

ENVIRONMENTAL AND SOCIAL ASSESSMENT (ESA)

**DOCUMENT ASSOCIATED WITH THE PROPOSAL FOR REDD+ RESULTS-BASED PAYMENTS IN
PARAGUAY FOR THE PERIOD 2015-2017**

June 2019



Executive Summary

Paraguay has made significant progress in the pillars of REDD+ readiness under the United Nations Framework Convention on Climate Change (UNFCCC) and is completing this phase, with a view to strengthening the implementation of policies and measures (PAMs), and of accessing results-based payments. REDD+ PAMs have the potential to generate additional social and environmental benefits, but their planning and implementation can carry certain risks. To minimize these potential risks, while promoting the multiple benefits of REDD+, a set of seven safeguards was agreed under the UNFCCC, to be promoted and supported by countries implementing REDD+.

In addition to the REDD+ safeguards framework mentioned above, the Green Climate Fund's REDD+ results-based payments pilot programme includes some additional safeguards requirements, including undertaking an Environmental and Social Assessment.

This evaluation was carried out for the period 2015-2017, based on the UN Environment and REDD+ safeguards frameworks. The latter was done according to the national interpretation of the Cancun safeguards. The following were reviewed as part of this process: the country's legal framework; the activities and results of risk analyses and management; how stakeholders were engaged; and how grievances were addressed.

The review of the risk identification process indicated that there were recurring concerns, mostly of a social nature. The environmental risks highlighted related to the displacement of pressures and deforestation to other areas, forest fires and the expansion of the agricultural frontier. On the other hand, social risks included lack of protection of indigenous peoples' rights and culture; issues related to land tenure and legalization of land-titles; lack of intra- and inter-institutional capacities and coordination; and lack of land-use planning.

The development of the (*Estrategia Nacional de Bosques para el Crecimiento Sostenible*) ENBCS and the design of specific PAMs to implement REDD+ in the country have included processes of collective construction, with a gender approach and promotion of the participation of key stakeholders. There have also been platforms for requesting and accessing information, raising grievances, and promoting accountability.

The Environmental and Social Assessment carried out shows that the country had robust legal instruments in place, which provided broad support to individual and collective rights, and through which it was possible to minimize the negative impacts of actions in the field, while contributing to country's sustainable development. Resources were also invested in the implementation of complementary measures and actions. Overall, the elements reported demonstrate that the results obtained from reducing deforestation were achieved through the implementation of laws, policies, actions and measures that considered criteria for risk mitigation and the application of safeguards.

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1. Introduction

Paraguay has made significant progress in the pillars of REDD+ readiness under the United Nations Framework Convention on Climate Change (UNFCCC) and is completing this phase, with a view to strengthening the implementation of REDD+ policies and measures (PAMs) and accessing results-payments (RBPs).

REDD+ PAMs have the potential to generate additional social and environmental benefits, but their planning and implementation can carry certain risks. To minimize these potential risks, while promoting the multiple benefits of REDD+, the Parties to the UNFCCC have adopted the "Cancun safeguards": a set of seven safeguards that should be promoted and supported in countries implementing REDD+.

Considering the guidelines and agreements under the UNFCCC, the country developed elements that constitute their national approach to safeguards, including the following: (1) the national interpretation of safeguards, and the identification of elements of the applicable legal framework; (2) information on the approach to safeguards and considerations to consolidate and strengthen inputs to ensure respect for safeguards; (3) analysis of existing information systems that could contribute to the SIS; (4) guidelines for the design of this system; and (5) preparation of the first safeguards summary of information for the period 2011-2018.

In addition to the REDD+ safeguards framework agreed under the UNFCCC, the Green Climate Fund's REDD+ results-based payments pilot programme, launched in late 2017, outlines some safeguards requirements, which must be addressed by countries wishing to participate in the programme¹. This seeks to retrospectively assess how environmental and social risks were managed during the implementation of the activities that led to the results for which payments are sought, as well as how the applicable safeguards policies and standards of the Green Climate Fund² were considered. It is also necessary to address future environmental and social risks, as well as to apply safeguard policies and standards in the implementation of activities associated with the use of proceeds from the RBPs.

Part of the requirements of the pilot programme mentioned above is the need to undertake an Environmental and Social Assessment (ESA), which should describe how the activities that led to the results, applied the environmental and social standards and the Cancun safeguards. This assessment should include information on how environmental and social risks and impacts were identified, assessed and managed; how relevant stakeholders were engaged; and about the implementation of grievance mechanisms.

This document responds to the requirement to develop and submit an Environmental and Social Assessment, as part of the REDD+ RBP proposal in Paraguay for the period 2015-2017.

¹ Call for proposals for the REDD+ results-based payments pilot programme (Green Climate Fund, Decision B.18/07).

² For Paraguay's proposed REDD+ performance payments, the safeguard policies and standards of the accredited UN Environment Agency will apply, which are in line with the policies and standards of the Green Climate Fund, along with the safeguard framework agreed under the UNFCCC.

The document is organized as follows: section two provides an explanation of the applicable environmental and social framework for the Environmental and Social Assessment. This is followed by the methodology of that assessment in section 3. Section 4 details the results, which include inputs from risk identification exercises, as well as the laws, policies, measures and actions implemented for risk management. Finally, section 5 presents recommendations from the evaluation and conclusions.

2. Applicable environmental and social framework for assessment

As a basis for the Environmental and Social Assessment, the safeguards framework of UN Environment, as the GCF Accredited Entity, and its policies of access to information, gender and indigenous peoples were considered. These are aligned with the framework of environmental and social standards and relevant policies of the Green Climate Fund.

In addition, Paraguay's interpretation of the Cancun safeguards will be taken into account. This interpretation is the result of a participatory process, alongside the analysis of relevant elements for the approach and respect of safeguards according to the circumstances of the country.

2.1 UN environmental, social and economic sustainability framework Environment and associated policies

UN Environment's Environmental, Social and Economic Sustainability Framework integrates standardized sustainability measures into all areas of work. It sets minimum safeguard standards for the Agency and its implementing partners to anticipate and manage environmental, social and economic problems holistically.

This framework serves a number of purposes:

- i) Preparation to implement the Sustainable Development Goals and the UN Agenda 2030, supporting the integration of environmental, social and economic criteria in activities.
- ii) Establishes operational safeguard standards.
- iii) It allows minimizing potential risks and negative impacts while strengthening capacities and provides credibility to the work.
- iv) Enables the identification of costs of the entire cycle of operations, operate in a more sustainable manner and improve efficiency over time.
- v) It allows prompt and effective responses to environmental, social and economic problems that may arise.

The framework is composed as follows: two general principles and nine safeguard standards, which are set out below. These safeguard standards reflect the commitment to "do no harm" and are expected to evolve into a commitment to "do good".

Table 1. UN Environmental, Social and Economic Standards Environment

Principle 1. Precautionary approach
Principle 2. Human rights-based approach

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Safeguard Standard 1. Biodiversity Conservation, Natural Habitats, and Sustainable Management of Living Resources
Safeguard Standard 2. Resource efficiency, pollution prevention and management of chemicals and wastes
Safeguard Standard 3. Safety of dams
Safeguard Standard 4. Involuntary resettlement
Safeguard Standard 5. Indigenous Peoples
Safeguard Standard 6. Labour and working conditions
Safeguard Standard 7. Protection of tangible cultural heritage
Safeguard Standard 8. Gender equality
Safeguard Standard 9. Economic sustainability

The general principles apply to all projects and the standards to certain projects depending on their scope and the initial analysis of risks and potential impacts. The principles determine how to avoid, mitigate or minimize potential risks, while the standards refer to the actions to be taken for this purpose.

There is a strong commitment to avoid, minimize or mitigate environmental, social and economic impacts associated with implemented projects. Therefore, all actions are subject to a review process according to safeguard standards during the project preparation phase, and design, implementation, monitoring and evaluation are carried out according to the applicable safeguard standards.

The initial assessment phase includes a process for determining the appropriate level of analysis and management approach proportionate to the potential risks and to the direct, indirect, cumulative and associated impacts. The context of the physical, biological, socio-cultural and economic project is considered. This evaluation can also trigger requirements for the development and implementation of impact management instruments, which depend on the outcome of the risk assessment, which includes an analysis of the intensity, relevance, and scope of possible impacts.

UN Environment ensures that potential negative impacts will be assessed and avoided, and where it is not possible to avoid them they will be minimized, mitigated and managed. It also considers the feasibility of mitigating these impacts and associated financial and technical needs, as well as the different existing alternatives, including the option of not taking any action, the suitability of the alternatives according to local conditions and institutional, training and monitoring requirements.

Information related to UN Environment projects and safeguard documents is shared to seek the engagement of relevant stakeholders. The Agency also has a process and associated tools for handling grievances.

In addition, a periodic report on compliance with safeguard requirements and the application of the relevant framework and policies is developed. Safeguard measures and plans are reviewed and updated as appropriate. Mid-term and final evaluations of projects are carried out.

Complementing its Environmental, Social and Economic Sustainability Framework, UN Environment has established associated policies. These include, but are not limited to the following: Policy and Strategy for Gender Equality and the Environment, Indigenous Peoples Policy Guidance, and an Access to Information

Policy. These are implemented through tools such as Environmental, Social and Economic Standards Implementation Guidelines, Stakeholder Response Mechanismw, Environmental, Social and Economic Review Notes, and legal agreements with implementing partners.

Various processes, requirements and tools have been established to cover project stages, specifically project development, review and approval processes, implementation, monitoring and evaluation, legal agreements with partners or collaborators, and stakeholder participation processes. It also establishes a framework of responsibility and accountability that includes a mechanism for responding to actors. This Environmental, Social and Economic Sustainability Framework and associated policies are consistent with the standards and safeguard policies of the Green Climate Fund.

It is worth mentioning that the UN Environment's safeguard standards framework is subject to modifications and improvements based on the safeguards needs and the promotion of sustainability.

2.1.1 Access to information

UN Environment bases its actions on Rio Principle 10 of access to information, public participation in decision-making and access to justice in environmental matters. This includes early consultation processes, as well as access to information and the opportunity to review materials and issue comments prior to decision making.

In addition, with the objective of increasing transparency and openness to the work carried out by UN Environment, a Policy on Access to Information was established. The policy outlines the importance of disseminating and allowing information on the work carried out/to be made accessible, especially environmental information (e.g. state of environmental elements such as air, soil and water; factors affecting the environment; cost-benefit studies for environmental decision-making; state of health and human security).

The effective and appropriate engagement of stakeholders depends on the information provided to these actors. UN Environment disseminates information, and expects its partners to do the same, based on the following considerations: i) in a format and language understandable to stakeholders; ii) with sufficient time to allow for revisions and inputs prior to review and approval; iii) through the website and as appropriate other websites of partners and national agencies, in hard copies or other forms. Documents to be shared include risk assessments, environmental, social and economic assessments, and management plans.

Comments and suggestions received from relevant stakeholders should be reviewed, responded to and included in the relevant documents.

2.1.2 Indigenous peoples

A policy and guidelines were developed with the objective of understanding and considering the rights, knowledge, practices and systems that provide a framework for harmonious relations between indigenous peoples and the environment. To this end, the recommendations of the United Nations Permanent Forum on Indigenous Issues and the United Nations Declaration on the Rights of Indigenous Peoples, among other international instruments, were followed.

The policy aims to strengthen capacities to understand the perspectives, needs and concerns of indigenous peoples, as well as to establish and employ a mechanism that considers their rights, visions and needs. It aims to raise awareness of the importance of the engagement of indigenous peoples, as partners and possessors of invaluable knowledge, and to define mechanisms for their engagement.

The recognition of indigenous peoples' collective rights, together with human rights standards, provides a framework for adopting a human rights-based and culturally sensitive approach. The cultural heritage and traditional knowledge of indigenous peoples can contribute to the development of environmental assessments and to the sustainable management of ecosystems.

Members and representatives of indigenous peoples should be engaged in the activities of UN Environment as partners in the development and implementation of environmental policies. The rights, risks, responsibilities and contributions of indigenous actors in caring for the environment are recognized; but it is also known that there are ways in which they can harm the environment and reduce biodiversity.

Initiatives that could affect indigenous peoples require that these actors engage effectively in decision-making, planning and implementation and that consent is obtained to ensure that activities are carried out in line with their rights, cultures, visions and priorities.

Among other areas of work, UN Environment supports the engagement of indigenous peoples in the processes of environmental policy making; capacity building and development; inclusion of indigenous peoples' perspectives in the implementation of activities; project planning and implementation. Work is also being done on communication, education and awareness-raising on indigenous peoples.

Working with indigenous peoples at the political and programmatic levels involves adapting processes and strategies to ensure the effective engagement of these actors and transparency in the processes.

2.1.3 Engagement of civil society

There is a commitment for collaboration and partnership with groups and actors that aims to ensure transparency and inclusion in decision-making processes on the actions of UN Environment. The engagement of civil society organizations such as non-governmental organizations, networks and organizations, which contribute research and knowledge, has been sought. These allies and partners provide sustainable, comprehensive and essential support to fulfill the mandate of UN Environment.

Significant efforts are made to ensure the effective and balanced participation of groups and actors who play a key role in sharing knowledge and experience. These actors channel the voices of those most likely to be affected by environmental and political problems, thereby generating attention to problems relevant to communities and the general public.

2.1.4 Gender

Gender equality and the empowerment of women are recognized as priority issues that cut across all aspects of UN Environment's work. The participation of men and women in environmental protection and sustainable development activities is promoted.

Considering the mandate of the Agency, UN Environment has the responsibility to lead to the achievement of gender equality in environmental assessments, analyses, standards, guidelines and methods used to promote sustainable development and economic growth.

Important conventions guiding activities include the United Nations Charter, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the UN Conference on Environment and Development and Agenda 21, the UN Conference on Women and the Beijing Platform for Action, the Sustainable Development Goals and Agenda 2030.

In addition, work to promote and contribute to gender equality is specifically guided by two policies: The UN System-wide Action Plan for Gender Equality and the Empowerment of Women - which provides a framework for measuring and monitoring performance- and the UN Environment Gender Policy.

There are six elements are important to consider for gender mainstreaming, which are: i) transparency to obtain gender equality results at different levels; ii) results-based management for gender equality using indicators and protocols for evaluation; iii) overall supervision through monitoring, evaluation, audit and reporting; iv) human and financial resources; v) capacity building in gender mainstreaming; vi) coherence, knowledge and information management.

