

*All the stakeholders including States Government Departments, Research Institutions, Non-Government Organisations and general public are requested to give their valuable comments and suggestions on Draft on Safeguards Information System for REDD+ latest by 14 September 2020.*

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**Draft for Public Comments**

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## **Safeguards Information System for REDD+ INDIA**



**Ministry of Environment, Forest and Climate Change  
Government of India  
2020**

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## Abbreviation Used

BMC	Biological diversity Management Committee
BUR	Biennial Update Report
CBD	Convention on Biological Diversity
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CO <sub>2</sub>	Carbon dioxide
COP	Conference of Parties
EDC	Eco-Development Committee
FSI	Forest Survey of India
GoI	Government of India
ha	Hectare
ICFRE	Indian Council of Forestry Research and Education
IUCN	International Union for Conservation of Nature
JFM	Joint Forest Management
JFMC	Joint Forest Management Committee
Mha	Million hectare
MFP	Minor Forest Produce
MoEF	Ministry of Environment and Forests
MoEFCC	Ministry of Environment, Forest and Climate Change
NAP	National Action Programme
NAPCC	National Action Plan on Climate Change
NBA	National Biodiversity Authority
NBAP	National Biodiversity Action Plan
NDCs	Nationally Determined Contributions
NDE	National Designated Entity
NGC	National Governing Council
NFP	National Forest Policy
NGO	Non-Governmental Organization
NGT	National Green Tribunal
NTFPs	Non-Timber Forest Products
PCI	Policies, Criteria and Indicators
PLR	Policies, Laws and Regulations
REDD+	Reducing emissions from deforestation and forest degradation, and role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries
SAPCC	State Action Plan on Climate Change
SBB	State Biological Diversity Board
SFD	State Forest Department
SIS	Safeguards Information System
Sq km	Square Kilometre
SMF	Sustainable Management of Forest
TRAFFIC	Trade Records Analysis of Flora and Fauna in Commerce
UNCCD	United Nations Convention to Combat Desertification
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change

## 1. Introduction

India is the seventh largest country in the world with total geographic area of 32,87,469 sq km, which occupies 2.4 percent of the world's geographical area and support over 17 percent of the world human population and 18 percent of the cattle population. India has a federal structure of governance with 28 States and 8 Union Territories and each state having its own plan and programmes towards implementation of national policies and programmes. Forests play a vital role in social and cultural well-being, economic and industrial development of the country as well as in maintaining its ecological security, besides providing great opportunities for mitigation of climate change.

India is among the top ten forested countries of the world with 2 percent of the total global forest area. The forest and tree cover of the country are 7,12,249 sq km and 95,027 sq km respectively. Total forest and tree cover of the country as per the India State of Forest Report 2019, is estimated to be 8,07,276 sq km which is 24.56 percent of the geographical area (FSI, 2019). The forest cover of the country has been classified on the basis of the tree canopy density into pre-defined classes: Very Dense Forest (canopy density of >70%), Moderately Dense Forest (canopy density of 40-70%) and Open Forest (canopy density of 10-40%). Scrub, though shown separately, is not counted as forest cover. The total growing stock of India's forest and trees outside forest is estimated to be about 5,915.76 million cum, which comprises of 4273.47 million cum inside the recorded forest area and 1,642.29 million cum outside the forests. Total carbon stock in forest is estimated to be 7,124.60 million tonnes (FSI, 2019). India is one of the few countries where forest and tree cover has increased in recent years transforming country's forests into a net sink of carbon dioxide (MoEFCC, 2018 a) owing to national policies aimed at conservation and sustainable management of forests. Government of India's long-term goal is to bring 33 percent of its geographical area under forest and tree cover eventually.

The Protected Area network for conservation of biological diversity in the country include 18 Biosphere Reserves, 101 National Parks, 553 Wildlife Sanctuaries, 86 Conservation Reserves, and 163 Community Reserves. India is Party to all the major global conventions and agreements related to forest, biological diversity and environment such as United Nations Forum on Forests (UNFF), Bonn Challenge, Convention on Biological Diversity (CBD), Cartagena Protocol on Biosafety, Ramsar Convention on Wetlands of International Importance, World Heritage Convention, Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Convention on Migratory Species of Wild Animals, Vienna Convention for Protection of the Ozone Layer, Montreal Protocol on Substances that Deplete the Ozone layer, Basel Convention on Trans-boundary Movements of Hazardous Wastes and their Disposal, United Nations Framework Convention on Climate Change (UNFCCC), Kyoto Protocol, Paris Agreement and United Nations Convention to Combat Desertification (UNCCD) etc.

In 2015, India has committed to restore 21 million hectares of degraded and deforested lands by 2030 under Bonn Challenge. India is committed to achieve land degradation neutrality and to restore 26 million hectares of degraded lands by 2030. India's Nationally Determined Contribution (NDC) target for forestry sector under the Paris Agreement is to create an additional carbon sink of 2.5 to 3 billion tonnes of CO<sub>2</sub> equivalent through additional forest and tree cover by 2030. Forestry sector constitutes an important part in India's NDC and can be achieved through number of ongoing programmes such as National Mission for a Green India, National Afforestation Programme, and other programmes such as compensatory afforestation and plantations etc are being implemented for increasing the forest and tree cover in the country. Initiatives like Green India Mission aim to further increase the forest and tree cover to the extent of 5 mha and improve quality of forests on another 5 mha of forest/non-forest lands along with providing livelihood support to the forest communities. It is expected to enhance carbon sequestration by about 100 million tonnes of CO<sub>2</sub> equivalent annually. National REDD+ Strategy proposes to revamp the Green India Mission in view of India's NDC targets which will be helpful in creating additional carbon sink.

Reducing emission from deforestation and forest degradation along with conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries are collectively referred to as REDD+. Cancun Agreements of UNFCCC on REDD+ *"Encourages developing country Parties to contribute to mitigation actions in the forest sector by undertaking the activities, i.e., (a) Reducing emissions from deforestation; (b) Reducing emissions from forest degradation; (c) Conservation of forest carbon stocks; (d) Sustainable management of forest; and (e) Enhancement of Forest Carbon Stock"*.

REDD+ is a climate change mitigation option under UNFCCC. It has a potential to deliver significant benefits to the forest dependent communities, biodiversity conservation, improvement in ecosystem services, provision of alternate income generation and equitable benefit sharing of revenues generated from emission reductions (FCPF, 2012). REDD+ is now widely recognized as a mean of financial incentive to the communities for their contribution in reducing greenhouse gas emissions from forests or by increasing their removals from atmosphere. An effective REDD+ programme will provide a variety of income generation opportunities, livelihoods security, resilience and social wellbeing. As per Cancun Agreements of UNFCCC, developing countries are required to develop their National REDD+ Strategy or Action plan, National REDD+ Reference Level/ Reference Emission Level, National Forest Monitoring System and Safeguards Information System [a system for providing information on how the safeguards (also referred as Cancun Safeguards) are being addressed and respected throughout the implementation of the REDD+ activities] for implementing REDD+ activities.

REDD+ has the potential to deliver significant benefits to indigenous peoples and other forest dependent communities, including the sustainable management of biodiversity, the provision of alternative livelihoods, equitable benefit sharing of revenues generated from emission reductions, etc. However, if not done appropriately, it also presents serious risks to livelihoods, security to land tenure, forest governance, culture, biodiversity, etc.

**India's National REDD+ Strategy:** Complying with the UNFCCC decisions on REDD+, India has released its National REDD+ Strategy on 30 August 2018 and submitted to UNFCCC in April 2019. The Strategy builds upon existing national circumstances, which have been updated in line with India's National Action Plan on Climate Change, and India's Nationally Determined Contribution (NDC) to UNFCCC. India's National REDD+ Strategy has also been aligned with the precepts of the National Forest Policy. The overarching objective of National REDD+ Strategy is to facilitate implementation of REDD+ programme in the country in conformity with relevant decisions of UNFCCC, in particular the Cancun Agreements, Warsaw Framework for REDD+, Paris Agreement, and the national legislative and policy framework for conservation and improvement of forest and the environment (MoEFCC, 2018 b).

India's REDD+ Strategy proposes to establish a National Governing Council for REDD+ (NGC-REDD+) to coordinate and guide REDD+ related actions at the national level. NGC-REDD+ shall be chaired by Union Minister for Environment, Forest and Climate Change. A National Designated Entity for REDD+ (NDE-REDD+) shall also be established at the Ministry of Environment, Forest and Climate Change to liaise with UNFCCC and states. The strategy devolves major responsibility for execution of REDD+ activities on the State Forest Departments. Each state has to create a REDD+ Cell in the State Forest Department. In line with National REDD+ Strategy, states are also encouraged to develop their State REDD+ Action Plan for implementation of National REDD+ Strategy.

The strategy focuses on creation of trained human resource capable of carrying out forest related measurements at all levels of REDD+ implementation. The strategy will support empowerment of youth cadres as Community Foresters, which can be engaged effectively in: (i) assisted natural regeneration, (ii) soil and moisture conservation, (iii) harvesting, thinning, and hygienic removals, (iv) forest nurseries and raising of quality planting stocks, and (v) prevention and control of forest fires, pests and diseases and spread of invasive alien plant species.

The National REDD+ Strategy impress upon to develop a road map in consultation with stakeholders including local communities for addressing drivers of deforestation and forest degradation and issues like safeguards for implementation of REDD+ activities. National REDD+ Strategy advocates that Cancun Safeguards shall be adhered at all stages of REDD+ implementation, and a safeguards information system (SIS) would be developed on the basis of existing policies, laws and regulations (MoEFCC, 2018 b).

## 2. Background

Cancun Agreements (UNFCCC, 2011) stated that REDD+ activities should:

(a) Contribute to the achievement of the objective set out in Article 2 of UNFCCC, i.e. *stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner.*

(b) Contribute to the fulfilment of the commitments set out in Article 4, paragraph 3, of UNFCCC i.e. the developed country Parties and other developed Parties included in Annex II shall provide new and additional financial resources to meet the agreed full costs incurred by developing country Parties in complying with their obligations. They shall also provide such financial resources, including for the transfer of technology, needed by the developing country Parties to meet the agreed full incremental costs of implementing measures.

(c) Be country-driven and be considered options available to Parties;

(d) Be consistent with the objective of environmental integrity and take into account the multiple functions of forests and other ecosystems;

(e) Be undertaken in accordance with national development priorities, objectives and circumstances and capabilities and should respect sovereignty;

(f) Be consistent with Parties' national sustainable development needs and goals;

(g) Be implemented in the context of sustainable development and reducing poverty, while responding to climate change;

(h) Be consistent with the adaptation needs of the country;

(i) Be supported by adequate and predictable financial and technology support, including support for capacity building;

(j) Be results-based, and

(k) Promote sustainable management of forests.

Country Parties to the Convention on Biological Diversity (CBD) have recognized that REDD+ can provide considerable benefits for forest biological diversity. CBD has also highlighted the risks of poorly designed REDD+ efforts on biological diversity, indigenous people and local communities (CBD, 2011). Potential risk of REDD+ implementation for biological diversity as identified by CBD can be:

- The conversion of natural forests to plantations and other land uses of low biological diversity value
- Introduction and growing of biofuel crops

- The displacement of deforestation and forest degradation to areas of higher carbon value and high biological diversity value
- Increased pressure on non-forest ecosystems with high biological diversity value
- Afforestation in areas of high biological diversity value

CBD further highlighted (CBD, 2011) that above mentioned risks associated with the REDD+ implementation can be mitigated: (i) through application of Cancun safeguards as outlined in decision 1/CP.16 of UNFCCC, and also by ensuring that conversion of natural forests is avoided, and by ensuring full and effective participation of indigenous people and local communities; (ii) by ensuring that REDD+ follows a comprehensive approach to forest-based carbon storage; (iii) by setting appropriate baselines and reference scenarios; and (iv) by monitoring biological diversity impacts of REDD+ activities.

