless it is a challenge to get the full and effective participation of indigenous people leaders and much more those located in the communities to participate in the debate, analysis and decision making process.

The NJP document states that the MoE will strengthen the capacity of the staff working in the field to engage with communities and also a capacity process for community leaders to support the engagement process in the future with other forest dependent communities and even their own people. The joint planning work as it is stated will really help to improve the engagement and sthrentengh of the NJP.

The NJP will use in the implementation the guidelines and international obligations for the consultation and participation process, nevertheless it states *“when it doesn’t contradict the national legislations”*. The article 398 of the Ecuadorian constitution states that *“the law will regulate the consultation”* in the chapter related to Biodiversity and natural resources. The free, prior and informed consultation according the article 57, n. 7 of the Ecuadorian constitution contradict the need of free, prior and informed consent as it states the UN-REDD Operational Guidance: Engagement of Indigenous Peoples and Other Forest Dependent Communities Part 2, n 2.

The nongovernmental organizations are supporting with key information sharing workshops but there is a need of further information about which areas of the country they are working on and also what level of communities they are covering, .

3. Programme effectiveness and cost efficiency:

In general, the budget is fairly distributed in the several stages of the plan but in the document there is some information about the financial contribution of several institutions and governments for the technical support in the baseline and the forest monitoring process. There is a logic framework in the memories of information sharing document where it is clearly stated the contribution of different institutions; I would recommend including in the final budget.

At the same time, in relation to the participation of the local stakeholders such us indigenous peoples, there is a need to evaluate the proper timing and allocation of resources to make sure their participation, because they have their own internal process and would affect the entire program timing.

The opportunity cost is really high, taken into consideration the presence of mining and oil industry in the area, therefore the government need to put more attention in the inter institutional coordination for the success of the program in the long term.

4. Management of risks and likelihood of success:

The lack of a clear role of the institutions would create conflicts and affect the NJP process as it is stated in the document; even with the clear “good living” plan and policies for the next years the lack of coordination with the energy official sector will really affect this good proposal. This is one of the demands even the communities are formulating to the government, calling for them to get an agreement of natural resources exploitation or protection of the forest.

There are some conflicts between indigenous communities and the government for the extractive industry policies, some of them in indigenous people’s lands and territories, which means the need to implement a process of Free, Prior and Informed Consent. This conflict has affected the regular dialogue with the government and indigenous organizations and may affect the process of redd+ and the “partner in forest” program which is a component of readiness process.

The reduction of emissions will not be able to achieve only with government policies but with the commitment of the indigenous peoples and Afro Ecuadorian communities because they own the highly forested areas in Ecuador threatened by deforestation. One of the elements that can help to avoid the deforestation is the communities’ traditional knowledge, practices and the use and management of the forest.

The interesting structure of policies on issues related to climate change is an advantage in Ecuador; nevertheless, the engagement with the forest owners as they call themselves the indigenous communities is a gap that needs to be improved for the success of the program. The highly commitment of the nongovernmental organizations is an advantage.

The “partners in forest” program is one of the key elements in which communities participate in a voluntary basis, therefore in the case of redd+ using the same voluntary basis will create a “leakage”.

5. Consistency with the UN-REDD Programme Framework Document and Strategy:

According to my review it is consistent with the UNREDD strategy from the elaboration of key policies and the guaranties of the rights of indigenous peoples, rights of nature which is a pioneer process in Ecuador.

Regarding the participation of key stakeholders I believe that although they have identified the main organizations representing indigenous peoples and also it has been identified non-governmental support organizations, as well as technical cooperation agencies are already supporting several initiatives of the MoE, it is required more active participation of those located in threatened forest areas with high deforestation. The gearing of these actors who are generally considered in the proposal may be an essential support of the program.

The construction of the baseline and the development of tools for monitoring and reporting lead to an understanding of comparing the results with the objectives and goals they have in the program, as well as the objectives of the National Plan of good living. I think there is a very strong rights framework that can easily be monitored over time.

6. Compliance with UN-REDD Programme Rules of Procedure and Operational Guidance :

I recognize the hard work already undertaken by the Ministry of Environment staff and support institutions in the preparation of the document itself within the framework of Ecuador planning and the Guidelines of the UNREDD program.

They have met the three validation workshops that let to establish that the main actors who have participated know the preparation of the document and the plan developed by the Ministry of Environment. However, it is necessary to establish processes to identify and ensure the continued participation of other stakeholders as determined by the rules and operational UNREDD guidelines.

Consultation with indigenous peoples and forest dependent communities is a work in progress. It is understood that in the one hand, in the preparation of the document several workshops were taken for information sharing and to compile and insert fully the recommendations, but in the process of implementing the plan does not indicate the exact implementation process of Free Prior and Informed Consent as required by the UNREDD guidelines.

Suggestions for improving the technical design of the National Programme

Document of ECUADOR:

The MoE should lead the process of inter-agency coordination, especially with the portfolios of state responsible for the development of mining, oil and other initiatives in order to avoid conflicts with local actors, since they hear various messages from the government and therefore reduces the credibility of a serious program going to be implemented. Inter-agency committee should set a timetable of meetings and an agenda of issues of common interest that affect or benefit the local actors and institutions.

The design of the implementation of free, prior and informed consent process as recommended by UN-REDD guideline is a tool that needs to be developed by the MoE in conjunction with local stakeholders, which would meet one of the mandates of the Constitution of Ecuador.

Consultation should be extended to indigenous and local communities at high risk of deforestation, such as those found on the banks of the Napo River between the Sucumbios and Orellana provinces basically those along the Yasuni National Park, from where large amounts of wood are taken. In Esmeraldas province there are communities along the Cayapa river with high forested areas and huge pressure from logging companies. Some forest issues understanding already taken by key stakeholders in this province should be included as a reference in the proposal.

The communities maintain their own process of meetings and decisions making process which is taken in a collective way, the planning should consider a timely manner for this purpose. The land and territories are collective and the decisions will follow their own process then a decision of a leader sometimes wont reflect community feeling when if it's done in rush.

The proposal needs to include information of traditional knowledge of communities in the use and management of land territories and resources that can be reflected in community plans. This issue should be considered in the joint planning that the proposal states.

For the National follow -up Committee the participation of indigenous, afro-Ecuadorians, and Comunas leaders need to be guaranteed through a proper funding and information released in timely manner.

The investment budget should be better expressed, with the contribution being made by institutions and NGOs in preparing the program and even more in the development of REDD +.