UN Environment is committed to gender-sensitive outcomes as a means of achieving environmental sustainability. This requires the integration of gender perspectives in policy documents, as well as the design and implementation of projects.

Within the framework of continuous risk-based planning and management, solutions are evaluated and provided with respect to gender mainstreaming. Evaluations are designed and implemented with gender equality considerations in mind.

2.1.5 Stakeholder response mechanism

UN Environment projects include procedures to keep the public informed about upcoming activities, to receive and record communications with the public, to identify problems and define how to address them, and to make adjustments in project management.

The Stakeholder Response Mechanism is structured to resolve problems promptly and at the lowest governance level of the Agency, through a transparent, culturally appropriate and accessible consultative process, which follows UN standards. The mechanism covers the receipt of complaints and the handling of disputes in an independent, efficient and transparent manner.

The mechanism provides an opportunity to request a compliance review in response to complaints associated with projects or programs, or to initiate a process for conflict resolution. Management of complaints or conflict resolution is handled through the support of previously accredited independent experts.

The information related to this mechanism is available through the Agency's web page and allows to register complaints and comments and to report on the progress and results obtained from the handling of these issues. Information about the compliance review and conflict resolution processes is disclosed, along with instructions for filing a complaint and information on all steps of handling each case is recorded.

2.1.6 Interpretation of the Cancun Safeguards in the Paraguayan Context

The formulation of safeguards under the UNFCCC provides a general framework and countries are expected to "interpret" the meaning of the Cancun safeguards in their own national context. The process of interpreting the seven safeguards according to the Paraguayan context encompassed several elements:

- i) the development of Paraguay's national approach to safeguards took place in line with the ENBCS development process and the design of specific REDD+ PAMs in the country;
- ii) information on the potential benefits and risks of implementing actions to ensure that actions are designed and subsequently implemented in a manner consistent with REDD+ safeguards, aiming to avoid or mitigate potential social and environmental risks and enhance or promote benefits;
- iii) analysis of the normative and institutional framework of REDD+, with emphasis on relevant elements for addressing and respecting safeguards,
- iv) identification of gaps and implementation needs in the existing legal framework;
- v) review and inclusion of inputs from stakeholder consultation workshops and technical working sessions.

As a result, explanatory texts were obtained on the meaning of each of the seven Cancun safeguards, understood by their different key elements and based on information on the application of the normative framework in force in the country. This information is presented below for each of the REDD+ safeguards.

Safeguard a: That actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements.

Interpretation in the Paraguayan context:

The complementarity and/or compatibility of REDD+ is defined in the framework of national and international policies, laws, decrees and commitments in the social and environmental program related to REDD+ in Paraguay, which include, among others: the Constitution of the Republic of Paraguay, the National Development Plan 2030, the National Strategy Forests for Sustainable Growth (ENBCS), the Nationally Determined Contributions of Paraguay, and other national laws and international agreements on the matter.

Elements of the safeguard:

- Complementarity and compatibility of REDD+ with the objectives of national forest programmes, sustainable development, climate change, biodiversity, poverty reduction and human rights, among others.
- Complementarity and compatibility of REDD+ with international commitments on sustainable development, climate change, biodiversity, poverty reduction and human rights, among others.

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

Interpretation in the Paraguayan context:

Transparency and efficiency are defined by the application of regulations associated with the implementation of REDD+ and the existence of appropriate institutions for forest governance. There is a responsibility to make information related to REDD+ available to the public and accountability, while facilitating access to information. There is also a responsibility to make available mechanisms for conflict resolution during the design and implementation of the ENCBS and during REDD+ benefit sharing (see safeguard d).

Elements of the safeguard:

- Transparency of forest governance, which includes the responsibility to make REDD+-related information publicly available and accountable, and to facilitate access to information.
- Effectiveness of governance, with existence and coherence of appropriate policies, laws and institutions for transparent and effective forest governance.
- The existence of conflict resolution mechanisms applicable to REDD+.

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

Interpretation in the Paraguayan context:

The recognition and protection of ancestral knowledge and the rights of indigenous peoples and local communities are enshrined in the Constitution of the Republic of Paraguay in Chapter V, Article 62 which recognizes the existence of indigenous peoples and defines them as groups of cultures prior to the formation of the Paraguayan State. Indigenous peoples have the right to communal ownership of land, in sufficient extent and quality for the conservation and development of their peculiar forms of life. Local communities are defined as those dependent on forests and peasants.

Elements of the safeguard:

- Recognition and protection of the ancestral knowledge and cultural heritage of indigenous peoples and local communities.
- Respect for and protection of the rights of indigenous peoples and local communities over lands, territories and resources.
- Public participation, including indigenous peoples and local communities, in decision-making processes.

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

Interpretation in the Paraguayan context:

Full and effective participation is understood as the participation of all stakeholders who can influence or be affected by REDD+ PAMs in both their design and implementation. The State's mission is to ensure the right of equal participation of women, indigenous peoples and young people. The country's regulatory framework guarantees equal opportunities in the sharing of benefits of nature. Indigenous peoples have the right to consultation on any project that may affect their ancestral lands, territories, natural resources and livelihoods. This includes the right of affected indigenous peoples whether or not to give their free, prior and informed consent to the proposal. Conducting the consultation is an obligation of the Paraguayan State, which also recognizes the right of persons to receive truthful, responsible and impartial information.

Elements of the safeguard:

- All stakeholders (who can influence or be affected by REDD+ policies and measures) are taken into account in the design, implementation, benefit sharing and evaluation of REDD+ activities.

- Free, prior and informed consent of interested parties.
- There is transparency and adequate access to REDD+ related information, such as informational materials and trainings that are accessible to all and culturally appropriate (overlaps with safeguard (b)).
- Participation mechanisms and/or platforms are used to facilitate participatory processes and the submission of comments and/or complaints (see safeguard b).

Safeguard 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;

Interpretation in the Paraguayan context:

It refers to the compatibility of REDD+ PAMs with the conservation of natural forests and their non-conversion, as well as incentives for the conservation of forests and derived services, and the strengthening of the provision of other social and environmental benefits.

Elements of the safeguard:

- Conservation of natural forests, their biological diversity and ecosystem functions; avoid degradation or conversion to planted forests (except to restore the forest).
- Seeking opportunities to enhance social and environmental benefits, as well as livelihood improvement, through the design, location and implementation of REDD+ policies and measures and consideration of possible risks.

Safeguard f: Actions to address the risks of reversals.

Interpretation in the Paraguayan context:

To ensure that emission reductions are durable, the selection and design of REDD+ PAMs will consider and monitor risks of emission reversals. The National Forest Monitoring System will be designed to detect and provide information on reversals and realistic projections that will indicate the risk of deforestation and/or forest degradation.

Elements of the safeguard:

- Selection and design of REDD+ PAMs take into account the risk of reversal, considering, for example, their long-term financial and ecological sustainability; the country's regulatory and compliance frameworks (including land tenure); and possible changes in environmental conditions and the causes of deforestation and forest degradation.
- Design of the National Forest Monitoring System to detect and provide information on reversals.
- Realistic projections that indicate the risk of deforestation and/or forest degradation in the absence of REDD+.

Safeguard g: Actions to reduce the displacement of emissions.

Interpretation in the Paraguayan context:

To ensure that the successful implementation of REDD+ will not cause leakage or displacement of deforestation to other areas (local, sub-national or national) during the process of selection, design and implementation of REDD+ PAMs, the following will be considered:

- The underlying and indirect drivers of deforestation.
- Potential impacts on livelihoods.
- Impacts on supply and demand for forest and agricultural producers.
- The risk of emissions displacement.
- Forest monitoring systems and monitoring to detect and report displacement.

Elements of the safeguard:

- Appropriate selection and design of PAMs that address the underlying and indirect drivers of deforestation and land use change and not just the direct causes.
- Selection and design of REDD+ GPAs that take into account the potential impacts on livelihoods and supply and demand for forest and agricultural producers, as well as the risk of displacement of emissions.
- Design of the National Forest Monitoring System to detect and provide information on displacement (national, subnational, local).

3 Evaluation methodology

Based on the two elements detailed in section 2 of this document, a review of the available information was undertaken with a view to assessing risk management; analyzing the application of the two safeguards frameworks detailed above and the policies related to complementary safeguards; and identifying gaps in the application of safeguards and possible improvements.

Inputs were considered from the review of information of: 1) the country's legal framework in place during the period, analyzed in relation to the elements of the two safeguards frameworks; 2) activities and results of the potential risks and benefits analyses, including measures taken to identify, assess and manage environmental and social risks and impacts; 3) stakeholder participation, including concerns and problems raised by stakeholders and how they were responded to; 4) complaints management, including available mechanisms, how they were accessed, complaints received and how they were resolved. The review of information was complemented with meetings with key stakeholders to receive further information and inputs.

The scope of the Environmental and Social Assessment covered the period from 2015 to 2017; in some cases the processes developed in this period started in previous years, so background information is included. In addition, a specific analysis was made of two key laws that contributed significantly - but are not the only ones responsible - to reducing deforestation and, therefore, to the results achieved. The specific analysis considers that the emissions reduction measured, and currently under review and verification, results from the implementation of a set of policies, actions and measures that were implemented at different levels in the country.

4 Results

This section reports the main findings of the Environmental and Social Assessment. On the one hand, the actions carried out and the results of risk identification are presented. On the other hand, key actions and

advances in risk management and safeguard policy approaches are presented, emphasizing the role of enforcement of the relevant legal framework for safeguards. Information is included on the participation of key actors and the handling of complaints in the years covered by this evaluation (2015-2017).

4.1 Risk identification

During the REDD+ readiness phase, the country carried out several risk identification exercises within the framework of the UN-REDD National Joint Programme. The analysis of risks and potential benefits associated with the five REDD+ activities started at the end of 2011. Other workshops that provided additional inputs were held in 2013. This information was compiled through participatory workshops involving diverse stakeholders in which the risks associated with the five REDD+ activities defined under the UNFCCC were analyzed, however, from 2015 onwards risk identification focused on reducing deforestation and ENBCS places greater emphasis on this first REDD+ activity.

The results of the risk assessments are summarized below. Although the years 2011-2014 are not part of the period analyzed in this Environmental and Social Assessment, these inputs were included because they guided the activities developed before 2015 and serve as a basis for contrasting subsequent risk assessments. In this regard, the risk identification carried out in 2015 was based on previous inputs. These results of environmental and social risk assessments informed the implementation of measures and actions in the period 2015-2017.

Table 2. Risks and potential benefits identified between 2011 and 2014 (precedents)

Environmental risks	Social risks
<p>Year 2011:</p> <ul style="list-style-type: none"> • Advance of the agricultural frontier at the expense of forests for corporate agriculture and extensive cattle ranching. • Inadequate use of species (e.g. invasive species, high water consumption, soil degradation). • Displacement of pressures to areas not included in REDD+. • Transfer of problems from one region to other ecoregions. • Possible impacts to the hydrological system. • Catastrophes, such as wildfires. <p>Inputs year 2013:</p> <ul style="list-style-type: none"> • Shifting pressures to other areas that are important for multiple benefits (forest and non-forest) • Negative environmental impacts from activities to increase productivity in agricultural areas and managed forests. 	<p>Year 2011:</p> <ul style="list-style-type: none"> • Loss of jobs due to the shutdown of timber industries. • Reduction of income and taxes generated by sectors that are subject to restrictions. • Lack of definition of land tenure systems and lack of titles on some lands. • Lack of clarity about carbon ownership. • Lack of inter-institutional coordination. • Limited participation of local communities. • Lack of long-term financial sustainability of REDD+. • Conflict between protection versus sustainable use of resources. • Land invasion by farmers. • Institutional weakness. • Absence of long-term legal guarantees. • Reduction of right of access • Forced displacement of communities and loss of food security. • Lack of respect for autonomy, lack of consultation and respect for the decision to

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<ul style="list-style-type: none"> • Negative environmental impacts of activities to enhance forest carbon stocks (e.g. reforestation with non-native species). 	<p>give or withhold their free, prior and informed consent.</p> <ul style="list-style-type: none"> • Marketing of products associated with sacred sites and / or special. • Delays in legalization and in responding to indigenous peoples' territorial claims. • Lack of appreciation of indigenous and farmers knowledge. • Lack of analysis of the situation of natural resources from a gender perspective. • Lack of land-use planning. <p>Inputs year 2013:</p> <ul style="list-style-type: none"> • Limitation of (options for) development. • Exclusion of vulnerable and marginalized groups, reinforcement of inequalities. • Reinforcement or emergence of conflicts over land use. • Reinforcement or emergence of unjust / non-transparent natural resource governance systems and unjust / non-transparent distribution of REDD+ payments.
<p>Potential environmental benefits</p>	<p>Potential social benefits</p>
<p>Inputs year 2011:</p> <ul style="list-style-type: none"> • Conservation of biodiversity. • Provision of medicinal plants. • Provision of firewood and wood. • Collection, regulation and protection of water resources, and provision of water. • Climate regulation and prevention of extreme weather events (e.g. floods, high winds). • Soil protection and protection against erosion. • Provision of food (e.g. fruits of the forest). • Provision of fibres. • Protection against the dispersion of chemical products. • Contribution to crop pollination processes. • Reduction of breeding areas for disease vectors. <p>Inputs year 2013:</p>	<p>Inputs year 2011:</p> <ul style="list-style-type: none"> • Protection of sacred sites. • Aesthetic, inspirational, recreational effect. • Creation of job opportunities. • Improved well-being. • Habitat of ancestral peoples. • Spiritual and religious significance. • Protection of cultural heritage. • Assurance of tradition and ways of life of indigenous peoples. • Places for research and education activities. <p>Inputs year 2013:</p> <ul style="list-style-type: none"> • Creation of income for the population. • Poverty reduction. • Support for vulnerable and marginalized groups • Support for traditional lifestyles • Livelihood diversification • Clarification of land use rights • Improvement of natural resource governance systems (transparency, equity).

