

Rights and Resources Initiative
Indonesia ER-PIN Assessment
Date of submission: 5 September, 2015

Grading for ER-PIN Assessments:

Color	Qualification	Analysis
Green	The indicator is clearly addressed and supported by country stakeholders and other sources of evidence;	Reasons for attributed grade should be clearly stated and supported by evidence.
Yellow	The indicator is partially addressed, ER-PIN claims are contested, and/or supporting evidence is weak;	
Red	The indicator is not addressed or is mentioned but not defined/explained, nor supported by evidence and local stakeholder input.	

Section 1: ADVANCING INDIGENOUS AND COMMUNITY RIGHTS TO LAND AND FORESTS: To what extent does the proposed emission reduction program protect and advance the rights of Indigenous Peoples (IP) and local communities (LC) to land and forests within REDD+ systems and processes?

1) Stakeholder participation in ER-PIN planning and ERP design

Grade	Indicators	ER-PIN Assessment
	1a) The ER-PIN design process shows evidence of full and effective engagement of locally affected populations and vulnerable groups, including women, indigenous peoples and local communities	Partial. The ER-PIN lists a considerable range of partners from national and local governments, as well as international partners (ER-PIN, pp.6-7). It states that focus discussion groups were held with stakeholders for the selection of districts, followed by workshops with local leaders and agencies (ER-PIN, pp.28). Still, there is not enough information to determine if stakeholders' inputs were taken into account or details regarding FCPF activities at the local level in general. Furthermore, the ER-PIN notes that several districts have piloted FPIC processes and other districts have undertaken other consultation processes (ER-PIN, p. 29). FPIC processes in Indonesia have met with mixed success, and not all processes have recognized indigenous rights to land. This issue is not discussed in the ER-PIN.
	1b) The ER-PIN presents a clear and realistic approach for ensuring IP/LC involvement in the design and implementation of the full ER Program	The ER-PIN states that a "robust, inclusive, transparent and participatory" process will be undertaken for ER Program design (ER-PIN, p.29). It states that the national consultation protocol developed by DKN for MoFr will be used.

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2) Land and forest tenure

Grade	Indicators	ER-PIN Assessment
	2a) Robust tenure assessments (i.e., assessment takes into account customary and legal land hold, disputed areas, challenges, etc) in the geographical area of the proposed ER Program were conducted as part of the SESA	The SESA was not concluded in Indonesia, but given the large quantity of analytical work and stakeholder engagement around REDD+, including around safeguards, this was apparently deemed acceptable by the WB. Nevertheless, the ER-PIN does not describe the land and resource tenure situation in the proposed ER Program area, but rather describes the advances in efforts to clarify and secure land and forest tenure in Indonesia (ER-PIN, pp. 45-47).
	2b) Land and resource tenure assessments were publically vetted and endorsed by all concerned stakeholders;	In addition to not preseting a robust tenure assessment in the country, the ER-PIN does not present stakeholder or experts feedback on the matter. It describes that civil society groups proposed reforms during the forest tenure conference held in Lombok in 2011, but does not detail these statements or if they were taken into account (ER-PIN, p. 46).
	2c) The land use / land tenure context of the proposed ER Program, including implementation risks (conflicting claims) and available arbitration processes is well defined.	The ER-PIN does not clearly identify risks. It states that uncertainty on land tenure, including lack of formal titles, has been harming land use and development and is a challenge (ER-PIN, pp. 45-47). There is no discussion of existing judiciary and non-judiciary conflict resolution mechanisms in relation to the ER Program. (ER-PIN, p. 46).
	2d) The process for addressing emerging land and forest tenure issues (e.g., conflicting claims, tenure insecurity for IP/LC and women) is clearly defined in the ER-PIN	The ER-PIN proposes efforts to clarify and secure land and forest tenure such as spatial planning, capacity building, policy reform, land registration and demarcation in general and for specified areas (ER-PIN, pp. 25-27, p. 47). A budget of \$350,000 over two years is identified in the financing plan for assessment of land rights in the program area (ER-PIN, Annex 1).

3) Assignment of rights to forest carbon

Grade	Indicators	ER-PIN Assessment
	3a) The legal framework for carbon rights is defined in the ER-PIN	The ER-PIN does not discuss rights to carbon and notes: "More work needs to be done on establishing clear regulations on benefit sharing, particularly related to rights based compensation for ERs" (ER-PIN, p. 52)
	3b) The process for dealing with contested and/or overlapping land, forest and carbon claims is defined.	The ER-PIN assesses the lack of formal land titles and overlap of land permits as a challenge in the country and the Kawasan Hutan reserve. It says current efforts are not likely to show results in short term and does not describe specific mechanisms within the ERP (ER-PIN, p. 47).
	3c) The legal basis for the transfer of ER titles is defined.	The transfer of ER titles is not described or discussed in the ER-PIN.