### **2.1 REDD+ Safeguards Requirements**

Safeguards have been identified as an important tool to ensure the effective implementation of REDD+ actions and to avoid, or at least minimize, negative governance, social and environmental impacts of REDD+ implementation. Sixteenth Conference of the Parties to the UNFCCC vide Decision 1/CP.16 establishes that REDD+ activities should promote and support a set of seven social and environmental safeguards which are also known as the “Cancun Safeguards”.

The Cancun safeguards ensure that the REDD+ actions should have positive impact on the ecosystem services, biological diversity and forest dependent communities. When undertaking the REDD+ activities, following Cancun Safeguards should be promoted and supported (Appendix I of Decision 1/CP16):

- a. 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;
- e. Actions are consistent with the conservation of natural forests and biological diversity, ensuring that REDD+ activities are not used for the conversion of natural forests, but are instead used to incentivise the protection and 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.

Decision 1/CP.16 of UNFCCC requests developing countries to develop a system for providing information on how the safeguards are being addressed and respected in a transparent manner throughout the implementation of REDD+ actions/ activities.

Implementation of the safeguards referred to in appendix I to decision 1/CP.16, and information on how these safeguards are being addressed and respected, should support National REDD+ Strategy and be included in all phases of implementation of the REDD+ activities. Subsequently, COP17 and COP19 of UNFCCC agreed on development of a safeguards information system and the provision of summaries of information on how all of the Cancun Safeguards are being addressed and respected throughout REDD+ implementation, thus completing the UNFCCC safeguard requirements. Safeguards should be consistent with national sovereignty, national legislation and national circumstances.

Decision 12/CP.17 of UNFCCC complements by defining that the Safeguards Information System should:

- a) Be consistent with the guidance identified in decision 1/CP.16;
- b) Provide transparent and consistent information that is accessible by all relevant stakeholders and updated on a regular basis;
- c) Be transparent and flexible to allow for improvements over time;
- d) Provide information on how all of the safeguards are being addressed and respected;
- e) Be country-driven and implemented at the national level; and
- f) Build upon existing systems, as appropriate.

Safeguards Information System should provide the information on how all Cancun Safeguards are addressed and respected throughout implementation of REDD+ activities. A country approach to safeguards is a country-led process to respond to Cancun Safeguards, in a way that is harmonious with national policy goals, by building on existing governance arrangements (UN-REDD, 2015) including:

1. Policies, laws and regulations: These are needed to support the implementation of REDD+ actions in a manner consistent with Cancun Safeguards, i.e. how safeguards are being addressed.
2. Institutional arrangements: The mandates, procedures and capacities to ensure that the relevant policies, laws and regulations are actually implemented in practice, i.e., how safeguards are being respected.
3. Information systems: These collect and make available information on how REDD+ safeguards are being addressed and respected throughout REDD+ implementation.

## 2.2 India's Approach to Safeguards

The issues related to forest and environmental management have been given adequate importance in the overall national policies and planning for balanced development of the country. The basic approach is development without destruction. Environmental protection is enshrined in the Constitution of India. Article 48-A of the Directive Principles in the Constitution of India state that “the State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife in the country”, and under Article 51 A (g) it is a fundamental duty of every citizen “to protect and improve the national environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures”. Under the system of democratic decentralization of responsibilities enshrined in the Part IX and part IXA of the Constitution, local bodies consisting of elected representatives, one third of whom are women, have been entrusted with the responsibility of safeguarding the local environmental capital stocks.

**2.2.1 Forest Governance in India:** The era of scientific management in India began in 1864 with the appointment of Sir Dietrich Brandis, a German forester, as the Inspector General of Forests. This was followed by the creation of a separate forest service in 1867 and the promulgation of legal measures, notably the Forest Act, 1865 which was revised in 1878 and 1927 to consolidate laws related to forests. It provided for the creation of separate categories of forests such as: ‘reserved forest, ‘protected forest’ and ‘village forest’ etc (MoEF, 1999).

The major task undertaken by the forest departments until about the end of the 19<sup>th</sup> century was the creation of reserved and protected forests and the settlement of rights therein. Most of the exploitable areas and important tree species were brought under working plans. Various silvicultural systems were developed including irregular shelterwood system, selection and selection-cum-improvement felling, conversion to uniform system, coppice with standard/reserves as well as the *taungya* system (agri-silviculture) involving clear-felling and strip planting with short duration (3-5 years) agriculture crops between the strips and finally the clear-felling and planting of commercially important species. All these silvicultural systems were designed for harvesting and regeneration of important timber species for resource generation with little consideration for the biodiversity of other plant species as well as the ecological consequences.

After independence, the princely states became part of Indian union and provincial administrative units called states were carved out from the union. Some of these states had organized forest departments whereas others had engaged trained foresters from the neighbouring provinces of erstwhile British India and had brought their forests under a reasonable state of management. Moreover, immediately after independence, large scale development activities were initiated for industrialization, hydro-power projects, urbanisation, expansion of railways, network of highways and other roads, construction

activities, etc. which resulted in substantial diversion of forest area for non-forest purposes. The 'grow more food' campaign for increasing agricultural production also claimed large areas of forests. The growing human population and domestic animal population have put a very heavy demand on forests for fuel, fodder, food, medicine and small timber causing degradation of forests.

**2.2.1.1 Forest Governance Structure in India:** The subject of forest and wildlife came under the State list earlier for the purpose of governance. In 1976 with 42<sup>nd</sup> Constitutional Amendment, forests were brought under the Concurrent List which meant that both the Centre as well as State Governments could make laws on the subject. However, in case of a difference, the law legislated by the Central Government would prevail. The forest resources in India are administered by the Ministry of Environment, Forest and Climate Change at the national level and by the State Forest Departments at the state level. The Ministry of Environment, Forest and Climate Change is responsible for planning, promotion, coordination and overseeing the implementation of the various environmental, forestry and climate change-related policies and programmes with the objectives of conservation of forests and biological diversity, prevention and control of pollution, afforestation and regeneration of degraded areas and protection of environment. The State Forest Departments are responsible for planning, implementation and monitoring of programmes in the forestry sector at the state level.

Forest Departments of respective States/ Union Territories are responsible for the protection, conservation, administration and development of forests. A State Forest Department is headed by the Principal Chief Conservator of Forests who is also Head of the Forest Force in the state. At the cutting-edge level, a forest range is the smallest functional unit of forestry administration for execution of works in the field. The Executive Unit (Forest Division) is headed by the Divisional Forest Officer. A Territorial Circle and associated Divisions generally administer forest laws on the ground, and also carry out protection, development and afforestation related activities. There are other functional divisions within the State Forest Department to look after specialized activities and responsibilities. Functional Divisions include Working Plan, Silviculture, Wildlife, Research, Social Forestry and Watershed Management Divisions etc. which carry out specific functions related to a particular aspect of forest management (MoEF, 2014 a).

**2.2.1.2 Forest Management in India:** Sir Dietrich Brandis in 1856 propounded the fundamental principle that the first-class trees (trees over a prescribed diameter) to be felled in a year should be restricted to the growing stock of the second-class trees that will eventually replace them in that year (MoEF, 2014 b). Based on this principle of yield control, he prepared the first forest management plan using strip sampling for the Pegu Yoma (Now in Myanmar) Forests of British India in the year 1860. In 1884, the diligent efforts of Sir Wilhelm Schlich, Inspector General of Forests, resulted in a countrywide unified approach

towards the preparation of working plans and scientific management of forests as per prescription of working plans (MoEF, 2014 b).

At the country level, Forest Working Plan has been the main instrument of forest planning for scientific management of forests. Earlier, state governments adopted their own provincial working plan codes as per regional requirements. However, with the intervention of Hon'ble Supreme Court of India in 1996, all Forest Working Plans are to be approved by the Central Government on account of forests being brought in the Concurrent List. The Ministry of Environment, Forest and Climate Change, Government of India adopted a uniform code (National Working Plan Code – 2014) for preparation of working plans for the management of forests at Forest Division level. The working plans facilitate monitoring, evaluation and impact assessment of forest management practices being followed in the country. All forests are to be sustainably managed under the prescriptions of a working plan. The Forest Working Plan prescriptions strive to harmonize socio-economic development with forest conservation keeping in view all relevant policies, rules and regulations, and other international conventions/agreements related to forests.

Essentials of Forest Management as per National Forest Policy, 1988 are given below:

- Existing forests and forest lands should be fully protected and their productivity should be improved. Forest and vegetal cover should be increased rapidly on hill slopes, in catchment areas of rivers, lakes and reservoirs, and on the semi-arid, and desert tracts.
- For the conservation of total biological diversity, the network of national parks, wildlife sanctuaries, biosphere reserves, conservation and community reserves should be strengthened and extended adequately.
- Provision of sufficient fodder, fuelwood and pasture, especially in areas adjoining forests, is necessary in order to prevent depletion of forests beyond the sustainable limit.
- Minor forest produce provides sustenance to tribal population and to other communities residing in and around forests. Such produce should be conserved, improved and their production enhanced with due regard to generation of employment and income.
- No forest should be permitted to be worked without approved working plan, which should be in a prescribed format and in keeping with the National Forest Policy.
- Exotic species should not be introduced for enhancing the forest cover in the country, and meeting national needs through public or private sources, unless long-term scientific trials undertaken by specialists in ecology, forestry and agriculture have established that they are suitable and have no adverse impact on native vegetation and environment.

**2.2.1.3 Joint Forest Management:** India has a long history of protection of forests by the involvement of local communities. There are many examples of successful participation of local communities in managing forests in the country such as forest management by *Van Panchayats* in Uttarakhand since 1931. Joint Forest Management (JFM) is an approach and programme initiated in the context of the National Forest Policy of 1988 wherein state forest departments support local forest dwelling and forest fringe communities to regenerate, protect and manage identified degraded forests through Joint Forest Management Committee (JFMC) guided by locally prepared byelaws and micro plans.

A JFMC is a democratic, decentralized and transparent local institution of forest and forest fringe dwelling communities that is part of the *Gram Sabha* fully or partially and set up as per the provisions of relevant JFM rules/guidelines of the state. There are 1,18,213 JFM Communities across 28 States and Union Territory of Andaman & Nicobar Islands which are managing about 22.94 mha of forests in the country (ICFRE, 2011).

An Eco-Development Committee (EDC) is similar to JFMC, but meant for villages in Protected Areas and their buffer zones. Their setup, working, role, responsibilities, powers, funds etc. are as per the state-level orders. Their area of operation is restricted to protected areas, and forest and non-forest areas near protected areas. EDCs are set up with twin objectives to protect wildlife and other biological diversity, and to undertake eco-development activities in the villages.

The present Safeguards Information System (SIS) for the implementation of REDD+ activities in India has been developed on the basis of existing governance systems such as policies, laws and regulations, and institutional capacities in place for effective management of environment and forests. In India, a number of law and policy instruments such as Indian Forest Act, National Forest Policy, Biological Diversity Act, National Working Plan Code, National Action Plan on Climate Change and National Biological diversity Action Plan etc are in place for sustainable management and conservation of forests including biological diversity.

### **2.3 Goals, Scope and Scale of Safeguard Application**

In accordance with the National REDD+ Strategy of India, "Implementation of REDD+ programme is envisaged in conformity with the relevant UNFCCC decisions, in particular the Cancun Agreement, Warsaw Framework for REDD+, Paris Agreement and the National Policies, Laws and Regulations for conservation and improvement of forest and environment". The National REDD+ Strategy identifies the following REDD+ activities, to be undertaken as per the suitability in different physiographic zones:

- (i) Reducing deforestation,
- (ii) Reducing forest degradation,
- (iii) Conservation of forest carbon stocks,
- (iv) Sustainable management of forests, and

- (v) Enhancement of forest carbon stocks.

All these activities are consistent with National Forest Policy 1988, and have been practiced for last three decades. Thus, it can be concluded that there is already an inbuilt provision for addressing the safeguards for implementation of REDD+ activities in India. Cancun Safeguards being formalized through this document will further improve the forest governance by promoting reforms in forest sectors, and by building on the existing system and practices. Safeguards will strengthen community-based approaches and processes and optimize the carbon benefits. REDD+ activities may be implemented by the states throughout the country through state-specific REDD+ Action Plans.