<ul style="list-style-type: none"> • Conservation of biodiversity (genetic diversity, diversity of species and ecosystems). • Improved regulation of water resources (water availability and quality) • Physical protection against natural disasters (landslides, floods, landslides, etc.) • Local climate regulation. • Soil conservation • Maintaining or increasing pollinization and biological control of pests and diseases • Wood supply • Provision of non-timber products (foodstuffs, fibres, dyes, medicinal plants, seeds, ornamentals, etc.). • Maps of multiple benefits: i) relative importance of forests in the control of wind erosion; ii) analysis of potential forest biological corridors between Wild Protected Areas; iii) importance of forests in the control of soil loss due to water erosion; iv) valorization of the capacity of forests to retain soil nutrients; and v) valorization of the capacity of forests to retain sediments in navigable rivers in Paraguay. 	<ul style="list-style-type: none"> • Maintenance or re-establishment of environmental foundations of cultural identity and sense of place. • Maintenance or restoration of the aesthetic, recreational and educational values of the forest.
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Based on the risk identification carried out in 2011 and 2013, another effort was made in 2015 to identify the environmental and social risks and potential benefits associated with the implementation of REDD+ policies, actions and measures, the elements identified in that year are set out below.

Table 3. Risks and potential benefits identified in 2015

Environmental risks	Social risks
<ul style="list-style-type: none"> • Inadequate use of species. • Displacement of pressure from the Eastern to the Western region. • Damage caused by wildfires. • Displacement of pressures to other areas. • Pressures from corporate agriculture and extensive cattle ranching; prospecting, exploration and exploitation of hydrocarbons. 	<ul style="list-style-type: none"> • The measures implemented may affect vulnerable populations. • Reduction of incomes and taxes generated by other sectors. • Loss of jobs due to shutdown of timber and wood industries and wood by-products. • Lack of clarity about whether land tenure refers to those who enter the REDD programme; those who have titles, those who are occupiers, or those who have use rights. • Difficulties in title regularization processes. • Absence of long-term legal guarantees.

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	<ul style="list-style-type: none"> ● Lack of land use planning. ● Lack of inter-institutional coordination. ● Weak institutional coordination. ● Lack of credibility on the part of some actors. ● Invasions. ● Forced displacement of communities. ● Loss of food security. ● Lack of respect for the autonomy of indigenous peoples; lack of consultation and respect for the decision to give or withhold free, prior and informed consent. ● Disrespect of sacred and/or special places. ● Inadequate protection of indigenous peoples' territories. ● Lack of appreciation of indigenous and farmers knowledge. ● Social problems.
Environmental benefits	Social benefits
<ul style="list-style-type: none"> ● Collection, regulation and protection of water resources. ● Water for human and domestic consumption; for hydroelectric power generation; for industrial use; for Agriculture and Livestock. ● Wood and non-wood products - fibres, food and others. ● Sources of medicinal plants and genetic resources. ● Fuel - wood resource for rural communities, small industries. ● Conservation of biodiversity. ● Local and global climate regulation/adaptation. ● Prevention on the effects of extreme weather events - Prevention of catastrophic floods, reduction of the destructive force of winds. ● Reduction and slowdown of surface water runoff - flood prevention. ● Protection against dispersion of chemical products. ● Protection against diseases - reduction of breeding areas for disease vectors. ● Pollinization. ● Soil conservation. 	<ul style="list-style-type: none"> ● Protection of cultural heritage. ● Maintenance of the spiritual significance of forests for indigenous peoples. ● Research and education - privately owned forests and protected areas that are available for research and education. ● Habitat of ancestral peoples. ● Cultural services that the forest offers to indigenous communities to express and maintain their culture. ● Support for the culture, religion, tradition and ways of life of indigenous peoples. ● Aesthetic, inspirational and spiritual - mental and physical health of the population. ● Recreation - extreme sport, camping. ● Opportunities for ecotourism. ● Economic profitability.

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In September 2017, as part of the design process of the project "Support for the completion of the REDD+ preparation phase in Paraguay", implemented by the United Nations Development Programme (UNDP) and the Ministry of Environment and Sustainable Development (MADES), an additional risk analysis was carried out focusing on the risks related to the implementation of the ENBCS that was at that time under development; this analysis identified the following³ mainly social risks:

- Marginalization/discrimination of stakeholder groups, including indigenous peoples, local communities and women, during the stakeholder engagement process and identification of beneficiaries.
- Potential conflicts between relevant actors.
- Potential environmental or cultural impacts associated with the design and implementation of the ENBCS, if it is not carried out taking into account appropriate safeguards.
- Possible impact on the rights of indigenous peoples.
- Little interest and involvement of some key government and private sector actors in REDD+ issues.
- Weak capacity of public entities to achieve effective multi-sectoral coordination and planning.
- Difficulties in applying and complying with the legal framework.
- Difficulties in coordination, collaboration and cooperation of implementing entities and partners.
- Lack of significant funding for payments for REDD+ outcomes under the UNFCCC or the Green Climate Fund.
- Changes in political orientation due to the high turnover of government authorities or presidential elections, and changes in government officials and staff of institutions involved.
- Weakening of key stakeholder engagement as a result of difficulties in managing expectations about REDD+.

The different workshops also identified potential areas of interest for the implementation of REDD+ activities, which received greater attention in the implementation of measures to mitigate risks and enhance co-benefits.

The review of the risk identification process indicates that there are recurring concerns, mostly of a social nature. The environmental risks related to the displacement of pressures and deforestation to other areas, fires and the advance of the agricultural frontier are highlighted. On the other hand, outstanding social risks include lack of protection of indigenous peoples' rights and culture; problems with land tenure and legalization of titles; lack of intra- and inter-institutional capacities and coordination; and lack of land-use planning.

Considering that risks may vary from time to time or year to year, and depend on where and how REDD+ policies, actions and measures are implemented, it is necessary to identify risks and determine measures to avoid, minimize or mitigate them as continuous processes and associate them with periodic monitoring according to the country's needs and capacities. These processes should involve relevant actors throughout the risk management cycle, with emphasis on vulnerable actors such as indigenous peoples and peasant communities.

³ Project document "Support for the completion of the REDD+ preparation phase in Paraguay" N° 00084610. UNDP and MADES. September 2017.

4.2 Risk management and application of policies associated with safeguards

Based on the identification of risks detailed in the previous section, measures were defined to manage them (avoid, minimize or mitigate these risks), many of which are related to the application of laws and policies of the country.

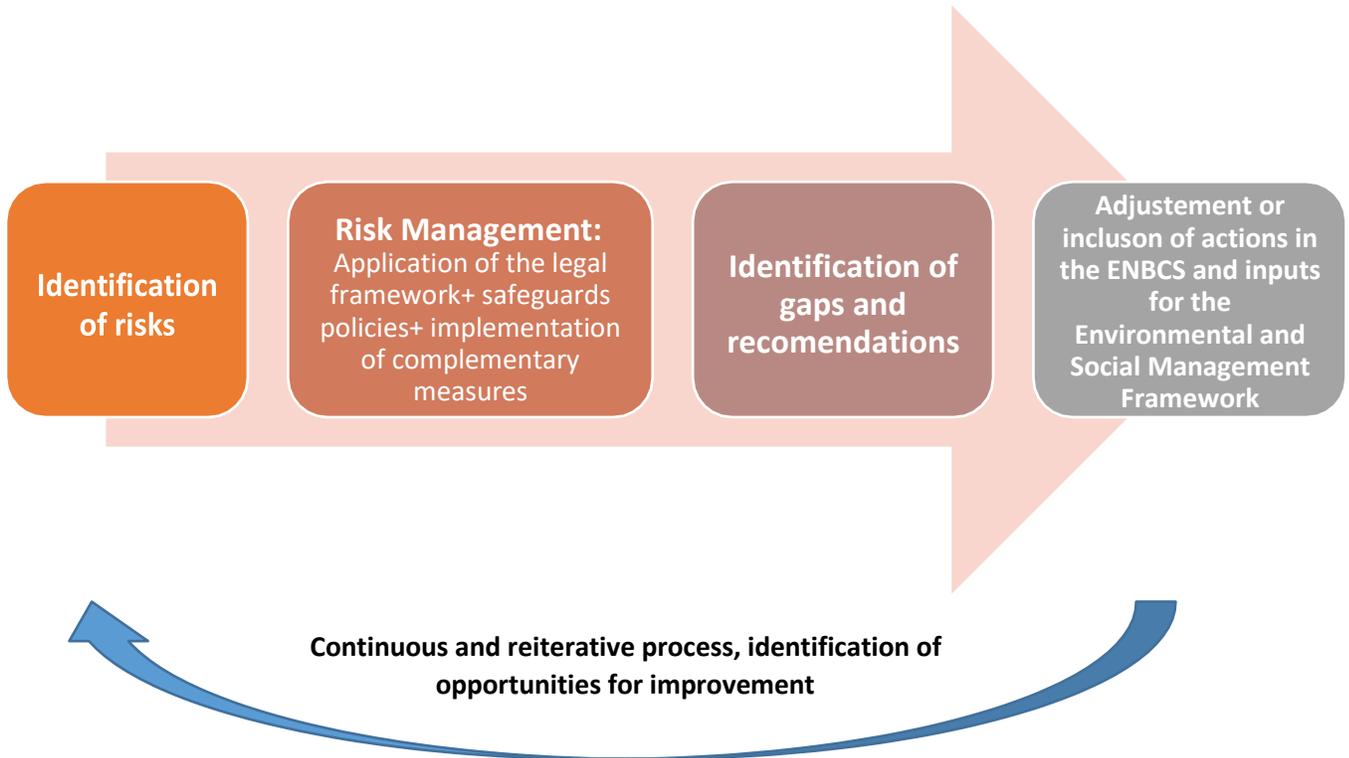


Figure 1. Risk management process in the period 2015-2017

The following explains on how risks were managed on the basis of the applicable legal framework and, on the other hand, through the implementation of measures and actions that sought to complement the elements of the relevant legal framework. It first informs on the specific and more detailed analysis of two key laws that contributed to the achievement of deforestation reduction outcomes, and then reports on results at the national level.

It also includes the report on laws and additional measures that implement the UN Environment complementary safeguard policies and tools, i.e. indigenous peoples and gender policies, mechanisms for dealing with and responding to complaints and denunciations. It also informs on how issues associated with the Green Climate Fund's policy of prohibited practices were addressed.

4.1.1 Results of the specific analysis of key laws

This Environmental and Social Assessment considered the analysis of two key laws that contributed significantly - but are not the only ones responsible for the reduction of deforestation and for the results of reducing emissions from deforestation that Paraguay has presented. The specific analysis considers that the emissions reduction measured (currently under review and verification), results from the implementation of a set of policies, actions and measures that were executed at different levels (national, sub-national and local) in the country's territory. The laws analyzed are: i) Law prohibiting the activities of transformation and conversion of forest covered areas in the Eastern Region and ii) Law of valuation and compensation of environmental services.

➤ ***Law Prohibiting the Transformation and Conversion of Forest Covered Areas in the Eastern Region (Act No. 2524 of 2004, as amended): Law 3139 of 2006, Law 3663 of 2008, Law 5045 of 2013, Law 6256 of 2018).***

Historic and current high levels of deforestation, along with the recognition of the country's agricultural and livestock tradition, guided the formulation and issuance of Law 2524, known as the "Zero Deforestation Law". It has sought to ensure that the expansion of agricultural activities does not take place at the expense of forests, since the loss of forests affects biodiversity, water quality and quantity, food, forest goods and services, soil quality and people's quality of life.

The objective of this law is "to promote the protection, recovery, and improvement of the native forest in the Eastern Region, so that within a framework of sustainable development, the forest fulfills its environmental, social, and economic functions, contributing to the improvement of the quality of life of the country's inhabitants. A period of two years was established for its application; however, its validity has been extended four times.

It prohibits activities of transformation or conversion of areas with forest cover in the Eastern region, to areas destined for agricultural use in any of its forms, or to areas destined for human settlements. It also prohibits the issuance of permits, licenses, authorizations and/or any other form of legally valid document, which covers the transformation or conversion of areas covered by native forests.

In addition, the law recommends that the Ministry of Environment and Sustainable Development⁴ together with the National Forest Service carry out an inventory in the Eastern Region of the native forests existing in the country, would serve as a basis for evaluating the effectiveness of the regulations. It also indicates that an audit will be carried out of the Land Use Plans that correspond to the activities mentioned in the law and to the Forest Management and/or Use Plans of the last two years.

This law has been amended several times. Under Law 5045 articles 2 and 3 were modified which in addition to extending its application until 2018, prohibits activities that are the production, transport and marketing of wood, firewood, charcoal and any forest by-product originated from unauthorized deforestation. Law 5045 indicates that forests shall be registered in a special register put in place by the National Forestry Institute and may not be subject to agrarian reform, and be declared non expropriable.

The issuance of the law banning the transformation and conversion of forest cover areas in the Eastern Region responds to the imminent risk of deforestation and the observed trajectory of forest loss in that region. Owners of small areas were not affected, as it did not apply to owners of less than 20 hectares.

⁴ In 2004 it was the Secretariat of the Environment.

The enactment of subsequent laws modifying the aforementioned law demonstrates a clear commitment to the protection of forests. It also indicates that there was a periodic analysis of the risks and situation of forests in the Eastern Region.

The risks identified in relation to the application of this law are related to leaks from deforestation to other regions, especially the Chaco region; economic losses due to restriction of productive activities; risk of peasant invasions.

In order to mitigate these risks, forest monitoring activities were intensified in the Western Region; the National Forestry Institute was created and strengthened; support was provided by several NGOs that implemented programs aimed at promoting the recovery of areas and sustainable production; work was done on fire control and biological corridors were promoted. In addition, several efforts were made to support land titling, including the work of the National Institute for Rural and Land Development (INDERT) in recent years on the system of land cadastre and increased titling of land delivered by agrarian reform. This institute created the Earth Resource Information System (SIRT) and began generating a database of surrendered land, seeking to sanitize and finalize the processes. In a complementary manner, the Paraguayan Indigenous Institute has provided technical and legal assistance to indigenous communities to address claims and promote respect for the property rights of these actors.

In the future it will be important to strengthen the application of safeguards f and g, i.e. to implement or continue to implement actions to reduce the risks of displacement of emissions and risks of reversion. Incentives are also needed to motivate forest conservation for landowners who have been affected by the prohibitions set out in the law.

➤ ***Law on the Valuation and Compensation of Environmental Services (Law 3001 of 2006)***

The objective of this law is "to promote the conservation, protection, recovery and sustainable development of the country's biological diversity and natural resources, through the fair, timely and adequate valuation and compensation of environmental services" ⁵. It also seeks to contribute to the fulfillment of international obligations in the area of climate change and biological diversity.

It recognizes as environmental services the "economic, ecological and socio-cultural services that have a direct impact on the protection and improvement of the environment, leading to a better quality of life for the inhabitants".

