Negotiation-support toolkit for learning landscapes

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45 | Assessing and adopting social safeguards in all planned programs (AASSAPP)

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'Social safeguards' are procedures that ensure that projects take into consideration people's rights, aspirations and the 'do no harm' principle. The concept of 'safeguards' encompasses free, prior and informed consent; participation; resolution of land conflict; clarifying land and natural resource use-rights; livelihoods and food security; and poverty alleviation. Free, prior and informed consent as part of social safeguards is defined as protecting the right of local and indigenous communities to negotiate the terms of externally imposed policies and projects. This applies to 'development' as well as to 'conservation' projects.

Introduction

In the last few decades, countries such as Indonesia have experienced increasing pressure on community lands from commercial entrepreneurs and investors, which has lead to marginalization and dispossession of local and indigenous communities. The land-use planning process has often prioritized powerful interest groups who benefit financially from land and resource. The role of provincial and district governments is crucial because their land-use policies can favour these interest groups or local communities. Applying social safeguards to the process of land-use planning includes transparency and accountability at district and provincial government levels.

The effective use of social safeguards in a land-use planning process represents a fair approach beyond compliance, which aims to reconcile the different perspectives. Safeguards help to change the paradigm from top–down, state-driven planning to a more participative, bottom–up, grass-roots, rights-based approach that takes into account the aspirations of multiple stakeholders. Incorporating safeguards is a practical way of minimizing social exclusion and maximizing social equity in planning for low-carbon development. This requires new ways of thinking about land use and how to plan.

Much of the work around social safeguards is about land tenure since a lack of clarity over the right to land is often the source of conflicts between local communities, indigenous people, governments and businesses. Another issue is 'indigeneity and indigenous rights', that is, identifying who is and who is not 'indigenous' and, therefore, entitled to articulate traditional rights over land.

The acknowledgement of self-identification as contained in the United Nations declarations of the Rights of Indigenous Peoples and Human Rights can lead to conflicts and competing claims among stakeholders.

Both issues of indigeneity and land tenure are the main challenges to be addressed during the assessment and adoption of social safeguards. Even at the level of the United Nations Framework

Convention on Climate Change, negotiations to add safeguards as an obligation slow and complicate implementation on the ground, especially in the context of REDD+. These are complex situations in which various people are developing different sets of principles and criteria in line with their political agendas and own interests. A more comprehensive approach to land use is needed.

■ Objectives

The Assessing and Adopting Social Safeguards in All Planned Programs (AASSAPP) tool is meant to help local governments and communities go beyond compliance mechanisms and integrate social safeguards into the broader architecture of landscape management. The primary objective is to assess land-use planning and implementation based on the principles, criteria and indicators appropriate for social safeguards. The second objective is to adopt the appropriate principles, criteria and indicators in the mechanisms and regulations.

■ Steps

AASSAPP uses a participative approach, which includes all groups of people involved with a landscape. In order to safeguard social attributes in land-use plans, a 'principles, criteria and indicator' approach is used that covers all major social concerns that might be undermined during the process.

This approach helps achieve high social standards during land-use planning. 'Principles' provide the main objectives that define performance to meet social standards; 'criteria' define the delivery of the principles; and 'indicators' are quantitative and qualitative information that show progress in achieving the criteria. There are five major principles, 18 criteria and 60 indicators.

1. Participation of rights holders and stakeholders
2. Respect and strengthening of rights to land, territories and natural resources
3. Respect and strengthening of rights to traditional knowledge, culture and local practices
4. Promotion of poverty alleviation and security of livelihoods
5. Promotion of reconciliation of various conflicting interests over land and resources