#### 2.4 Assessing the Benefits and Risks of REDD+ Activities

National Forest Policy, 1988 focuses on maintenance of environmental stability, conservation and enhancement of forests, meeting the basic need of people and addressing the requirement of forest-dependent communities. Thus, it can be stated that the environmental, economic, social concerns and safeguards are enshrined in the existing forest management system in India. The five REDD+ activities defined in paragraph 70 of decision 1/CP.16 (Cancun Agreements) are covered in the National Forest Policy, 1988 as forest management activities in the country (Table 1). The National Forest Policy, 1988 is being implemented in the country for past three decades and during this period a constant increase in the forest and tree cover of the country has been recorded. With the provisions for regulating the diversion of forest land for non-forestry activities there has been a decline in the change in land use from forests after promulgation of the Forest (Conservation) Act, 1980. The National Forest Policy, 1988 is a futuristic policy that identified forest for their multiple benefits, promoting people's participation in tree cover enhancement and prioritising the protection of forest for maintenance of ecological balance.

Table 1. National Forest Policy, 1988 addressing REDD+ activities

S. No.	National Forest Policy, 1988	REDD+ activities
a.	Maintenance of environmental stability through preservation and, where necessary, restoration of the ecological balance that has been adversely disturbed by serious depletion of the forests of the country	Reducing emission from degradation
b.	Conserving the natural heritage of the country by preserving the remaining natural forests with the vast variety of flora and fauna, which represent the remarkable biological diversity and genetic resources of the country	Conservation of forest carbon stocks
c.	Checking soil erosion and denudation in the catchment areas of rivers, lakes, reservoirs in the interest of soil and water conservation, for mitigating floods and droughts and for the retardation of siltation of reservoirs	Reducing emission from degradation

d.	Checking the extension of sand-dunes in the desert areas of Rajasthan and along the coastal tracts	Reducing emission from degradation and enhancement of forest carbon stock
e.	Increasing substantially the forest/tree cover in the country through massive afforestation and social forestry programmes, especially on all denuded, degraded and unproductive lands	Enhancement of forest carbon stock
f.	Meeting the requirements of fuel-wood, fodder, minor forest produce and small timber of the rural and tribal populations	Sustainable management of forests
g.	Increasing the productivity of forests to meet essential national needs	Sustainable management of forests
h.	Encouraging efficient utilization of forest produce and maximising substitution of wood	Sustainable management of forests
i.	Creating a massive people's movement with the involvement of women, for achieving these objectives and to minimise pressure on existing forests	Reducing emissions from degradation and conservation of forest carbon stock

**2.5 Specifying Cancun Safeguards in accordance with national circumstances:** Cancun Safeguards are described in accordance with the national circumstances of India as follows:

**2.5.1. Actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements:** This safeguard ensures that REDD+ actions do not conflict with national laws and international agreements ratified by India. India has a documented forest policy and right from 1894. In India, political, social and economic developments were the key factors in shaping the national forest policies in 1894, 1952 and 1988, respectively. The current National Forest Policy enunciated in 1988 subordinated that derivation of direct economic benefits from natural forests is to be subordinated to the principal aim of maintaining ecological balance including atmospheric equilibrium. The policy underlines the need to meet the domestic demands of the tribal and rural people for forest produce, as well as highlights the imperative of a participatory approach to the protection and management of forests. The policy advocates for a people's movement for forest conservation and protection.

Indian Forest Act, 1927, Wild Life (Protection) Act, 1972 and Forest (Conservation) Act, 1980 provide the framework of forest administration as well as protection. Panchayat (Extension to Scheduled Areas) Act, 1996 and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 provide right over natural resources to local communities. Apart from this, there are state-specific (sub-national) laws, rules, regulation and guidelines which need to be respected while implementing REDD+ activities. India is Party to all the major international conventions, protocols and agreements such as UNFCCC, UNCCD, CBD, CITES, Ramsar Convention, World Heritage Convention, Convention

on Migratory Species of Wild Animals, Kyoto Protocol, Paris Agreement and Bonn Challenge etc.

All actions for implementation of REDD+ should be in accordance and consistence with the objectives of the Constitution, national laws like Indian Forest Act, 1927, Forest Conservation Act, 1980, Wild Life (Protection Act), 1972, Water (Prevention and Control of Pollution), 1974, Air (Prevention and Control of Pollution), 1981, Environmental (Protection), 1981, Panchayat (Extension to Scheduled Areas) Act, 1996, Biological Diversity Act, 2002, The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, Right to Information Act, 2005, national policies like National Forest Policy, 1988, National Environment Policy, 2006, National Water Policy, 2012, National Agroforestry Policy, 2014, national programmes like National Action Plan on Climate Change, National Working Plan Code-2014, Environment Impact Assessment Rules, National Mission for Empowerment of Women, 2010 etc. Since India has a federal system, REDD+ actions must also respect sub-national laws and policies. They must also respect international conventions/agreements ratified by India.

**2.5.2. Transparent and effective national forest governance structures, taking into account national legislation and sovereignty:** This safeguard ensures transparency and access to information, effectiveness and efficiency of system feedback, oversight and accountability. Forests were brought under the *Concurrent List* of the Constitution of India and both Central and State governments can make laws on the subject but in case of a difference, the law of Central government would prevail. At Central government level the Ministry of Environment, Forest and Climate Change is responsible for planning, promotion, coordination and overseeing the implementation of the various environmental and forestry policies and programmes. Forest governance in India is vested with State Forest Departments, who are also responsible for the protection, conservation, administration and development of forests. The State Forest Departments are also responsible for planning, implementation and monitoring of programmes in the forestry sector at the state level through Forest Circles, Forest Divisions and Forest Ranges. Indian Forest Act, 1927, Wildlife (Protection) Act, 1972, Forest (Conservation) Act 1980, Biodiversity Act, 2002, The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, National Green Tribunal Act, 2010 etc provides for forest governance. Under these act various bodies are established with check and balances to ensure responsibility and accountability. Right to Information Act, 2005 ensures transparency in the governance structure. Forest Working Plan has been the main instrument for scientific management of forests. All forests are to be sustainably managed under the prescriptions of forest working plans. The National Forest Policy, 1988 clearly states, "No forest should be permitted to be worked without an approved working plan by the competent authority". Transparent and effective national forest governance system is in place in India. REDD+ activities (at every level) hence will be transparent and effective.

**2.5.3. 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:** India voted in support of United Nations Declaration on the Rights of Indigenous Peoples on the condition that after independence all Indian are indigenous, and did not to consider the concept of indigenous peoples. In India tribals, forest dwellers and other local communities have safeguards to exercise their customary rights and traditions. Acknowledging the importance of indigenous communities in maintaining forest ecosystems, the Government of India has recognized the forest rights of the indigenous communities through the enactment of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (The Forest Rights Act 2006 in short). The Act recognizes the responsibilities and authority of the Scheduled Tribes and other forest dwellers with regard to sustainable use, conservation of biological diversity and maintenance of ecological balance and thereby strengthening the conservation regime of the forests while ensuring their livelihood and food security. India recognizes these communities as integral part of the survival and sustainability of the forest ecosystem. The Forest Rights Act gives them the community rights to protect, use and manage the forests. The local people, with acquaintance and knowledge about forests can become the custodian of the resources. Knowledge and right of the local communities over forest resources should be taken due care while implementation of REDD+ actions.

This safeguard ensures respect for rights of indigenous peoples and local communities as stated in the Constitution of India, national laws like Panchayat (Extension to Scheduled Areas) Act, 1996, Biological Diversity Act, 2002, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and international agreements like Convention on Biodiversity etc. REDD+ actions must involve indigenous peoples and communities in planning. They will contribute knowledge on local forest conditions and help in designing appropriate actions ensuring multiple benefits including non-monetized one.

**2.5.4. The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities:** India has a very successful programme of involving local communities in forest protection and management. Concept of Joint Forest Management (JFM) was introduced in 1990 for people's participation in forest management. The local communities and the forest department jointly plan and implement forest regeneration and development programmes, and the communities are rewarded with substantial share in forest produce in return for their efforts in protection and management of forests. JFM has enabled protection and regeneration of existing forests, and also raising of new forest plantations, which contribute in conservation of existing forests and thereby the associated carbon stocks. JFM activities contribute directly and indirectly in mitigating climate change.

The concept of JFM in India also helps in increasing the productivity of the degraded forests. Forest rights of tribals and others traditional forest dwellers are safeguarded under 'The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Right) Act, 2006' which recognizes and vests the forest rights of the Scheduled Tribes and other traditional forest dwellers who have been living in such forests for generations but whose rights could not be vested.

This safeguard ensures full and effective participation of local communities and other relevant stakeholders in implementation of REDD+ activities. Panchayat (Extension to Scheduled Areas) Act, 1996, Biological Diversity Act, 2002, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Joint Forest Management Guidelines 1990 etc ensure this. Consultations with relevant stakeholders including local communities need to be done before implementation of any REDD+ activity and also during implementation so that concerns, risks and mitigation measures can be clearly reflected in the REDD+ Action Plans.

**2.5.5. Actions are consistent with the conservation of natural forests and biological diversity, ensuring that REDD+ activities are not used for the conversion of natural forests, but are instead used to incentivise the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits:** REDD+ actions must incentivize protection and conservation of natural forests. REDD+ action must improve biodiversity, water and soil quality. Quality of forest resources must improve benefitting local community. In short, social and environmental benefits must improve. Various acts and legislations in India are a strong testimony of country's commitment to the philosophy of forest conservation. REDD+ action shall be consistent with provisions of National Forest Policy, 1988, Wildlife (Protection Act), 1972, Forest (Conservation) Act, 1980, Panchayat (Extension to Scheduled Areas) Act, 1996, Biological Diversity Act, 2002, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 , National Working Plan Code - 2014, etc.

The Forest (Conservation) Act, 1980 is one of the most effective legislations contributing to reduction in deforestation and conservation of biological diversity of the country. This Act was enacted to reduce indiscriminate diversion of forest land for non-forestry purposes. The Act empowers only the Union Government to allow the diversion of forest for non-forestry use. With the enactment of this act, the deforestation and conversion of forest lands to non-forest use has been drastically checked. Now forests are diverted only for the urgent national developmental needs and after rigorous scrutiny to ensure that there is no adverse impact on the environment. It was enacted with the twin objectives of restricting the use of forest land for non-forest purposes, and preventing the de-reservation of forests that have been reserved under the Indian Forest Act, 1927. The Act was further amended in 1988 to prevent clear-felling of naturally grown trees.

Other important acts and rules governing the protection and conservation of biological diversity are the Wild Life (Protection) Act, 1972, the Biological Diversity Act, 2002 enacted to meet the obligations under Convention on Biological Diversity (CBD) - provides conservation of biological diversity, sustainable use of its components and fair and equitable sharing of the benefits arising out of the use of biological resources, knowledge and for matters connected therewith or incidental thereto. Biological Diversity Rules, 2004 outline the procedures to be followed for access to biological resources (wild plants and animals, crops, medicinal plants, livestock, etc.), their commercial utilization, transfer of rights of research, and intellectual property rights related to biological diversity.

All actions for implementation of REDD+ will be in accordance and consistency with the conservation of natural forests and biological diversity, which ultimately enhance the ecosystem services provided by forests for social wellbeing.

**2.5.6. Actions to address the risks of reversals:** Risk of reversals means non-permanence of REDD+ action benefits. There may be risk of reversals of emission reductions, water reserves, community livelihood, biodiversity and other environmental & social benefits. This safeguard ensures that REDD+ results in long-lasting permanent benefits. Strong Forest Policies, Legislations, Acts and Rules are in place and are being implemented in India which contribute to mitigate the possibility of a reversal of carbon benefits from either natural disturbance (e.g., fires, disease, pests, and unusual weather events), or from any deliberate actions to reverse the REDD+ benefits or original land use activities after the project concludes.