It also creates the Regime of Environmental Services, whose objective is to establish a technical and administrative mechanism that allows the valuation and appraisal of the environmental services provided by a piece of land or a farm and the compensation for them. The criteria for the definition of this regime are also specified.

This law indicates that bidders who wish to enter the Environmental Services Regime need an Environmental Impact Statement⁶. Subsequently, if the requirements have been met, a certificate is issued for the environmental services generated. Such certificate is a freely negotiable title for those who are not bound by this law or by a court decision to invest in environmental services.

⁵ Article 1 of Law 3001.

⁶ Instrument determined in Law 294/93 on Environmental Impact Assessment.

The projects of works and activities defined as having a high impact, and industries with high levels of gas emissions or discharge of urban and industrial effluents are obliged to invest in environmental services; in addition, the amount of fines or compositions of sentences for commission of punishable acts against the environment or civil processes in which the reparation of environmental damage is requested could be destined or carried out through the Regime of Environmental Services.

The compensation of environmental services is carried out according to State guidelines, including the value of these services. The administration of resources derived from environmental services and the definition and implementation of compensation policies are carried out through the Environmental Fund.

Among the risks associated with the application of this law are the loss of interest in the valuation of environmental services due to the lack of an efficient commercialization system, and concerns associated with relating natural resources only to their economic value, without recognizing other social, cultural and environmental benefits that allow for the survival and well-being of organisms.

This law is associated with the Environmental Impact Assessment, with which an exhaustive analysis of possible environmental and social impacts is carried out. Based on the possible impacts identified, a mitigation plan, a fire prevention and control plan, and a biological monitoring and control plan are requested.

This law creates an incentive to avoid deforestation while raising awareness about the value of environmental services. As a result, around 400,000 ha have adhered to the Environmental Services Regime; Between 2015 and 2017, 26 owners adhered to the Regime.

4.1.2 Policies and measures implemented for risk management and application of safeguards at the national level

The tables in this section provide information on the legal framework applied in relation to each of the UN Environment safeguards standards and in relation to the seven Cancun safeguards. Information is added on the approach and actions taken to promote stakeholder participation and the management of complaints.

Table 4. Application of the Environmental, Social and Economic Sustainability Framework and UN Environment safeguard policies during the period 2015-2017.

Environmental, Social and Economic Sustainability Framework	Elements of the legal framework applied	Complementary measures and actions implemented
Precautionary Approach	<p>The approach considered at the level of the country's Constitution, as well as laws, policies and regulations issued, especially those associated with forestry and environmental issues.</p> <p>This approach has also served as a basis for international environmental and climate change instruments and conventions, many of which have been ratified by Paraguay.</p>	
Human rights-based approach	<p>The mainstreaming of this approach into the country's legal framework is evident, taking as a starting point the support of individual and collective rights provided by the country's Constitution. Similarly, the ratification of international instruments and conventions, together with the enactment of laws and policies deriving from the Constitution of Paraguay, provide broad support for the protection of human rights.</p>	
1. Biodiversity conservation, natural habitats and sustainable management of living resources	<p>Constitution of the Republic of Paraguay, article 7 of the right to a healthy environment.</p> <p>General Assembly Rio+ 20 66/288. The future we want.</p> <p>Agenda 21.</p> <p>Law 253/93 approving the Convention on Biological Diversity (Article 1, 2, 3, 7, 8).</p> <p>Law 583/76 approving and ratifying the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).</p> <p>Law 422/73 "Forestry Law".</p> <p>Law 352/94 on "Protected Wild Areas".</p> <p>Law 2524/04 "Prohibition of transformation activities and conversion of areas with forest cover in the Eastern Region", together with extensions of the Law in the years 2006 (by Law 3139), 2008 (by Law 3663) and 2013 (by Law 5045), and 2018 (by Law 5266).</p>	<ul style="list-style-type: none"> • Strengthening institutions responsible for managing the sustainable use of forests and other natural resources. • Incentives and communication to value all goods and services of the forest. • Development of a national cadastre and zoning of forest areas. • Forest certification, accompanied by censuses of beneficiaries of forest land distribution. • Raising awareness of forest protection through environmental education.

	<p>Law 3001/06 on "Valuation and Remuneration of Environmental Services".</p> <p>Law 3464/08 creating the National Forestry Institute - INFONA, which is the body responsible for implementing legal regulations related to the forestry sector.</p> <p>Wildlife Law 96/92</p> <p>National Forest Policy, presented in 2009.</p> <p>National Biodiversity Strategy and Action Plan (NBSAP) 2015- 2020</p>	
<p>2. Resource efficiency, pollution prevention and management of chemicals and wastes</p>	<p>Decree 18.831/86, by which environmental protection standards are established.</p> <p>Law 5211/14 on Air Quality</p> <p>Law 716/96, which punishes crimes against the environment. Law 3239/07 on water resources in Paraguay.</p> <p>Decree 4056/15 in charge of establishing systems of certification, control and promotion of the use of bioenergies that guarantee the sustainability of these renewable energy resources.</p> <p>Law 294/93 "Environmental Impact Assessment".</p> <p>Law 3481/08 on the promotion and control of organic products.</p> <p>The management of chemicals and rights is done according to existing legal provisions, this area was not related to risks associated with REDD+ in the period of this environmental and social assessment.</p>	<ul style="list-style-type: none"> • Implementation of a comprehensive agrarian reform process. • Environmental education. • Actions to promote energy efficiency, project development. • Development of environmental impact assessments • Follow-up and control implemented by the competent institutions.
<p>3. Dam safety</p>	<p>Not applicable, outside the scope of REDD+ action implemented.</p>	

	<p>There are protections provided in Law 294/93 "Environmental Impact Assessment".</p> <p>Law 3239/07 on water resources in Paraguay.</p>	
<p>4. Involuntary resettlement</p>	<p>Not applicable, REDD+ has not supported or promoted involuntary resettlement. The country has elements of the legal framework for the protection of local actors, as set out below.</p> <p>Constitution of the Republic of Paraguay, article 64 of community property.</p> <p>Law 234/93 International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (ILO Convention 169).</p> <p>Law 904/81 Statute of Indigenous Communities, Article 64 of Community Property.</p> <p>Act No. 294/93 ratifying Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.</p> <p>Law 904/81 "Statute of Indigenous Communities" on indigenous community property.</p>	
<p>5. Indigenous Peoples</p>	<p>Constitution of the Republic of Paraguay, Chapter V on Indigenous Peoples (articles 62-67).</p> <p>Law 05/92 approving the International Covenant on Civil and Political Rights (ICCPR).</p> <p>United Nations Declaration on the Rights of Indigenous Peoples.</p> <p>American Declaration on the Rights of Indigenous Peoples.</p> <p>Law 234/93 International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (ILO Convention 169).</p> <p>Law 904/81 Statute of Indigenous Communities.</p>	<ul style="list-style-type: none"> • Promotion of synergies between indigenous and non-indigenous knowledge related to the conservation, use and management of forests. • Prioritize areas of interest defined by those directly affected (indigenous peoples and local communities), respecting a territorial and legal approach. • The Federation for the Self-Determination of Indigenous Peoples has developed its own information system on indigenous lands and territories in Paraguay (open to the public

	<p>Law 904/81, creation of the Paraguayan Indigenous Institute.</p> <p>Decree 1039/18 approving the Protocol for the process of consultation and free, prior and informed consent with the indigenous peoples living in Paraguay. Result of a participative process initiated in previous years.</p> <p>Law 2128/2003 ratifying the Convention against All Forms of Racial Discrimination.</p>	<p>since 2018). This interactive online platform provides accurate maps and critical information on the lands and territories of indigenous peoples and communities in Paraguay, along with contextual data on forest cover and changes, fires and other relevant data. It is designed to help indigenous peoples and communities protect their territorial rights, promote the security of tenure of their lands, access to and care for the natural assets of their lands and territories". Available here: https://www.tierrasindigenas.org.</p> <ul style="list-style-type: none"> • Other elements are reported in safeguard section c (below).
<p>6. Work and working conditions</p>	<p>Law 729/61 that sanctions the Labor Code, establishes norms, guarantees and recognizes workers' inalienable rights. Provides additional protections for women and minors.</p> <p>Law 213/93 establishing the Labour Code, the rules of which regulate relations between workers and employers.</p> <p>Law 496/94 which amends, broadens and repeals articles of Law 213/93 Labor Code, provides in its Article 9 that "work is a right and a social duty and enjoys the protection of the State. It should not be considered a commodity. It requires respect for the freedoms and dignity of the lender, and shall be carried out in conditions that ensure life, health and an economic level compatible with the responsibilities of the working parent. There shall be no discrimination against workers on the grounds of race, colour, sex, religion, political opinion or social status.</p>	<ul style="list-style-type: none"> • REDD+ policies and measures implemented during the assessment period have respected the rules and guarantees of the laws in force. In addition, equal opportunities have been promoted and it has been ensured that there is no discrimination, child labour or other conditions that violate workers' rights.

	<p>Law 5115/13 establishing the Ministry of Labour, Employment and Social Security.</p> <p>Law 3452/08 approving the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.</p> <p>Law 3540/08 approving the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.</p> <p>Act No. 1657/01 approving Convention No. 182 and the recommendation concerning the prohibition and immediate action for the elimination of the worst forms of child labour.</p>	
<p>7. Protection of tangible cultural heritage</p>	<p>Constitution of the Republic of Paraguay, article 38 of the right to the defense of diffuse interests.</p> <p>Law 3051/06 National Culture</p> <p>Law 5621/16 on the Protection of Cultural Heritage, which aims at the protection, safeguarding, preservation, rescue, restoration and registration of cultural property throughout the country, as well as the promotion, dissemination, study, research and enhancement of such property.</p> <p>Law 1231/86 approving and ratifying the Convention concerning the Protection of the World Cultural and Natural Heritage.</p> <p>Law 2885/06 approving the Convention on the Defense of the Archaeological, Historical and Artistic Heritage of the American Nations (Convention of San Salvador).</p> <p>Law 904/81 Statute of Indigenous Communities.</p>	<ul style="list-style-type: none"> • Survey and promotion of respect for sacred sites in the case of indigenous peoples. • Inventories of cultural heritage, e.g. in churches.

	<p>Sanction of the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, done at Rome Italy on 24 June 1996, in April 1997.</p> <p>Paraguay has signed agreements with several Latin American countries for the recovery of stolen, imported, exported or illicitly transferred cultural property.</p>	
<p>8. Gender equity</p>	<p>Constitution of the Republic of Paraguay, article 47 of the guarantees of equality.</p> <p>Law 4675 /12 which elevates the Women's Secretariat to the rank of ministry.</p> <p>Law 5777/16 on the comprehensive protection of women against all forms of violence.</p> <p>Law 5808/15 on Promotion, Maternity Protection and Breastfeeding Support.</p> <p>Law 5446/15 on Public Policies for Rural Women, has as its general objective to promote and guarantee the economic, social, political and cultural rights of rural women; fundamental for their empowerment and development.</p>	<ul style="list-style-type: none"> • Development of the National Gender Strategy on Climate Change, issued in 2017. It encompasses four strategic pillars - (1) institutional capacity building; (2) financing; (3) education, communication and citizen participation; (4) knowledge management and technology. • Involvement of men, women and other relevant groups in environmental and social risk identification exercises and possible environmental and social benefits related to REDD+ implementation in the country. • Participation of men and women in the workshops and meetings that sought to identify REDD+ policies, actions and measures, within the framework of the construction of the ENBCS. This sought to identify and consider differentiated actions, including those that respond to women's priorities and needs. • Compilation of information on men's and women's participation in some events, through the use of formats that considered disaggregation by sex. This was not done in a standardized way, but it is a recommendation that will influence future work.

		<ul style="list-style-type: none"> • Training of key actors on issues related to forests, climate change and REDD+. • Analysis of gaps in the inclusion of the gender approach and generation of recommendations.
<p>9. Economic sustainability</p>	<p>Constitution of the Republic of Paraguay,</p> <ul style="list-style-type: none"> • Article 6 of the quality of life. Quality of life will be promoted by the State through plans and policies that recognize conditioning factors, such as extreme poverty and disability or age impairments. The State shall also encourage research on population factors and their links to economic and social development, to the preservation of the environment and to the quality of life of the inhabitants. • Article 115 of the agrarian reform objectives consists of the effective incorporation of the peasant population into the economic and social development of the Nation, and is a fundamental factor in achieving rural well-being. <p>National Development Plan 2030 organized around three thematic pillars: (1) Poverty reduction and social development, (2) Inclusive economic growth and (3) Paraguay's insertion in international markets.</p> <p>National Forest Policy, presented in 2009, with the objective of achieving economic growth in Paraguay on a sustainable basis by increasing the economic, social and environmental benefits of goods and services from the country's forests.</p>	<ul style="list-style-type: none"> • Identification of funding sources, as evidenced in this report. • Management for access to financing for sustainable growth. • Link REDD+ policies, actions and measures to national priorities and targets. • Processes of establishment and strengthening of institutional and inter-institutional links. • Promotion of incentives for the conservation of forests and valuation of environmental services, in line with laws and regulations to regulate their protection and sustainable use.

Table 5. Addressing and respecting safeguards for REDD+ during the period 2015-2017.

REDD+ safeguards (elements of the interpretation of each safeguard according to the context in Paraguay)	Elements of the legal framework applied	Complementary measures and actions implemented
<i>Safeguard a: That actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements</i>		
<p>Complementarity and compatibility of REDD+ with the objectives of national forest programmes, sustainable development, climate change, biodiversity, poverty reduction and human rights, among others.</p>	<p>Constitution of the Republic of Paraguay</p> <ul style="list-style-type: none"> • Article 6 on the quality of life. Quality of life will be promoted by the State through plans and policies that recognize conditioning factors, such as extreme poverty and disability or age impairments. The State shall also encourage research on population factors and their links to economic and social development, to the preservation of the environment and to the quality of life of the inhabitants. • Article 7 on the right to a healthy environment. Everyone has the right to live in a healthy and ecologically balanced environment. The preservation, conservation, recomposition and improvement of the environment, as well as its conciliation with integral human development, are priority objectives of social interest. These purposes will guide relevant legislation and government policy. • Article 8 on environmental protection. The activities susceptible of producing environmental alteration will be regulated by law. An ecological crime shall be defined and punished by law. Any damage to the environment shall be subject to the obligation to recompose and compensate. <p>National Contributions of the Republic of Paraguay, which has as a target 20% reductions based on the behavior of projected emissions to 2030 (if there is adequate financial and technological support). Refers to the objectives of the National Development Plan 2030.</p> <p>Law 251 /93 "ratifying the United Nations Framework Convention on Climate Change".</p> <p>Law No. 5681 approving the Paris Agreement on Climate Change.</p>	<ul style="list-style-type: none"> • Analysis carried out on legal aspects necessary to implement REDD+ at the national level. • In 2015, the process of elaboration of the National Strategy for Mitigation to Climate Change was carried out. • Elaboration of the National Forests for Sustainable Growth Strategy.