■ The AASSAPP method consists of five steps

1. The participative identification of specific principles, criteria and indicators of social safeguards by the stakeholder groups through a series of workshops. In these workshops, the principles are encouraged to be respected by local governments who commit to adopt social safeguards in their land-use planning. Criteria and indicators are used as guidelines that are adapted to local circumstances.
2. Identification of enabling conditions based on rules and regulations; and institutions and mechanism to adopt the safeguards. These identifications are used for formulating protocols to integrate safeguards into land-use planning, implementation, monitoring and evaluation. They are also used to assess hindrances to adoption.
3. Determine implementing stakeholders for adopting safeguards, based on Step 2. The governance structure to support the implementation and monitoring of the safeguards should be defined before implementation.
4. Organize a series of workshops to formulate a work plan.
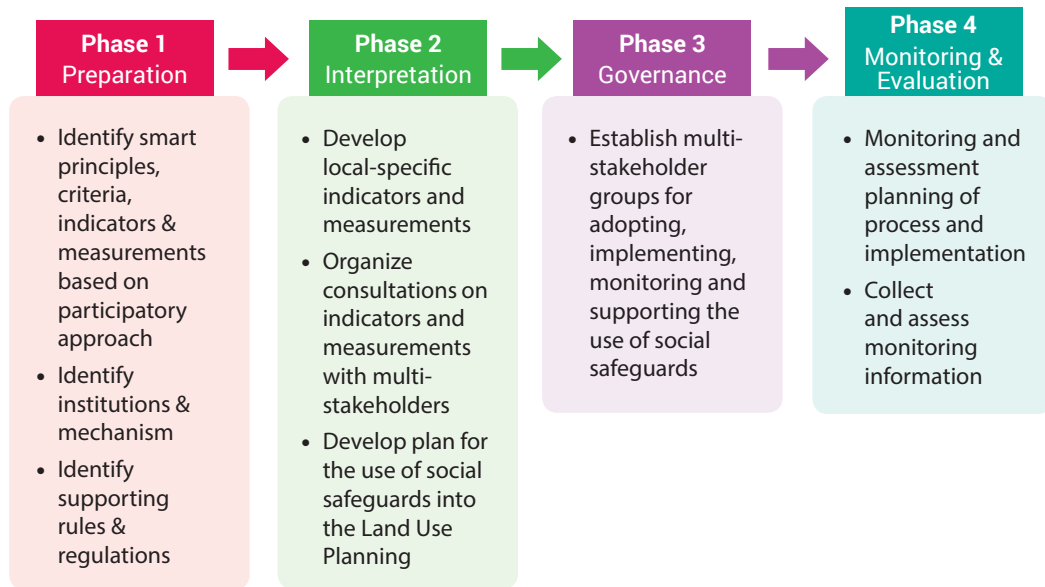5. Gathering information to evaluate and assess performance.

Figure 40.1. Steps involved in assessing and adopting social safeguards in all planned programs

■ **Example** of application

At the time of writing, the use of social safeguards in land-use planning is being tested in the province of Papua in Indonesia, with assistance from the European Union. The governor of the province has recognized that land-use planning can support the government's commitment to conserve biological and cultural diversity. Including local communities in planning has been acknowledged as central to a more just approach to resources management.

We used AASSAPP to assess the application of social safeguards in land-use planning in Jayapura district in the province of Papua. A one-day workshop was conducted, to which we invited various stakeholders, such as representatives of central and local government authorities, business enterprises, local communities and indigenous people. The objective of the workshop was to raise awareness of social safeguards and the importance of integrating them into land-use planning. During the workshop, we were able to develop participative, locally appropriate principles, criteria and indicators; identify the enabling conditions based on rules and regulations; and examined the implementation mechanisms and the changes needed to support adoption of the safeguards (see Table 40.1). The process is still underway and results so far are restricted to Step 2.

Table 40.1. Mechanism for adopting social safeguards in land-use planning in Jayapura district, Papua province, Indonesia

Principles	Enabling conditions	Implementation mechanism	Changes
Participation of rights holders and stakeholders	Participation of community in land-use planning	Discussion of planning and development at village level	Transparency Capacity building
Respect and strengthening of rights to land, territories and natural resources	Recognition and security of communities' rights over land, including conflict resolution	Mapping of customary rights and territories through a decree of the district head	
Participation of rights holders and stakeholders	Information dissemination about land-use planning	Raising awareness of the district land-use plan	Mechanism of dispute resolution for reaching agreement on development plans
Promotion of reconciliation of various conflicting interests over land and resources	Reconciliation of various conflicting interests	Customary reconciliation mechanism	

Box 40.1. List of existing guidelines

Asian Development Bank. 2009. *Safeguards policy statement*. Manila: Asian Development Bank.

Bonfante TM, Voivodic M, Meneses Filho L. 2010. *Developing social and environmental safeguards for REDD+: a guide for a bottom–up approach*. Piracicaba, Brazil: Institute for Forest and Agriculture Management and Certification.