Compensatory Afforestation Fund Act, 2016 provides for setting up Compensatory Afforestation Fund Management and Planning Authority (CAMPA) at both Central and State level to ensure expeditious and transparent utilization of amounts released in lieu of forest land diverted for non-forestry purposes. The utilization of funds is expected to compensate for the loss of forests and mitigate the impact of diversion of such forest land, under Forest (Conservation) Act of 1980. The Act requires that non-forest land, equal to the size of the forest being diverted to be afforested. Various programmes and research activities are also underway to minimise the forest losses due to fire and diseases and insect pest attacks.

National Forest Policy, 1988 and mechanism like Environment Impact Assessment, Social Impact Assessment, National Working Plan Code- 2014, Working Plans and Management Plans addressing, *inter alia*, drivers of deforestation and forest degradation, land tenure issues, forest governance issues and gender considerations and ensuring the full and effective participation of relevant stakeholders and local communities. Regular reviews through stakeholder consultations etc avoid risks of reversal of benefits.

**2.5.7. Actions to reduce displacement of emissions:** REDD+ actions must tackle drivers of deforestation rather than shift them from one area to another. National Forest Policy, 1988, Indian Forest Act, 1927, Wildlife (Protection) Act, 1972, Forest (Conservation) Act, 1980 etc

prevent drivers of deforestation. Displacement of emissions is mainly to increase in emissions of greenhouse gases outside the project boundary as a result of project activities. In accordance with its National REDD+ Strategy, India intends to implement REDD+ at national level and initially as an interim measure REDD+ shall be implemented at Sub-national level considering physiographic zone as a sub-national unit. India is a large country and has been divided into 16 physiographic zones by the Forest Survey of India. REDD+ actions at national level will minimise the chances of displacement of emissions. Even when implemented at sub-national level, chances of displacement of emissions are minimised due to the large geographic extent of physiographic zones. Further, various policies, legislations, acts and rules as mentioned in aforesaid paragraphs also contribute to reduce displacement of emissions.

## **2.6 Major Global Conventions and Agreements Ratified by India**

As discussed earlier India is Party to all the major global conventions and agreements related to forest, biological diversity and environment. Some of the major international environmental conventions and treaties to which India is party are:

**2.6.1 United Nations Framework Convention on Climate Change (UNFCCC):** India ratified UNFCCC on 1<sup>st</sup> November 1993, Kyoto Protocol in the year 2002 and its second commitment period in August 2017. India also ratified the Paris Agreement on climate change on 2 October 2016 and submitted its NDC to UNFCCC on 2 October 2016. As a Party to the Convention, India submitted its Initial National communication to the UNFCCC in the year 2004, second National communication in 2012, first Biennial Update Report (BUR-1) in 2016 and second BUR (BUR-2) in 2018. Towards implementation of REDD+, India has submitted its Forest Reference level (FRL) and National REDD+ Strategy to UNFCCC in 2018

**2.6.2 Convention on Biological Diversity (CBD):** India ratified the Convention on 18<sup>th</sup> February 1994 and later its successive offshoots, i.e., Cartagena Protocol on Biosafety to ensure the safe handling, transport and use of living modified organisms resulting from modern biotechnology that may have adverse effects on biological diversity, taking also into account risks to human health ratified in the September 2003, and Nagoya Protocol on access and benefit sharing ratified on 9<sup>th</sup> October 2012. National Biodiversity Action Plan (NBAP) was prepared in 2008 and submitted to the CBD. An addendum to the National Biodiversity Action Plan 2008 was also prepared in 2014. The country has also developed 12 National Biological Diversity Targets for achieving Aichi Biodiversity Targets. Five cycles of national reporting for CBD has been completed. India's Fifth National Report to the CBD in 2014 provides an update on biological diversity status, trends and threats, updating of NBAP, and India's progress towards Aichi targets.

**2.6.3 United Nations Convention to Combat Desertification (UNCCD):** India ratified the convention on 17<sup>th</sup> December 1996. After ratification, the country prepared its National Action Programme in 2001 which *inter-alia* provides the initiatives taken for combating

desertification. Sixth cycle of national reporting to UNCCD Secretariat has been completed by India. India hosted the fourteenth session of Conference of Parties (COP 14) of UNCCD in September 2019.

#### **2.6.4 Convention on International Trade in Endangered Species of Fauna and Flora (CITES):**

The Government of India signed the Convention in July 1976, which was ratified in October 1976. The enforcement of the provisions of CITES is carried out by the Regional Deputy Directors, Wild Life Crime Control Bureau, who have also been designated as the Assistant CITES Management Authority for India. The Ministry of Environment, Forest and Climate Change has also constituted a CITES Cell in 2010 to assist the Government of India in CITES implementation.

**2.6.5 World Heritage Convention:** India is a member of World Heritage Convention responsible for listing of World Heritage Sites, which include both cultural and natural sites. Currently, seven natural World Heritage Sites have been recognized by United Nations Educational, Scientific and Cultural Organisation (UNESCO) in India, viz., Great Himalayan National Park Conservation Area, Nanda Devi and Valley of Flowers National Parks, Kaziranga National Park, Keoladeo National Park, Manas Wildlife Sanctuary, Sundarbans National Park and Western Ghats. Apart from these, the Valley of Flowers National Park has also been included in the list of World Heritage Sites as an extension of Nanda Devi National Park. Besides the above, India is signatory to major multilateral global Environmental Agreements related to conservation of natural resources such as Ramsar Convention on Wetlands, TRAFFIC (The Wildlife Trade Monitoring Network), CMS (Convention on the Conservation of Migratory Species), CAWT (Coalition Against Wildlife Trafficking), ITTO (International Tropical Timber Organisation), UNFF (United Nations Forum on Forests), IUCN (International Union for Conservation of Nature and Natural Resources), GTF (Global Tiger Forum), Cartagena Protocol on Biosafety and Vienna Convention for the Protection of the Ozone Layer and its Montreal Protocol (on Ozone Depleting Substances).

**2.6.6 Bonn Challenge:** India is a signatory of Bonn Challenge, which is a global effort to bring 150 million hectares of the world's deforested and degraded land into restoration by 2020, and 350 million hectares by 2030. India has committed to restore forest landscapes of 21 mha by 2030 which will provide the potential economic benefits of 6,594 million USD and sequester 1.99 GtCO<sub>2</sub> equivalents.

### 3. Existing Governance Arrangements in India for Addressing Cancun Safeguards

The Government of India has always made positive efforts through framing suitable policies, laws and regulations (PLRs), and by amending them from time to time to conserve and protect environment and natural resources including forests of the country. The first Forest Policy adopted by British Colonial Government in 1894 aimed at a custodial and timber-oriented management. The main thrust areas were to ensure maintenance of adequate forest cover for general well-being of the country, meeting needs of local people and revenue collection. First Forest Policy of independent India in 1952 recommended that 33% of the total geographical area of the country should be brought under forest or tree cover. It provided detailed guidelines for management and protection of forests and wildlife. The policy was revised in 1988 and emphasised on extension of forests beyond the traditional forest areas. This gave impetus to social forestry, agroforestry and farm forestry. Various policies, laws and regulations (PLRs) related to environment, forest, biological diversity, and right of local communities are in place in India which will also in consonance in addressing and respecting the Cancun Safeguards for implementation of REDD+ activities. Brief of the existing PLRs are given below:

**3.1 National Forest Policy, 1988:** It enunciates conservation and preservation of the natural forests, which are home for unique and endemic flora and fauna. Policy also recognizes the rights and concessions enjoyed by the tribal and other poor communities living within forest, and on forest fringes. Policy further states that the domestic requirements of fuel-wood, fodder, minor forest products and timber for construction to the tribal and other communities should be the first charge on forest produce.

The national goal of forest policy is to have a minimum of one-third of the total geographical area of the country under forest and tree cover. In the hills and in mountainous regions, the aim is to maintain two-third of the area under forest and tree cover in order to prevent soil erosion and land degradation and to ensure the stability of the fragile ecosystem.

The basic objectives of the National Forest Policy, 1988 are:

- Maintenance of environmental stability through preservation and, where necessary, restoration of the ecological balance that has been adversely disturbed by serious depletion of the forests of the country.
- Conserving the natural heritage of the country by preserving the remaining natural forests with the vast variety of flora and fauna, which represents the remarkable biological diversity and genetic resources of the country.
- Checking soil erosion and denudation in the catchment areas of rivers, lakes and reservoirs.
- Checking the extension of sand-dunes in the desert areas of Rajasthan and along the coastal tracts.

- Increasing substantially the forest/tree cover in the country through massive afforestation and social forestry programmes, especially on all denuded, degraded and unproductive waste lands.
- Meeting the requirements of fuel-wood, fodder, minor forest produce and small timber for local rural and tribal communities.
- Increasing the productivity of forests to meet essential national needs.
- Encouraging efficient utilisation of forest produce and maximising substitution of wood.
- Creating a massive people's movement with the involvement of women, for achieving these objectives and to minimise pressure on existing forests.

National Forest Policy, 1988 also provides for the following rights and concessions to the local communities:

- The rights and concessions, including grazing whose carrying capacity should be optimised by increased investment, silvicultural research and development of the area. Stall-feeding of cattle should be encouraged. The requirements of the community, which cannot be met by the rights and concessions so determined, should be met by development of social forestry outside the reserved forests.
- The holders of customary rights and concessions in forest areas should be motivated to identify themselves with the protection and development of forests from which they derive benefits. The rights and concessions from forests should primarily be for the *bona fide* use of the communities living within and around forest areas, specially the tribal communities.
- As the life of tribal and other communities within and near forests revolves around forests, the rights and concessions enjoyed by them should be fully protected.
- Similar consideration should be given to scheduled castes and other poor living near forests.

Having regard to the symbiotic relationship between the tribal people and forests, a primary task of all agencies responsible for forest management, including the forest development corporations should be to associate the tribal people closely in the protection, regeneration and development of forests as well as to provide gainful employment to people living in and around forests. While safeguarding the customary rights and interests of such people, forestry programmes should pay special attention to the following:

- Protection, regeneration and optimum collection of minor forest produce along with institutional arrangements for the marketing of such produce;
- Development of forest villages at par with revenue villages;
- Undertaking integrated area development programmes to meet the needs of the tribals, and their livelihood in and around the forest areas, including the provision of

alternative sources of domestic energy on a subsidised basis, to reduce pressure on the existing forest areas.

National Forest Policy, 1988 addresses all the Cancun Safeguards for implementation of REDD+ activities as per its following sections:

<b>Section(s) of National Forest Policy Addresses Safeguards</b>	<b>Cancun Safeguards</b> Decision 1/CP.16 Appendix I para
Section 4.3	(a)
Sections 4.2.4, 4.3, 4.10, 4.11, 4.12, 4.13, 4.14, 4.15 and 4.16	(b)
Sections 3.5, 4.3.4, 4.6 and 4.7	(c)
Section 4.2.3, 4.3.4 & 4.6	(d)
Section 3.1, 3.3, 3.4, 3.5, 4.2.3, 4.3.4 and 4.5	(f)
Section 3.4 and Section 4.3	(g)
Section 4.8	(h)

**3.2 National Environment Policy, 2006:** This policy seeks to achieve balance and harmony between conservation and development. The policy is intended to mainstream environmental concerns in all development activities. This policy is based on the theme that conservation of environmental resources is necessary to secure livelihoods and well-being of all, the most secure basis for conservation is to ensure that people dependent on particular resources obtain better livelihoods from conservation than from degradation of the resource.

The National Environment Policy is intended to be a guide to action: in regulatory reforms, programmes and projects for environmental conservation; and review and enactment of legislation by agencies of the Central, State, and local Panchayati Raj Institutions.

The principal objectives of this policy are:

- a) To protect and conserve critical ecological systems and resources, and invaluable natural and man-made heritage, which are essential for life support, livelihoods, economic growth, and human well-being.
- b) To ensure equitable access to environmental resources and quality for all sections of society, and in particular, to ensure that poor communities, which are most dependent on environmental resources for their livelihoods, are assured secure access to these resources.
- c) To ensure judicious use of environmental resources to meet the needs and aspirations of the present and future generations.
- d) To integrate environmental concerns into policies, plans, programmes, and projects for economic and social development.
- e) To ensure efficient use of environmental resources in the sense of reduction in their use per unit of economic output, to minimize adverse environmental impacts.