	<p>Law 5875/17 which promulgates the National Law on Climate Change, which incorporates a legal framework that seeks to reduce the impact of climate change, consistent with the Paris Agreement and in line with the Objectives of Sustainable Development.</p> <p>Law No. 6123/18, which "elevates the Secretariat of the Environment to the rank of ministry and becomes the Ministry of the Environment and Sustainable Development".</p> <p>Decree 14.943/01 implementing the "National Climate Change Programme".</p> <p>National Climate Change Plan, from which the following instruments derive: National Mitigation Strategy and National Adaptation Strategy.</p> <p>Law 422/73 "Forestry Law". Article 42 states that "All rural properties of more than twenty hectares in forest areas shall maintain 25% of their natural forest area. In case of not having this minimum percentage, the owner must reforest a minimum area equivalent to 5% of the surface of the property".</p> <p>Decree 175/18 "By which Decree 7702 of 14 September 2017 is repealed, the President of the National Forestry Institute (INFONA) is instructed to propose a new regulation, and a provisional regime is established which regulates Article 42 of Law 422/1973 "Forestry".</p> <p>Law 352/94 on "Protected Wildlife Areas" aims to establish general norms to regulate the management and administration of the country's National System of Protected Wildlife Areas. The law declares the National System of Protected Wilderness Areas to be of social interest and public utility and establishes that all inhabitants, private organizations and State institutions have the obligation to safeguard the Protected Wilderness Areas and defines that those under public domain will be inalienable and non-transferable in perpetuity.</p> <p>Law 2524/04 "on the prohibition of the activities of transformation and conversion of areas with forest cover in the Eastern Region", better known as the "Zero Deforestation Law", is implemented in the geographical area of the Eastern Region and establishes a moratorium on the conversion of forest lands to other uses (agriculture and pastures). It was extended successively in 2006 (by Law 3139), 2008 (by Law 3663) and 2013 (by Law 5045), and 2018 (by Law 5266).</p> <p>Law 3001/06 "Valuation and Compensation of Environmental Services" provides for the obligatory acquisition of environmental certificates and specifies the situations in which such certificates must be acquired.</p>	<ul style="list-style-type: none"> • Strategy aligned with the current relevant legal framework for the implementation of REDD+, based on participatory processes and considering various inputs generated in the preparation phase for REDD+.
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	<p>Law 3464/08 creating the National Forestry Institute - INFONA, as an autarchic institution, decentralized from the State, with legal personality, its own patrimony and legal autonomy. Among the functions conferred on it by the Law of Creation, it is worth highlighting that it will be the implementing body of Law 422/73 "Forestry", Law 536/95 "On the Promotion of Forestry and Reforestation" and the other legal norms related to the forestry sector.</p> <p>Law 96/92 on wildlife, which promotes the sustainable use of biodiversity through quotas.</p> <p>Law 536/95 and Law 1639/00 "on the Promotion of Forestry and Reforestation," which "Modifies and Expands Law No. 536 of January 16, 1995," establishes that the State will promote the action of afforestation and reforestation in priority forest soils, based on a forest management plan and with the incentives established in this Law.</p> <p>Law 5282/14 On Free Citizen Access to Public Information and Government Transparency, which allows any citizen to access the required information.</p> <p>Decree 4056/15 in charge of establishing systems of certification, control and promotion of the use of bioenergies that guarantee the sustainability of these renewable energy resources.</p> <p>Decree 10174/12 National Reforestation Plan establishes reforestation goals, which will be materialized with special credits through the National Development Bank (Banco Nacional de Fomento).</p> <p>National Development Plan 2030 organized around three thematic pillars: (1) Poverty reduction and social development, (2) Inclusive economic growth and (3) Paraguay's insertion in international markets.</p> <p>National Forest Policy, presented in 2009, with the objective of achieving economic growth in Paraguay on a sustainable basis by increasing the economic, social and environmental benefits of goods and services from the country's forests.</p> <p>National Biodiversity Strategy and Action Plan (NBSAP) 2015-2020 which aims to identify major objectives and point the way forward in the long term, as well as identify specific activities to implement the conservation and sustainable use of biological diversity.</p>	
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<p>Complementarity and compatibility of REDD+ with international commitments to sustainable development, climate change, biodiversity, poverty reduction and human rights, among others.</p>	<p>Law 251/93 approving the Convention on Climate Change.</p> <p>Law 970/96 approving the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification.</p> <p>Law 1/89 American Convention on Human Rights (Pact of San José, Costa Rica).</p> <p>Law 234/93 International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (ILO Convention 169).</p> <p>Law 253/93 approving the Convention on Biological Diversity (Article 1, 2, 3, 7, 8).</p> <p>Law 2309/03 approving the Cartagena Protocol on Biological Safety.</p> <p>Law 583/76 approving and ratifying the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).</p> <p>Law 05/92 approving the International Covenant on Civil and Political Rights (ICCPR).</p> <p>United Nations Declarations on the Rights of Indigenous People</p> <p>American Declaration on the Rights of Indigenous Peoples.</p> <p>General Assembly Rio+ 20 66/288. The future we want.</p> <p>Agenda 21 proposes policies and programmes for achieving a lasting balance between consumption, population and the earth's carrying capacity. It also sets out actions to combat the degradation of land, air, water, forests and biodiversity. Here the contractors recognize indigenous peoples as an important stakeholder group.</p>	<ul style="list-style-type: none"> • Elaboration of the National Forests for Sustainable Growth Strategy (ENBCS) considering the elements of the relevant legal framework, including international instruments and conventions. • ENBCS contributes to the country's sustainable growth objectives defined in the National Development Plan, as well as climate change mitigation and biodiversity conservation goals and objectives.
<p>Safeguard b: Transparent and effective national forest governance structures, taking into account national legislation and sovereignty.</p>		

<p>Transparency of forest governance, including responsibility for making REDD+-related information publicly available and accountable, and facilitating access to information.</p>	<p>Constitution of the Republic of Paraguay</p> <ul style="list-style-type: none"> • Article 28 of the right to information. The right of individuals to receive truthful, responsible and impartial information is recognized. Public sources of information are free for all. The law will regulate the modalities, deadlines and sanctions corresponding to them, in order to make this right effective. Public information is a human right. Includes important gender considerations. <p>Paris Agreement</p> <ul style="list-style-type: none"> • Article 13 refers to Transparency in order to give a clear view of the measures taken to address climate change in the light of the UNFCCC objectives. • Law 4989/13 creates the framework for the application of Information and Communication Technologies in the public sector and creates the National Secretariat for Information and Communication Technologies (SENATICs), which has a global focus with a focus on transparency of information and access to it. SENATICs has a "Unified portal of citizen-oriented information and service". • Law 5282/14 on free access by citizens to public information and governmental transparency, which defines public information as: "Information produced, obtained, under control or in the possession of public sources, regardless of its format, support, date of creation, origin, classification or processing, unless it is established as secret or reserved by law. • Decree 10.142/12 creates the Unified Registry of Social Information. • National Forest Policy is the current policy regarding forest governance; it is in the process of being updated. The Policy is based on guiding principles including, but not limited to, concertation, participation, decentralization and transparency. • Law 1728/01 on administrative transparency, which establishes rules and procedures to promote transparency in public management and guarantee access to information related to administrative and government acts. 	<ul style="list-style-type: none"> • Several government institutions, including the Ministry of Environment and Sustainable Development, have made Efforts to digitize their information and make it publicly available. • Operation of platforms to request access to information, is of special importance the Unified Portal of Public Information which has 363 institutions adhered. • According to Law 5282, all requests for information received by MADES were answered. In case of receiving complaints, these were handled according to the procedures established in the legal framework. When they did not fall within the competence of MADES, they were remitted to the corresponding body. • Information on REDD+ can be found at UNDP page in Paraguay and the MADES.
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<p>Effectiveness of governance, with existence and coherence of appropriate policies, laws and institutions for transparent and effective forest governance.</p>	<p>Constitution of the Republic of Paraguay</p> <ul style="list-style-type: none"> • Article 268, which defines the duties and powers of the Public Prosecutor's Office including: (1) Ensure respect for constitutional rights and guarantees, (2) promote public criminal action to defend the public and social heritage, the environment and other diffuse interests, as well as the rights of indigenous peoples (3) to institute criminal proceedings in cases in which, in order to initiate or continue such proceedings, no request by a party is necessary, without prejudice to the fact that the judge or court may proceed ex officio, when so determined by law, (4) to obtain information from public employees for a better performance of their duties, and such other duties and functions as may be established by law. <p>Law 716/96 which sanctions crimes against the environment.</p> <p>Law 5282/14 on Free Access of Citizens to Public Information and Government Transparency.</p> <p>Law 6123/18, which elevates the Secretariat of the Environment to the rank of ministry and becomes the Ministry of the Environment and Sustainable Development, dependent on the Presidency of the Republic. Its purpose is to design, establish, supervise, oversee and evaluate the National Environmental Policy, in order to comply with the constitutional precepts that guarantee national development based on the right to a healthy environment and environmental protection.</p> <p>Law 3464/08, which creates the National Forestry Institute - INFONA, an autarchic and state-decentralized institution, with legal authority, its own patrimony and administrative autonomy, which shall be governed by the provisions of this Law, its regulations and other norms related to the forestry sector.</p> <ul style="list-style-type: none"> • Article 27 provides that "any natural or legal person engaged in the exploitation, industrialization, trade of forest products and reforestation for production purposes shall be registered in the institution entitled for that purpose. 	<ul style="list-style-type: none"> • Beginning of the process to establish a land tenure formalization mechanism. • Institutional strengthening, aimed at better forest control and monitoring, reforms to forest and environmental laws and capacity building. • Implementation of government campaigns and access to mechanisms for reporting corruption, one of which is the platform of the National Forestry Institute. • Participation and coordination between MADES and INFONA for the identification of REDD+ policies, actions and measures. • Both INFONA and MADES have coordinated actions with the Public Prosecutor's Office in charge of investigations and criminal proceedings against environmental and forestry legislation infringers in order to achieve effective sanctions that strengthen law enforcement. This work also implies coordination with the Judicial Branch.
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	<ul style="list-style-type: none"> • Article 42 establishes a minimum forest area for all rural properties of more than twenty hectares in forest zones. <p>Law 5282/14 on Free Access of Citizens to Public Information and Government Transparency.</p> <p>Decree 10.144/12 Secretariat of Anticorruption (SENAC), constitutes the governing, normative and strategic instance in the design, execution, implementation, monitoring and evaluation of the National Government public policies in matters of anticorruption, integrity and transparency. It is a specialized technical and management body of the Presidency of the Republic, with legal personality of public law and full capacity to act in accordance with regulations and other legislative and / or administrative rules, for the direction, supervision, coordination, implementation and evaluation of programs, projects, plans and activities within its area of competence.</p> <p>Paraguay's National Environmental Policy (PAN) that contemplates the three levels of political- administrative organization: national, departmental and municipal, and will orient its strategies and actions towards the decentralization of environmental management and the strengthening of local management capacity, with broad social participation.</p> <p>National Climate Change Policy is framed within the National Environmental Policy and is constituted as the main instrument that will guide programs, projects, actions and strategies in environmental affairs.</p> <p>Law 2535/05 approving the United Nations Convention against Corruption.</p> <ul style="list-style-type: none"> • Article 5 provides that each State Party, in accordance with the fundamental principles of its legal system, shall formulate and implement or maintain in effect coordinated and effective anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability. In addition, that each State Party shall work to establish and promote effective practices aimed at preventing corruption. 	<ul style="list-style-type: none"> • Carrying out of inspection and intervention procedures by the Directorate of Integrated Environmental Inspection (Dirección de Fiscalización Ambiental Integrada). • Systems to strengthen transparency: MADES Environmental Complaints Mechanism (formerly SEAM); INFONA Anonymous Complaints Mechanism; Interim REDD+ Complaints Response Mechanism; under the Forest Carbon Partnership Facility - Project 92546 "Forests for Sustainable Growth"; and under the PROMESA Project, there is an "Accountability and Complaints Mechanism". <p>The INFONA portal also has options for reporting corruption and forestry issues. There is the option of making anonymous denunciations.</p>
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<p>The existence of conflict resolution mechanisms applicable to REDD+.</p>	<p>Constitution of the Republic of Paraguay</p> <ul style="list-style-type: none"> • Article 38 on the right to defend diffuse interests. Every person has the right, individually or collectively, to demand from public authorities measures for the preservation of the environment, the integrity of the habitat, public health, the national cultural heritage, the interests of the consumer and others which, by their legal nature, belong to the community and are related to the quality of life and the collective heritage. • Article 40 on the right to petition the authorities. Every person, individually or collectively and without special requirements, has the right to petition the authorities, in writing, who must respond within a certain period of time and according to the modalities determined by law. • Law 1879/02 on Arbitration and Mediation establishes a framework for voluntary mechanisms aimed at conflict resolution. • Law 5282/14 on the free access by citizens to public information and governmental transparency, which defines what is considered public information. <p>Law 1562/00, of the Public Prosecutor's Office</p> <ul style="list-style-type: none"> • Title 1, Article 1, "The Public Prosecutor's Office is a body with functional and administrative autonomy that represents society in dealings with jurisdictional bodies in order to ensure respect for rights and constitutional guarantees; to promote public criminal proceedings in defence of the public and social heritage, the environment and other diffuse interests and the rights of indigenous peoples; and to institute criminal proceedings in cases in which it would not be necessary for a party to initiate or pursue them. 	<ul style="list-style-type: none"> • Diagnosis to inform the design of a grievance and conflict resolution mechanism associated with REDD+ implementation. • Development of the design document for a response mechanism to key stakeholders, to address possible complaints and concerns of stakeholders regarding the ENBCS and all REDD+ related issues in the country. This mechanism will be validated at the national level and subsequently implemented. • During the implementation of the UN-REDD National Joint Programme (2011-2016), an email account (onccseampy@gmail.com) was set up to receive, review and process concerns, recommendations and respond to queries and incorporate them into REDD+ readiness processes.
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Safeguard c: Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples.

