



# Food and Agriculture Organization of the United Nations

## ENVIRONMENTAL AND SOCIAL ASSESSMENT

### Chile's REDD-plus results for the period 2014-2016

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## List of acronyms

AE	Accredited entity
CBD	Convention on Biological Diversity
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CONADI	National Indigenous Development Organization
CONAF	Forestry Corporation
CORECC	Regional Committee on Climate Change
CTICC	Inter-ministerial Climate Change Committee
EAE	Strategic Environmental Assessment
EIA	Environmental Impact Assessment
ENCCRV	National Strategy for Climate Change and Plant Resources
ERPD	Emission Reduction Program Document
ESA	Environmental and Social Assessment
ESMF	Environmental Management Framework
ESS	Environmental and Social Safeguard
FAO	Food and Agriculture Organization of the United Nations
FCPF	Forest Carbon Partnership Facility
FPIC	Free Prior and Informed Consent
FREL	Forest Reference Emission Level
GCF	Green Climate Fund
GDP	Gross Domestic Product
GEDEF	Forest Development Management Office
GEF	Environmental Control and Evaluation Management Unit
GHG	Greenhouse gases
GRM	Grievance Redress Mechanism
Ha	Hectares
ILO	International Labour Organization
INE	National Institute of Statistics
IPP	Indigenous Peoples Plan
MINAGRI	Ministry of Agriculture
MMA	Ministry of Environment
MD	Direct actions
MDA	Actions measures
MF	Enabling actions
MRV	Measurement, Reporting and Verification
NAMA	Nationally Appropriate Mitigation Action
NDA	National Designated Authority
NDC	Nationally Determined Contributions
NGOs	Non-Governmental Organizations
OIG	Office of the Inspector-General
OIRS	Complaints and Suggestions Offices
PANCC	National Climate Change Action Plan
PANCC-II	National Climate Change Action Plan 2017-2022
PANCD	National Action Program against Desertification, Land Degradation and Drought 2016-2030
PMU	Project Management Unit
REDD+	Reducing Emissions from Deforestation and forest Degradation, plus the sustainable management of forests, and the conservation and enhancement of forest carbon stocks
RBP	Result-Based Payments
SAG	Agricultural and Livestock Service
SDGs	Sustainable Development Goals
SEA	Environmental Assessment Service
SESA	Strategic Environmental and Social Assessment
SIAC	Citizen Attention Information System

SIS	Safeguards Information System
SMA	Superintendence of the Environment
SNASPE	National System of Protected Wild Areas
UAIS	Indigenous and Social Affairs Unit
UCCSA	Climate Change and Environmental Services Unit
UNCCD	United Nations Convention to Combat Desertification
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change

## 1. Context

The Green Climate Fund (GCF) has issued a request for proposals for the Pilot Programme for REDD-plus results-based payments (Decision B.18/07).

In response to the global challenges on sustainability, Chile has ratified the commitments of the Earth Summit held in Rio de Janeiro in 1992, as the UNFCCC, the United Nations Convention to Combat Desertification (UNCCD) and the Convention on Biological Diversity (CBD). Chile is also a signatory of the Sustainable Development Goals (SDG) adopted in 2015. The National Forestry Corporation (CONAF, by its acronym in Spanish), an organization that depends on the Ministry of Agriculture of Chile (MINAGRI, by its acronym in Spanish), as the National Focal Point, for the REDD+ approach (policy approach adopted by the UNFCCC to reduce emissions from deforestation and forest degradation, and to enhance forest stocks) and for the UNCCD, strives to fulfil their respective policy and technical requirements.

Thus, the MINAGRI and CONAF have led the formulation process of the National Strategy on Climate Change and Vegetation Resources 2017-2025 (ENCCRV, as in its Spanish acronym), based on an ample participatory process with national and international stakeholders. ENCCRV is an instrument of public policy in the field of the native vegetation resources of Chile, which orients and integrates the strategic activities and measures to be taken as a country to mitigate and adapt to climate change, as well as to combat desertification, land degradation and drought. The formulation of the ENCCRV is aligned with international and national commitments made by the country and are directly linked to the four strategic objectives and goals set out in the Forest Policy 2015-2035 approved on 2016. The strategic axes of the Forest Policy correspond to: i) Forest institutionalisation; ii) Productivity and economic growth; iii) Equity and social inclusion, and; iv) Protection and restoration of forest heritage.

In the last few years, Chile has fulfilled the REDD+ requirements under the UNFCCC and has reported REDD+ results which makes it eligible for the GCF's Pilot Programme. In this context, in its role as a REDD+ focal point in Chile, CONAF extended an invitation to FAO, as an entity accredited by the GCF, to prepare and submit a funding proposal to the Pilot Programme on payment based on REDD+ results. As part of the requirements for the Funding proposals to the Pilot Programme, an Environmental and Social Assessment Report (ESA) that retroactively reviews the actions for which results-based payments are sought must be undertaken, in order to confirm that these actions were undertaken in a manner consistent with applicable GCF ESS standards.

Accredited entities to the GCF must demonstrate that their entity-level environmental and social safeguards are consistent with the GCF's safeguard framework. As such, accredited Entities should apply their own environmental and social safeguards to GCF-supported activities. Therefore this ESA reviews retroactive alignment, with a focus on policy alignment, with FAO's Environmental and Social Standards, described below in **Section 5** (The full text of the FAO ESS is also available at <http://www.fao.org/3/a-i4413e.pdf>).

The Environmental and Social Assessment (ESA) is presented as an evaluation of the operations leading to the efforts to implement the REDD+ strategies at the subnational level during the period 2014 – 2016 as part of the requirements for GCF REDD+ RBP financing. The targeted areas of this evaluation are the regions of Maule, Nuble<sup>1</sup>, Bio Bio, Araucania, Los Rios and Los Lagos also known as the South Zone, where a number of activities related to the implementation of ENCCRV took place. This area also corresponds to the regions of Chile where the Forest Emission Reference Level/Forest Reference Level (FREL/FRL) was developed, which was presented to the UNFCCC.

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<sup>1</sup> Since the Nuble region was created in 2018 and used to be part of the Bio Bio region, for evaluative reasons hereinafter in the ESA we will consider it as part of the Biobio region.

## 2. Methodology and Scope of the Assessment

The Government of Chile, in a letter submitted November 6, 2018 requested FAO, as an AE to the GCF, to support the country in the preparation and submission of a REDD+ Result Based Payment (RBP) Funding Proposal to the GCF. FAO has been supporting the REDD+ process of implementation in Chile by providing technical assistance for strengthening the MRV system and in the design and implementation of measures for reducing forest degradation or enhancement of carbon stocks through the UN-REDD programme funding. Chile has met the GCF eligibility criteria to access REDD+ results-based payments (GCF Decision B.17/18, section 1 of Annex III).

The aims of the Environmental and Social Assessment are to (a) evaluate the environmental and social risks associated with the proposed regions and period of activity selected; (b) provide robust evidence on the compliance of such activities with FAO ESS; (c) identify opportunities to improve and inform the ESMF and (d) determine the extent and depth of environmental and social due diligence, and accountability mechanisms in place, such as in regards to redress of grievances.

As per the Green Climate Fund requirements for the RBP pilot programme, the ESA will cover the following requirements;

- (i) Due diligence: the AE, in collaboration with the host country, will prepare an environmental and social assessment (ESA) describing the extent to which the measures undertaken to identify, assess, and manage environmental and social risks and impacts, in the context of the REDD+ proposal, were consistent with the requirements of the applicable GCF adopted Performance Standards (FAO ESS in this case). The Secretariat, in its second-level due diligence, will take such an assessment into account as part of its overall consideration of the funding proposal against the scorecard. This, along with the country's own assessment of how the Cancun safeguards were addressed and respected during the REDD+ activities, will provide the basis for recommending the proposal to the Board for approval.
- (ii) Stakeholder engagement: Description of stakeholder engagement will form part of the information provided by the countries through the UNFCCC summary of information as well as the ESA prepared by the AEs. The assessment by the AE shall include a description of how the stakeholders were identified, informed, and consulted and how they have participated in the activities. The description by the AE shall also include summaries of consultations highlighting the concerns and issues that were put forward by the stakeholders and how these were responded to.
- (iii) Grievance and redress: The ESA will include a description of the grievance and redress mechanisms, or analogous system whether established as part of the REDD+ activities or as integral to the system of the country. The ESA will also specify how the mechanisms were accessed, and how any complaints were received.

For the evaluation of due diligence in the context of the ESA, the FAO Environmental and Social Standards has been used, as deemed compliant with the GCF environmental and social policy, in order to provide a clear, and robust approach. For easy reference, the equivalence of the FAO ESS with the GCF ESP has been included in Section 6. In addition to this safeguards analysis, and as required in the application of safeguards to REDD+ programs, an additional set of evaluations of the policies laws and regulations with the Cancun safeguards is also presented. This dual approach ensures that all safeguards requirements, as specified by GCF has been met.

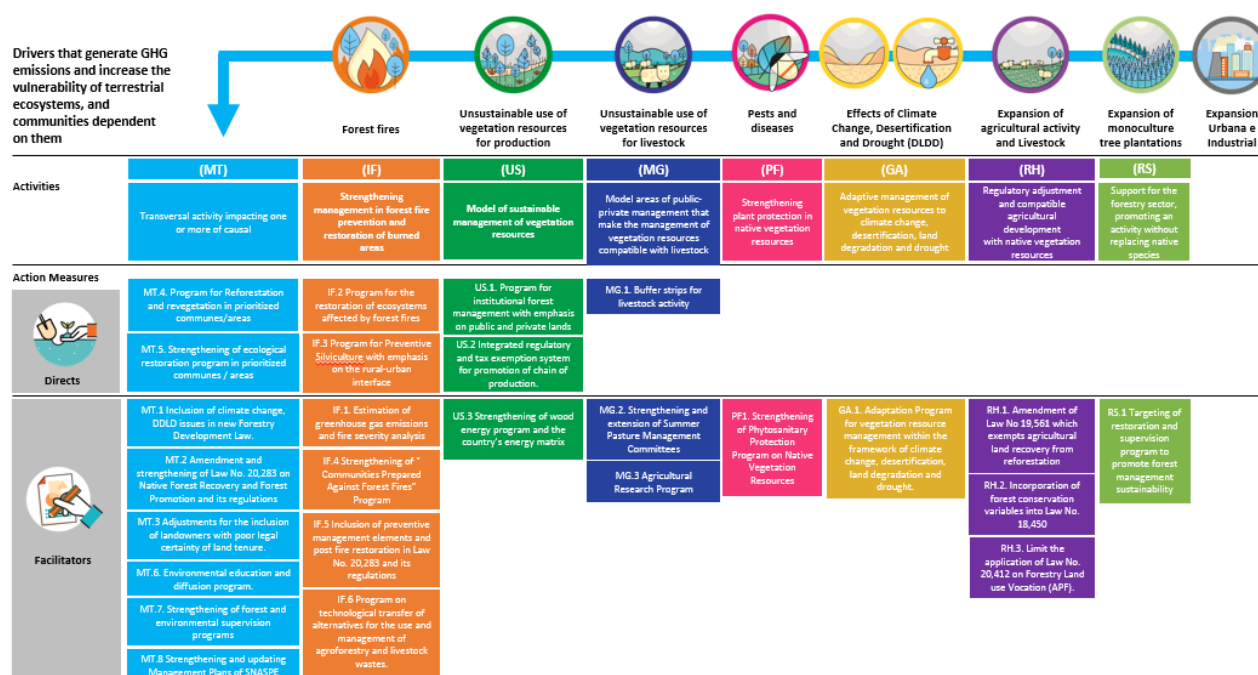
## 3. Applicable Policies Laws and Regulations and Pilot Projects

**The National Forest Corporation (CONAF) was created in the 1973.** CONAF has the mission of contributing to the development of Chile through the sustainable management of forest ecosystems and the components of nature associated with them. This mission is achieved through various activities carried out in the territory, which are linked to the defined activities for REDD-plus.

The ENCCRV establishes eight activities containing 26 action measures, which are intended to address the drivers of deforestation, de-vegetation, degradation of forests and other vegetation resources, as well as

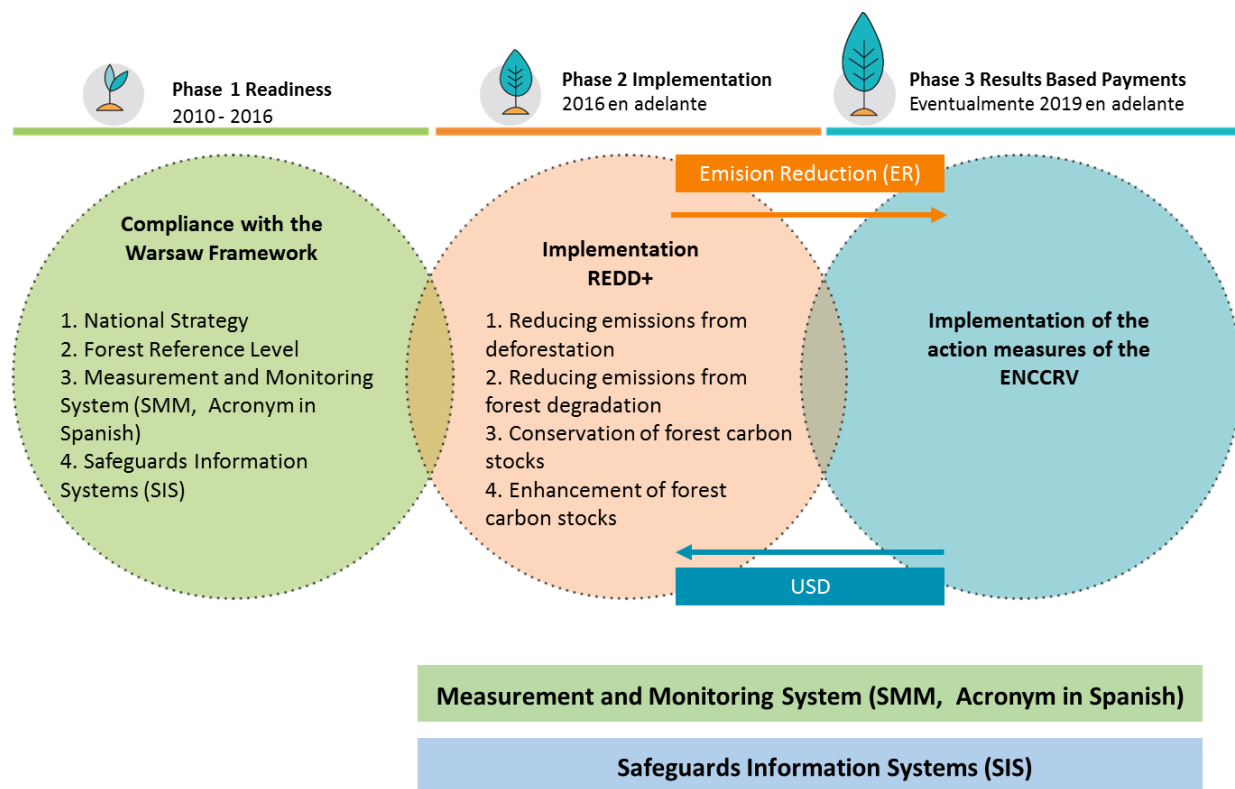
those barriers that prevent or interfere negatively in implementing activities on restoration, conservation, sustainable management, enrichment and regeneration of vegetation resources. These activities, as seen in Figure 1, include: adaptive management to climate change, desertification, land degradation and drought; sustainable management of vegetation resources; farm and livestock management for protection of vegetation resources; preventative management on forest fires; sanitary plant protection; restoration of substituted areas by exotic species; crosscutting management measures that include legal issues, regulatory, enforcement, outreach and environmental education, among others.