- f) To apply the principles of good governance (transparency, rationality, accountability, reduction in time and costs, participation, and regulatory independence) to the management and regulation of use of environmental resources.
- g) To ensure higher resource flows, comprising finance, technology, management skills, traditional knowledge, and social capital, for environmental conservation through mutually beneficial multi-stakeholders' partnerships between local communities, public agencies, the academic and research community, investors, and multilateral and bilateral development partners.

National Environment Policy, 2006 also addresses all the Cancun Safeguards for implementation of REDD+ activities as per its following sections:

<b>Section(s) of National Environment Policy Addresses Safeguards</b>	<b>Cancun Safeguards</b> Decision 1/CP.16 Appendix I para
Section 3 and Section 5.2	(a)
Section 3(vi) and Section 5.1	(b)
Section 3(ii) and Section 5.2.4	(c)
Section 3 (ii) and Section 5.6	(d)
Section 3 (i), 3(iv), 3(vii) and Sub-section 5.2.3 of Section 5.2	(e)
Section 4 (iv), 4 (xiii), 5.1 and 5.2	(f)
Section 3(v) and Sub-section 5.2.10 of Section 5.2	(g)

**3.3 National Water Policy, 2012:** The objective of the National Water Policy is to conserve rivers, river corridors, water bodies and infrastructure in a scientifically planned manner through community participation. The storage capacities of water bodies and water courses and/or associated wetlands, the flood plains, ecological buffer and areas required for specific aesthetic recreational and/or social needs may be managed to the extent possible in an integrated manner to balance the flooding, environment and social issues as per prevalent laws through planned development of urban areas, in particular. Integrated watershed development activities with groundwater perspectives need to be taken in a comprehensive manner to increase soil moisture, reduce sediment yield and increase overall land and water productivity.

National Water Policy, 2012 will indirectly ensure that REDD+ activities are not used for the conversion of natural forests, but are instead used to incentivise the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits. It directly and indirectly addresses Cancun Safeguards (b), (e), (f) & (g) as per following details:

<b>Section(s) of National Water Policy Addresses Safeguards</b>	<b>Cancun Safeguards</b> Decision 1/CP.16 Appendix I para

Section 12, 14	(b)
Section 8	(e)
Section 10	(f)
Section 4	(g)

**3.4 National Agroforestry Policy, 2014:** The policy underlines the environmental contribution of agroforestry by preventing deforestation, and promoting carbon storage, biological diversity conservation, and soil & water conservation. Agroforestry also provides livelihood opportunities to the rural as well as urban communities. The basic objectives of the National Agroforestry Policy are:

- To encourage and expand tree plantation in complementarily and integrated manner with crops and livestock to improve productivity, employment, income and livelihoods of rural households, especially the small holder farmers.
- To protect and stabilize ecosystems, and promote resilient cropping and farming systems to minimize the risk during extreme climatic events.
- To meet the raw material requirements of wood-based industries and reduce import of wood and wood products.
- To supplement the availability of agroforestry products, such as the fuel-wood, fodder, non-timber forest produces and small timber for the rural and tribal populations, thereby reducing the pressure on existing natural forests.
- To complement achieving the target of increasing forest/tree cover.
- To promote ecological stability, especially in the vulnerable regions.
- To develop capacity and strengthen research in agroforestry.

National Agroforestry Policy, 2014 addresses the Cancun Safeguards (a), (d) and (e) for implementation of REDD+ activities as per its following sections:

Section(s) of National Agroforestry Policy Addresses Safeguards	Cancun Safeguards
	Decision 1/CP.16 Appendix I para
Section 3, 5.9	(e)
Section 4	(e,) (f), (g)
Section 5.1, 5.2, 5.3	(b)
Section 5.5, 5.7, 5.8, 6	(d)

**3.5 Indian Forest Act, 1927:** This is the countrywide Act to consolidate the law relating to protection of forests, the transit of forest produces and the duty leviable on timber and other forest-produce. The act has provisions for conservation of biological diversity in natural forests, and issue guidelines to enhance the quality and extent of the forest and tree cover in the country. Indian Forest Act envisaged the following:

- The State Government may constitute any forest-land or waste-land (which is the property of Government, or over which the Government has proprietary rights) in

reserved forest for conservation of forest and biological diversity. Any person(s) who make any type of damages in the reserved forests is liable to be punished.

- The Act also provides that the State Government may assign to any village-community the rights of Government to or over any land, which has been constituted as a reserved forest. All forests so assigned shall be called village-forests and the State Government may make rules for regulating the management of village-forests. All the provisions of this Act relating to reserved forests shall apply to village-forests.

The Indian Forest Act, 1927 amended in 2017 and amendment includes in section 2, clause (7) of the Indian Forest Act, 1927 by omitting the word 'bamboos' (belonging to grass family Poaceae) from the earlier definition of trees which included palms, stumps, bamboos, brush-wood and canes, thereby dispensing with the requirement of felling/transit permit for its economic use by farmers in non-forest areas. This amendment is encouraging bamboo plantation and domestic production among farmers, which will eventually contribute to enhanced economic growth, increased green cover as well as bring reforms in bamboo sector. This amendment will help to use 12.6 million hectares of cultivable waste lands by planting suitable bamboo species and hence will promote income generation opportunities among people especially in north-eastern parts and central parts of the country. However, the bamboo grown in the forest areas continues to be governed by the provisions of Indian Forest Act, 1927. A major objective of the amendment has been to promote cultivation of bamboo in non-forest areas to achieve twin objectives of increasing the income of farmers and also increasing the green cover of the country.

The Indian Forest Act addresses the Cancun Safeguards (c), (e) and (g) for implementation of REDD+ activities as per its following sections:

Section(s) of Indian Forest Act Addresses Safeguards	Cancun Safeguards Decision 1/CP.16 Appendix I para
Section 28	(c)
Section 3, 28, 29 and 35	(e)
Section 35 and 36	(g)

**3.6 Wildlife (Protection) Act, 1972 (amended in 1993):** Act provides for the protection of wild animals, birds and plants and for matters connected therewith or ancillary or incidental thereto. Wildlife Advisory Board has been constituted in the States and Union Territories to advise the State Government in:

- selection of areas to be declared as sanctuaries, national parks, and closed areas and the administration thereof,
- formulation of the policy of protection and conservation of wildlife and specified plants,

- relation to the measures to be taken for harmonizing the needs of the tribals and other dwellers of the forest with the protection and conservation of wildlife, and
- prohibition of picking, uprooting of specified plants.

Wildlife (Protection) Act, 1972 has been amended in 1993 for protection of plants and animal species. This Act has six schedules, which give varying degrees of protection to wild animals and birds.

This act addresses the Cancun Safeguards (b), (c) and (e) for implementation of REDD+ activities as per its following sections:

Section(s) of Wildlife (Protection) Act Addresses Safeguards	Cancun Safeguards Decision 1/CP.16 Appendix I para
Section 3, 4, 5, 6, 7 and 8	(b)
Section 17 B, 17C and 17D	(c)
Section 9, 17 A, 17C, 17E, 17F, 17G, 18, 35, 37 and 38	(e)

**3.7 Water (Prevention and Control of Pollution) Act, 1974:** This Act provide for the prevention and control of water pollution and the maintaining or restoring of wholesomeness of water for the establishment. The Central Pollution Control Board and State Pollution Control Boards are responsible for implementing this Act. The main function of the Central Board is to promote cleanliness of streams and wells in different areas of the States. The functions of a State Boards are to plan a comprehensive programme for the prevention, control or abatement of pollution of streams and wells in the State and to secure the execution thereof, and to advise the State Government on any matter concerning the prevention, control or abatement of water pollution.

This act addresses the Cancun Safeguards (b) and (f) for implementation of REDD+ activities as per its following sections:

Section(s) of Water (Prevention and Control of Pollution) Act Addresses Safeguards	Cancun Safeguards Decision 1/CP.16 Appendix I para
Chapter 2, 3, 4	(b)
Chapter 5	(f)

**3.8 Forest (Conservation) Act, 1980 (amended in 1988):** An Act to provide for the conservation of forests and for matters connected therewith or ancillary or incidental thereto. Forest (Conservation) Act, 1980 is a unique piece of legislation, and a regulatory mechanism that reflects the collective will of the nation to protect its rich biological diversity and natural heritage and that permits only unavoidable use of forest land for various developmental purposes. It embodies the firm commitment of the Government of India to balance the conservation of forests with the sustainable development need of the

country contributing to better environment, health and economy. The remarkable feature of this Act is that it is regulatory and not prohibitory.

This Act regulates the diversion of forest land for non-forestry purposes by providing for stringent scrutiny of diversion proposals. Every clearance under the Act is subject to undertaking of compensatory afforestation, which is one of the most important conditions stipulated by the Central Government while approving proposals for diversion of forest land for non-forest uses. It is essential for all such proposals, a comprehensive scheme for compensatory afforestation is formulated and submitted to the Central Government.

This act addresses the Cancun Safeguards (b), (c), (d), (e) and (f) for implementation of REDD+ activities as per its following sections:

<b>Section(s) of Forest (Conservation) Act Addresses Safeguards</b>	<b>Cancun Safeguards</b>
	Decision 1/CP.16 Appendix I para
Section 2	(e), (f)
Section 3 and 4	(b), (c), (d)

**3.9 The Air (Prevention and Control of Pollution) Act, 1981:** The Air (Prevention and Control of Pollution) Act, 1981, was enacted under Article 253 of the Constitution of India. The Act is designed to prevent, control and abatement of air pollution and promote preservation of quality of air.

The Central Pollution Control Board and State Pollution Control Board are responsible for implementing this Act. The main function of the Central Pollution Control Board is to improve the quality of air and to prevent, control or abate air pollution in the country. The Central Pollution Control Board may advise the Central Government on any matter concerning the improvement of the quality of air and the prevention, control or abatement of air pollution; to plan and execute a nation-wide programme for the prevention, control or abatement of air pollution.

Functions of a State Pollution Control Boards are to plan a comprehensive programme for the prevention, control or abatement of air pollution and to secure the execution thereof; and to advise the State Government on any matter concerning with the prevention, control or abatement of air pollution.

This act addresses the Cancun Safeguards (b) and (f) for implementation of REDD+ activities as per its following sections:

<b>Section(s) of Air (Prevention and Control of Pollution) Act Addresses Safeguards</b>	<b>Cancun Safeguards</b>
	Decision 1/CP.16 Appendix I para
Chapter 2 and 3	(b)
Chapter 4	(f)

**3.10 The Environment (Protection) Act, 1986:** This is an umbrella act to provide for the protection and improvement of environment and matters connected therewith. It also deals with the prevention of hazards to human beings, other living creatures, plants and property. It empowers the Central Government to take necessary measures for the purpose of protecting and improving the quality of environment and preventing, controlling and abating environmental pollution.

This act addresses the Cancun Safeguard (e) for implementation of REDD+ activities as per its following sections:

Section(s) of Environment (Protection) Act Addresses Safeguards	Cancun Safeguard
Chapter 2 and 3	Decision 1/CP.16 Appendix I para (e)

**3.11 The Panchayats (Extension to the Scheduled Areas) Act 1996:** This Act provides for the extension of the provisions of Part IX of the Constitution of India relating to the Panchayats in the Scheduled Areas. Under this Act, every *Gram Sabha* in the Scheduled Areas has the power to safeguard and preserve the traditions and customs of people, their cultural identity, and community resources. It also has the power to approve plans, programmes and projects for social and economic development of the villagers, and to identify persons as beneficiaries under the poverty alleviation and other programmes. For any acquisition of land in these areas, *Gram Sabha* needs to be consulted.