<p>Recognition and protection of ancestral knowledge and of indigenous peoples and local communities cultural heritage.</p>	<p>Constitution of the Republic of Paraguay</p> <ul style="list-style-type: none"> • Article 47 of the guarantees of equality. The State shall guarantee all citizens of the Republic equal opportunities to participate in nature's benefits, material goods and culture. • Article 62 states that "This Constitution recognizes the existence of indigenous peoples, defined as groups of cultures that existed prior to the formation and organization of the Paraguayan State". • Article 64 on community property establishes that "indigenous peoples have the right to community ownership of land, in sufficient extent and quality for the conservation and development of their peculiar forms of life (...)". The State shall provide them with these lands, free of charge, which shall be unseizable, indivisible, non-transferable, imprescriptible, not capable of guaranteeing contractual obligations nor of being leased; likewise, they shall be exempt from taxation. The removal or transfer of their habitat without their express consent is prohibited. • Chapter V of Indigenous Peoples (Articles 62-67), which guarantees rights to indigenous peoples, including: (1) to "develop their ethnic identity in their respective habitat", (2) to "freely apply their political, social, economic, cultural and religious organization/ systems ", (3) to "voluntary subjection to their customary norms", (4) to "community ownership of land, (5) not to be removed from their habitat without their express consent, (6) to participate in the economic, social, political and cultural life of the country, and (7) to be exempted from providing social, civil or military services. <p>Law 234/93 The Indigenous and Tribal Peoples Convention of the International Labour Organization, 1989 (ILO Convention 169).</p>	<ul style="list-style-type: none"> • Previously, in 2013, within the framework of the UN-REDD National Plan, a document entitled "Sitios "Sacred Sites for Indigenous Peoples; Definition and Characteristics" was developed. This document is a key input for addressing and respecting this safeguard. • The Federation for Self-Determination of Indigenous Peoples (FAPI) participated as a key partner in decision-making and inter-institutional work. • With support from FAPI, various indigenous actors were involved, with the objective of incorporating their visions and needs into the development process of the National Forest Strategy for Sustainable Growth.
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	<p>Law 904/81 Statute of Indigenous Communities.</p> <ul style="list-style-type: none"> • Article 1. The purpose of this law is the indigenous communities social and cultural preservation, the defence of their heritage and traditions, the improvement of their economic conditions, their effective participation in the national development process and their access to a legal system that guarantees them ownership of land and other productive resources on an equal basis with other citizens. The Paraguayan Indigenous Institute, created by Law 904/81, has as its mission the patrimonial, cultural and traditional defence of indigenous communities and the provision of legal assistance. <p>Law No. 919/96 amending and extending various articles of Law No. 904 of 18 December 1981 " Indigenous Communities Statute".</p> <p>Law 294/93 "Environmental Impact Assessment" makes the Environmental Impact Assessment obligatory. For legal purposes, Environmental Impact is any modification of the environment caused by human activities that have, as a direct or indirect, positive or negative, consequence affecting life in general, biodiversity, the quality or a significant quantity of natural or environmental resources and their use, well-being, health, personal safety, habits and customs, cultural heritage or legitimate livelihoods. The Environmental Impact Assessment is defined for legal purposes as the scientific study that allows to identify, foresee and estimate environmental impacts, in any project or activity planned or in execution.</p> <p>Wildlife Law 96/92.</p> <p>Law 2128/2003 ratifies the Convention against all forms of racial discrimination.</p> <p>Law 4675 /12 which elevates the Women's Secretariat to the rank of ministry.</p> <p>Law 5282/14 on Free Access of Citizens to Public Information and Government Transparency.</p> <ul style="list-style-type: none"> • Decree 1039/18 approving the Protocol for the process of consultation and free, prior and informed consent with the indigenous peoples living in Paraguay. Result of a participative process initiated over the years. 	
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<p>Respect and protection of indigenous peoples And local communities rights over lands, territories and resources.</p>	<p>Constitution of the Republic of Paraguay</p> <ul style="list-style-type: none"> • Article 64 on Community property. • Article 115 on the agrarian reform objectives consists of the effective incorporation of the farming population into the economic and social development of the Nation, and is a fundamental factor in achieving rural well-being. Equitable systems of land distribution, ownership and tenure shall be adopted; credit and technical, educational and health assistance shall be organized; the creation of agricultural cooperatives and other similar associations shall be encouraged, and the production, industrialization and rationalization of the market for integral development shall be promoted. <p>Act No. 294/93 ratifying Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.</p> <p>Land ownership regimes, with articles on state ownership and private property Articles 13, 14, 15.</p> <p>Law 904/81 "Indigenous Communities Statute" on indigenous community property.</p> <p>Law 1863/02 "Agrarian reform and rural development".</p> <p>Law 1183/85 "Agrarian Statute" Paraguayan Civil Code on farmer property.</p> <p>Law 352/94 Protected Wildlife Areas.</p> <p>United Nations Declaration on the Rights of Indigenous Peoples.</p>	<ul style="list-style-type: none"> • Various efforts to involve indigenous actors and consider their visions and needs. • -Support in processes of land legalization and recognition of collective property. • -Within the framework of Law 3001/06 on the Valuation and Compensation of Environmental Services, there were advances in the certification of forests of several indigenous communities titled for their conservation through a system of valuation of environmental services.
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	<p>American Declaration on Indigenous Peoples Rights.</p>	<ul style="list-style-type: none"> • The Federation for the Self-Determination of Indigenous Peoples has developed its own information system on indigenous lands and territories in Paraguay.
<p>Public participation, including indigenous peoples and local communities, in decision-making processes.</p>	<p>Constitution of the Republic of Paraguay</p> <ul style="list-style-type: none"> • Article 38 on the right to defend diffuse interests. • Article 47 on equality guarantees. • Chapter V on indigenous peoples (articles 62-67). • Article 65 of the right to participation. Indigenous peoples are guaranteed the right to participate in the economic, social, political and cultural life of the country, in accordance with their customary practices, this Constitution and national laws. <p>Law No. 234/93 ratifying ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. Articles 6 and 7.</p> <p>Law 904/81 Statute of Indigenous Communities.</p> <ul style="list-style-type: none"> • Article 1- The purpose of this law is the social and cultural preservation of indigenous communities, the defence of their heritage and traditions, the improvement of their economic conditions, their effective participation in the process of national development and their access to a legal system that guarantees them ownership of land and other productive resources on an equal footing with other citizens. <p>Law No. 919/96, amending and extending various articles of Law No. 904 of 18 December 1981 "Statute of indigenous communities."</p> <p>Law 5282/14 on Free Access of Citizens to Public Information and Government Transparency.</p> <p>Decree No. 1039/18 approving the protocol for the Process of Consultation and Free, Prior and Informed Consent with Indigenous Peoples Living in Paraguay.</p> <p>United Nations Declaration on the Rights of Indigenous Peoples.</p> <p>American Declaration on the Rights of Indigenous Peoples.</p>	<ul style="list-style-type: none"> • During the REDD+ readiness and decision making phase, the Federation for Indigenous Peoples' Self-Determination was involved, an organization that in turn developed training and consultation processes with indigenous actors on REDD+-related issues. • Identification of "principles, operational guidelines and work plan to Promote the Effective Participation of Indigenous Peoples in future REDD projects or programs". • See safeguard report.

Safeguard 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 present decision.		
<p>All stakeholders (who can influence or be affected by REDD+ policies and measures) are taken into account in the design, implementation, benefit sharing and evaluation of REDD+ activities.</p>	<p>Constitution of the Republic of Paraguay</p> <ul style="list-style-type: none"> • Article 38 of the right to defend diffuse interests. "Every person has the right, individually or collectively, to demand from public authorities measures to defend the environment, the integrity of the habitat, public health, the national cultural heritage, the interests of the consumer and others that, by their legal nature, belong to the community and are related to the quality of life and the collective heritage. • Article 47 of the guarantees of equality. • Chapter V on indigenous peoples (articles 62-67). • Article 65 of the right to participation. <p>ILO Convention No. 169, Act No. 234/93.</p> <p>Law 904/81 Statute of Indigenous Communities, Article 1.</p> <p>Law No. 919/96, amending and extending various articles of Act No. 904 of 18 December 1981 on the Statute of Indigenous Communities.</p> <p>Municipal Organic Law No. 3966/10</p> <ul style="list-style-type: none"> • Articles 66 and 69. As for decentralization to allow access to citizen participation, municipalities have the obligation to promote the participation of the inhabitants of the municipality in municipal management and the development of citizen associations to carry out activities of municipal interest, including convening public hearings to provide information, gather citizen opinion, evaluate the quality of services or debate other matters of public interest. <p>Law 5282/14 on free access of citizens to public information and governmental transparency.</p>	<ul style="list-style-type: none"> • Key actors were identified and involved in the work on REDD+ following the guidance of the document "Socio-political actors around the REDD+ initiative in Paraguay" developed in 2015 within the framework of the UN-REDD National Joint Programme. • Since 2015, Paraguay has been working on the consolidation of the stakeholder participation and involvement plan, which will inform the Implementation Plan of the National Forest Strategy for Sustainable Growth. • The development of Paraguay's national approach to safeguards was carried out within the framework of the participation of stakeholders and key actors.

	<p>Decree 1039/18 approving the Protocol for the process of consultation and free, prior and informed consent with the indigenous peoples living in Paraguay.</p> <p>Paraguay's National Framework Plan for Territorial Development and Planning establishes the consolidation of SISPLAN (National Planning System) as a key action. One of the basic principles of SISPLAN is social participation: communities and interest groups will be able to intervene in the different phases of the process, in particular, to define priority demands.</p>	<ul style="list-style-type: none"> • The UN-REDD+ National Joint Programme worked in an inclusive way, through collaboration between SEAM (the current Ministry of Environment and Sustainable Development), the National Forestry Institute and the Federation for the Self-Determination of Indigenous Peoples. With representation from the government sector and civil society (in this case a federation with indigenous members), the three presided over an inclusive process that achieved important advances in different aspects of the development of the national safeguards approach. • Between 2015 and 2016, several exercises were conducted to analyze the potential benefits and risks of implementing REDD+ policies, actions and measures.
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<p>Free, prior and informed consent of interested parties.</p>	<p>Law 234/93 Indigenous and Tribal Peoples Convention of the International Labour Organization, 1989 (ILO Convention 169)</p> <ul style="list-style-type: none"> • Article 6 "To consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever legislative or administrative measures likely to affect them directly are envisaged; establish the means by which the peoples concerned may participate freely, at least to the same extent as other sectors of the population, and at all levels in decision-making in elective institutions and administrative and other bodies responsible for policies and programmes concerning them; establish the means for the full development of the institutions and initiatives of these peoples, and in appropriate cases provide the necessary resources for this purpose. The consultations to be carried out shall be carried out in good faith, in a manner appropriate to the circumstances, with the aim of reaching agreement or obtaining their consent. • Article 4 SEAM (now MADES) has the power to consult persons, institutions and administrations foreseeably affected by the execution of each particular project. <p>Law 294/93 "Environmental Impact Assessment".</p> <p>Law 5282/14 on free access by citizens to public information and government transparency.</p> <p>Decree 1039/18 approving the "Protocol for the process of free, prior and informed consultation and consent with the indigenous peoples living in Paraguay".</p>	<ul style="list-style-type: none"> • Through a participatory process that lasted several years, the Protocol was developed for the process of consultation and free, prior and informed consent with the indigenous peoples living in Paraguay. For this purpose, the Federation for the Self-Determination of Indigenous Peoples facilitated and provided leadership.
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<p>There is transparency and adequate access to REDD+ related information, such as informational materials and trainings that are accessible to all and culturally appropriate (overlaps with safeguard b).</p>	<p>Constitution of the Republic of Paraguay</p> <ul style="list-style-type: none"> • Article 28 on the right to information. <p>Law 234/93, Articles 4, 6, 7 and 30.</p> <p>Law 294/93 "Environmental Impact Assessment".</p> <p>Law 5282/14 on free access by citizens to public information and governmental transparency.</p> <p>Decree 11.681/75 by which Law 422/73 is regulated.</p> <p>Article 34 on the archive of the public forest register kept by INFONA, which is considered for public use.</p> <p>Decree 175/18 repealing Decree 7702 of 14 September 2017, instructing the President of the National Forestry Institute (INFONA) to propose a new regulation, and establishing a provisional regime regulating Article 42 of Law 422/73.</p>	<ul style="list-style-type: none"> • There are several platforms and mechanisms for accessing information, including information on REDD+. The websites of the Ministry of Environment and Sustainable Development and the National Forestry Institute are relevant. • Training was conducted for indigenous peoples in Guaraní and Spanish. The various training spaces were organized with the support of the Federation for the Self-Determination of Indigenous Peoples.
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<p>Participation mechanisms and/or platforms are used to facilitate participatory processes and the submission of comments and/or complaints (see safeguard b).</p>	<p>Constitution of the Republic of Paraguay</p> <ul style="list-style-type: none"> • Article 40 on the right to petition the authorities. It constitutes the basis for all claims that citizens may make; it establishes the right to petition the authorities in writing, without further formalities, either individually or collectively. This right is considered a human right that, in turn, is part of constitutionally recognized representative, participatory and pluralist democracy. At the same time, the mechanism of petitioning the authorities serves to channel others, such as, for example, the right to freely access information held by the State; a human right that is also constitutionally recognized. <p>Law 4679/2012 on Administrative Procedures, which establishes the obligation of each Administrative Entity to regulate the administrative procedures mechanisms that citizens may carry out with respect to the documentation held by public institutions. The law establishes a) The certainty of the form of presentation and format, if it is exclusive, available to the applicant; b) the essential documents required for the case; c) the authorities or agents responsible for the petition; and, d) the maximum deadlines as a process, stage or pronouncement for the authority or agent to be issued.</p> <p>Law 5282/14 on free access by citizens to public information and governmental transparency, which defines public information as: "Information produced, obtained, under control or in the possession of public sources, regardless of its format, support, date of creation, origin, classification or processing, unless it is established as secret or reserved by law".</p> <p>Decree 1039/18 approving the "Protocol for the Process of Consultation and Free, Prior and Informed Consent with the Indigenous Peoples Living in Paraguay".</p> <p>Law 3001/06, on Valuation and Compensation of Environmental Services, online platform for the construction of consultation files and certification publications.</p> <p>Permanent Human Rights Commission of the Congress of the Republic of Paraguay, responsible for collecting reports and complaints on human rights issues.</p>	<ul style="list-style-type: none"> • The National Commission on Climate Change was consolidated through the Climate Change Law. Permanent and advisory members participate in this commission, including representatives of public institutions, the private sector, some NGOs, indigenous organizations and others. This national body deals with all issues related to climate change, and REDD+ is one of the elements on its agenda.
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	<p>The "Ombudsman" in Paraguay is constitutionally recognized as the " People' s Defender ". It has the function of defending human rights, channelling popular complaints and protecting community interests. It can exercise actions and petitions on behalf of citizens.</p> <p>Center for Access to Public Information, under the Ombudsman Office , which has the mission of receiving complaints and grievances when State institutions have unjustifiably denied the public information requested or have remained silent.</p>	
<p><i>Safeguard 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.</i></p>		
<p>Conservation of natural forests, their biological diversity and ecosystem functions; avoid degradation or</p>	<p>National Biodiversity Strategy and Action Plan (ENPAB).</p> <p>Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES) ratified in 1976.</p>	<ul style="list-style-type: none"> • Inventories and generation of information on the state of forests and priorities for their conservation.