Figure 1. Scheme of the ENCCRV, Causes, Activities and Action Measures



In addition, implementation of the ENCCRV is divided into three phases: Readiness, Implementation and Results-Based Payments (Figure 2). Readiness phase began in 2010 with the first international donations received, including the Readiness Fund of the Forest Carbon Partnership Facility (FCPF), the UN-REDD Program, through the Targeted Support and National Program, the Switzerland Development and Cooperation (SDC), and the Global Environment Facility (GEF). Thus, preparedness gradually progressed in application of different approaches for implementation, in an international scenario of increasing awareness with respect to climate change. Readiness included development of multiple studies, projects and participatory processes with which basic inputs were generated for elaboration of the ENCCRV. Validation of the initiative contained in the present document included three simultaneous processes at the national level, appointed as: Self-assessment, Dialogue and Indigenous Participation, and Citizen Consultation. Furthermore, progress was made in determining the reference levels of emissions and removals from forests and vegetation resources (FRL/FREL), and identifying gaps to overcome for setting the Measurement and Monitoring System that is required internationally. A FRL/FREL at sub-national level (which considers the regions of Maule, Biobío, Araucanía, Los Lagos and Los Ríos) was submitted before the Secretariat of the UNFCCC in January 2016. This FRL/ FREL was revised in September 2016 and it will set forth to the whole territory of Chile on 2017. Chile has been a pioneer at global level because included forest emissions associated to forest degradation in its FRL/FREL. Currently, the Safeguards Information System (SIS) is also being developed and implemented, which configures, manages and prepares information on how the country addresses, respects and complies with safeguards, which presented to the UNFCCC through the Summaries of Information. It should be noted that the First Summary of Safeguards Information was sent to the UNFCCC in February 2018.

Figure 2. Phases of the ENCCRV



CONAF is composed of four technical areas of management: Forest Management (to preserve the native forest and administer the sustainable exploitation of the forest ecosystem); Wildfires Management (to coordinate the [wildfires](#) prevention programs and organizing the logistics of fighting wildfires); Wild Protected Area Management (to administer the [National Parks](#), [National Reserves](#), and [Natural Monuments](#), Responsible for preserving their biodiversity and public access), and Environmental Management and Control (to ensure the application of current forest and environmental legislation). In addition, CONAF also has a legal department ("Fiscalía"), a financial administration department ("Gerencia de Finanzas y Administración"), and a human resources and development department ("Gerencia de Desarrollo de las Personas").

CONAF also has more than 135 offices throughout Chile and more than 1,900 employees (professionals, technicians and administrative staff). 450 of them are highly qualified [Park Rangers](#) trained to help visitors.

To carry out its functions, CONAF relies on national forest and environmental legislation. In forestry, regulations date back to the Forest Law of 1930.

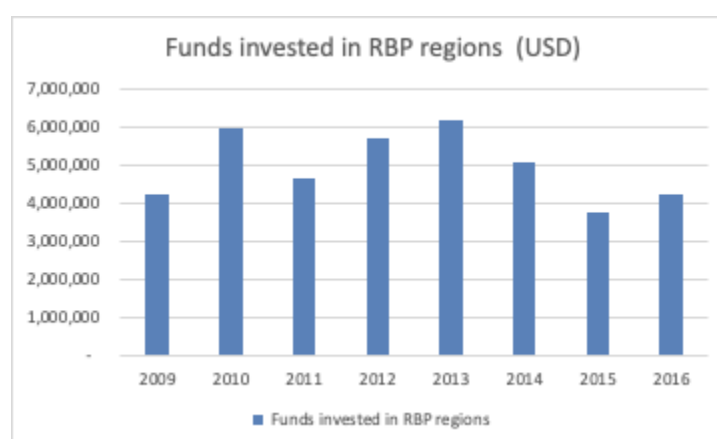
However, the two fundamental legal instruments that create the framework for forestry management and protection are: Decree Law No. 701 on Forest Development, and Law No. 20,283 on Recovery of Native Forests and Forest Development. The first was promulgated in 1974, implementing a new forest policy based on two main pillars: incentives for afforestation and protection of the forest resource. The second legal instrument is from July 30, 2008 and among its objectives is the intention to ensure the protection, recovery and improvement of native forests, in order to guarantee the sustainability of forests and environmental policy.



The purpose of the Law on the Recovery of Native Forests and Forest Development is to protect, recover and improve native forests, ensuring its sustainability. Its law has established a number of key policy instruments, including:

- 1) Requirements for management plans for the use of native forests, allowing the government to develop and apply management standards to ensure the sustainability of management practices
- 2) Establishment of a Fund for the conservation, recovery and management of native forests. The Fund invested almost USD 40 million between 2009 and 2016 in the regions in which REDD+ results were generated (see Figure 3). The eligible activities include forest regeneration, recovery and protection and forest management to produce timber and non-timber forest products. The law established that the funds would be allocated competitively, ensuring the participation of small landholders and that environmental regulations are complied with.
- 3) Strengthening of the technical services to support the development of management plans

*Figure 3. Annual allocation of the Fund for the conservation, recovery and management of native forest in the 5 regions REDD-plus results in Chile.*



In addition to forestry legislation, the implementation of the action measures defined in the ENCCRV requires considering other regulations established in the country, referring to environmental and social parameters, thus ensuring that the actions to be implemented are in line with the legislation valid.

### **Environmental legislation**

From an environmental point of view, an important milestone for Chilean environmental institutions is the enactment of Law No. 20,417, the year 2010, which created the Ministry of Environment, the Environmental Assessment Service (SEA, acronym in Spanish) and the Environmental **Enforcement** entity. This law introduced important amendments to Law No. 19,300 on the General Bases of the Environment, among which the following stand out: the introduction of the Strategic Environmental Assessment (EAE, acronym in Spanish), as a new evaluation instrument; and the increase in citizen participation in environmental assessment procedures, among many other modifications.

These changes to the environmental impact assessment process are particularly relevant considering that, in the future, some projects or activities within the framework of the ENCCRV implementation may be subject to an environmental impact assessment in accordance with established procedures in the law.

### **Indigenous and tribal people's rights**

Finally, in the social sphere, it should be noted that the country has ratified ILO Convention 169 on indigenous and tribal peoples in independent countries, in 2008, through Supreme Decree No. 236, of the Ministry of Foreign Affairs. At the national level, in 1993, Law No. 19,253 was established, on the Promotion



and Development of Indigenous Peoples, or Indigenous Law, which establishes norms for the protection, promotion and development of indigenous peoples, in addition to creating the National Organization for Indigenous Development (CONADI, for its Spanish acronym). This law was further amended by the Supreme Decree No. 66 of 2013, which governs the requirements for inclusive consultation, through the Indigenous Consultation procedure, in accordance with articles No. 1 and No. 2 of ILO Convention 169 and Law No. 19,253 mentioned above, in regards to the adoption of legislative and administrative measures that directly affect indigenous peoples.

## **Key actions**

In particular for the project area, CONAF has undertaken the following key actions have been carried out during the results period:

*Deforestation:* increased monitoring and enforcement for the protection of forest and environmental legislation, through inspection and field evaluation actions; improving the reporting platforms for illegal logging; increasing training and dissemination of actions under forest regulations that affects landowners; and finally increasing the use of satellite technology for the detection of early logging.

*Forest degradation and fire management:* the main action relates to the applicability of current national legislation associated with the prohibition to replace native forests with forest plantations. On the other hand, and linked to degradation due to forest fires, forest fire prevention activities have been strengthened, exponentially increasing the number of informed and trained forest landowners, which are located in the areas where the prevention activities. The reduction of agricultural fires has also been achieved through promoting the use and training of other alternatives to eliminate agricultural and forest material, in addition to increasing the dissemination campaigns to the general public on the damage from forest fires.

*Conservation:* the main actions were linked to the existing decrees and regulations to conserve and preserve the native vegetative resources of the country, this is how the conservation of emblematic species such as Alerce and Araucaria have been declared Natural Monuments through decrees No. 430/1977 and No. 43/1990, respectively, prohibit logging or use for productive purpose. CONAF may authorize the cutting of live specimens only for scientific purposes or other actions whose purpose is conservation. In addition, the protected areas of the State have been increased in area and quantity, supported by the role of CONAF's area on protection of vegetation resources and their administration.

*Enhancement of forest carbon stocks:* the actions mainly developed are the promotion, establishment, restoration and sustainable management of native forests, which has been carried out mainly by the creation and application of Law No. 20.283 (Law on the recovery of native forests) and its regulations, in addition to the other programs, like reforestation. On the other hand, significant progress has been made in the sustainable management of resources, including preventive forestry actions and dendroenergy (energy derived from woody biomass) programs to reduce the pressure on the use of native forests.

Accordingly, the execution of these activities has extensive normative and legal support, in which the ENCCRV was framed, and in turn, aligned with the international commitments assumed by the country regarding forest resources, such as the adoption of the Paris Agreement and submission of the National Tentative Contribution (NDC) of Chile before the UNFCCC Secretariat. The specific NDC contribution of Chile for the Land Use, Land Use Change and Forestry (LULUCF) sector considers developing a sustainable management and restoration of 100,000 hectares of native forest and afforestation in 100,000 hectares by 2030, mainly with native plant species.

## **Pilot projects**

To date, and under various funding sources, the following pilot projects have been executed, which account for the early implementation phase of the ENCCRV<sup>2</sup>. These projects were formulated and executed within the framework of current national and international legislation, to which CONAF responds as executing and coordinating entity of the ENCCRV, thus ensuring compliance with the corresponding Cancun safeguards through the existing legal and institutional structures.

The pilots are based within the regions evaluated:

- Two of them are financed by the forestry Nationally Appropriate Mitigation Action (NAMA) and are related to the prevention of forest fires which represents one of the principal drivers of degradation and deforestation in Chile. They are located in areas which are affected continuously by forest fires caused by human actions, in the regions of Valparaíso and Maule, covering an area of 843.1 ha, with financial support from the Swiss Agency for Development and Cooperation (COSUDE)
- Four other pilots to improve the value chain for sustainable biomass, with an area of 4,337.6 ha under different types of forest management, financed by Forest Carbon Partnership Facility FCPF, in the regions of La Araucanía, Los Lagos, Los Ríos and Aysén. These pilots are related to "Trade Facilitation for financial coordination in the territory in the context of REDD+". The principal goal of these pilots is to design and implement measures aimed at tackling the unsustainable use of biomass, in order to reduce deforestation and forest degradation. This is done through extension services to promote the sustainable use of firewood by vulnerable populations in rural and urban areas, and trade facilitation information.
- Four hydrological restoration projects, in the Bío-Bío and Los Ríos regions, covering an area of 446.8 ha, with financial support from UN-REDD-plus Targeted Support.

In the following section, the hydrological restoration projects are described in greater detail to illustrate their approach:

### **Hydrological restoration projects**

For these projects, Forest Hydrological Restoration will be understood as the set of actions that allow the correction of hydrological imbalances in the headwaters of river and stream basins, caused by deforestation, degradation of vegetation resources and soil deterioration.

In this sense, the actions to be carried out in the territory promote the management and restoration of vegetative resources, the conservation and recovery of soil fertility, the runoff regulation, the consolidation of riverbeds and slopes, sediment containment, and in general, the conservation of soil and water resources.

The four Hydrological Restoration projects were carried out within the framework of action measures MT.4 "Afforestation and revegetation program in communes / prioritized areas" and MT.5 "Strengthening the ecological restoration program in communes / prioritized areas" of the ENCCRV. These measures seek to restore and give sustainability to environmental services, by restoring and improving the role of forests as regulatory elements of the hydrological cycle. The activities developed by action measure were the following:

#### **a) MT4. Afforestation and revegetation program in communes / prioritized areas**

- Construction of micro-terraces to promote the regeneration of the natural forest (seed tree) and / or carry out the establishment via planting
- Seed collection of native forest species for direct sowing in micro terraces
- High density afforestation with coigüe and ulmo species, in addition to some mirtaceae (myrtle, luma and meli) in an area devoid of tree vegetation.

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<sup>2</sup> Implementation of the ENCCRV is divided into three phases: Readiness, Implementation and Results-Based Payments. Phase 2 Implementation began in early 2016 with execution of the first interventions in the territories through pilot projects. These projects aim to assess technical and financial mechanisms, institutional arrangements and participation issues as planned in the Preparedness phase.

- Establishment of coigüe, ulmo, myrtle, luma and meli species under a protective canopy to improve the biodiversity of the forest in formation
- b) MT5. Strengthening ecological restoration program in communes / prioritized areas
- Exclusion of animal access through construction, improvement and repair of perimeter fences.
  - Clean invasive shrub species (*Rubus ulmifolius* (blackberry), *Ulex europaeus* (pimple)) with shelter from existing natural regeneration.
  - Construction of infiltration ditches to reduce surface runoff and favor the accumulation of water by infiltration.
  - Construction of degraded soil recovery works, mainly for erosion control of mantle and gullies (fajinas, dikes, walls of plant material, runoff diversion).
  - Management of native forest through thinning for non-timber purposes (conservation and development of irregular structure).
  - Banding of invasive alien tree species (*Eucalyptus nitens*, *Eucalyptus globulus* and *Pinus radiata*).
  - Gradual replacement of exotic plantations (*Eucalyptus nitens*, *Eucalyptus globulus* and *Pinus radiata*) by native forest.

In order to comply with the safeguards to which the ENCRV responds, the guidelines established in the Plan for the implementation of Environmental and Social Safeguards of the Public and Indigenous Consultation and Self-Assessment were taken into consideration. In this sense, the first consideration to ensure compliance with the safeguards was the development of workshops / informative meetings with the surrounding communities, to avoid / prevent the risks associated with the participation of the relevant actors in the area where the 4 projects were executed (Table X)

Table X.  
Summary information activities and dissemination of projects

INTERNAL SOCIALIZATION: REGIONAL WORKSHOPS WITH CONAF PROFESSIONALS	
CONAF internal workshop Biobío region	1
Internal workshop CONAF Los Ríos region	1
SOCIALIZATION AT LEVEL OF FOREST LAND OWNERS AND RECOGNITION IN LAND OF PREDES WITH POTENTIAL TO IMPLEMENT DEMONSTRATIVE UNITS	
Field visits in Bio Bio	1
Field visits in Los Ríos	3
Socialization workshop in Bio Bio	4
Socialization workshop in Los Ríos	1
INVOLVEMENT OF KEY STAKEHOLDERS	
Meetings in Bio Bio	1
Meetings in Los Ríos	3
INTERNAL SOCIALIZATION: MEETINGS WITH PROFESSIONALS OF CONAF BIOBÍO, CONAF LOS RÍOS AND UCCSA	
Meetings with CONAF in Bio Bio Region	1
Meetings with CONAF in Los Ríos region	2
Meetings with the UCCSA, CONAF	2

In this way, it is concluded that all the activities carried out in the four pilot projects, had the Free Prior and Informed Consent (FPIC) of their direct stakeholders.