This act addresses the Cancun Safeguards (c) and (d) for implementation of REDD+ activities as per its following sections:

Section(s) of Panchayats (Extension to the Scheduled Areas) Act Addresses Safeguards	Cancun Safeguards
Section 4	Decision 1/CP.16 Appendix I para (c), (d)

**3.12 The Protection of Plant Varieties and Farmers' Rights Act, 2001:** It is an Act to provide for the establishment of an effective system for protection of plant varieties, the rights of farmers and plant breeders and to encourage the development of new varieties of plants. The Protection of Plant Varieties and Farmers' Rights Authority has been established for the purposes of this Act. Functions of Authority are to promote the development of new varieties of plants and to protect the rights of the farmers and breeders. A National Gene Fund has been constituted under this Act, and the expenditure for supporting the conservation and sustainable use of genetic resources including *in-situ* and *ex-situ* collections and for strengthening the capability of the *Panchayat* in carrying out such conservation and sustainable use.

This act addresses the Cancun Safeguards (b) and (c) for implementation of REDD+ activities as per its following sections:

Section(s) of Protection of Plant Varieties and Farmers' Rights Act Addresses Safeguards	Cancun Safeguards Decision 1/CP.16 Appendix I para
Chapter 2, 8	(b)
Chapter 6	(c)

**3.13 The Biological Diversity Act, 2002:** This Act deals with the conservation of biological diversity, sustainable use of its components and fair and equitable sharing of the benefits arising out of the use of biological resources, knowledge and the matters connected therewith or incidental thereto. The Act is aimed at conservation of biological resources and incentivisation of associated knowledge as well as facilitating access to them in a sustainable manner and through a just process. It also aims at extending the benefit of traditional knowledge of use of the biological diversity to the local communities. The Act recognises the rights of local communities on traditional use related to use of local biological diversity, and also supports conservation of biological diversity.

The Biological Diversity Act (2002) and Biological Diversity Rules (2004) heralded a significant era in the way India wished to conserve, manage and share the benefits of biological resources and associated knowledge in a fair and equitable manner besides using the legal provisions to fulfil its obligations as a signatory to the Convention on Biological Diversity.

The National Biodiversity Authority (NBA), the State Biodiversity Boards (SBBs) and the Biodiversity Management Committees (BMCs) form the operational arms for the Act and Rules at national, state and local levels respectively. Biodiversity Management Committee constituted at local/village level for the purpose of promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms and chronicling of knowledge relating to biological diversity.

This act addresses the Cancun Safeguards (b), (c), (d) and (e) for implementation of REDD+ activities as per its following sections:

Section(s) of Biological Diversity Act Addresses Safeguards	Cancun Safeguards Decision 1/CP.16 Appendix I para
Chapter 3, 4	(b)
Chapter XI	(c)
Section 36(4)	(d)
Section 3, 4, 21	(e)

**3.14 The Right to Information Act, 2005:** This Act provides setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of

every public authority. A Central Information Commission and State Information Commissions have been setup for operationalizing the Act effectively.

All the actions to be done for implementation of REDD+ shall be made available to the local communities on their requirement. Therefore, this act indirectly addresses the Cancun Safeguard (b) for implementation of REDD+ activities.

### **3.15 The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006:**

The Act recognizes and vests the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded. The Act provides for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land. This act includes the responsibilities and authority for sustainable use, conservation of biological diversity and maintenance of ecological balance and thereby strengthening the conservation regime of the forests while ensuring livelihood and food security of the forest dwellings scheduled tribes and other traditional forest dwellers. Forest rights include:

- (a) Right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood by a member or members of a forest dwelling scheduled tribe or other traditional forest dwellers;
- (b) Community rights;
- (c) Right of ownership, access to collect, use, and dispose off minor forest produce which has been traditionally collected within or outside village boundaries;
- (d) Other community rights of uses or entitlements such as fish and other products of water bodies, grazing (both settled or transhumant) and traditional seasonal resource access of nomadic or pastoralist communities;
- (e) Rights including community tenures of habitat and habitation for primitive tribal groups and pre-agricultural communities;
- (f) Rights in or over disputed lands under any nomenclature in any State where claims are disputed;
- (g) Rights for conversion of *Pattas* or leases or grants issued by any local authority or any State Government on forest lands to titles;
- (h) Rights of settlement and conversion of all forest villages, old habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not into revenue villages;
- (i) Rights to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use;
- (j) Rights which are recognised under any State law or laws of any Autonomous District Council or Autonomous Regional Council or which are accepted as rights of tribal under any traditional or customary law of the concerned tribes of any state;

- (k) Right of access to biological diversity and community right to intellectual property and traditional knowledge related to biological diversity and cultural diversity;
- (l) Any other traditional right customarily enjoyed by the forest dwelling Scheduled Tribes or other traditional forest dwellers excluding the traditional right of hunting or trapping or extracting a part of the body of any species of wild animal; and
- (m) Right to *in-situ* rehabilitation including alternative land in cases where the scheduled tribes or other traditional forest dwellers have been illegally evicted or displaced from forest land of any description without receiving their legal entitlement to rehabilitation prior to the 13<sup>th</sup> December 2005.

The *Gram Sabha*, Sub-Divisional Level Committee and District Level Committee are mandated for implementation of this act. The decision of the District Level Committee on the record of forest rights shall be final and binding.

Central Government hereby makes the rules for recognizing and vesting the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers residing in such forests. These rules may be called the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2007.

This act along with its rules address the Cancun Safeguards (b), (c), (d) and (f) for implementation of REDD+ activities as per its following sections:

Section(s) of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act Addresses Safeguards	Cancun Safeguards
	Decision 1/CP.16 Appendix I para
Section 3, 4	(b), (c)
Section 5	(d), (f)

**3.16 The Compensatory Afforestation Fund Act, 2016:** For industrial and developmental projects of national importance, forest areas are diverted for non-forestry use through rigorous process after clearance from state governments and central government. Government imposes certain levies on project proponent to compensate for the loss of forest land and these funds are to be utilized for afforestation activities elsewhere.

The concept of “Compensatory Afforestation” defined as afforestation done in line of diversion of forest land for non-forestry use under the Forest (Conservation) Act, 1980. To streamline the management of these funds Compensatory Afforestation Fund Management and Planning Authority (CAMPA) has been set up. The Authority receives payment from project proponents for the diversion of forest lands for compensatory afforestation.

This act directly and indirectly addresses the Cancun Safeguard (e) for implementation of REDD+ activities.

**3.17 National Working Plan Code-2014:** Forest Working Plan is a main instrument of forest planning (more exactly forest working) based on sound principles scientific management of forests in the country. It is a very useful document for evaluating the status of forests and

biological diversity and natural resources of a Forest Division, assessing the impact of past management practices and deciding about suitable management interventions for future. Periodical up-dating and revision of Forest Working Plan is essential to keep pace with the trends emerging out of forest–people interface and to address national and international obligations.

To sustainably manage, conserve and utilize the forest resources and to bring uniformity in forest management planning across the country, Ministry of Environment, Forest and Climate Change, Government of India had adopted a uniform code, the National Working Plan Code in 2004. However, later the focus of forest sector has shifted to environmental stability, biological diversity monitoring and management, restoration of ecological balance of the disturbed areas, climate change mitigation and adaptation, protective functions of the forest resources, sustained flow of ecosystem services and other socio-economic benefits based on non-timber forest products.

Accordingly, National Working Plan Code-2004 has been revised for sustainable management of forests and biological diversity conservation. National Working Plan Code – 2014 entered in to force from 01<sup>st</sup> April 2014. According to the new National Working Plan, forest management planning must provide for sustainable management of forests and its biological diversity as enshrined in the National Forest Policy, encompassing the ecological (environmental), economic (production) and social (including cultural) dimensions (MoEFCC, 2014 b). National Working Plan Code-2014 highlighted that *“implementation of REDD+ requires efforts/mechanisms to measure forest carbon stocks, interventions and payments to local people in addition to alternative activities such as fodder development to avoid lopping of tree branches, efficient cooking energy devices etc”*.

**3.18 Guidelines for Joint Forest Management:** National Forest Policy, 1988 is a landmark policy for the rights of local communities over forest resources. The policy recognized people’s participation in using and protecting forests and suggested that forest communities should develop and conserve forests together with the State Forest Departments. Joint Forest Management (JFM) is an approach and programme initiated in the context of the National Forest Policy of 1988 wherein State Forest Departments support local forest dwelling and forest fringe communities in protection and management of forests and also to share the costs and benefits arising from the forests. Communities organize themselves into a JFM Committee to protect and manage nearby forests, guided by locally prepared byelaws and micro plans.

Necessary guidelines for Joint Forest Management were issued by the Government of India on 1<sup>st</sup> June 1990 (first JFM Guidelines), on 21<sup>st</sup> February 2000 (second JFM Guidelines) and on 24<sup>th</sup> December 2002 (third JFM Guidelines), which provided the framework for state level rules and resolutions. JFM Guidelines 1990 provided the basis for initiating joint forest management in forest lands. The initial focus in the 1990 guidelines was on degraded forest

areas. Ten years after the initial JFM guidelines, the MoEFCC issued second guidelines for strengthening JFM, covering four main aspects: legal backup to the JFM committees, promote participation of women, expansion of JFM beyond degraded forests and extension of JFM in good forest areas. Third set of JFM guideline emphasized three aspects: signing of memorandum of understanding for forest management, outlining the short term and long-term roles and responsibilities, implementation of work programme, pattern of sharing of usufructs and conflict resolution.

About 22 million hectare forests are being managed by more than 1,18,000 Joint Forest Management Committees (JFMCs) with the involvement of more than 20 million people across the country. JFMCs mainly target conversion of low-productive forests to high productive forests. JFMCs can play an active role in successful implementation of REDD+ activities.

**3.19 National Action Plan on Climate Change:** India's National Action Plan on Climate Change (NAPCC) was launched in June 2008 and identified a number of measures that simultaneously advance the country's development and climate change related objectives of adaptation and mitigation. The implementation of the NAPCC is designed to take place through eight National Missions, which form the core of the NAPCC and incorporate multi-pronged, long-term and integrated strategies for achieving India's key goals in the context of climate change (NAPCC, 2008). The eight National Missions under NAPCC are:

- 1) *National Mission for a Green India:* The National Mission for a Green India (also referred to as Green India Mission or GIM) recognizes that climate change phenomena will seriously affect and alter the distribution, type and quality of natural resources of the country and the associated livelihoods of the people. Broad objective of the mission is to deal with climate change mitigation and adaptation in a comprehensive manner. This will be carried out by increasing the forest and tree cover by 5 million ha, as well as to increase the quality of existing forests and tree cover in another 5 million ha forest/non-forest lands.
- 2) *National Solar Mission:* This mission promotes ecologically sustainable growth while addressing India's energy security challenge. It will also constitute a major contribution by India to the global effort to meet the challenges of climate change. Objective of the Mission is to establish India as a global leader in solar energy, by creating the policy conditions for its diffusion across the country as quickly as possible.
- 3) *National Mission for Enhanced Energy Efficiency:* Objective of the Mission is to achieve growth with ecological sustainability by devising cost effective and energy efficient strategies for end-use demand side management
- 4) *National Mission on Sustainable Habitat:* Objective of the Mission is to promote sustainability of habitats through improvements in energy efficiency in buildings,

urban planning, improved management of solid and liquid waste including recycling and power generation, modal shift towards public transport and conservation.

- 5) *National Water Mission*: Objective of the Mission is to conserve water, minimize wastage and ensure equitable distribution both across and within states through integrated water resources development and management.
- 6) *National Mission for Sustainable Agriculture*: Objective of the Mission is to transform agriculture into an ecologically sustainable climate resilient production system while at the same time, exploiting its fullest potential and thereby ensuring food security, equitable access to food resources, enhancing livelihood opportunities and contributing to economic stability at the national level.
- 7) *National Mission for Sustaining the Himalayan Ecosystem*: Objective of the Mission is to evolve management measures for sustaining and safeguarding the Himalayan glaciers and mountain ecosystem and attempt to address key issues namely impacts of climate change on the Himalayan glaciers, biological diversity, wildlife conservation and livelihood of traditional knowledge societies.
- 8) *National Mission on Strategic Knowledge for Climate Change*: Objective of the Mission is to identify the challenges and the responses to climate change through research and technology development and ensure funding of high quality and focused research into various aspects of climate change.