Convention on Biological Diversity. 1992. *Convention on Biological Diversity*. New York, USA: United Nations.

Climate, Community and Biodiversity Alliance; CARE International. 2012. *REDD+ social and environmental standards*. Version 2. Arlington, VA: Climate, Community & Biodiversity Alliance; London: CARE International.

Climate, Community and Biodiversity Alliance. 2008. *Climate, community and biodiversity project design standards*. Second Edition. Arlington, VA: Climate, Community and Biodiversity Alliance.

Food and Agriculture Organization of the United Nations; United Nations Environment Programme. 1999. *The future of our land. Facing the challenge: guidelines for integrated planning for sustainable management of land resources*. Rome: Food and Agriculture Organization of the United Nations.

Forest Stewardship Council. 1996. *Principles and criteria for forest stewardship*. Version 4. Bonn, Germany: Forest Stewardship Council.

Global Environmental Facility. 2011. *Policies on environmental and social safeguards and gender mainstreaming*. Washington, DC: Global Environmental Facility.

Deutsche Gesellschaft für Internationale Zusammenarbeit. 2011. *Land-use planning: concept, tools and application*. Eschborn, Germany: Deutsche Gesellschaft für Internationale Zusammenarbeit.

Deutsche Gesellschaft für Technische Zusammenarbeit. 1999. *Land-use planning: methods, strategies and tools*. Eschborn, Germany: Deutsche Gesellschaft für Technische Zusammenarbeit.

Perkumpulan untuk Pembahruan Hukum Berbasis Masyarakat dan Ekologis. 2010. *Beyond carbon: rights-based safeguards principles in law*. Jakarta: Perkumpulan untuk Pembahruan Hukum Berbasis Masyarakat dan Ekologis.

International Finance Corporation. 2012. *IFC performance standards on environmental and social sustainability*. Washington, DC: International Finance Corporation.

Roundtable on Sustainable Biofuels. 2010. *RSB principles & criteria for sustainable biofuel production*. Version 2. Geneva, Switzerland: Roundtable on Sustainable Biofuels.

United Nations Framework Convention on Climate Change. 2011. *Decision 1/CP.16. The Cancun Agreements: outcome of the work of the Ad Hoc Working Group on Long-term Cooperation Action under the Convention*. Bonn, Germany: United Nations Framework Convention on Climate Change.

United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries. 2012. *UN-REDD programme social and environmental principles and criteria*. UN-REDD Programme Eight Policy Board Meeting, 25–26 March 2012, Asuncion, Paraguay. Geneva, Switzerland: United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries.

World Bank. 2011. *Common approach to environmental and social safeguards for multiple delivery partners*. Washington, DC: Forest Carbon Partnership Facility Readiness Fund, World Bank.

World Bank. 2010. *Terms of reference: strategic environmental and social assessment, Indonesia*. Washington, DC: Forest Carbon Partnership Facility Readiness Fund, World Bank.

World Bank; United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries. 2012. *Guidelines on stakeholder engagement in REDD+*. Washington, DC: Forest Carbon Partnership Facility, World Bank; Geneva, Switzerland: United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries.

The landscape scale is a meeting point for bottom–up local initiatives to secure and improve livelihoods from agriculture, agroforestry and forest management, and top–down concerns and incentives related to planetary boundaries to human resource use.

Sustainable development goals require a substantial change of direction from the past when economic growth was usually accompanied by environmental degradation, with the increase of atmospheric greenhouse gasses as a symptom, but also as an issue that needs to be managed as such.

In landscapes around the world, active learning takes place with experiments that involve changes in technology, farming systems, value chains, livelihoods' strategies and institutions. An overarching hypothesis that is being tested is:

> Investment in institutionalising rewards for the environmental services that are provided by multifunctional landscapes with trees is a cost-effective and fair way to reduce vulnerability of rural livelihoods to climate change and to avoid larger costs of specific 'adaptation' while enhancing carbon stocks in the landscape.

Such changes can't come overnight. A complex process of negotiations among stakeholders is usually needed. The divergence of knowledge and claims to knowledge is a major hurdle in the negotiation process.

The collection of tools—methods, approaches and computer models—presented here was shaped by over a decade of involvement in supporting such negotiations in landscapes where a lot is at stake. The tools are meant to support further learning and effectively sharing experience towards smarter landscape management.