Regarding the activities carried out in the territory, the following potential risks and prevention / mitigation measures for projects in both regions were identified.

#### Potential risks

1. Design and construction of defective civil works for irrigation

Increase in forest fires

2. Execution of bad practices contrary to action measures

3. Incentive to the use of chemicals that affect the environment

4. Increase in forest density that limits forest development

5. Opposition of the key actors

6. Breach of commitments

7. Loss of interest by key actors

8. Ignorance of ancestral practices of indigenous peoples and practices developed by women

9. Use of outdated information in environmental programs

The relevant mitigation measures for the identified risks were:

1. Application of an Instruction for the implementation of the ENCCRV action measures.
2. The ENCCRV will rely on an Early Warning System (SAT) for changes in coverage of native vegetation in the territory. The SAT will allow identification of deforestation / degradation measures of vegetation cover in the present tense, facilitating the process of control and supervision of the forestry authority.
3. Carry out participatory planning in the territory through the Intercultural Forest-Environmental Methodology in which the spaces that have a cultural value are identified. Effective application of Law 19.253, Indigenous Law and its complementary regulations, on the protection of culture and ancestral practices. Apply Convention on Biological Diversity that establishes that in accordance with its national legislation, it will respect, preserve and maintain the knowledge, innovations and practices of indigenous and local communities that enter into traditional lifestyles relevant to the conservation and sustainable use of biological diversity and will promote its wider application, with the approval and participation of those who possess that knowledge, innovations and practices, and will encourage the benefits derived from the use of such knowledge, innovations and practices to be shared equally.
4. Application of Law 20,500 on Citizen Participation and complementary legislation. Mediation and application of Resolution N ° 104/2015, which establishes that citizen participation mechanisms constitute processes of social collaboration between citizens and State bodies.
5. Associative Irrigation Program. INDAP MINAGRI
6. Irrigation and Intraplot Drainage Program. INDAP MINAGRI
7. INDAP Irrigation and Drainage Studies Program. MINAGR
8. Integrated Pest Management Program, INIA. MINAGRI
9. Territorial Information System (SIT). CONAF. MINAGRI
10. Rural Territorial Information System (SIT Rural). CIREN MINAGRI
11. Forest Ecosystem Monitoring Programs. INFOR.MINAGRI
12. Manual of property measures for forest fire protection. Working Document No. 451. CONAF. MINAGRI

The activities were developed successfully, following the guidelines established in the mitigation measures, not generating negative impacts on people or the environment. The safeguards for these projects were based on the World Bank Operational Policies, as an implementing entity of the Forest Carbon Partnership Facility (FCPF), however, the analysis was also carried out regarding the Cancun safeguards and the UN-REDD guidelines.

In the case of the Cancun safeguards, it is possible to indicate that the four projects addressed and respected the 7 safeguards considering that they were carried out in line with the national and international legislative framework to which the ENCCRV responds (safeguard a), ensuring transparency and efficiency of governance structures (safeguard b), ensuring the respect and participation of local communities, especially indigenous peoples inserted in the area of project implementation (safeguard c and d), promoting the conservation of native forest resources (safeguard e), and avoiding the risks of displacement and reversal (f and g safeguards), through monitoring supported by the SAT.

Regarding the UN-REDD guidelines, for the gender issue there are no methodological guidelines for inclusion in the pilot projects, however, the Safeguards Plan contains some tools for participatory processes, which were considered in the development of project socialization activities.

Finally, it should be noted that the activities generated a positive impact for the water resource of the area of influence linked to each of the demonstration units, which is evidenced in the evaluation of the environmental services that would be generated with the implementation of the four projects.

In addition, the following related initiatives are currently in the implementation phase:

- Five projects associated with Sustainable Land Management, with funds from the Global Environment Facility (GEF), in the regions of Arica-Parinacota, Coquimbo, O'Higgins, Araucanía and Aysén.
- Five restoration projects in the regions of Coquimbo, Metropolitana, Araucanía (2) and Magallanes with financing from the UN-REDD-plus National Program
- One water restoration project in Araucanía with funds from the SDC.

## 4. Social and Environmental Baselines

### 4.1.Environmental context

#### 4.1.1. Native forests

Chile is a tri-continental country, with a presence in continental, Antarctic and continental insular oceanic territory. It extends from 17 ° 30 'to 56 ° 30' south latitude. It shares a border in the north with Peru, the east with Bolivia and Argentina, the south with the South Pole and the west with the Pacific Ocean, covering an area over 8,000 km. It has a multiplicity of climates, mainly governed by the conditions of latitude and height, with a predominance of temperate climate characteristics<sup>3</sup>

These geographic variations translate into a wide variety of landscapes and climates that reflect the diversity of those who inhabit it. The particular characteristics of its geography have decisively influenced the settlement patterns of its population and its economic activity, generating a heterogeneity of rural areas with varied characteristics and challenges.

The extensiveness of Chilean territory is reflected in the variety of ecosystems, which begin in the extreme north, with environments of xeric, hyper-arid or arid regime, dominated by desert climates, passing to Mediterranean environments in the central zone of the arid region. Subsequently, the south is dominated by semi-arid, dry sub-humid and temperate oceanic climates of humid, hyper-humid and sub-Antarctic or polar regime.

This gradient, combined with a mainly mountainous physiography in 80% of the territory, has generated ideal conditions for the development of a rich diversity of forest ecosystems and other native formations, composed of vegetational communities that include: forests, grassland and natural scrubs of different covers, peat bogs and other wetlands, which are distributed throughout the national territory, occupying an area of more than 36.7 million ha, of which more than 14 million ha corresponds to native forest<sup>4</sup> and 11.6 million to xerophytic formations<sup>5</sup>.

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<sup>3</sup> ENCCRV, available in the link: <https://www.enccrv.cl/libro-enccrv2017-2025>

<sup>4</sup> The Law No. 20.283 defines Native forest as: a forest composed of native species, coming from natural generation, natural regeneration, or plantation under canopy with same species existing in the area of original distribution, which can have accidental presence of species Exotic randomly distributed. (Art. 2)

<sup>5</sup> Law No. 20,283 defines xerophytic formation as "plant formation, consisting of native species, preferably shrubs or succulents, of areas of arid or semi-arid conditions located between regions I (Tarapacá region) and VI (O'Higgins), including Metropolitana and the XV (Arica-Parinacota) and in the interior depressions of regions VII (Maule) and VIII (Biobío)". CONAF, 2011. Catastro de los Recursos Vegetacionales nativos de Chile, Monitoreo de cambios y actualizaciones. Periodo 1997-2011.

To these same conditions are added the historical processes of transformation of the landscape, which have allowed the generation of an area of forest monocultures of almost 3 million ha, concentrated mainly in the temperate zone, mostly destined for the wood industry and cellulose.

In this way, the national territory has 23% of the area in the forest land category (see table below), in addition to another important area with grassland and shrubland (27%). An important part of the shrubland corresponds to forests in a state of advanced degradation, but with potential for restoration, as well as other degraded soils, currently without arboreal vegetation, with afforestation potential<sup>6</sup>.

*Table 1 Land use in Chile by area of land 2015. Source: sit.conaf.cl*

Land use	Surface area (ha)	%
Industrial and urban areas	354 135	0
Agricultural lands	3 335 157	4
Grasslands and shrublands	20 320 990	27
Native forests and forest plantations	17 520 849	23
Wetlands	3 596 533	5
Areas without vegetation	24 675 320	33
Snow and glaciers	4 156 261	6
Water bodies	1 343 762	2
Unrecognized area	283 198	0
TOTAL	75 539 056	100

In the diagnosis of the Climate Change Adaptation Plan of Chile (PANCC) 2008-2012, the country complies with the provisions of Article 4, numeral 8 of the UNFCCC, referring to countries that are considered especially vulnerable to climate change: arid and semi-arid zones, areas with forest cover and areas exposed to forest deterioration; areas of fragile ecosystems, including mountain systems, areas prone to natural disasters, and areas prone to drought and desertification

#### 4.1.2 Native Forests

According to CONAF (2016), in the publication Forest Emission Reference Level / Forest Reference Level (FREL/FRL), the native forest has a series of descriptions and classifications, however, the categorization system established as the legal method for classification according to current forest legislation, defines 12 types of forests for Chile<sup>7</sup> (Figure 4).

The regions with the most forest coverage in Chile are located in the Southern and Austral zones including more than 80% of the native forests of the country. They also possess a large diversity of forest types, especially in the regions of Los Rios and Los Lagos which have 9 of the 12 described forest types.

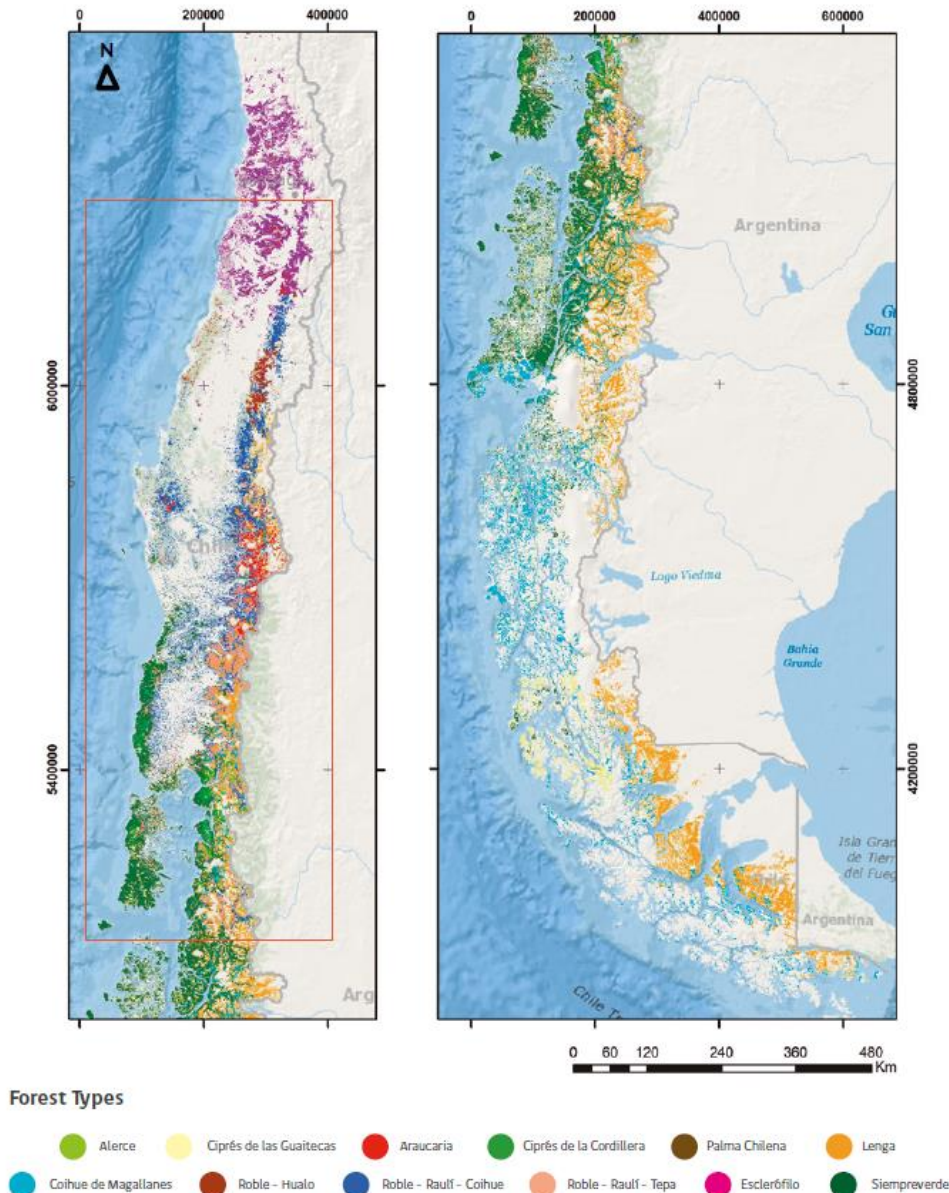
The most dominant forest types are Siempreverde and Lenga. Each one has 25% of the total area of native forest and is present in 8 and 7 regions respectively.

In the extreme north, arid and semi-arid environments dominated by desert climates are characterized by the presence of semi-forest natural formations of xerophytic species (adapted to arid climates), of the *Polylepis* and *Prosopis* genus, dispersed in small forests that do not exceed 55,000 hectares. These formations are not defined as forest type, but are associated with the type of sclerophyllous forest, which is distributed towards the south of this zone.

Figure 4. Map of forest type distributions

<sup>6</sup> Forest Reference Emission Level / Forest Reference Level of Native Forests in Chile. Document available at the link: <https://www.enccrv.cl/frel>

<sup>7</sup> Forest types include: Alerce, Ciprés de las Guaitecas, Araucaria, Ciprés de la Cordillera, Lenga, Coihue de Magallanes, Roble-Hualo, Roble-Raúl Coihue, Roble-Raúl Tepa, Esclerófilo, Siempreverde and Palma chilena.



Then, towards the area known as "norte chico" (small north), the temperate Mediterranean climate, with prolonged summer periods allows for the presence of sclerophyllous species (those with hard leaves with sclerenchyma) which give the name to the Forest Type. To the south of this area, the greater water availability allows the presence of sclerophyllous forests that reach important dimensions and coverage levels, dominated by species such as *Quillaja saponaria* (Quillay), *Peumus boldus* (Boldo), both with high potentials of high value chemical products (saponins and boldinas, respectively).

Moving towards the southern zone, the temperate humid climate gives way to deciduous species of the genus *Nothofagus*, which make up the Forest Types Roble-Hualo and Roble-Raulí-Coigüe. Currently, most of these formations correspond to secondary forests, generated after processes of overexploitation, forest fires or recolonization of land abandoned by agriculture. It should be mentioned that in the 1980s these forests were replaced by forest plantations (substitution), especially in the Maule and Biobío regions (Donoso et al, 2014, cited by CONAF, 2016). At higher altitudes in this same area, there are wooded formations



dominated by millenary conifers, such as *Araucaria araucana* (Araucaria), *Fitzroya cupressoides* (Alerce) and *Pilgerodendron uviferum* (Ciprés de las Guaitecas). Currently, Araucaria and Alerce are protected by law, due to overexploitation in the past due to the high quality and durability of their woods.

As seen in figure 4, continuing towards the south the Siempreverde forest type appears, one of the two most important forest types in terms of area, which is dominated by perennial species of different gender and families (see table below). These make up forests such as the Valdivian Rainforest or Cold Rainforest due to its high biodiversity and stratification. These are big forests of high density and coverage, accumulating high levels of biomass per hectare.