Consequent upon launch of National Action Plan on Climate Change, the Prime Minister's Council on Climate Change called upon States to prepare their State Action Plans on Climate Change (SAPCCs) for climate change mitigation and adaptation. Ministry of Environment, Forest and Climate Change, Government of India developed common generic framework to provide guidance to the states for preparation of SAPCC. 32 States/UTs submitted their State Action Plan on Climate change that has been endorsed by National Steering Committee on Climate Change.

### **3.20 Other Acts Addressing the Cancun Safeguards**

Fisheries Act, 1897; Destructive Insects and Pests Act, 1914; Agricultural Produce (Grading and Marketing) Act, 1937; Indian Coffee Act, 1942; Import and Export (Control) Act, 1947; Rubber (Production and Marketing) Act, 1947; The Tea Act, 1953; Mining and Mineral Development (Regulation) Act 1957; Prevention of Cruelty to Animals Act, 1960, Customs Act, 1962; Seed Act, 1966; Patents Act, 1970; Spices Board Act, 1986; Marine Products Export Development Authority Act 1972; Tobacco Board Act, 1975; Spices Act, 1986; National Green Tribunal Act, 2010 etc. are other acts which directly or indirectly address the environmental and biological diversity related safeguards.

## 4. Safeguards Information System

REDD+ has the potential to provide carbon and non-carbon benefits out of its implementation. It can also pose several environmental and social risks during its implementation. To protect REDD+ actions from the environmental and social risks, country Parties to the UNFCCC have adopted a set of seven safeguards, which are known as Cancun Safeguards. These safeguards need to be addressed and respected during the implementation of REDD+ activities. An information system is needed which demonstrate that how the safeguards are addressed and respected while implementation of REDD+ activities. Development of a safeguards information system is one of the key requirements for obtaining result-based payments from REDD+ activities.

India has more than 150 years old history of scientific management of forests and due care has been given to the environmental and social safeguards in forest management practices. Over the period of time, the priorities of forest management in India have changed which have also been reflected in the three National Forest Policies, the country had so far. The distinct feature has been gradual shift in priorities of forest management from production forestry to the conservation and participatory forestry. Various Policies, Laws and Regulations (PLRs) related to forest conservation and management address directly and indirectly to various environmental and social safeguards for successful implementation of the various forestry programmes in the country. A Safeguards Information System (SIS) through combination of existing forest governance structures, existing legal & institutional frameworks and sources of information need to be developed to meet the objectives of SIS as per the UNFCCC requirement for implementation of REDD+ activities. National REDD+ Strategy, 2018 of India endorsed that Cancun Safeguards principles shall be adhered during the implementation of REDD+ activities, and SIS shall be developed through existing policies, law and regulation of forest governance.

**4.1 Objectives:** The basic objective of the SIS, from UNFCCC perspective is to demonstrate that the Cancun Safeguards are being addressed and respected during the implementation of REDD+ activities.

In Indian scenario, adequate safeguards have already been provided within the existing policies, laws & regulations such as National Forest Policy, 1988; Forest (Conservation) Act, 1980; National Environment Policy, 2006; Environment (Protection) Act, 1986; Biological Diversity Act, 2002; Forest Right Act, 2006 and Wildlife (Protection) Act 1972 etc. These policy, law and regulations address the sustainable management of forests in the country while taking care of conservation of biological diversity, maintenance of ambient environment and the rights of local communities on forests. Apart from PLRs mentioned in Chapter 3, well structured existing institutional arrangements are in place for implementation of various policies, laws and regulations.

The SIS will help in developing the ownership of REDD+ activities among stakeholders by increasing transparency and encouraging their participation at state, regional and national level. Participation and intervention of different stakeholders will ensure that the REDD+ activities are appropriate to regional and national circumstances and contribute towards the national goals of sustainable development while complying with the international agreements/ commitments. The objectives of the SIS can be summarised as under:

- To meet the national objectives of forest management, forests & biological diversity conservation, environment protection and sustainable development.
- To meet the objectives of National REDD+ Strategy.
- To demonstrate that Cancun Safeguards are being addressed and respected throughout the implementation of REDD+ activities in India.
- To prepare periodically a summary of information on how the Cancun Safeguards are addressed and respected during the implementation of REDD+ activities in India

**4.2 Functions:** Following are the functions provided to meet the objectives of Safeguard Information System in implementation of REDD+ activities:

- To collect and compile the information/ data on safeguards for REDD+ activities being implemented in the field.
- To analyse the compiled information/ data on safeguards and their interpretation.
- To devise the suitable mechanism for quality control and quality assurance of the information/ data to be collected on safeguards.
- To prepare the report on summary of information on safeguards and to disseminate the information through appropriate means of communication.

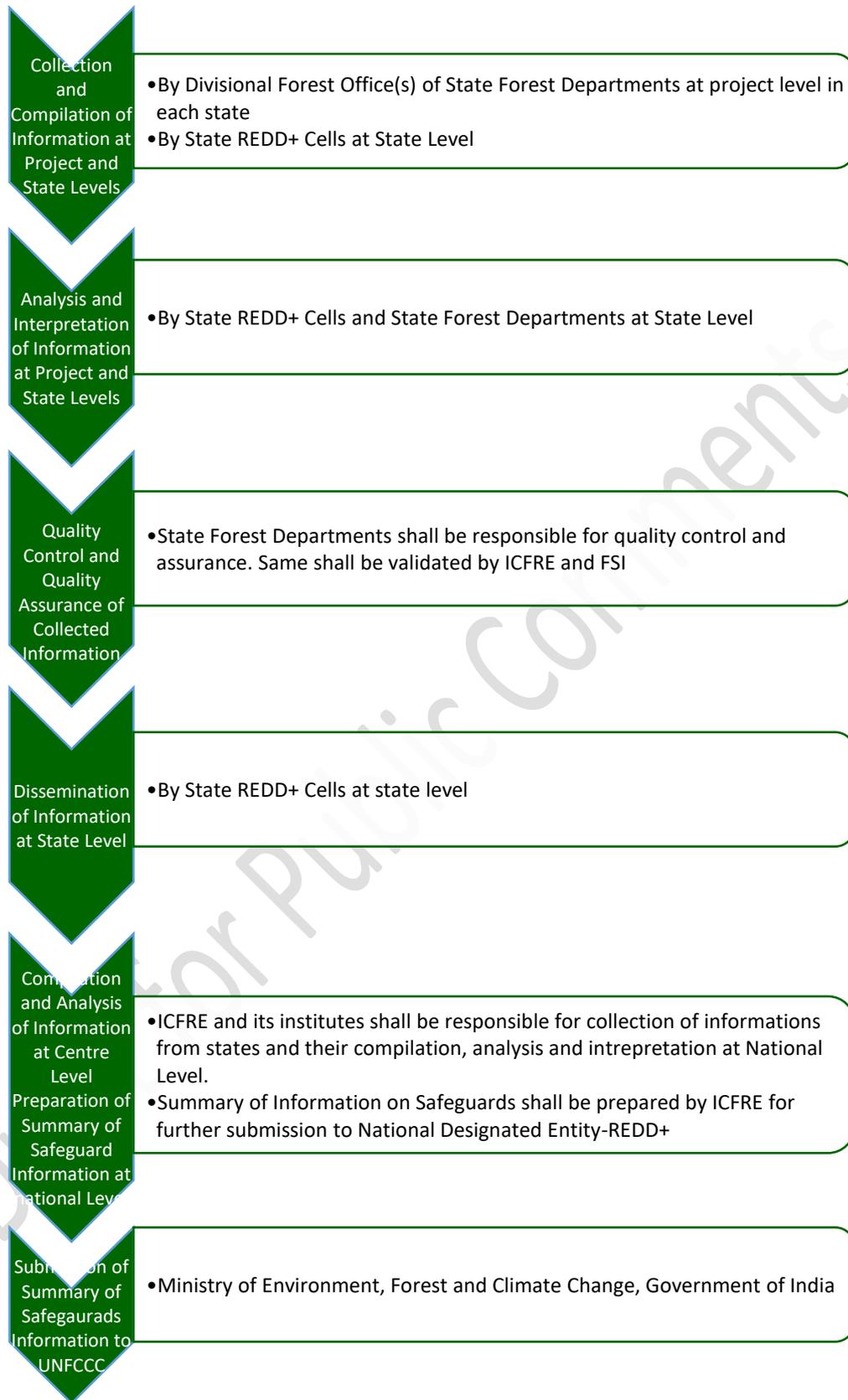
### **4.3 Institutional Arrangements**

For implementation of REDD+ activities, Ministry of Environment, Forest and Climate Change, Government of India has constituted a National Designated Entity for REDD+ (NDE-REDD+) to serve as a liaison between the UNFCCC Secretariat and the relevant bodies under the Convention.

The National REDD+ Strategy devolves major responsibility for execution of REDD+ activities and measurement of their performance on the State Forest Departments. It places high priority on capacity building at all levels of the State Forest Departments, the other line departments, and the local communities to enable proper implementation of REDD+ and accurate assessment and measuring of REDD+ performance. Each State will create a REDD+ Cell in the State Forest Department, and nominate/appoint a Nodal Officer to coordinate the activities of the State REDD+ Cell. Guidelines prescribing role and responsibilities of the State REDD+ Cell will be issued by the Government of India.

The Safeguards Information System (SIS) implementation will require coordination among states, national institutions and local communities. An institutional arrangement for SIS is given below:

- **Union Ministry of Environment, Forest and Climate Change (MoEFCC)**
  - National Designated Entity for REDD+: For overseeing the implementation of the REDD+ Safeguard Information System and submission of periodic summary of information on safeguards to UNFCCC in accordance with the relevant COP decisions.
  - Research and Technical Institutions under MoEFCC
    - ICFRE: For providing support to NDE-REDD+ for compilation of information at national level and preparation of summary of information on safeguards for further submission to UNFCCC.
    - FSI: For providing support to NDE-REDD+ for forest inventory related tasks.
    - NBA: For ensuring the effective compliance of biological diversity related safeguards through State Biodiversity Boards in implementation of REDD+ activities.
- **State Government Departments**
  - State REDD+ Cells under State Forest Departments will be responsible for implementation of SIS, collection of data on safeguards for implementation of REDD+ activities from the field by engaging relevant offices as appropriate quality control and quality assurance of the data/ information, and submission to ICFRE for further compilation and preparation of summary of information on SIS.
  - State Biological Diversity Boards will be responsible for ensuring the effective compliance of biological diversity related safeguards through Biological Diversity Management Committees during implementation of REDD+ activities.
- **Institutional Arrangements for Collection, Compilation, Analysis and Interpretation of Information on Safeguards:** Institutional arrangements for collection, compilation and analysis of information/data on whether safeguards are addressed and respected from project level/ Forest Division level (site of implementation of REDD+ activities), state level and national level and their interpretation and further decimation to the stakeholders are given in the following flow chart:



Flow Chart: Institutional Framework for Collection, Compilation and Analysis of Information on Safeguards and their submission to UNFCCC

A web-based computer module/ application /portal shall be developed for collection of information on safeguards. The State REDD+ Cells will provide necessary information/ data on REDD+ safeguards. Further, online access of state wise data shall be given to the ICFRE and its institutes for further compilation, analysis and interpretation of data at national level and to prepare the summary of safeguards information for submission to the NDE-REDD+ at Ministry of Environment, Forest and Climate Change, Government of India. Use of web-based computer module/ application will help in avoiding duplication of information as well as quality control of the data. This will not only reduce the resources, efforts and time but also improve work efficiency and transparency in collection of information on safeguards. An outline of the web-based computer application is placed at Annex I.

For addressing and respecting the Cancun's Safeguards in effective ways during implementation of REDD+ activities, following measures are needed to be followed:

- Capacity building of the stakeholders on Safeguards Information System for effective implementation of the safeguards.
- Analysis of constraints in implementation of Safeguards Information System.
- Development of subsequent plan(s) to strengthen identified weakness of the Safeguard Information System.