4) Equitable benefit sharing and non-carbon benefits

Grade	Indicators	ER-PIN Assessment
Yellow	4a) The ER-PIN presents a transparent and verifiable process to equitably share carbon-related benefits (e.g., REDD+ revenue streams).	Given to diversity of local and sub-national efforts going on around REDD+ in Indonesia, the government seems to have opted for a system which both builds on existing mechanisms and works across multiple channels (ER-PIN, p.47-53). Whether these mechanisms (beyond the PNPM) are fully operational yet are not discussed in the ER-PIN, nor the experience, current capacity or any lessons learned from PNPM. PNPM, which is a conditional cash transfer program directed at communities, was criticized by civil society for undermining social solidarity at the village level. Still, the ER-PIN does not present information of the benefit arrangements made at local level and on sales of VERs on the market.
Yellow	4b) The ER-PIN presents a transparent and verifiable process to prioritize and equitably share non-carbon benefits (e.g., alternative business models and revenue streams).	The ER-PIN identifies a considerable range of non-carbon benefits, highlighting biodiversity and its monitoring (ER-PIN, P. 54). Other benefits include strengthening the KPH system, improving spatial planning, supporting tenure reform, community-based activities, among other, but the ER-PIN does not describe how they will be prioritized or shared (ER-PIN, p. 55)
Red	4c) The benefit sharing mechanisms outlined in the ER-PIN are broadly supported by indigenous and forest dependent communities, including women.	The ER-PIN shows no evidence of stakeholders support for its benefit-sharing mechanism. It says that the New Forestry Law will provide the basis for participative benefit-sharing arrangements (ER-PIN, p. 68) and that consultations concerning benefit distribution should have been held in 2014-2015 (ER-PIN, p. 19). Still, by the time of the ER-PIN stakeholders already raised some concerns related to the benefit-sharing arrangements, such as the need for consideration of different types of compensation, according to origin and related benefits (ER-PIN, p. 69). IPs also showed reluctance towards selling ER tiles in commercial markets, fearing this could spark land conflicts. Suggestions are, in accordance to indigenous policies, that titles be sold directly to multilateral funds or include restrictions for resale, such as non-transference clauses (ER-PIN, p. 70).

5) Alignment of ERP strategies with main drivers of deforestation

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	5a) The drivers of deforestation and forest degradation identified in the ER-PIN are consistent with expert analyses and local stakeholder input.	An estimated national reference level based on historical deforestation has been prepared, and each of the participating districts has prepared a district reference levels, but using different methodologies and assumptions. The ER-PIN states that historical data is available and sufficiently accurate, but does not present a detailed description of drivers in each of the proposed program districts but rather a brief national perspective on drivers.
	5b) Challenges to overcoming identified drivers (i.e., technical, institutional, political or economic) are clearly defined.	The drivers analysis in the Indonesia ER-PIN is focused on the underlying causes of deforestation and does not present a spatially explicit discussion of the current drivers in the proposed ER Program area, and does not explicitly, or by name/group, identify the actors involved. (ER-PIN, p. 19-20).
	5c) Proposed ER Program interventions specifically target the main drivers and their related challenges.	Proposed interventions are mainly divided in two areas. The first is support for local forest management unit development (KPH), which will shift responsibility of overseeing license and concession to the KPHs, as part of local government (ER-PIN, p. 22). The second is supporting land tenure reform processes, such as local conflict resolution processes, capacity building for local communities for participatory mapping, support for the One Map Initiative, among other (ER-PIN, p. 23). The ER-PIN still lacks, however, accurate mapping of deforestation hot-spots to tackle the drivers.

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6) Safeguards framework

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	6a) The country has completed its SESA and elaborated an ESMF (yes/no; if yes then consider b through e; if no, got to 6f)	No; no. A terms of reference for the SESA was posted on the FCPF website in May of 2011, however SESA has not been publically posted on the FCPF website. The ER-PIN says that it consisted of a comparative gap analysis of SIS and PRISAI - a bottom-up process of project specific safeguards that had strong participation and leadership from civil society and indigenous peoples organizations - and the integration of PRISAI into the SIS (ER-PIN, p. 44). The ESMF is expected in 2015.
	6b) The assessment of social and environmental considerations was conducted in a transparent and participatory manner.	
	6c) FPIC is presented as a requirement of the ESMF.	
	6d) The EMSF identifies key steps, including budget and timeline, to strengthen forest governance issues within the national legal framework	
	6e) The ER-PIN presence a credible grievance/dispute resolution mechanism, based on the FGRM assessment	
	6f) The ER-PIN describes the design of the Safeguard Information System and its application in the context of the ER-P.	The development of the Indonesian REDD+ safeguard system has followed two separate tracks—the development of principles, criteria and indicators, to inform a SIS for reporting to the UNFCCC and PRISAI. Both systems rely on Indonesian policy/legal frameworks. There has been discussion of merging them, but the status of the process is unclear (ER-PIN, p. 11).
	6g) Proposed safeguards adequately address the land and resource rights of indigenous peoples, forest communities and women	The application of PRISAI to the ER Program has the potential to adequately protect the rights of vulnerable groups in the country, but the capacity to implement the provisions on the ground remains unclear. Furthermore, the country lacks land tenure assessments, and there is no clarity on the role of WB safeguard application during ER Program.