These forests are extensive, complex and of high variability, reasons for which five subtypes are identified: the forests on Ñadis soil, forests of Olivillo (*Aextoxicon punctatum*), the evergreen forests with intolerant emergents, evergreen forests with tolerant emergents, and the secondary forests of Canelo (*Drimys winteri*), all of these cover a large area of the regions Los Lagos and Aysen, especially in the coastal zone of streams and archipelagos (Donoso, 2015, cited by CONAF, 2016).

The Siempreverde forests also experience anthropogenic alterations caused by overexploitation, forest fires, overgrazing and land use changes. On a smaller scale, conversion of forest lands to planted forests and the adaptation of the lands for agriculture and livestock also occur in these forests.

Lastly, in the Austral Zone the predominant forest types are Lenga (*Nothofagus pumilio*) and Coihue de Magallanes (*Nothofagus betuloides*), with these species forming either pure or mixed forests. These forests can cover large areas of land and have high canopy coverage; however they have less biodiversity than other types of forests that are present in the temperate and Mediterranean zones. Forests in the Austral Zone cover a large expanse of territory where the anthropogenic effects are significantly less, due to low population density. However, forest fires that have affected the area in the past century have devastated a large portion of these forests and caused transformation into cattle farms.

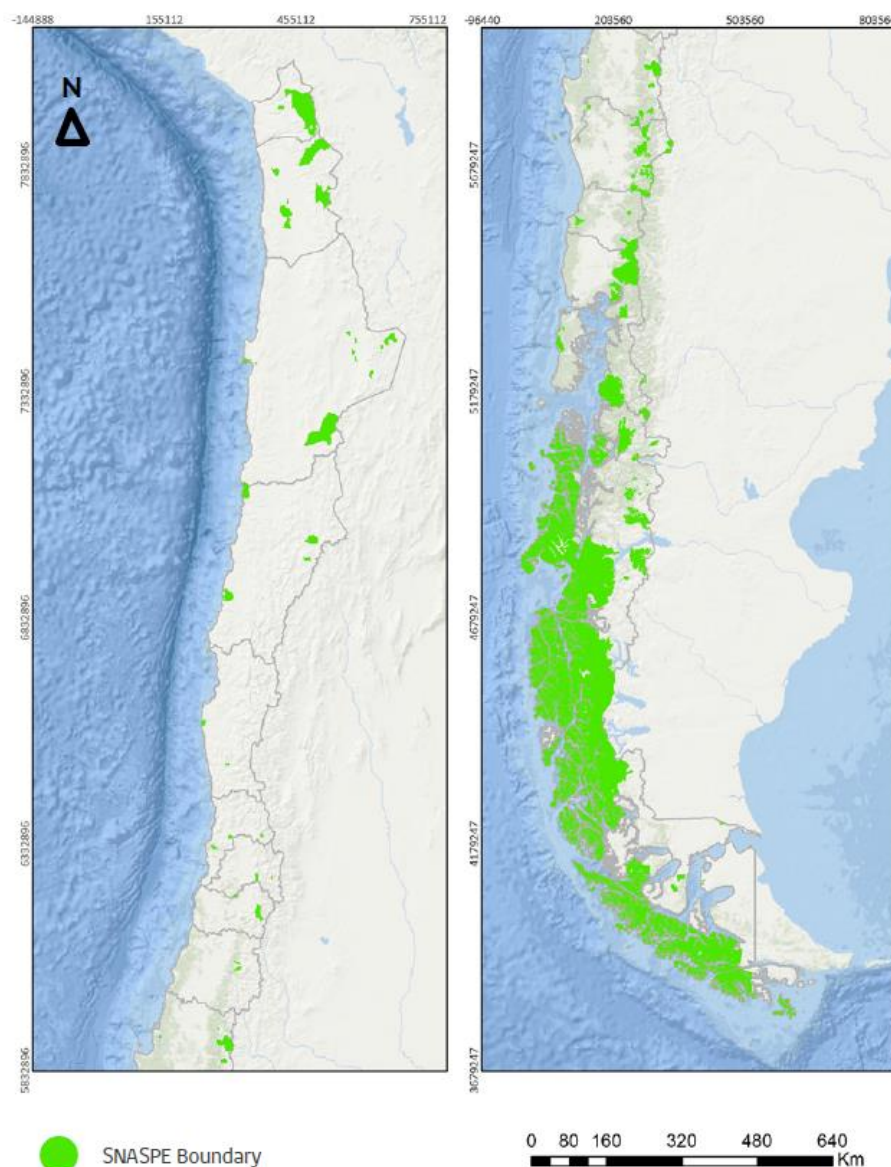
Table 2. Area of different forest types

Forest type	Surface area (ha)
Alerce	216.130
Ciprés de las Guaitecas	579.966
Araucaria	579.965
Ciprés de la Cordillera	62.875
Lenga	3.621.025
Coihue de Magallanes	1.999.351
Roble-Hualo	220.456
Roble-Raúlí Coihue	1.602.588
Roble-Raúlí Tepa	841.701
Esclerófilo	1.354.425
Siempreverde	3.502.550
Palma chilena	15.085
Unclassified	47.151

#### 4.1.3 National System of Protected Areas

The National System of Protected Areas (SNASPE, acronym in Spanish) possesses under its administration an area of 14.5 million hectares, high by international standards, where native forests that are in an official state of conservation and preservation of lands, such as wetlands, salt pans, and other zones of non-forest lands, are represented (Figure 5).

*Figure 5. Map of SNASPE distribution*



#### 4.1.4 Forest Plantations

In Chile, forest monocultures cover an area of 3 million hectares and they are predominantly located in the Central zone, mainly on the coastal mountain range and at the base of the Andes in Maule, Biobío, and Araucanía regions. This area hosts 80% of the planted forests.

The two main species that make up the majority of planted forests are *Pinus radiata* and *Eucalyptus globulus*, 60% and 23% of them occupy the plantation surface areas respectively. Both species are used in the industry of cellulose pulp production, sawmill, plywood and wood panels. All of these are the main exporting products

of the national forestry sector, which represents the second strongest exporting power in the country following the copper industry<sup>8</sup>.

At present, and specifically from the Maule region to the Los Ríos region, project implementation areas, the use of the land according to the Chilean Natural Forest Cadastre, is shown in the following table.

. Table 3. Land use between the regions of Maule to Los Lagos

Surfaces in hectares of land use in the project application regions					
Use	Maule	BioBío	Araucanía	Los Ríos	Los Lagos
Urban	12.488	25.197	15.918	6.899	8.608
Agricultural	695.650	984.845	782.847	22.802	8.077
Grassland	215.501	166.102	356.055	421.218	853.016
Shrubland	629.408	436.329	205.076	72.242	330.625
Succulents	341	-	-	-	-
Plantations	503.090	984.504	632.288	208.775	50.880
Native Forests	363.295	777.200	964.153	908.530	2.738.885
Exotic naturalized	12.908	36.449	47.640	17.866	4.210
Wetlands	6.919	10.652	19.978	12.247	56.766
Without vegetation	427.539	109.873	72.353	45.156	181.007
Snow and glaciers	87.870	127.970	28.706	7.627	360.193
Water Bodies	28.720	48.661	55.333	111.603	221.183
Unrecognized	2.482	614	-	-	26.704

#### 4.2.Socio-economic context

Chile is facing a process of structural transformation and modernization that is rapidly changing the reality in rural and urban areas, as well as the relationship between them. The opportunities of rural areas are linked to territorial integration and to the set of activities and their harmonious interaction with populated centers.

Specifically, the different rural spaces face common challenges: the distance to the big markets and international centers; the migration of the population to urban centers; the lack of critical mass to benefit from economies of scale; the new patterns of production and commercialization for raw materials; the lower provision of public services with respect to urban centers; the lack of economic diversification (OECD, 2009); and the weak valuation of cultural and natural heritage.

<sup>8</sup> [www.infor.cl](http://www.infor.cl)

In relation to the rural area, the National Rural Development Policy document 2014-2024<sup>9</sup> defines the "rural territory" as generated by the dynamics of the interrelations between people, economic activity and natural resources, mainly characterized by its population whose population density is less than 150 (inhabitants / km<sup>2</sup>), with a maximum population of 50,000 inhabitants whose basic unit of organization and reference is the commune.

In terms of the evolution of the rural population, according to CASEN 2015, in the regions of interest of the project there was a sharp decrease until the beginning of the year 2000 with a progressive decrease in the rurality rate in subsequent years. The data is shown in the following table.

*Table 4. Percentage (%) of population resident in rural areas by region (1990-2015)*

Region	2003	2006	2009	2011	2013	2015
<b>Maule</b>	33,2	33,2	33,0	32,6	32,7	32,6
<b>Biobío</b>	17,7	16,9	16,5	16,2	16,1	15,8
<b>La Araucanía</b>	32,2	32,3	32,3	32,1	32,3	32,3
<b>Los Ríos</b>	—	31,2	31,1	31,0	31,5	31,5
<b>Los Lagos</b>	31,0	30,5	30,0	29,2	29,0	29,0

The Los Ríos region does not report data until 2003, since until that period, it was part of the Los Lagos region. According to the same CASEN survey, the rural population that has these regions with respect to the total rural population of the country, represents a percentage equivalent to 60.4%. If it is understood as a rural population as one that is directly or indirectly related to plant resources, either because they obtain livelihoods from the forests or because they must affect those forests to live from other land uses, then one could deduce that the 60.4%, mentioned above, will be the rural population benefited and affected (positively) by the actions of the ENCCRV in its territory.

*Table 5. Distribution of the rural population in percentage by region with respect to the total rural population of the country (2015)*

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<sup>9</sup> Document available at: <http://www.indap.gob.cl/extras/politica-nacional-desarrollo-rural.pdf>

Region	Percentage (%)
Maule	15,1
BioBío	14,7
La Araucanía	14,2
Los Ríos	5,2
Los Lagos	11,2
Total regions	60,4

Figure 3. Employment rate by region for the year 2017, disaggregated by region and sex.

#### 4.2.1 Indigenous people

According to CONAF (2018), in the document referring to the Indigenous Dialogue and Participation Process carried out for the ENCCRV<sup>10</sup>, The State of Chile is comprised of many diverse cultures that have given life and cultural syncretism to the country. Currently, the national legislation recognizes nine indigenous peoples, through Article 1 of Law No. 19.253 / 1993, hereinafter Indigenous Law, which establishes rules on protection, promotion and development. These nine indigenous people are: Aimara, Quechua, Atacameño (Likan Antai), Collas and Diaguita in the north of the country. Mapuche, Kawéshqar (Alacalufe) and Yámana (Yagán) in the south; and Rapa Nui on Easter Island

Each of these indigenous peoples represents great cultural diversity, with different cosmovisions that are directly related to the characteristics of the territory they inhabit and their interaction with it.

According to the socioeconomic indicators of the country, reflected in the National Survey of Socioeconomic Characterization of 2015 (CASEN, 2015, cited by CONAF 2016), it has been shown that the population belonging to indigenous peoples live under greater conditions of socio-economic vulnerability than the rest of the population, presenting, for example, higher rates of poverty, unemployment and illiteracy.

The CASEN survey includes indices related to multidimensional poverty, defined on the basis of the adequate living conditions evaluated through five dimensions relevant to well-being; and income poverty, which includes extreme poverty. The historical evolution of these indices shows that the indigenous population historically has higher percentages than the non-indigenous population. In both cases, extreme poverty has decreased considerably over the last 10 years, as well as the gap between both population groups, however, there is still a difference of 10.9% in multidimensional poverty and 7.3% in income poverty.

Regarding other parameters, in the CASEN 2013 Survey it is indicated that the unemployment rate, of the indigenous population has reached 8%, while the rate for the non-indigenous population was 6.9%. Illiteracy in people aged 15 and over follows the same trend, reached for the indigenous population by 5%, and 3.6% for the non-indigenous population. The average age of adults over 18 is 1.2 years less than in the non-indigenous population. The percentage of heads of households that do not have a complete education in Indigenous Peoples reaches 59.8%, higher than 47.8% of non-indigenous household heads.

Since the ENCCRV formulation process, indigenous peoples have participated in different instances, as a relevant actor linked to the country's vegetation resources. The participatory workshops carried out within the framework of the Environmental and Social Strategic Assessment (SESA), from 2013 to 2015, and

<sup>10</sup> Document available at the link: [www.enccrv.cl/informative-note-17](http://www.enccrv.cl/informative-note-17)

subsequently, the national workshop, in 2016, had the presence of representatives from various indigenous communities and associations throughout the country.

Then, the ENCCRV was validated through 3 instances, one of which corresponds to the Indigenous Dialogue and Participation Process (the other validation instances were the citizen consultation and the Self-Assessment), which corresponds to an indigenous right that applies before approval of a plan, program or project (i.e. ENCCRV) feasible to affect indigenous peoples. The application of participation is not regulated, but right is established in article 6 of ILO Convention No. 169<sup>11</sup>.

In addition to the instances of participation in the ENCCRV formulation process, in the implementation stage, particularly in the pilot projects that have been executed under the ENCCRV, the safeguards related to respect and participation of indigenous peoples, defined by the c and d safeguards of Cancun, OP / BM 4.10 and the Free and Informed Prior Consent of the UN-REDD Program, through meetings with local communities and / or associations. In this way, broad community support is guaranteed for the initiatives to be implemented and, in addition, it is possible to avoid or minimize potential negative effects of a project in the surrounding communities. During the execution of the activities in the territory and once the projects have been completed, the local communities have been permanently informed of the development and results obtained from the projects. Since 2018, the ENCCRV has the Environmental and Social Management Framework (MGAS), which contains specific management instruments for indigenous peoples, to address, respect and comply with the corresponding safeguards (Planning Framework and / or Indigenous Peoples Plan).

In the case of CONAF's management, the institution has the Unit of Indigenous and Social Affairs (UAIS), administratively dependent on the Executive Secretariat of CONAF, whose function is to support national and international activities, plans and requirements regarding participation Indigenous Peoples and Treatment. For this, it has permanent professionals at the central level and regional managers in the areas where there is presence of indigenous peoples.

#### 4.2.2 Land Tenure

An important aspect to consider in this area is the situation of land tenure in the country. During the participatory process carried out for the preparation of the ENCCRV, this issue emerged as one of the identified and prioritized risks for the implementation of the action measures.

It should be noted that in Chile, the situation of land tenure and / or the size of the property are basic conditions for access to instruments to promote the forestry, agricultural and environmental sectors. Access to benefits or incentives is conditional on land tenure, there are contests differentiated according to the size of the property and, in other cases, it is not possible to access any benefit if the property deed is not formalized.

For the development and diagnosis of the current state of land tenure and the condition of property in Chile, the study "Analysis of the land tenure condition to support the implementation of the ENCCRV 2017-2015" was carried out. For the elaboration of the study, the main information sources of the country were considered, identifying the one of greater relevance for the implementation of the activities and action measures of the ENCCRV. This study also allowed for the identification of information gaps in the generated databases (more details of the study can be found in the link: <https://www.enccrv-chile.cl/index.php/notas-informativas/item/431-informative-note-n-10> ).