**4.4 Principles, Criteria and Indicators to be used for Collection of Information on Cancun Safeguards:**

In order to reduce the potential risks from implementation of REDD+ activities, Cancun Safeguards are being addressed through various existing policies, laws and regulations governing forest management in the country. Criteria and Indicators identified on the basis of existing policies, laws and regulations (PLRs) which will be used for preparation of the summary of safeguards information. The qualitative and quantitative indicators provide status on addressal of safeguards while implementation of REDD+ activities. However, there is need to identify the most relevant indicator to simplify the process without compromising on the data from field.

Following safeguards wise principles, criteria, and indicators (PCI) have been identified for collection of information on how the Cancun Safeguards are being addressed and respected in implementation of REDD+ activities by the states:

**Safeguards 1:** *Actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements*

**Principle:** REDD+ activities shall comply with national policies, laws and regulations and international conventions/agreements related to environment, forest, biological diversity and other natural resources and shall be consistent with the objectives of national forest programme(s)

Criteria	Indicators
1. Consistency and complementarity	1) Planning stage: Grading on 0 to 9 scale with 9

with national policies, laws and national forest programmes	<p>indicating best consistency and complementarity</p> <p>2) Implementation stage: Grading on 0 to 9 scale with 9 indicating best consistency and complementarity</p> <p>3) Number of approved Forest Working Plans for management of forests</p> <p>4) Whether REDD+ plan vetted by State REDD+ Cell or not: Y/N</p>
2. Consistency and complementarity with international conventions and agreements ratified by India	<p>5) Planning stage: Grading on 0 to 9 scale with 9 indicating best consistency and complementarity</p> <p>6) Implementation stage: Grading on 0 to 9 scale with 9 indicating best consistency and complementarity</p>

**Safeguard 2:** *Transparent and effective national forest governance structures, taking into account national legislation and sovereignty*

**Principle:** Demonstration of transparent and effective national forest governance structures for implementation of REDD+ Actions

Criteria	Indicators
3. Adequacy of institutional framework for management of REDD+ activities	<p>7) Grading on 0 to 9 scale with 9 indicating best or most adequate institutional framework</p> <p>8) Number of capacity building programmes for forest staff and forest dwelling local communities organised</p>
4. Adequacy of institutional framework for dialogue across stakeholders and with management	<p>9) Grading on 0 to 9 scale with 9 indicating best or most adequate institutional framework</p> <p>10) Number of meetings/workshops etc. organised between stakeholders and management</p>
5. Grievance redressal mechanism	<p>11) Whether mechanism exists: Y/N</p> <p>12) Effectiveness of mechanism: Number of meetings held/ Number complaints received and disposed/ Number of repeat complaints of same nature</p>

**Safeguard 3:** *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*

**Principle:** REDD+ activities shall respect the knowledge and rights of local communities

Criteria	Indicators
6. Identification of all local communities, their knowledge system and rights	13) All local communities documented: Y/N 14) Rights of local communities documented: Y/N 15) Knowledge of local communities documented: Y/N
7. Integration of local community knowledge and rights in REDD+ Action Plan	16) Grading on 0 to 9 scale with 9 indicating best

**Safeguard 4:** *The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities*

**Principle:** REDD+ activities shall identify the relevant stakeholders including local communities and ensure their participation in implementation of REDD+ activities

Criteria	Indicators
8. Identification of relevant stakeholders and defining their role and relevance	17) Whether all stakeholders have been listed: Y/N 18) Whether the relevance and prospective role of the stakeholders has been documented: Y/N
9. Effectiveness of participation	19) Number of meetings held 20) Number of stakeholders participated 21) Number of women participated 22) Issues raised by stakeholders during meetings and redressal thereof (Y/N)
10. Capacity building of stakeholders	23) Number of capacity building programmes conducted

**Safeguard 5:** *The actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions 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*

**Principle:** REDD+ activities shall ensure to conservation of natural forest, biological diversity and incentivize ecosystem services for social and environmental benefits

Criteria	Indicators
11. Whether mechanism to observe actions are consistent with the conservation of natural forests and biological diversity, is in place	24) Whether initial status recorded: Y/N 25) Whether it has been integrated in planning stage: Y/N 26) Whether it is being monitored: Y/N 27) Periodic monitoring of growing stock, extent of forest & tree cover, and biological diversity
12. Contribution to ecosystem vitality	28) Whether natural regeneration has improved: Y/N 29) Whether weed invasion has been reversed: Y/N 30) Whether grazing pressure has been reduced: Y/N

	31) Whether vulnerability to fires has been contained: Y/N 32) Flow of ecosystems goods and services from forests has been enhanced: Y/N
13. Incentivization	33) Whether incentives are built into planned benefits to stakeholders: Y/N 34) Whether stakeholders find the incentives attractive: Y/N

**Safeguard 6: Actions to address the risks of reversals**

**Principle:** REDD+ activities shall seek to reduce the risk of reversal through appropriate means and activities at regional level and through policy initiatives at national level

Criteria	Indicators
14. REDD+ activities should include measures to address the potential drivers of reversals	33) Potential drivers for risk of reversal identified (fire, encroachment, grazing etc.): Y/N 34) Management measures/ policy interventions taken to address and mitigate the risk of reversal: Y/N 35) Active participation of local community in forest protection: Y/N 36) Extent of alternate eco-friendly and clean energy sources to the local communities

**Safeguard 7: Actions to reduce displacement of emissions**

**Principle:** REDD+ activities shall include strategies to reduce displacement of emission

Criteria	Indicators
15. Identify the activities that has potential to shift from REDD+ project area	37) Check the displacement of activities (if any) from project area to other nearby places and effective addressal thereof
16. Increase in extent and quality of forest and tree cover	38) Trends in forest cover, forest health and tree outside forests 39) Increase in carbon stocks due to increase in forest and tree cover

**4.5 Grievance Redressal Mechanism related to Safeguards**

State REDD+ Cell shall be responsible for addressing all the grievances and disputes of stakeholders (if any) regarding application of REDD+ safeguards in implementation of REDD+ actions at various levels. Functions of State REDD+ Cell for grievance redressal shall be as follows:

1. To address the grievances of the stakeholders (if any) with respect to REDD+ safeguards

2. To take timely necessary corrective measures for disposal of the grievances
3. To prepare action taken report for submission to National Designated Entity for REDD+ (NDE-REDD+)
4. To prepare summary of grievances and their resolution at state level
5. To prepare the annual report of the grievances redressal for submission to National Designated Entity for REDD+

#### 4.6 Summary of Safeguards Information

In context of the developing the SIS, it is stated that 'Addressed' refers to law, regulations or policy that will ensure REDD+ safeguards are considered; while 'Respected' refers to how these safeguards are applied in its true spirit while implementing REDD+. Collected information on safeguards from project level and sub-national/ state levels shall be compiled, analysed and interpreted. Summary of information on safeguards will be prepared at national level for final submission to UNFCCC as per following in accordance with the appropriate means of communication as decided by the relevant COP decisions:

Table 2. Information on how the safeguards have been addressed and respected

Safeguards	Addressed	Respected
	(with detailed description)	
(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 the 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 conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits		
(f) Actions to address the risks of reversals		
(g) Actions to reduce displacement of emissions		

## 5. Way Forward

The Safeguard Information System (SIS) as described aforesaid further needs:

- 1) Capacity buildings of various functionaries of State Forest Department for efficient flow of information on safeguards required for onward communication to UNFCCC by National Designated Entity for REDD+,
- 2) Capacity buildings of stakeholders on REDD+ activities, REDD+ Safeguards and Sustainable management of forests, and
- 3) An efficient grievance addressal mechanism at state and national level. Capacities of the Joint Forest management Committees and Eco-Development Committees etc can be built to address the REDD+ Safeguards related local grievance.

Other gaps identified in the existing system for implementation of Safeguards and developing information system are enlisted as under:

- 1) Lack of REDD+ awareness at state level.
- 2) Limited human resource capacity development at different levels of governance.
- 3) Non-availability of archives data from field in utilizable manner at national level.
- 4) Ensuring inclusion of all the stakeholder (rural communities from remote areas) in REDD+ process and awareness generation/capacity building.
- 5) Accountability of stakeholders in benefit sharing mechanism.
- 6) Additional cost of training and database management.

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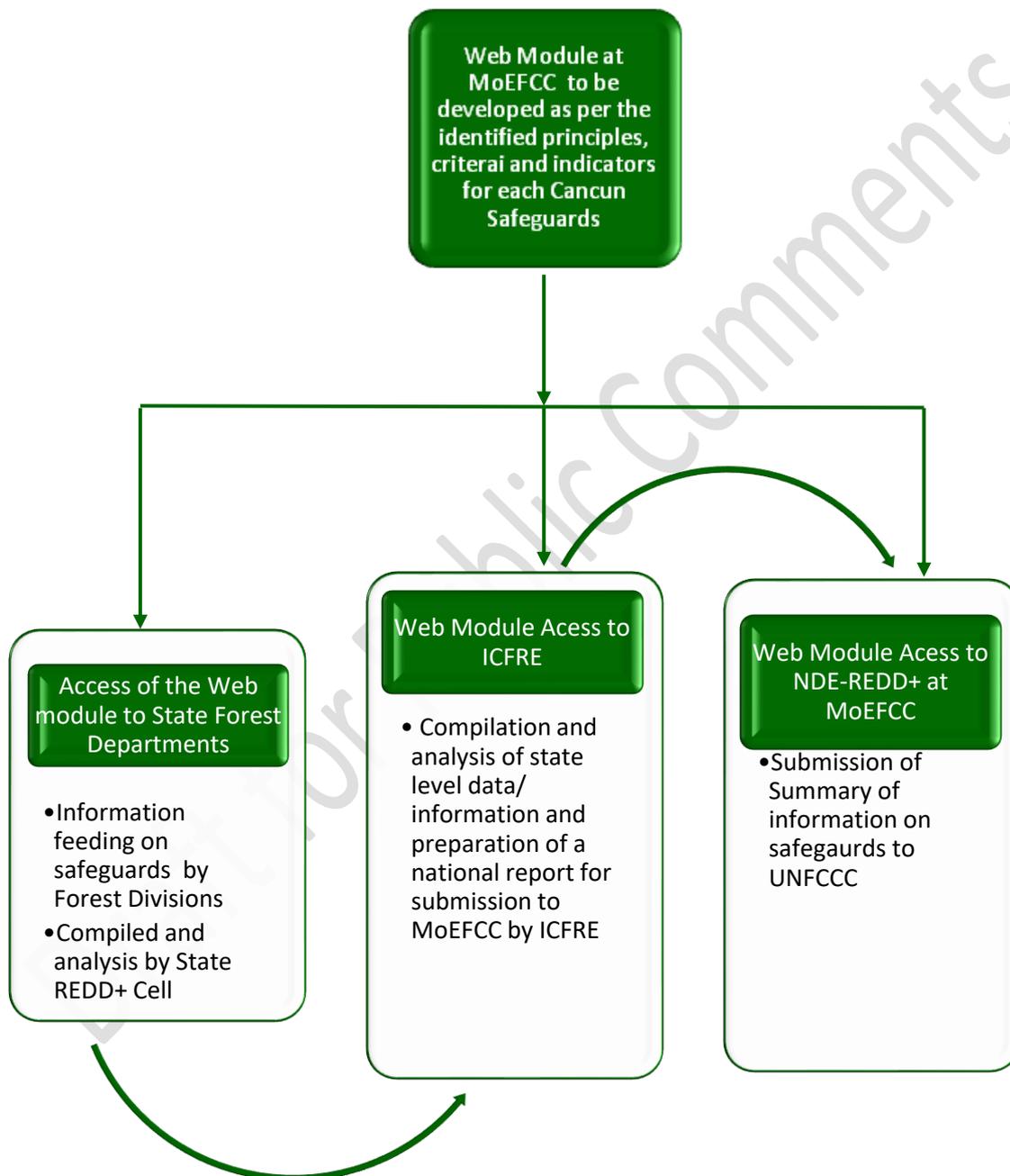
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An outline of the web-based computer module on Safeguards Information System







Draft for Public Comments



Ministry of Environment, Forest and Climate Change, Government of India