Section 2: BROADER GOVERNANCE CHALLENGES FOR ADDRESSING DEFORESTATION DRIVERS: To what extent does the proposed emission reduction program consider other key forest governance challenges for achieving REDD+?

7) Government capacity and coordination in ERP planning and implementation

Grade	Indicators	ER-PIN Assessment
	7a) The ER-PIN shows evidence of coordination across sectors, line ministries, and levels of government (local, sub-national, national).	REDD+ strategy implementation is based on the development of provincial level strategy and action plans (SRAP) which are being developed in eleven priority provinces (ER-PIN, p.10). With the dissolution of the REDD+ Agency since then, however, the ability to coordinate across ministries and levels of government is likely reduced. The implementation capacity of the various agencies involved in program implementation is not well described (ER-PIN, p.30).
	7b) The ER-PIN identifies opportunities for community-based interventions, including natural resource management, tenure recognition, and other dedicated REDD+ investments.	The ER-PIN proposes community management of forests, but the areas were not specified. Other proposed activities involving communities include alternative livelihoods, community plantation programs, land planning and monitoring at local level, among others (ER-PIN pp.23-6). The ER-PIN states that community participation in monitoring and reporting on carbon emissions, safeguards and non- carbon benefits will be explored and encouraged where appropriate (ER-PIN, p. 41)
	7c) The ER-PIN discusses efforts to combat corruption and the measures that will be used in the ER Program.	The role of corruption in the licensing of forest, plantation and mining concessions, compliance monitoring and weak law enforcement is not explicitly discussed in the ER-PIN.

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8) Transparent monitoring and oversight of REDD+

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	8a) The ER-PIN shows evidence of an open-access information management systems for REDD+	The ER-PIN does not present a credible information management system. It only mentions each district “will include safeguards and summary budgeting information” (ER-PIN, p. 56) and that a Safeguards Information system is being developed (ER-PIN, p. 44).
	The ER-PIN proposes mechanisms to independently and transparently:	
	8b) Monitor the social and environmental impacts of REDD+ investments;	b) The ER-PIN states the REDD+ Registry will provide data and information on REDD+ activities in the future, however its monitoring and evaluation facilities are not yet "sophisticated" (ER-PIN, p. 56) nor described in detail. Furthermore, the ER-PIN does not present information of how monitoring of social and environmental impacts will take place in the SESA or ESMF.
	8c) Monitor the application of safeguards via the Safeguard information system	c) The Safeguard Information System was not yet developed nor described in the ER-PIN.
	8d) Monitor the effectiveness of governance-related interventions;	d) The ER-PIN does not specify how it will monitor governance-related interventions. It commits to monitoring governance challenges, including around land tenure and spatial planning (ER-PIN, p. 11), but does not go as far as listing, as monitoring indicators, the degree of local participation in governance platforms and the adoption of consultation protocols by KPHs (ER-PIN, p. 55).
	8e) Track and coordinate international finance flows;	e) The REDD+ financial architecture is being developed through the Fund for REDD+ in Indonesia (FREDDI), which has a principle of transparency and accountability (ER-PIN, p. 49) but the specific mechanisms to ensure these principles are not discussed. The ER-PIN states that all finance will flow through the Finance Ministry.
	8f) Monitor the distribution of carbon and non-carbon benefits	f) The ER-PIN highlights biodiversity as the main non-carbon benefit that could be generated by the ERP and presents indicators for its monitoring (ER-PIN, p. 54). Besides stating these benefits will be collected and reported periodically, the ER-PIN does not present a monitoring system for distribution of benefits itself.

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Section 3: OVERALL ASSESSMENT

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Yellow	9a) The proposed emission reduction program protects and advances the rights of indigenous peoples and local communities to land and forests within REDD+ systems and processes.	While indigenous and local communities are considered in the ER Program design and implementation, it is still unclear how their inputs and participation will be incorporated to the program. Furthermore, while the ER Program is presented as an opportunity to improve forest tenure security of local communities and to guarantee their access to carbon and non-carbon benefits, the ER-PIN does not clearly define the mechanisms to make this happen.
Red	9b) The proposed emission reduction program presents a credible plan for addressing governance issues at national and sub-national levels, and establishes clear processes for monitoring progress on critical risk factors.	While the ER-PIN does present a plan to address governance, however, the dissolution of the REDD+ Agency has likely reduced Indonesia's ability to coordinate across ministries. Furthermore, monitoring processes are not sufficiently defined.