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<sup>11</sup> El proceso de Dialogo y Participación Indígena es diferente a diferencia de una Consulta Indígena, la que está reglamentada mediante el decreto N°66/2014, basado en el artículo 7 del Convenio 169 de la OIT, y se aplica en caso de leyes o medidas administrativas que puedan afectar a los pueblos indígenas. En el caso de la ENCCRV, se realizó una solicitud formal al Ministerio de Desarrollo Social (del cual depende administrativamente CONADI), solicitando su pronunciamiento respecto de la instancia que correspondía aplicar para su validación,

From the study, it is worth mentioning the conclusions that refer to the situation of irregular tenure and the area associated with indigenous people. In the first case, the need to update the information related to the extent of irregular land tenure is identified, since the last update to the extent of irregular land tenure corresponds to the year 2007. For the regions of Maule to Los Lagos, it was possible to obtain data on the dynamics of land titling between 2007 and 2012 (table 6). The table shows that the Bío Bío region has the highest number of regularized titles, while the Los Ríos region has the lowest rate and the number of regularizations in the same period.

Table 6. Sanitation number of titles in the period 2007-2012

Region	Land titling, number of titles per year						Total
	2007	2008	2009	2010	2011	2012	
Maule	1,215	1,617	1,251	705	922	984	6,694
Biobío	4,148	3,245	3,031	1,569	2,545	2,268	16,806
Araucanía	610	1,046	3,022	1,722	1,755	3,782	11,937
Los Ríos	-	247	365	401	651	919	2,583
Los Lagos	2,091	2,205	2,396	1,267	1,320	1,781	11,060

Source: CONAF, 2016

Regarding property linked to indigenous people, although there is a high degree of certainty in terms of area and geographical location, it is not always possible to determine if it belongs to an individual owner or a community, due to the current registration system. The territory of the indigenous communities has been established through different organizations, such as: Areas of Indigenous Development (ADI)<sup>12</sup>, "Títulos de Merced"<sup>13</sup>, Transfer of Ownership<sup>14</sup>, Purchases by Articles 20a and 20b of Law No. 20,253/1993<sup>15</sup>, and Agrarian Reform<sup>16</sup>, all compiled from the databases of the National Indigenous Development Organization (CONADI, acronym in Spanish). Table 7 shows the spatial distribution of the categories of land tenure associated with indigenous people. The Maule region has no information because it does not register the presence of indigenous people.

<sup>12</sup> The Indigenous Development Areas (ADI, acronym in Spanish) arise from the application of Art. 26 ° of Law No. 19,253 approved in October 1995.

<sup>13</sup> Historical Land Titles, they were delivered in accordance with the laws of December 4, 1866; of August 4, 1874 and January 20, 1883. Currently, the titles delivered under this modality are subdivided into individual properties, of which, many do not have current property titles (updated)

<sup>14</sup> Transfer of ownership by the Ministry of National Assets

<sup>15</sup> Article 20 of Law No. 19,254 establishes the creation of a Fund for Indigenous Lands and Waters administered by CONADI, through which it may comply with a) Grant subsidies for the acquisition of lands by persons, Indigenous communities or a part of these when the surface of the lands of the respective community is insufficient, with the approval of the Organization, and b) Financing mechanisms to solve land problems, especially in compliance with resolutions or transactions, judicial or extrajudicial, related to land Indigenous peoples, coming from the "Títulos de Merced" or recognized by titles of commissioner or other assignments or assignments made by the State in favor of the indigenous people.

<sup>16</sup> Common goods resulting from the Agrarian Reform process



Table 7. Spatial distribution of the categories of land tenure associated with indigenous people

Region	ADI (ha)	Titulus de merced (ha)	Transfer of Ownership (ha)	Purchases by 20a (ha)	Purchases by 20b (ha)	Agrarian Reform
Biobío	275,073	116,588	2,557	3,133	7,333	16,982
Araucanía	388,255	454,341	47,711	8,310	35,331	17,503
Los Ríos	-	752,678	845	844	2,122	-
Los Lagos	-	-	-	641	5,764	-

Fuente: Cuentas anuales de gestión. Ministerio de Bienes Nacionales (2007-2012) (citado por CONAF, 2016)

## 5. FAO Environmental and Social Standards

FAO's vision, strategic objectives, key principles for sustainability, and Environmental and Social Standards (ESS) establish a boundary for FAO programs and projects. The boundary excludes projects that are not in line with the vision, strategic objectives, key principles for sustainability, and ESSs. Contrary, within the boundary are potential FAO projects where E&S risks need to be managed in order to deliver expected outcomes for each individual project while mitigating potential negative environmental or social impacts (FAO Guidelines). Therefore, ESS are at the core of the organization principles providing consistency in the decision making to support projects and programmes and provide the basis for the due diligence assessment.

FAO ESSs from 1 to 9 are designed to help manage and improve FAO environmental and social performance through a risk and outcome-based approach. It applies to all FAO projects and programmes. The nine ESS set out specific requirements relating to different social and environmental issues. The Chile REDD-plus RBP for the results period 2014-2016 proposal has therefore been assessed against these environmental and social standards.

Table 8. FAO Environmental and Social Standards:

FAO Environmental and Social Standard	Objectives
ESS 1: Natural Resource Management	Promote direct action to enhance resource use efficiency. Focus on ways to ensure the transition to sustainable practices
ESS 2: Biodiversity, Ecosystems and Natural Habitats	Avoid agricultural, livestock, fisheries, aquaculture and forestry practices that could have adverse impacts on biodiversity, ecosystems, ecosystem services or critical habitats. Sustainably manage ecosystems in order to maintain the services and benefits they provide. Ensure that exchange of genetic resources conforms to access and benefit sharing measures in force in the country(is) involved.
ESS 3: Plant Genetic Resources for Food and Agriculture (PGRFA)	Prevent actions resulting in loss of Plant Genetic Resources for Food and Agriculture PGRFA diversity by promoting their effective conservation (in situ and ex situ); Safeguard against actions resulting in unintended environmental and social consequences; Promote sustainable crop improvements and production and enhanced productivity;

	Ensure that the transfer of PGRFA conforms with the measures relating to access and benefit sharing, intellectual property rights (IPR) and farmers' rights which are in force in the country(is) involved.
ESS 4: Animal - Livestock and Aquatic - Genetic Resources for Food and Agriculture	Promote sustainable management of animal and aquatic genetic resources; Prevent loss of valuable livestock and aquatic genetic diversity; Safeguard against actions resulting in unintended environmental and social consequences
ESS 5: Pest and Pesticide Management	Promote Integrated Pest Management (IPM), reduce reliance on pesticides and avoid adverse impacts from pesticide use on the health and safety of farming communities, consumers and the environment
ESS 6: Involuntary Resettlement and Displacement	Prohibit forced eviction. Avoid, and when avoidance is not possible, minimize adverse social and economic impacts from restrictions on land or resource use or from land and resource acquisition Improve or at least restore living conditions of persons who are physically or economically displaced, through improving and restoring their productive assets and security of tenure
ESS 7: Decent Work	Promote direct action to foster decent rural employment. Promote fair treatment, non-discrimination and equal opportunity for all workers. Protect and support workers, particularly disadvantaged and vulnerable categories of workers. Promote the application of international labour standards in the rural economy, Promote the application of international labour standards in the rural economy, including the prevention and elimination of child labour in agriculture.
ESS 8: Gender Equality	Provide equal access to and control over productive resources, services and markets. Strengthen women's and men's participation in decision-making in rural institutions and policy processes. Ensure that all stakeholders benefit equally from development interventions and that inequality is not reinforced or perpetuated
ESS 9: Indigenous Peoples and Cultural Heritage	Ensure that the UN Declaration on the Rights of Indigenous Peoples is respected in all FAO's projects and programmes; Promote the right to self-determination and development with identity of indigenous peoples (right to decide the kind of development that takes place among their people and on their lands and territories, in accordance with their own priorities and conceptions of well-being); Guarantee the application of the principle of Free, Prior and Informed Consent (FPIC) of indigenous people affected by the project. Recognize, respect and preserve the rights, lands, natural resources, territories, livelihoods, knowledge, social fabric, traditions, governance systems of Indigenous Peoples; Protect cultural heritage and avoid its alteration, damage or removal.

## 6. FAO ESS and GCF Performance Standards

The GCF adopted the International Finance Corporation (IFC) Performance Standards as its safeguard standards on an interim basis. In addition, it adopted requirements related to gender. Therefore, institutions seeking to be accredited to the GCF need to be able to show that they can implement the Performance Standards or comply with those standards and the GCF Gender Policy.

The IFC Performance Standards (PSs) are widely recognized as good practice in the international community. The Performance Standards consist of one overarching standard (PS 1) and seven standards covering specific issue areas (PS 2-8). PS 1 covers the elements that need to be in place to help ensure

that the remaining seven standards are implemented. Together these elements are called the environmental and social management system (ESMS) (GIZ 2016).

FAO is accredited with the GCF as a grant-implementing entity for medium-sized projects (USD 50-250 million) with a medium level of environmental and social risk. FAO has gone through a process in which its own safeguards (Environmental and Social Standards) have been validated to comply with IFC Performance Standards (Table 1). Hence, FAO stands ready to support CONAF in the development of the proposal for the Chile REDD-plus RBP for results period 2014-2016.

Table 9. Equivalence between IFC/GCF PS and FAO ESS

IFC - Performance Standards	FAO Environmental and Social Standards
PS 1: Assessment and Management of environmental and social risks and impacts	ESS 1: Natural Resource Management ESS 8: Gender Equality
PS 2: Labor and Working conditions	ESS 7: Decent Work
PS 3: Resource efficiency and pollution prevention	ESS 5: Pests and pesticides management
PS 4: Community health, safety and security	ESS 7: Decent Work
PS 5: Land acquisition and involuntary resettlement	ESS 6: Involuntary Resettlement and Displacement
PS 6: Biodiversity conservation and sustainable management of living natural resources	ESS 2: Biodiversity, Ecosystems and Natural Habitats ESS 3: Plant genetic resources for food and agriculture ESS 4: Animal - Livestock and Aquatic - Genetic Resources for Food and Agriculture
PS 7: Indigenous Peoples PS 8: Cultural Heritage	ESS 9: Indigenous Peoples and Cultural Heritage

In line with the requirements of the Environmental and Social Assessment, an evaluation has been carried out, focused on the policies leading to the implementation of the ENCCRV at the subnational level with each of the FAO safeguards. The following is a thorough analysis of that evaluation during the timeframe of the proposal. The results of this evaluation can be found in ANNEXES A, B and C. Annex A contains an analysis of the PLRs which address the Cancun safeguards. Annex B contains the details of the specific PLRs that address each FAO ESS safeguards (equivalent to GCF's IFC Safeguards), while the Annex C contains the detailed assessment for each of the relevant FAO's ESS screening questions for all safeguards.

## 7. Stakeholder Engagement

According to CONAF (2018), in the document "Participation as a tool for the formulation of the National Strategy for Climate Change and Plant Resources (ENCCRV) of Chile<sup>17</sup>", it is indicated that, in the development of the ENCCRV, participation is considered as the articulation mechanism that allows the incorporation of different sectors of civil society at different levels of the territory, with cultural importance and a focus on gender equity, through the identification of the relevant stakeholders that are, directly or indirectly, linked to the management of the forest resources of the country .

To ensure the adequate incorporation of the relevant actors in the participatory process, the application of 3 approaches are considered: **Multisector**, which includes the inclusion of all sectors of society; **Multistakeholder**, which emphasizes the mainstreaming of the gender approach and cultural importance, and **Multilevel**, referred to the representation of territorial scales (local, regional and national).

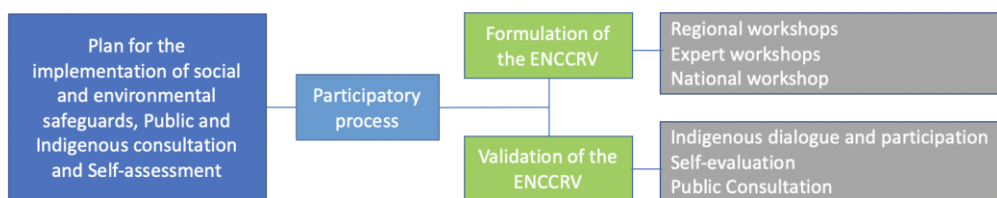
In 2016, the "Plan for the implementation of Social and Environmental Safeguards for Public and Indigenous Consultation and Self-Assessment<sup>18</sup>" was formulated, a guiding instrument that contains the design and

<sup>17</sup> Available at: <https://www.enccrv-chile.cl/index.php/notas-informativas/item/499-nota-informativa-n-25>

<sup>18</sup> <http://www.conaf.cl/cms/editorweb/ENCCRV/PLAN-SALVAGUARDAS-ENCCRV.pdf>

methodology of the participatory process for the formulation of the ENCCRV, and its subsequent validation (Figure 6).

*Figure 6 Stages of the participatory process*



Source: CONAF, 2018

### 11.1 Participatory Process for the Formulation of the ENCCRV

During the formulation of the ENCCRV 15 regional workshops were carried out, one in each administrative region of the country, in addition to a national workshop, between 2015 and 2016 (the first workshop, as a pilot, was held in July 2013).

Through these workshops, the information required for the development of the Environmental and Social Strategic Assessment (SESA) of the ENCCRV was also generated. These consultations allowed the incorporation of environmental and social considerations necessary to guarantee the sustainable implementation of the REDD+ measures, such as plans, programs and initiatives of a technical, operational and strategic nature, as well as guidelines related to the objectives of mitigation and adaptation to climate change, in line with the national commitments assumed by the UNFCCC.

The ENCCRV Environmental and Social Strategic Assessment (SESA) is the procedure that integrates the environmental and social aspects necessary for the sustainable implementation of the action measures, which can be executed through plans, programs and initiatives of a technical and operational nature, guidelines strategic and / or adjustment or creation of public policies, related to the objectives of mitigation and adaptation to climate change in line with the national commitments assumed before the UNFCCC.

In this context, SESA was developed on the basis of a robust participatory process in methodological terms, which provided the necessary inputs to incorporate the environmental and social considerations contained in the World Bank Operating Policies; in the UN-REDD Program guidelines; in the United Nations Guidelines on women; in the Cancun Safeguards and current national regulations, among other international guidelines applicable to the ENCCRV.

The SESA was nourished by the participatory process of the ENCCRV, extracting the necessary inputs for the systematic identification and evaluation of the risks, adverse impacts, and potential benefits for the environment and society during the materialization of the ENCCRV action measures. Additionally, in line with some Cancun safeguards, proposals associated with biodiversity conservation linked to action measures were considered.

As a result of the process, 44 risks were obtained, homologated from the participatory process and the guidelines of the specialists in charge of the evaluation. Among the risks that were mentioned most frequently and prioritized by the key actors are: i) the disjointed planning and implementation of state policies and, ii) the development of public policies with scarce financial resources and the design of public policies without

social validation Among the benefits with greater mention are: i) access to development tools and, ii) access to educational programs and technical advice on forestry and forest management activities. On the other hand, as proposals to maintain and / or increase biodiversity, it was mentioned: i) environmental education and ii) sustainable forest management.