<p>conversion to planted forests (except for forest restoration activities).</p>	<p>Law 253/93 approving the Convention on Biological Diversity (Article 1, 2, 3, 7, 8).</p> <p>Law 536/95 and Law 1639/00 "on the Promotion of Forestry and Reforestation," which "Modifies and Expands Law No. 536 of January 16, 1995," establishes that the state will promote the action of afforestation and reforestation in priority forest soils, based on a forest management plan and with the incentives established in this Law.</p> <ul style="list-style-type: none"> • Article 7, which prohibits the change of land use of those properties that would have benefited from forest incentives. In this sense, in those cases in which the property was sold or transferred, the obligation of conservation according to the approved management plan falls on the new acquirer. <p>Law 4014/10 on Wildfires Prevention and Control and Law 4241/10 on the Restoration of Forests Protecting Watercourses within the National Territory establishes norms for the management and control of the use of fire in productive activities, while the second seeks to conserve and restore protective forests in the Eastern Region and compliance with environmental protection measures for water resources in the Western Region (Chaco).</p> <p>Law 4890/13 on Real Forest Surface Law – (DRSF) establishes that the real forest surface right is the one by which the holder of the domain of a property susceptible of containing forest plantations or natural forests, constitutes in favor of third parties or surfaces, a right of exploitation or disposition on the forest property planted on the surface of its property or on the property that is in the property in the form of natural forest. The right must be exercised in accordance with the environmental legislation governing the matter. It also establishes that the obligatory conservation area established as a legal reserve of natural forests by Article 42 of Law No. 422/73 "Forestry", will not be subject to the constitution of Real Right of Forest Area (DRSF), which must be respected by the provisions of that law in this regard.</p> <p>Law 3239/07 regulates the sustainable and integral management of all waters and the territories that produce them, regardless of their location, physical state or natural occurrence within Paraguayan territory, in order to make them socially, economically and environmentally sustainable.</p>	<ul style="list-style-type: none"> • Update of information on forests and deforestation, included in the Third National Communication completed in 2016. • Promotion of the valuation of environmental services. • Regulation of the valuation of environmental services as compensation. • Studies of: drivers/ promoters of deforestation; analysis of existing information on the current state of forests and the main causes and agents of deforestation; analysis of land tenure in its different types of ownership and links with deforestation; scenarios of future deforestation.
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	<p>Law 751/95, which approves the agreement on cooperation to combat illegal timber trafficking, Articles 1-9. It seeks to diminish or eliminate the traffic of exploited wood without a permit.</p> <p>Law 2524/04 "on the prohibition of the activities of transformation and conversion of areas with forest cover in the Easter Region", better known as the "Zero Deforestation Law", is implemented in the geographical area of the Eastern Region and establishes a moratorium on the conversion of forest lands to other uses (agriculture and pastures). The moratorium was extended successively in 2006 (by Law 3139), 2008 (by Law 3663) and 2013 (by Law 5045), and 2018 (by Law 5266).</p> <p>Law 422/73 "Forestry Law", which provides that individuals must maintain a legal reserve of natural forests and that INFONA is the enforcement authority. Article 42 establishes a minimum forest area in all rural properties of more than 20 hectares in forest areas.</p> <p>Air Quality Act 5211/14.</p> <p>Environmental Impact Assessment Act 294/93.</p> <p>Wildlife Law 96/92.</p> <p>Law 3001/06 on Valuation and Compensation of Environmental Services.</p> <p>Law 716/96, which punishes crimes against the environment.</p> <p>Decree 4056/15 in charge of establishing certification, control and promotion systems for the use of bioenergies that guarantee the sustainability of these renewable energy resources.</p> <p>Decree 18.831/86, by which environmental protection standards are established.</p> <p>Decree 9701/12 regulating trade in species included in the Convention on International Trade in Endangered Species of Wild Fauna and Flora.</p> <p>Decree 10.655/91 contributes to the conservation of biological species and the protection of natural habitats through appropriate management of the species included in the CITES appendices.</p>	
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	<ul style="list-style-type: none"> • Articles 1-9, by which organisms are created, functions are assigned, conservation measures are dictated, hunting or gathering, export, import and re-export of species included in the CITES appendices are regulated. <p>Decree 9425/95, which regulates Law 536/95 "On the Promotion of Forestry and Reforestation".</p> <ul style="list-style-type: none"> • Article 12, the State shall grant a one-time bonus for each area that has been forested or reforested, 75% of the direct implantation costs estimated by the National Forest Service. This bonus será granted to natural or legal persons of any nature who have complied with all the requirements of Law 536/95 and this regulation. 	
<p>Seeking opportunities to enhance social and environmental benefits, as well as livelihood improvement, through the design, location and implementation of REDD+ policies and measures and consideration of possible risks.</p>	<p>Law 422/73 "Forestry Law".</p> <p>Law 536/95 and Law 1639/00 "on the Promotion of Forestry and Reforestation", which "Modifies and Expands Law No. 536 of January 16, 1995," establishes that the state will promote the action of afforestation and reforestation in priority forest soils, based on a forest management plan and with the incentives established in this Law.</p> <p>Law 3001/06 on Valuation and Compensation of Environmental Services. The objective of this law is to promote the conservation, protection, recovery and sustainable development of the country's biological diversity and natural resources. According to Article 2, ecosystem functions directly or indirectly benefit populations.</p> <ul style="list-style-type: none"> • Article 3 creates the Regime of Environmental Services, whose objective is to establish a mechanism that allows the valuation of the diverse environmental services offered by a land or farm, and its retribution in accordance with them. • Article 5 establishes that owners or possessors of elements of nature that contribute to the generation of environmental services shall be entitled to the corresponding retribution for the services rendered. To this end, the State shall define guidelines for setting the values of such services. 	<ul style="list-style-type: none"> • Updating and prioritization of potential environmental and social benefits that may result from REDD+ implementation. • Developed two multi-benefit studies, with spatial analysis of territory to identify areas where REDD+ measures could provide multiple benefits, and those areas under pressure from deforestation or other risks. This helped to ensure that both the multiple benefits and risks associated with REDD+ are duly considered in Paraguay's

	<p>Decree 1001/18 establishing the real estate tax values established by the National Cadastre Service of the Ministry of Finance, which shall serve as the taxable base for the determination of the real estate tax and its supplements for fiscal year 2019.</p> <p>Development of the National Strategy "Forests for Sustainable Growth" and other REDD+ plans and projects with consideration of co-benefits. Strategy issued in June 2019.</p>	<p>planning processes, which is also an approach aligned with REDD+ safeguards.</p> <ul style="list-style-type: none"> • Development of maps of prioritized benefits. • Some identified benefits are mentioned in section 4.1 of this document.
Safeguard f: Actions to address the risks of reversals		
<p>Selection and design of REDD+ GPAs take into account the risk of reversal, taking into account, for example, their long-term financial and ecological sustainability; the country's regulatory and compliance frameworks (including land tenure); and possible changes in environmental conditions and the causes of deforestation and forest degradation.</p>	<p>Law 3001/2006 on the Valuation and Compensation of Environmental Services.</p> <p>Law 2524/04 "on the prohibition of the activities of transformation and conversion of areas with forest cover in the Eastern Region", better known as the "Zero Deforestation Law", is implemented in the geographical area of the Eastern Region and establishes a moratorium on the conversion of forest lands to other uses (agriculture and pastures). The moratorium was extended successively in 2006 (by Law 3139), 2008 (by Law 3663) and 2013 (by Law 5045), and 2018 (by Law 6256).</p> <p>Law 4890/13 of the Real Forest Surface Law - DRSF establishes that the real forest surface right is the one by which the holder of the domain of a property susceptible of containing forest plantations or natural forests, constitutes in favor of third parties or surfaces, a right of exploitation or disposition on the forest goods planted on the surface of his property or on the goods that are in the property in the form of natural forest. The right must be exercised in accordance with the environmental legislation governing the matter. It also establishes that the obligatory conservation area established as a legal reserve of natural forests by Article 42 of Law No. 422/73 "Forestry", will not be subject to the constitution of Real Right of Forest Area (DRSF), which must be respected by the provisions of that law in this regard.</p> <p>Decree 4056/15 in charge of establishing systems of certification, control and promotion of the use of bioenergies that guarantee the sustainability of these renewable energy resources.</p>	<ul style="list-style-type: none"> • Impulse to the intensification of the production for the increase of the productivity and to diminish the expansion of the agricultural frontier. • Promotion of improved agricultural practices. • Strengthening of controls and inspection capacity by national authorities. • Environmental licensing processes aimed at the conservation and protection of forests and the care of the margins of water rounds and the maintenance of windbreaks to mitigate and prevent wind erosion. All

	<p>National Development Plan 2030.</p>	<p>files housed in INFONA and MADES on environmental licensing incorporate the land-use planning variable, and consider land-use planning as a key instrument for decision-making in this area.</p> <ul style="list-style-type: none"> • Actions to address illegal logging and human-induced fires. • Processes of certification of new lands under environmental service schemes.
<p>Design of the National Forest Monitoring System to detect and provide information on reversals.</p>	<p>Law 422/73 "Forestry Law"</p> <ul style="list-style-type: none"> • Article 12 establishes that it is the function of the National Forest Service (today INFONA), which includes: inventorying the country's forests and renewable natural resources and preparing the forest map, cadastre and qualification of forests and forest lands. This information provides the basis for the National Forest Monitoring System. <p>Law 251/93 approving the Convention on Climate Change.</p> <ul style="list-style-type: none"> • Article 4, establishes: "Commitments: All Parties, taking into account their common but differentiated responsibilities and the specific nature of their national and regional development priorities, objectives and circumstances," indicates that countries should: To develop, periodically update, publish and make available to the Conference of the Parties, in accordance with Article 12, national inventories of anthropogenic emissions by sources and removals by sinks of all greenhouse gases not controlled by the Montreal Protocol, using comparable methodologies to be agreed by the Conference of the Parties. Therefore, national inventories of anthropogenic emissions could be an important source of information relating to the detection and provision of information on reversals. <p>Law 1561/00 "that creates the National System of the Environment, the National</p>	<ul style="list-style-type: none"> • Identification of guidelines to strengthen the National Environmental Information System. • Carrying out a national inventory of forests and carbon. • Development and strengthening of the Forest Monitoring System, established in the National Forest Institute. Among the functions of the system is to generate maps of forest cover and land use change at the national level with a minimum sampling unit of 1 hectare, and this is produced annually allowing to identify the reversals

	<p>Council of the Environment and the Secretariat of the Environment".</p> <ul style="list-style-type: none"> • Article 12 establishes that it is the function, attribution and responsibility of the Secretariat of the Environment (SEAM, currently MADES) to promote the control of activities tending to the exploitation of forests. <p>Air Quality Law 5211/14</p> <ul style="list-style-type: none"> • Article 4, Guiding Principles. The interpretation and application of the present Law and of any regulation adopted as an effect thereof, shall be subject to the following principles, which may be applied cumulatively, when possible: 1) Prevention: implies that the causes and sources of polluting emissions of air and atmosphere shall be addressed in a priority and integrated manner, seeking to prevent negative effects on the environment that may produce; 2) Precaution: implies that when there is danger of serious or irreversible damage, the absence of information or scientific certainty should not be used as a reason to postpone the adoption of effective measures aimed at preventing the degradation of the environment; 3) Correction of pollution at the source itself: implies that in case of verifying the occurrence of polluting events in the air or atmosphere above the permitted parameters, the sanction will imply the correction of direct and indirect sources. <p>Law 3464/08 "Creating the National Forestry Institute".</p> <ul style="list-style-type: none"> • Article 6 provides that it is the function and attribution of INFONA to develop the NFMS, by providing in Article 6, paragraph that is its function to monitor the extraction of timber and non-timber products from forest use until the first transformation of them. This monitoring and the compilation of relevant data could make it possible to improve controls and strengthen monitoring, in addition to providing the detection of reversals in the context of the extraction of timber products and providing relevant information on the subject to the SIS. 	<p>that have taken place. These maps have been generated annually since 2015, and historical records have been kept since 2000. These maps are available on the INFONA website.</p> <ul style="list-style-type: none"> • Capacity building of GIS teams for the preparation of thematic maps, future deforestation scenarios and multiple benefits mapping of REDD+.
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<p>Realistic projections that indicate the risk of deforestation and/or forest degradation in the absence of REDD+.</p>	<p>It is based on the forest and climate change legal framework.</p>	<ul style="list-style-type: none"> • Forest Reference Emission Level of Deforestation in the Republic of Paraguay for REDD+ results-based payments under the UNFCCC (2015). • Carrying out of a study that identifies and analyzes deforestation risks in the country, which was published in 2016.
<p>Safeguard g: Actions to reduce displacement of emissions</p>		
<p>Appropriate selection and design of PAMs that address the underlying and indirect causes of deforestation and land use change and not just the direct causes.</p>	<p>Law 2524/04 "on the prohibition of the activities of transformation and conversion of areas with forest cover in the Eastern region", better known as the "Zero Deforestation Law", is implemented in the geographical area of the Eastern Region and establishes a moratorium on the conversion of forest lands to other uses (agriculture and pastures). The moratorium was extended successively in 2006 (by Law 3139), 2008 (by Law 3663) and 2013 (by Law 5045), and 2018 (by Law 5266).</p> <p>Development of the National Strategy "Forests for Sustainable Growth"(ENBCS), subsequently issued in June 2019.</p> <p>National Mitigation Strategy. It focuses its efforts on mainstreaming actions related to mitigating the adverse effects of climate change, in order to articulate strategies for its effective implementation.</p> <p>National Mitigation Plan and its action plans (under construction).</p>	<ul style="list-style-type: none"> • Development of the national REDD+ strategy called "National Forest Strategy for Sustainable Growth", completed in 2019, from workshops and meetings with various institutions and key actors. • Updating of analyses to the direct and indirect causes of deforestation. • Completion of the survey of forest plots of the National Forest Inventory, a key input for the aforementioned Reference Level and the presentation of national reports.