As part of the SESA process, the mitigation measures applicable to the respective risks detected for each action measure were reviewed and discussed, which are articulated in the ENCCRV Framework for Environmental and Social Management (ESMF). These measures, listed in the ESMF of the ENCCRV, will be used as management instruments for the protection of environmental and social aspects during the implementation of the ENCCRV.

Finally, this SESA, which was required by international organizations for countries that formulate strategies with a REDD + approach, carried out within the framework of the ENCCRV, allowed to include objectives, guidelines, activities, mitigation measures and implicit socio-environmental safeguards and explicit, required by international agencies. In this way, the initiatives implemented within the framework of the ENCCRV will be able to guarantee the minimum of possible negative impacts and maximize the benefits that are projected to be generated.

### **Methodological design of the participatory process**

In methodological terms, the regional workshops were carried out under a design that considered the vulnerable actors through instances of deliberation to strengthen the design, strategic decisions and methods of benefit sharing, among other aspects that in the long term will lead to sustainability of the ENCCRV.

#### **a) Stakeholder mapping**

This exercise was used for identifying the key actors belonging to each territory by the CONAF regional teams. It was based on knowledge of the local reality of these teams and information obtained from social organizations, municipalities, other public services, among other sources.

#### **b) Focus Groups**

Based on the regional map of key actors, the Focus Groups (FG) were formed, bringing together the actors belonging to a particular sector of society with similar interests, visions and / or customs. The FG sought to generate a deliberate and analytical participation that allowed obtaining information from the fundamental bases, together with the technical studies for the construction of the Social and Environmental Strategic Assessment (SESA) and the ENCCRV. The FG allowed building trust among peers, by allowing the approaches to be expressed freely, in an open space for discussion, exchange of ideas and reflection. In each workshop, an average of 9 groups were formed, 2 of which were exclusively women and the other 7 of mixed characters, in some regions other additional FG were considered to respond to specific needs of the local reality (Table 6)

*Table 6. Focal Group formed*

<b>Nº</b>	<b>Focal Group</b>
1	Indigenous People
2	Academics
3	Institutional
4	Consultants
5	NGO`s
6	Women organization
7	Private sector
8	Small and medium landowner
9	Indigenous women, small and medium landowner
9.A	Collas Indigenous women
9.B	Diaguitas Indigenous women
10	CONAF officers

11	Asociaciones de regantes y mesas hídras
12	Political actors
13	Trade associations (asociaciones gremiales)
14	Private protected areas
15	Charcoal producers (Productores de carbón)
16	Livestock associations (asociaciones de ganaderos)

#### c) Gender mainstreaming

Given that social, cultural, political and economic conditions have traditionally disadvantaged women in Chilean society and is particularly visible in rural areas in Chile, the participatory process and the ENCCRV responded to the international requirements contained in the UNFCCC Cancun Safeguards, by ensuring gender considerations were adequately incorporated in REDD-plus + actions. Due to this, the methodological design of the consultation approach considered the robust inclusion of women, both in quantitative terms, setting a minimum percentage of 30% in participation in the workshops, as well as in qualitative terms. That is a FG called "Indigenous Women, Small and Medium Owners", which included women belonging to indigenous peoples, peasants and rural smallholders was formed in order to directly obtain information and proposals representative of their interests, needs and expectations.

Additionally, a specific FG for "Women's Organizations" was considered, in which women leaders of social organizations of different nature participated, as well as small business women. Both for this FG, as for "Indigenous Women, Small and Medium Owners", 2 female monitors were included. At the same time, in the mixed FGs, the activity monitor was instructed to encourage the participation of women. Another aspect that was considered was to facilitate participation by providing transportation, food and allowing assistance with minors who were in their care.

#### d) Introductory Videos

With the objective of clarifying concepts in a didactic way and explaining the methodology of the workshop, two videos were prepared which were shown to the attendees. The first one corresponds to a contextualization on climate change, while the second is an explanatory video about the objectives, justification, approaches, methodology, and general considerations of the workshop, in addition to the definition of concepts.

#### Results analysis of stakeholder consultations

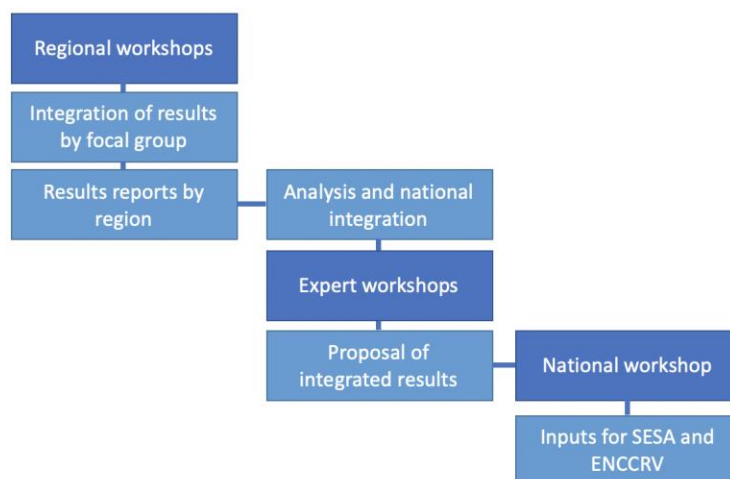
Once the workshops were carried out, the information collected was systematized at the regional level. In a complementary way and with the objective of disseminating the participatory process and the results obtained, testimonial videos of each regional workshop were prepared<sup>19</sup>. Subsequently, an analysis was carried out at the national level, which allowed generating a first proposal of causes of deforestation, devegetation, degradation of vegetation resources and associated problems to increase its coverage and quality, in addition to the proposals for action measures, potential risks and benefits and proposals for the increase and / or maintenance of biodiversity.

Subsequently, through a **Workshop of Experts**, composed of specialists from various sectors and regions of the country, the relevance was analyzed, reviewed, evaluated and adjusted the results of the process of analysis and homologation of the inputs obtained nationwide. The results of this workshop constituted a more complete proposal that was presented and validated in the **National Workshop**. Finally, the analysis of the prioritization of the information resulting from the national workshop was one of the fundamental pillars for the SESA process and for the formulation of the ENCCRV (Figure 7).

<sup>19</sup> All testimonial videos available at: [www.conaf.cl/nuestros-bosques/bosques-en-chile/cambio-climatico/enccrv/](http://www.conaf.cl/nuestros-bosques/bosques-en-chile/cambio-climatico/enccrv/)



Figure 7 Method of analysis of the inputs obtained in the participatory process for the formulation of the ENCCRV



### Attendance Analysis

In numerical terms, 1,266 people participated in the regional workshops and national workshop, of which 36.4% correspond to women and 9% belong to indigenous people.

The national workshop was the milestone that marked the end of the information gathering process for the formulation of the ENCCRV and the SESA. It was attended by 125 key actors from across the country, and who had previously participated in regional workshops, of which 31% correspond to women and 8% to representatives of indigenous communities.

### Resulting instruments

The results obtained from this participatory process, added to the technical studies, allowed the delivery of the basic guidelines for the generation of activities and action measures of the ENCCRV, in addition to the preparation of other instruments that are an integral part of the ENCCRV: **SESA**<sup>20</sup> and the **Environmental and Social Management Framework (ESMF)**<sup>21</sup>. Both socio-environmental management instruments are the basis for the implementation of the ENCCRV in line with environmental and social safeguards.

## 11.2 Participatory process for the validation of the ENCCRV

The validation considered 3 instances: Indigenous Dialogue and Participation, Citizen Consultation and Self-Assessment. This process allowed to conclude the formulation of the ENCCRV and the elaboration of the SESA.

### a) Indigenous Dialogue and Participation Process<sup>22</sup>

In compliance with national legislation, regarding the participation of indigenous peoples, this process aimed to inform and dialogue with the continental rural indigenous peoples of the ENCCRV country. Their vision, suggestions, opinions and proposals allowed to validate and strengthen the action measures, considering their implementation in the future. It included the native peoples of the entire territory of continental Chile, focusing on the rural areas of the ten regions with the presence of indigenous people and where their ways of life and customs are directly and indirectly related to forests and vegetation resources.

<sup>20</sup> Available at: <https://www.enccrv-chile.cl/descargas/cooperacion/68-sesa-final-1/file>

<sup>21</sup> Available at: [http://www.conaf.cl/cms/editorweb/ENCCRV/MGAS\\_anexos.rar](http://www.conaf.cl/cms/editorweb/ENCCRV/MGAS_anexos.rar)

<sup>22</sup> More information in the document available at the link: [www.enccrv.cl/informative-note-17](http://www.enccrv.cl/informative-note-17)



The process was carried out by virtue of compliance with current national regulations on the right of participation of indigenous peoples established in Article 6 of Convention No. 169 of the International Labor Organization (ILO) in force in Chile since 2009, the World Bank Operational Policy 4.10 on indigenous peoples and the Cancun safeguards c) and d) which, among others, impose respect for the knowledge and rights of indigenous peoples and local communities, in addition to ensuring their participation fully and effectively.

#### b) Citizen Consultation<sup>23</sup>

In this case, the purpose was to broaden the participation framework through a free access instance for all citizens interested in the ENCCRV validation process. Its objective was to have a virtual participatory validation through the dissemination and strengthening of the ENCCRV document by obtaining contributions linked to the perception of various stakeholders about the role of plant resources in climate change, desertification, degradation of land and drought.

Citizen participation mechanism contemplated in article 73 of Law No. 18,575 on General Bases of State Administration, which operates as a space to invite people to participate and to incorporate their opinions for the enhancement of public management, in addition to the main results obtained.

A key aspect of the Citizen Consultation process is that it brought together all civil society, both stakeholders directly linked to vegetation resources and those who are not directly linked to the sector, which allowed obtaining different points of view from individuals who had not been invited to the participatory workshops. This is a relevant aspect given that the action measures included in the Strategy are of global nature and -if properly implemented- will directly or indirectly benefit society as a whole.

A virtual citizen consultation was held on June 20<sup>th</sup> and September 20<sup>th</sup>, 2016, considering a term of 3 months of execution. The consultation was uploaded to the official website of the ENCCRV (<https://www.enccrv.cl/formulacion-y-validacion>) and CONAF ([www.conaf.cl](http://www.conaf.cl)) in order for its access to be national and international.

506 participants were classified according to country, region, age range and sector of society, with the purpose of obtaining data on their social characterization and to observe their statistical tendencies. In this Informative Note's results section there is more detail on quantitative and qualitative data coming from the Citizen Consultation process of the ENCCRV.

#### c) Self-Assessment

This process corresponds to a requirement established by the Forest Carbon Partnerships Facility (FCPF) with the objective of measuring progress and results obtained in the formulation stage of the ENCCRV. It was carried out with the assistance of key actors who had previously participated in the regional workshops, the national workshop or other specific instances in the definition of the technical elements of the ENCCRV.

For this process, the inputs and background that were evaluated and finally integrated into the final document of the ENCCRV, come from the first stage of the FCPF Readiness Fund and other products developed under this initiative, such as: Safeguards Implementation Plan Social consultation and public and indigenous environmental and Self-evaluation of the ENCCRV, the Emission Reduction Program (ERPD for its initials in English), the Environmental and Social Strategic Assessment (SESA for its initials in English), the Environmental and Social Management Framework (ESMF) of the ENCCRV, and various studies on specific elements and procedures to advance its implementation.

It is also important to highlight that, through the induction meetings, it was evident that the main interest of the evaluation by the regional actors was not in the approaches proposed under the FCPF methodology, but in the analysis, description and approach of the action measures and its technical definitions, which they themselves helped define during the ENCCRV participatory formulation process. Therefore, it is these

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<sup>23</sup> More information in document available at the link: <https://www.enccrv.cl/informative-note-12>

elements that must be evaluated for the ENCCRV implementation phase, considering the positive and negative impacts and also the benefits they will generate for the communities and ecosystems of the country.

A graphic summary of the results regarding the assistance of this process is shown in Figure 6.

Figure 6. Assistance to the Participatory Process for the Validation of the ENCCRV



## 8. Grievance Redress Mechanism

Regarding the Grievance Redress Mechanism, Chile has an Office of Information, Claims and Suggestions (OIRS), created by the Supreme Decree No. 680/1990, of the Ministry of the Interior, functioning in public services according to Law No. 18,575, Organic Constitutional Bases of the State Administration. Therefore, it is possible to ensure that according to current legislation and institutions, the OIRS comply with national and international standards concerning GRM, established in the FCPF Methodological Framework, The World Bank's Approach to Grievance Redress and established and Establishing and Strengthening Grievance Redress Mechanisms of the UN-REDD Program.

OIRS has the following structure to process information:

- Collect demands, suggestions, claims and proposals from all over the national territory, strengthening the ENCCRV in its different phases, from formulation to implementation and evaluation,
- Responding to potential beneficiaries, especially indigenous peoples, local communities and other vulnerable social sectors, who face difficulties in accessing the information,
- Report to the corresponding agencies and
- Strengthen the Safeguards Information System of the ENCCRV, for the improvement of the monitoring system and the compliance with safeguards.

More information on the OIRS as GRM of the ENCCRV can be found at the following link: <https://www.enccrv-chile.cl/index.php/notas-informativas/item/487-nota-informativa-n-22>

As for transparency and effectiveness of national forest governance structures, considering national legislation and sovereignty, Chile has in its national legislation the transparency Law No. 20.285. For the forestry sector, CONAF, the entity that implements the ENCCRV, has the responsibility to be fed by OIRS potential news as established by the Law.

OIRS is present in all the governmental organization of Chile. It is responsible for channeling the contact of citizens with public institutions. The work of this office is varied, but it mainly deals with resolving doubts of

people who visit public services, whether hospitals, ministries, clinics, etc. OIRS is in place since April 10, 2009 playing a fundamental role in the validity of the new government transparency law. For public institutions feedback, OIRS is called to be the representative voice of citizens within government organizations being in charge of receiving; requests, claims, suggestions, consultations, clarifications and congratulations.

During the implementation of the ENCCRV a series of workshops took place in various regions bringing together a diverse number of stakeholders in each region to discuss social and environmental safeguards and also what would be the most suitable way to proceed with concerns and complaints, improving and refining the current OIRS mechanism to make it more specific for the REDD-plus context. The proposals for the design of the Mechanism of Queries, Claims, Complaints and Suggestions emphasized working together with local communities, integrating Indigenous Peoples in a periodic and participative manner and the importance of dissemination through notes. Also highlighted were the availability of informative notes or web spaces that are easily accessible by all. Similarly, workshop attendees emphasized the improvements of the OIRS and the strengthening of capacities through workshops.

Detailed information regarding the workshops and the proposals to improve the OIRS (GRM) are available in the following links: <https://www.encrv.cl/formulacion-y-validacion>

The documents aim to recognize that the ENCCRV will be located in all national territory affecting different local, indigenous and non-indigenous realities, and to give adequate treatment to the rights of local communities dependent on forests. Stakeholders took part in the elaboration of alternatives increasing the ownership of the proposals.

An extract from the OIRS reports from years 2014 - 2016, from the publicly available database matching the years of the present evaluation, was consulted for this assessment. In addition, the information extracted considers just the five regions under evaluation presenting a good idea of trends and preferences. Even though we have narrowed the geographic and time frame scopes of the data we acknowledge the fact that claims, petitions and interactions between citizens and OIRS cannot be necessarily attributed to issues related to the ENCCRV.

Much of the information presented gives a good snapshot of the availability and usefulness of the OIRS as a GRM including an average time for responding request a very important proxy to assess the effectiveness and efficiency of the OIRS as a grievance and redress mechanism. Beyond the details provided in the datasets presented we would like to highlight that its existence prior to the implementation of REDD-plus in Chile has provided, and continues to provide, a good support in the implementation of the ENCCRV and the fulfillment of the safeguard's requirements.

At a glance, it can be inferred that over the period of the reference queries and requests have been by far above any other type of type of requests between male and female among the many regional offices; possibly indicating the high importance of the services of the OIRS. In-person, Telephone, Web and email have been the preferred means to contact OIRS, when looking differences across the years evaluated, there has been a slow but steady increase in the use of online channels, perhaps as part of the ENCCRV influence.

An interesting finding has been that natural protected areas, forest plantations and native forest stand out as the most solicited topics even more than forest plantations and employment queries, both topics in high demand in the regions evaluated. Araucania, Los Rios and Bio Bio stand out as regions requesting information regarding the natural protected areas and Bio Bio (Nuble), Bio Bio, Arauco and Los Rios having a high demand on topics related to native forests with Panguipulli office (in Los Rios) having a very high demand, up to 62.1% of all the topics demanded among male populations.

As for gender issues the consolidated results indicate a relative difference between men 58.6% and female 41.4% participation. However, when looking within regions results show that there might be space for further gender mainstreaming in the GRM i.e. Maule.

## 9. Main findings and conclusions of PLR analysis

The assessment of the of the REDD-plus activities under the implementation ENCCRV in the south zone of the country has brought together and number of lessons learned as well as gaps to be mainstreamed in the ESMF. CONAF has produced a generous amount of information in documents or informative notes that have been cited in the evaluation with evidence on the fulfilment of the social and environmental safeguards. We prepared an Environmental and Social Assessment that followed the requirements of the GCF for Results Based Payments placing the focus in three main areas (1) Due diligence (2) Stakeholder Engagement (3) Grievance and Redress Mechanism.

- (1) An assessment of the the FAO ESS and the Cancun Safeguards was. As presented in the assessment there are areas in which both safeguards are similar and others in which they are complementary providing a better and more comprehensive perspective of the final evaluation. The efforts in working on both fronts has pay back by providing strong confidence and substantiation in the assessment of the consistency with the GCF REDD+ RBP pilot program requirements. The ESA presented concrete evidence focused in policies laws and regulations existing at the moment of the evaluation and during the time frame and regions included in the proposal. Each FAO ESS as well as each of the Cancun Safeguards presented national and international regulations applicable for the activities performed during the implementation period of the ENCCRV. The assessment also considered a set of publications made by CONAF in the topic of safeguards while improving the national system, most notable the Safeguards Plan<sup>24</sup>, cited in the safeguards evaluation. The road for the ENCCRV implementation in the context of REDD-plus was also supported by evidence found in supplementary documents provided by the FCPF World Bank reports. The World Bank has been the delivery partner of the Readiness and Carbon Funds of the FCPF in Chile and that the Bank Operation Policies have been in place during the time frame of the evaluation and in the same regions considered in the proposal.
- (2) Our analysis of the stakeholder engagement in the results period was based in the description of the group or groups of participants included in the process of validation, information and outreach of the ENCCRV. Given the social richness of the regions evaluated and also the different perspectives and vested interest of people regarding the use of land the assessment wanted to ensure that those characteristics were reflected in the activities. One important set of information to confirm it was the access to workshops proceedings and publications that contain a list of participants where we could confirm inclusiveness. We not only found in our evaluation information that pointed out in that direction but also find out that in many cases the participation of stakeholders was proactive and transcended to participation improving the ownership of the decision agreed. We also found a generous amount of information at CONAF site were interactive maps can give the ownership of the decision agreed. We also found a generous amount of information at CONAF site were interactive maps can easily guide the user to pinpoint the areas were the participatory events took place, the time and the decision and/or information discussed. The information included the mapping of stakeholder's methodology and the summaries of consultations stressing the different issues raised by participants
- (3) One important thing the assessment find out was that prior to the implementation of REDD-plus related activities in Chile, the country had already its own Grievance and Redress Mechanism in place. The ESA included information about the OIRS, acronym of "Office of information, claims and suggestions".
- (4) Pilot projects. The analysis of the pilot project demonstrated that overall, were implemented within legal and policy framework that provided an enabling environment for achieving consistency with the FAO ESS and in practice, the pilot projects were implemented with alignment with the FAO ESS.

The applicability to REDD-plus related activities in the context of the ENCCRV was prompt and tailored to the needs of the requirement for a GRM. The information evaluated form workshop proceeding exposed the suitability of the OIRS for the purpose and also the ease of access for the

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<sup>24</sup> <http://www.conaf.cl/cms/editorweb/ENCCRV/PLAN-SALVAGUARDAS-ENCCRV.pdf>

users supported by statistics on the topics related to the proposal. OIRS under the ENCCRV presented the approach, capacity and participation to stakeholders stressing the inclusion of indigenous groups in the south zone.

## ANNEX A: PLR Alignment with Cancun Safeguards

The following table contains the result of the PLR alignment review with Cancun Safeguards. A set of criteria is provided along with some indicative guiding diagnostic questions.

<b>SAFEGUARD A</b>
<b>Actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements</b>
<p>Criteria A.1. Complement or be Consistent with the Objectives of National Forest Programmes</p> <p>Criteria A.2. Complement or be Consistent with the Objectives of Relevant International Conventions and Agreements</p>
<p>Diagnostic Question: to what extent do PLRs require consistency with the objectives of national forest programmes?</p> <p>Diagnostic Question: to what extent do PLRs require consistency with the objectives of relevant international conventions and agreements, and this is applicable to the forestry sector?</p>
<p><b>i) Approach</b></p> <p>To address this safeguard, complementarity and/or compatibility of the actions is presented as the articulation between action measures of the ENCCRV, with the Programs and / or National Plans of action of climate change, the conventions and ratified international agreements, and the current national legislation, relating to vegetational resources. The ENCCRV is of national coverage therefore it also includes the areas evaluated in this proposal and the period of years selected. Information cited below is presented in more detail in the "First Information Summary: Approach, Respect and Compliance with the Safeguards for the Formulation of Chile's National Climate Change and Vegetation Resources Strategy (ENCCRV)", Reporting Period 2013- 2017 "(hereinafter the Summary of Safeguards).</p> <p>The main agreements and international agreements, in which the ENCCRV contributes to the fulfillment of objectives and goals, are:</p> <ul style="list-style-type: none"> <li>• Sustainable Development Goals (SDG) 2015-2030, specifically, objective 13 on Climate action and objective 15 Life on land.</li> <li>• The United Nations Convention to Combat Desertification (UNCCD) and the UNFCCC with the REDD-plus + approach, in which CONAF is the focal point.</li> <li>• Convention on Biological Diversity (CBD) and Aichi Targets, coordinated by the Ministry of the Environment, in its capacity as focal point.</li> <li>• Forum of Forests of the United Nations (UNFF, acronym in English), where CONAF fulfills the role of National Focal Point.</li> </ul> <p>The ENCCRV also contributes to other instances, such as:</p> <ul style="list-style-type: none"> <li>• Convention on the Conservation and Rational Use of Wetlands of International Importance, especially as a Waterfowl Habitat, known as the Ramsar Convention;</li> <li>• The Man and the Biosphere Program (MaB), which is part of the Biosphere Reserve Network of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and</li> <li>• The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in both CONAF is focal point.</li> </ul> <p>At the national level, the main regulations are:</p> <ul style="list-style-type: none"> <li>• Political Constitution of the Republic of Chile in its article 19, numeral 8, which establishes the right to a clean environment and the duty for the State to take actions to ensure the preservation of nature.</li> <li>• Law No. 19.300 / 1994, on General Bases for the Environment</li> <li>• Decree No. 40/2013 of the Ministry of the Environment, corresponding to the Regulation of the Environmental Impact Assessment System.</li> </ul> <p>In the forestry sector, the main regulations are</p> <ul style="list-style-type: none"> <li>• DL No. 701/1974, on Forest Development and its Regulation (Decree No. 259/1980)</li> <li>• Law No. 20.283 / 2008, on Recovery of the Native Forest and Forestry Development and other related decrees.</li> <li>• As well as specific decrees for native species (Decree No. 13/1995, Decree No. 490/1976, Decree No. 43/1990, Decree No. 427/1941, Decree No. 366/1944, Decree No. 4,363 / 1991).</li> </ul> <p>In terms of national plans, programs and policies, it should be noted that these have been developed in collaboration with other agencies, including the Ministry of Environment and other services of the Ministry of Agriculture, developing synergistic actions to achieve the proposed objectives that guided REDD-plus implementation. National plans and policies such as:</p> <ul style="list-style-type: none"> <li>• National Biodiversity Strategy (2003),</li> <li>• National Action Plan for Climate Change (PANCC) 2008-2012;</li> <li>• Adaptation Plan to Climate Change of the Silvoagricultural Sector, Adaptation Plan to Climate Change in Biodiversity, National Adaptation Plan to Climate Change (2014);</li> <li>• Nationally Determined Contribution (NDC) of Chile, submitted to the UNFCCC in September 2015;</li> <li>• Forest Policy 2015-2035 in which the forest development guidelines are established under criteria of economic, social and environmental sustainability; and the Dendroenergy Strategy (2015) of the CONAF.</li> </ul>

ii) **Respect** Considering the national and international regulations and guidelines, respect for this safeguard is represented by the formulation of the ENCCRV with its 26 measures of action, among which are those that seek to improve the current national legislation or even better to establish a new forestry regulation that includes aspects related to the adaptation and mitigation of climate change.

iii) **Compliance** Advances in the implementation of actions within the framework of the ENCCRV account for compliance with this safeguard. In the first instance, they correspond to the management plans, instruments for planning the management of forest resources.

To date and under various funding sources, the following pilot projects have been executed, which account for the early implementation phase of the ENCCRV. These projects were formulated and executed within the framework of current national and international legislation, to which CONAF responds as executing and coordinating entity of the ENCCRV, thus ensuring compliance with the corresponding safeguards.

The pilots are based within the regions evaluated:

- 4 projects to improve the production chain for sustainable biomass, with an area of 4,337.6 ha under different types of forest management, in the regions of Araucanía, Los Ríos, Los Lagos and Aysén, with financing from the Forest Carbon Partnership Fund (FCPF).
- 4 hydrological restoration projects, in the Bío-Bío and Los Ríos regions, covering an area of 446.8 ha, with financial support from UN-REDD-plus Targeted Support.
- 2 preventive forestry projects, in the Valparaíso and Maule regions, covering an area of 843.1 ha, and financial support from the Swiss Agency for Development and Cooperation (COSUDE)

In addition, the following initiatives are still in implementation phase:

- 5 projects associated with Sustainable Land Management, with funds from the Global Environment Facility (GEF), in the regions of Arica-Parinacota, Coquimbo, O'Higgins, Araucanía and Aysén.
- 5 restoration projects in the regions of Coquimbo, Metropolitana, Araucanía (2) and Magallanes with financing from the UN-REDD-plus National Program
- 1 water restoration project in Araucanía with funds from the SDC.
- 2 restoration projects for burned areas in the Valparaíso and Metropolitan regions, with funds from the GEF de Montaña

In the ENCCRV action measures were established to modify the current legislation or establish a new forestry regulation, corresponding to:

- Inclusion of climate change issues and degradation of lands and droughts in a new law on forest development;
- Modification and strengthening of Law No. 20.283 (Native forest law) and its regulations;
- Inclusion of elements of preventive management and restoration after fires in Law N° 20.283 and regulations;
- Amendment of Law No. 19,561 that exempts reforestation to agricultural recovery;
- Incorporation of forest conservation variables in Law N° 18.450;
- Limit application of Law No. 20.412 in soils with forest preferential capacity.

More information about the approach, respect and compliance of this safeguard can be found in the following link:

National Strategy on Climate Change and Vegetation Resources

<https://www.enccrv.cl/libro-enccrv2017-2025>

## SAFEGUARD B

**Transparent and effective national forest governance structures, considering national legislation and sovereignty.**

Criteria B.1. Transparency

Sub-Criteria B.1.1. Right of Access to Information

Sub-Criteria B.1.2. Institutions to Ensure Access and Distribution of Information

Sub-Criteria B.1.3. Accountability

Criteria B.2. Effective National Forest Governance

Sub-Criteria B.2.1: Clear Land Tenure Rights

Sub-Criteria B.2.2: Equitable Distribution of Benefits

Sub-Criteria B.2.3: Gender equity

Sub-Criteria B.2.4: Adequate Access to Justice

Sub-Criteria B.2.5: Integration of Social, Economic and Environmental Considerations into policy-making

Sub-Criteria B.2.6: Cross-Sectoral Coordination

Diagnostic Question: To what extent do PLRs guarantee the right to access to information?

Diagnostic Question: To what extent does the legal framework require public institutions to ensure the access and distribution of information?

Diagnostic Question 1: To what extent do PLRs promote fiscal transparency in the forest sector?

Diagnostic Question 2: To what extent do PLRs adequately address corruption in the forest sector?

Diagnostic Question: To what extent do PLRs recognise and protect different types of forests tenure (ownership and access)?

Diagnostic question 1: to what extent do PLRs recognise and protect the fair distribution of benefits?

Diagnostic Question: To what extent do PLRs promote and protect gender equity?

Diagnostic Question: To what extent do the PLRs guarantee adequate access to justice in the context of forest management?

Diagnostic Question: To what extent do PLRs require/promote the integration of social, economic and environmental



considerations in forest management?

Diagnostic Question: to what extent do PLRs require/promote effective coordination between various agencies that play a role in forest management?

#### i. Approach

This safeguard refers, in the first instance, to the forest governance structure; that for the ENCCRV, is defined through the institutional arrangements that operate for the implementation of the action measures. In general terms, CONAF's Climate Change and Environmental Services Unit (UCCSA), which is dependent on the Forestry Development and Promotion Management, have the role of executing entity and coordinator of the activities carried out within the framework of the ENCCRV. In this role, UCCSA will maintain a permanent technical link with CONAF's Inter management Committee on Climate Change, made up of CONAF's technical units. In the same way, CONAF will maintain its link with the Intraministerial Technical Committee on Climate Change (CTICC) led by the Office of Agricultural Studies and Policies (ODEPA) of MINAGRI, with the purpose of strengthening the technical decisions that are adopted within the framework of the ENCCRV. Finally, as the highest instance of decision-making in government, the Council of Ministers for Sustainability, is the one that validates multisectoral documents, such as national communications for the UNFCCC, NDCs, Action Plans on Adaptation, among others.

Regarding transparency and effectiveness of the national forest governance structures, in both cases, the country has a regulatory framework constituted by laws and regulations, as well as ratified international instruments, which made it possible to address this safeguard. The detail of the national and international regulations ratified by Chile can be found in the Summary of Safeguards (SOI).