<p>Selection and design of REDD+ PAMs that take into account the potential impacts on livelihoods and supply and demand for forest and agricultural producers, as well as the risk of displacement of emissions.</p>	<p>Law 294/93 Environmental Impact Assessment Law.</p> <p>Forestry Law 422/73.</p> <ul style="list-style-type: none"> • Article 26: The transport and commercialization of wood and other forest products may not be carried out without the corresponding guides issued by the National Forest Service. Such guides shall specify: Quantity, species, weight or volume, origin and destination of the product transported. • Article 42 establishes: "All rural properties of more than twenty hectares in forest areas must maintain twenty-five percent of their natural forest area. In case of not having this minimum percentage, the owner shall reforest an area equivalent to five percent of the surface of the property. 	<ul style="list-style-type: none"> • The development process of the National Forest Strategy for Sustainable Growth has been based on identified environmental and social risks, studies of deforestation promoters and inputs provided by various institutions and actors.
<p>Design of the National Forest Monitoring System to detect and provide information on displacement (national, subnational, local).</p>	<p>Law 422/73 "Forestry Law".</p> <ul style="list-style-type: none"> • Article 12 establishes that it is the function of the National Forest Service (today INFONA): (1) to make an inventory of the country's forests and renewable natural resources and (2) to develop the forest map, the cadastre and the qualification of the forests and forest lands. <p>Law 251/93 approving the Convention on Climate Change.</p> <ul style="list-style-type: none"> • Article 4 establishes: "Commitments: All Parties, taking into account their common but differentiated responsibilities and the specificity of their national and regional development priorities, objectives and circumstances, shall: (a) Develop, periodically update, publish and make available to the Conference of the Parties, in accordance with Article 12, national inventories of anthropogenic emissions by sources and removals by sinks of all greenhouse gases not controlled by the Montreal Protocol, using comparable methodologies to be agreed by 	<ul style="list-style-type: none"> • Development and strengthening of the Forest Monitoring System, which generates information based on remote sensing and field data robust enough to detect and estimate at the level of ecoregions, departments or municipalities to monitor the displacement of emissions from deforestation. • Work has begun on early warnings associated with deforestation risks.

	<p>the Conference of the Parties. National inventories have the potential to contribute to the detection and provision of displacement information.</p> <ul style="list-style-type: none"> • Law 1561/00 creating the National Environmental System, the National Environmental Council and the Secretariat of the Environment. • Article 12, paragraph n) establishes that it is the function, attribution and responsibility of the Secretariat of the Environment (SEAM, currently MADES) to promote the control of activities tending to the exploitation of forests. • Law 3464/08 creating the National Forestry Institute. • Article 6 establishes that it is the function and attribution of INFONA to carry out the NFMS, by providing in its article 6, paragraph c), that it is its function to monitor the extraction of timber and non-timber products coming from the use of the forest until the first transformation of them. It has the potential to provide information relevant to displacement in the context of timber products. <p>Law 6256/18 promulgated on 14 December 2018, according to which MADES and INFONA shall establish the structure of the NFMS, identifying the definitions, organic and financial provisions necessary for the NFMS to provide official information on the state of national forest cover in the territory of the Republic of Paraguay, in a periodic, measurable, verifiable and comparable form with other geographic information systems, as well as to offer parameters and information that allow to measure the magnitude of the carbon content stored in the national forest mass and the qualitative and quantitative typification of forest species that integrate the national forest mass.</p>	
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- **Participation and handling of complaints:**

The development of the ENBCS and the design of specific PAMs to implement REDD+ have been the result of a wide participatory process with a gender approach. As part of this process, information on the Cancun safeguards was made available in a transparent manner to all stakeholders.

The *First Summary of Information on Addressing and Respecting REDD+ Safeguards in Paraguay (Sol)* for the period 2011-2018 is based on the principles of transparency and accessibility. Its contents reflect a wide participatory process. The document summarizes information existing in other national documents that describe the processes related to safeguards during the REDD+ readiness phase, especially those that contributed to the development of the ENBCS. It also reports on the processes of stakeholder engagement and gender mainstreaming. The documents used in the construction of the Sol resulted from participatory processes in which various government institutions, the private sector and civil society, including representatives of indigenous peoples, participated effectively.

Throughout the UN-REDD National Programme (2011-2016)¹ and the FCPF BCS project Forests for Sustainable Growth (BCS) (from 2017)², Paraguay applied strategies for stakeholder engagement and communication. The objective was to ensure participation of relevant stakeholders, transparency, and access to information. During the preparation phase of the ENCBS, several field works were carried out with indigenous communities to communicate safeguard information in a culturally appropriate manner. The documents generated under this area of work are available on [UNDP Paraguay](#) and [MADES](#) web pages.

The UN-REDD National Joint Programme started activities in 2011³ and embraced an inclusive approach. Its Steering Committee was composed by the then Secretariat of the Environment (SEAM, now MADES), INFONA and FAPI, reflecting a representation that included government and civil society (in this case an indigenous peoples' organization; FAPI). The three presided over a participatory process that achieved important advances in the development of the national approach to safeguards. This process had a large number of meetings and consultations during which information on the Cancun safeguards was shared in a transparent manner. Those that took place during the period covered by this Environmental and Social Assessment are summarized below:

- In September-October 2015, working sessions and workshops on safeguards and multiple benefits of REDD+ were held with the Working Group on REDD+ Safeguards in Paraguay and the National Technical Team of the UN-REDD National Programme, focusing on the strengthening of national capacities on the subject; the collective construction of a national roadmap on safeguards, including the development of the national interpretation of the Cancun safeguards and a proposal for the design of the SIS.
- In May 2016, a series of workshops and meetings focused on the development of REDD+ policies, actions and measures (PAMs) towards the construction of the ENBCS; work was undertaken on the inputs needed to consolidate elements of the national safeguards approach, including legal analysis on REDD+ safeguards; interpretation of the Cancun safeguards; and plans for the development of the SIS.
- In July 2016 a series of workshops and working sessions focused on the multiple benefits of REDD+ and the Cancun safeguards. They focused on information exchange, national capacity building and the application of the Cancun safeguards in the development and implementation of the ENBCS.

Paraguay made it a priority to ensure the full and effective participation of stakeholders in the preparation

¹ See, for example, the documents on the [subject](#), in addition to [FAPI](#); and other FAPI documents [here](#).

² See, for example, the [Stakeholder Participation Plan](#), as well as other resources on the subject of the [FCPF's BCS Project](#).

³ In 2008, the government of Paraguay applied to be part of the UN-REDD Programme, the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries, joining the Programme in September of the same year.

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of REDD+ and for that it implemented participation and communication plans. These plans were national in scope and included institutions/organization involved in national development processes, both public and private, as well as representatives from private sector, financial system, academia, peasant organizations, indigenous peoples and civil society. Dialogues and consultation of an intercultural nature followed the "UN-REDD Programme Guidelines on Free, Prior and Informed Consent"⁴ and other guidelines for the involvement of key stakeholders, the participation of indigenous peoples and other forest-dependent communities. Recommendations for indigenous peoples' participation were also identified and addressed, building on the practices and recommendations of the National Indigenous Institute (INDI) and the experiences of previous processes with the Federation for Indigenous Peoples' Self-Determination (FAPI).

The Plan for the Participation of Actors proposed a structure to allow easy access to the different platforms and spaces for dialogue. The procedures of free, prior and informed consent were applied in accordance with the norms established in international conventions and national regulations with verification done by the State, which had the task of overseeing and enforcing the rights of the communities. The activities carried out recognized cultural diversity as a key criterion for the adequate development of REDD+ actions.

The BCS Project established a Technical Committee composed by 12 public institutions involved in sustainable development. This Committee is organized along working groups that count with the participation of different institutions. Between 2017-2018, the Committee work on the design of the SIS and the Sol. The National REDD+ Focal Point (MADES) requested the Secretary of the National Commission on Climate Change to establish the REDD+ Roundtable, which is composed by members of this Commission and other actors not represented in the Technical Committee such as indigenous peoples, civil associations, academia and the private sector. The REDD+ Roundtable began its activities in the second half of 2018 and will also be involved in issues related to REDD+ safeguards.

The country had platforms to receive requests for information and complaints. Of special importance is the [Unified Public Information Portal](#) which has 363 member institutions. For example, 22 requests for information on forests, deforestation or REDD+ were received and responded in the period 2015-2017. Through this same portal, and for other topics, MADES received 34 requests in 2016 (14 women, 19 men and 1 undeclared) and 83 requests in 2017 (40 women, 38 men and 1 undeclared). Requests for information included a range of topics including clarifications on the legal framework and procedures, environmental impact studies, and information on the country's environmental and climate change commitments. The country has the Center for Access to Public Information, linked to the Ombudsman Office ('Defensoría del Pueblo'), in charge of receiving claims and complaints in cases in which government institutions have refused to provide public information or had not responded to requests.

There were also institutional mechanisms and platforms for lodging complaints, with emphasis on the fight against corruption. A representative example is the platform of the [National Forestry Institute](#), which allows access to a portal for denouncing corruption and others grievances. It allows anonymous reporting in order to protect whistleblowers and avoid retaliation. In addition, other systems are in place to promote accountability and strengthen transparency. These are MADES [Environmental Complaints Mechanism](#); [Interim Mechanism for Responses to REDD+ Complaints](#); under the BCS Project and the ["Accountability and Complaints Mechanism"](#) under the PROMESA Project.

In addition, and according to computer records, in the period 2015-2018 the Directorate of Integrated Environmental Auditing carried out 183 auditing and intervention procedures related to deforestation, changes in land use, selective extraction of trees and others. These followed citizen complaints, requests

⁴ <https://www.unredd.net/documents/un-redd-partner-countries-181/templates-forms-and-guidance-89/un-redd-fpic-guidelines-2648/8718-directrices-sobre-el-consentimiento-libre-previo-e-informado-de-onu-redd-8718/file.html>

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from tax offices, and requests for support from institutions and ex officio verifications. All these interventions took place within the framework of current environmental legislation, with MADES as the enforcement authority. All background information was submitted to MADES's Legal Advisory Directorate. In some cases, the Public Prosecutor's Office was also involved.

On the other hand, within the framework of the UN-REDD Joint National Programme (2011-2016), an e-mail account was made available for actors (onccseampy@gmail.com). This interim mechanism made it possible to receive, review and process concerns, recommendations, respond to queries and incorporate them into REDD+ readiness processes. The comments received were mainly related to recommendations for the development of the ENBCS. A diagnostic report and a study were carried out on the development of a grievance redress mechanism associated with REDD+. As a result of this work, the country elaborated a document on the design of the response mechanism to address stakeholder complaints and concerns related to the ENBCS and REDD+. This mechanism will be validated at the national level and subsequently implemented. This validation and start up of the mentioned mechanism is being supported by FCPF through the Project 92546 – BCS Project.

Over the past few years, encompassing the period associated to the RBP funding proposal, Paraguay has allocated resources to promote transparency and institutional strengthening for the application of the legal framework, based on efficient administrative, financial and technical processes that contribute to sustainable development goals. There is a stronger commitment to fight against corruption, to promote access to information, and to control and sanction illegal acts. In the 2015-2017 period, the country implemented consistently the GRMs mentioned in the previous paragraphs. In line with the laws and regulations in this regard, responses were timely provided to comments, complaints and requests of information that related to the policies and activities that contributed to the emission reduction results. The continuous improvements in the functioning and automation of the different GRMs have promoted a more transparent and efficient management of processes. In the future, further efforts will be devoted to strengthen the links between the existing mechanisms, and to identify opportunities for supporting the follow-up and report activities related to the GRMs.

5 Conclusions

The Environmental and Social Assessment carried out indicates that the country had robust legal instruments to provide broad support to individual and collective rights. These were intended to avoid negative impacts while contributing to the sustainable development of the country. Resources were also invested in the implementation of complementary measures and actions. Overall, the elements reported demonstrate that the results obtained from reducing deforestation were achieved through the implementation of laws, policies, actions and measures that considered criteria for risk mitigation and application of safeguards.

Revised documents showed that there are concerns about the protection afforded to indigenous rights, resources and culture. Therefore, concrete actions were taken to address the risks associated with indigenous peoples and problems that may arise in the implementation of REDD+ policies, actions and measures. This was done through the effective involvement of representatives and members of indigenous communities taking into account local circumstances, the cultural diversity of indigenous peoples living in the country and the needs of these actors to fully participate in REDD+ processes. In the future, these actors should be involved in the decision making on the implementation of the ENBCS and the definition of mechanisms for resource distribution and REDD+ benefits.

Also, there is need to continue work on resolving conflicts over land tenure and use and respect for community property, which is supported by the Constitution and various legal elements of the country. Land use planning and the application of conflict resolution mechanisms are actions that can help.

On the other hand, although the risk identification exercises did not emphasize gender inequalities, this type of risk will continue to receive priority attention and is key to the application of safeguards. Some measures were implemented in the period evaluated, but they are not sufficient. Sustainable development cannot be achieved without equal rights and opportunities for women, men, and key actors. Therefore, it is essential to identify and implement positive actions on gender equality, including support for the implementation of the National Gender Strategy on Climate Change.

This report recognizes the efforts made to establish institutional links and strengthen capacities to implement REDD+. It is necessary to continue with this process considering that environmental and social safeguards must go hand in hand with the implementation of policies, actions and measures.

These recommendations along with the inputs compiled in this environmental and social assessment will inform the content of the Environmental and Social Management Framework that is linked to the future use of REDD+ results-based payments.

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- The different Paraguayan laws mentioned in this document are available at the website of the [Biblioteca y Archivo Central del Congreso de la Nación](#).