#### ii. Respect

On the basis of national and international legislation and regulations, respect for this safeguard, in the context of transparency and access to public information, CONAF has the Comprehensive Information and Citizen Attention System (SIAC), which provides various spaces of attention to the requirements of citizenship, within which are the Information Offices, Claims and Suggestions (OIRS). Regarding the effectiveness of forest governance structures, CONAF has the Internal Order, Hygiene and Safety Regulation, which also contributes to compliance with transparency and efficiency.

The Chilean Financial Intelligence Unit (Unidad de Análisis Financiero – "UAF"), was created by Act. No.19.913. The UAF is an independent, public legal person, with its own patrimony and related to the Chilean Government through the Public Treasury Secretary (Ministerio de Hacienda). The UAF is chaired by a National Director, who is appointed by the President of the Nation. The UAF is a member of the Egmont Group.

The UAF has the duty of requesting, receiving, analysing and forwarding to the competent criminal prosecution authorities any financial information that arouses suspicions of money laundering activities. It has no jurisdiction regarding the prevention and investigation of terrorism financing. The UAF can also provide information directly to the courts that are dealing with asset laundering cases.

Article 3 of Act No. 19,913 imposes a duty for all covered subjects -- including banks, stock exchanges, casinos, realtors, among many others businesses -- to appoint an official or compliance officer responsible for relations with the Financial Intelligence Unit. The role of the compliance officer is to monitor the implementation of existing national rules on the issues of money laundering and terrorist financing.

#### iii. Compliance

To ensure compliance with this safeguard, the ENCCRV has a Grievance and Redress Mechanism (GRS) that belongs to the institutional care spaces represented by the Office of Information, complaints and suggestions (OIRS), which comply with all the requirements established by international organizations for a GRS, considering that its purpose is to generate an instance for citizens to register their claims and suggestions related to the implementation of the action measures of the ENCCRV (more information in the Information Note N ° 22, Mechanism of Claims and Suggestions of the ENCCRV, available at the link: <https://www.enccrv-chile.cl/index.php/notas-informativas/item/487-nota-informativa-n-22>).

On the other hand, for a greater transparency of the formulation and validation of the ENCCRV, there is an official website (<https://www.enccrv.cl>), in addition to the institutional website of CONAF ([www.conaf.cl](http://www.conaf.cl)), where you can find all the material, publications and news about the ENCCRV.

Moreover, each official document that is generated within the framework of the ENCCRV, and related to the compliance of the provisions of the Warsaw Framework for REDD-plus +, is officially consigned to the Secretariat of the UNFCCC, through a formal note from the Ministry of Foreign Affairs of Chile, which is the Focal Point

### SAFEGUARD C

**Respect for the knowledge and rights of indigenous peoples and members of local communities, by considering 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**

Criteria C.1. Defining Indigenous Peoples and Members of Local Communities

Criteria C.2.: Definition of traditional knowledge of indigenous peoples and local communities

Criteria C.3. Recognition and Implementation of Rights in Accordance with International Law

Sub-criteria C.3.1.: Non-Discrimination

Sub-criteria C.3.2.: Self-Determination  
 Sub-criteria C.3.3.: Rights Associated with Culture  
 Sub-criteria C.3.4.: Collective Land Tenure

Diagnostic Question 1: Do PLRs define who are indigenous peoples and local communities?  
 Diagnostic Question: To what extent do PLRs define what constitutes traditional knowledge of indigenous peoples and local communities?  
 Diagnostic Question: to what extent do PLRs recognise and protect the right to non-discrimination of indigenous peoples and local communities in accordance with international law?  
 Diagnostic Question: To what extent do the PLRs recognise and protect the right to self-determination of indigenous peoples and local communities in accordance with international law?  
 Diagnostic Question: To what extent do PLRs recognise and protect rights associated with culture of indigenous peoples and local communities in accordance with international law?  
 Diagnostic Question: To what extent do PLRs recognise and protect rights associated with land tenure of indigenous peoples and local communities in accordance with international law?  
 Diagnostic Question: To what extent do PLRs recognise and protect benefit-sharing arrangements specific to indigenous peoples and local communities in accordance with international law?

i. **Approach** This safeguard refers to respect for the knowledge and human rights of indigenous peoples and local communities during the execution of activities within the framework of the ENCCRV in the regions and time frame of period selected for this proposal. As it is presented below, it has been tackled following the international agreements in force, the national legislation and the established institutional structures. More detailed information found in the Safeguards Report.

Regarding the international agreements related to the respect for the knowledge and rights of indigenous peoples and members of local communities, Chile has ratified the following agreements:

- United Nations Declaration on the Rights of Indigenous Peoples (UN, 2007)
- American Declaration on the Rights of Indigenous Peoples of the OAS (2016)
- Convention No. 169 of the ILO, Convention on Indigenous and Tribal Peoples in Independent Countries of the Organization, ratified in Chile by means of Supreme Decree No. 236/2008.
- Convention on Biological Diversity, promulgated as the Law of the Republic through Supreme Decree No. 1963/1995.

Regarding the respect for the knowledge and rights of indigenous peoples and members of local communities, the country's legislative framework has established the following:

- The Political Constitution of the Republic of Chile
- Law No. 19.253 / 1993 on protection, promotion and development of indigenous people, and creates the National Indigenous Development Corporation (CONADI).
- Law N ° 20.249 / 2008, creates the marine coastal space of native peoples.
- Decree 236/2008, promulgates Convention No. 169 on indigenous and tribal peoples in countries independent of the International Labor Organization.
- Decree No.66 / 2013 Approves Regulation Governing the Procedure for Indigenous Consultation under Article 6 No. 1 Letter a) and No. 2 of ILO Convention No. 169.
- Law N ° 19.300 / 1994, in article 4 referring to citizen participation

## ii. Respect

With regards to the actions taken to respect the knowledge and rights of indigenous peoples and members of local communities, CONAF has generated the following policies and instruments:

- The Forest Policy (2015-2035) indicates within its strategic axes, Equity and Social Inclusion, under which it seeks, among other aspects, to respect the tradition and culture of the peasant and indigenous communities that inhabit or are embedded in forest ecosystems.

As for the respect for the knowledge and rights of indigenous peoples, CONAF has developed territorial management instruments with an eco-cultural approach, based on ancestral knowledge and contributions of current technical knowledge.

- Andean Intercultural Environmental Model (MAIA) is a conceptual and practical work model that includes the integral Andean vision that combines production, environment and culture, developed for the Aymara, Quechua and Atacameñas (Likan antai) communities of northern Chile.
- Mapuche Intercultural Forest Model (MOFIM) is a way of community work in forestry development, management of natural resources and territorial development according to the Mapuche culture.

## iii. Compliance

In order to comply with this safeguard, the ENCCRV has management instruments that ensure respect for the dignity, human rights, economies and cultures of Indigenous Peoples and provide social and economic benefits that are culturally appropriate. One instrument is the Indigenous Peoples Participation Framework (MPPI), included in the Annex 5 of the Environmental and Social Management Framework (ESMF) of the ENCCRV (<https://www.enccrv.cl/salvaguardas>).

During the formulation of the ENCCRV, the Process of Dialogue and Participation with Indigenous Peoples was developed (2016). Likewise, in the development of the Wood Energy Strategy, in the diagnostic phase of the means, standards and actors involved in the firewood marketing process, the characterization of the actors involved in the supply chain of firewood was carried out, identifying impacts and measures of mitigation related to indigenous peoples

Moreover, to ensure the full and effective participation of relevant stakeholders, inter alia, indigenous peoples and the local communities and based on regional dialogues the government prepared the publication Methodology and procedure for the dialogue and participation of indigenous peoples in the framework of the formulation of the national strategy for the ENCCRV. CONADI mapped the actors and included their views and concerns bringing together leaders from a number of Comunas from all over the

country, including the following that correspond to the focal area of the proposal;  
 In Biobío; Arauco, Cañete, Contulmo, Curanilahue, Los Álamos, Lebu, Tirúa Biobío, Alto Biobío, Santa Bárbara, Mulchén, Quilaco, Negrete  
 In La Araucanía; Cautín, Carahue, Chol – Chol, Cunco, Curarrehue, Freire, Galvarino, Gorbea, Lautaro, Loncoche, Melipeuco, Nueva Imperia, P. Las casas, Perquenco, Pitruquén, Pucón, Saavedra, Temuco, Teodoro Schmidt, Toltén, Vilcún, Villarrica Malleco, Angol, Collipulli, Curacautín, Ercilla, Lonquimay, Los sauces, Lumaco, Purén, Traiguén, Victoria  
 In Los Ríos; Valdivia Panguipulli, Mariquina, Lanco, Valdivia, Corral, Paillaco,  
 In Los Lagos; Mafil La Unión, Lago Ranco, Río Bueno, La Unión, Futrono Los Lagos Osorno, San Pablo, San Juan de la Costa, Río Negro, Purranque, Puyehue, Puerto Octay Llanquihue, Calbuco, Cochamó, Fresia, Frutillar, Llanquihue, Los Muermos, Maullín, Puerto Montt, Puerto Varas, Chiloé, Ancud, Quinchao, Castro, Chonchi, Queilén, Quellón.  
 More detailed information on the process and methodology can be found in the following link <https://enccrv-chile.cl/index.php/descargas/capacitate/95-documento-de-la-metodologia-dialogo-y-participacion-indigena-de-la-enccrv/file>

## SAFEGUARD D

### The full and effective participation of the interested parties, in particular the indigenous peoples and local communities

Criteria D.1.: Definition and Regulation Meaningful Full and Effective Participation  
 Criteria D.2.: Creating an Enabling Environment for an Effective Participation  
     Sub-criteria D.2.1.: Identification of Relevant Stakeholders  
     Sub-criteria D.2.2. Providing Access to Information  
     Sub-criteria D.2.3: Appropriate Participatory Mechanisms  
     Sub-criteria D.2.4. Access to Justice/Conflict Resolution Mechanisms in Environmental Decision Making  
 Criteria D.3. Effective Participation of Indigenous Peoples and Local Communities  
     Sub-criteria D.3.1. Creating an Enabling Environment  
     Sub-criteria D.3.2.: Free, Prior and Informed Consent

Diagnostic Question: To what extent do PLRs guarantee effective public participation in forest related policymaking?  
 Diagnostic Question: To what extent do PLRs identify or require the identification of relevant stakeholders in the decision-making process?  
 Diagnostic Question: to what extent do PLRs require and regulate the provision of relevant and appropriate information as part of the consultation process?  
 Diagnostic Question: to what extent do PLRs define a clear and meaningful process/mechanism for public participation in environmental decision making?  
 Diagnostic Question: to what extent do PLRs require and regulate access to justice in environmental decision-making processes?  
 Diagnostic Question: to what extent do PLRs create an enabling environment for the meaningful participation of indigenous peoples and local communities?  
 Diagnostic Question: to what extent do PLRs recognise and regulate the right to FPIC in consistency with relevant international law?

The full and effective participation of stakeholders, particularly indigenous peoples and local communities in the planning, design, implementation and monitoring of the action measures of the ENCCRV.

This safeguard was addressed by stressing the participation of indigenous peoples and women as there has been a strong interest in mainstreaming minorities in the process of implementation of the ENCCRV. Each of these forms of participation have associated national and international legislation and regulations, from which management instruments are derived that allow "respecting" this safeguard, and achieving compliance. The detail of the approach, respect and compliance with this safeguard is shown below:

#### i) Approach

Chile has a strong national legislation to address this safeguard. The detail of the current regulations, their scope and links with the ENCCRV can be found in the First Summary of Safeguards, document available online at CONAF's site. In addition, the country has ratified a series of international regulations, which added to the guidelines and operational requirements of the agencies that have technically and financially supported the formulation of the National Strategy in terms of indigenous participation and women, provide broad support for the approach of this safeguard. From the international legislation the following are highlights:

#### Indigenous participation:

- ILO Convention No. 169 on Indigenous and Tribal Peoples in Chile, this agreement enters into force on September 15, 2009, through the promulgation of Decree 236 of the Ministry of Foreign Affairs.
- United Nations Declaration on the Rights of Indigenous Peoples.

Regarding the guidelines and operational requirements of the agencies that complement this safeguard, it is worth to mention:

- World Bank Operational Policy 4.10 on Indigenous Peoples
- Prior, Free and Informed Consent of UNPFII
- Environmental and Social Standard 9 (ESS 9) FAO. This safeguard recognizes that the traditions and knowledge of indigenous peoples present opportunities for many of the challenges that humanity will face in the coming decades

At the national level, the following articles are regulated through Supreme Decree No. 66/2014, which approves the Indigenous Consultation procedure.

#### Participation of Women

The international legislation to which Chile has subscribed and which addresses the participation of women, stands out:

- Resolution adopted by the General Assembly of the United Nations in 2011, referring to the Political Participation of Women (A / RES / 66/130)

- Convention on the elimination of all forms of discrimination against women. This was ratified by Chile through Decree No. 789/1989
- UN-Women Program and Project Evaluation Guide with gender perspective, human rights and interculturality.
- Resolution of the UN General Assembly, which established UN Women (A / RES / 64/289).

## ii) **Respect**

Considering the guidelines established by national and international legislation, the document Plan for the Implementation of Social and Environmental Safeguards for Public and Indigenous Consultation and Self-evaluation was prepared (available online at CONAF's site). The document that was the guide to carry out the implementation of the entire participatory formulation process of the ENCCRV between 2015 and 2016. The Plan included the organization of regional workshops and a national workshop, whose call should ensure local, regional and national representation, considering a multi-stakeholder, multi-sector and multi-stakeholder approach. level and including the mainstreaming of the gender approach and pluricultural participation.

In addition, and in an integrated manner with the Plan, a Strategic Environmental and Social Assessment (2016) was developed (SESA), which incorporated environmental and social considerations to ensure the sustainable implementation of the action measures. The called measures are in line with national commitments assumed by Chile with the UNFCCC and other international bodies that participated in the formulation process of the ENCCRV.

## iii) **Compliance**

In the context of the Safeguards Plan and SESA, between 2013 and 2016, 15 regional workshops were held, involving 1,266 people, 36.4% of women and 9% indigenous peoples. In addition, a national workshop, which involved 125 people 31% women and 8% indigenous peoples. In these workshops, the gender approach was manifested from the gathering of information through the identification of key actors; formation of focus groups, determining a minimum percentage of participation of 30% of women and when appropriate, specific focus groups for women were formed (additional information can be found in the Information Note N ° 8, on Mainstreaming the gender approach available online at CONAF's site).

Other instances of participation were:

- The Process of Dialogue and Participation of Indigenous Peoples, held between June and September 2016, included the indigenous peoples of the entire territory of continental Chile, focused on rural areas of the 10 regions with the presence of an indigenous population and where their ways of life and customs are directly and indirectly related to forests and vegetational resources (Information Note No. 17. Process of Dialogue and Participation with Indigenous Peoples in the formulation of Chile's National Climate Change and Vegetation Resources Strategy (ENCCRV).
- Citizen consultation, held between June 20 and September 20, 2016, with the participation of 506 people, 41% women (Information Note N ° 12, Citizen Consultation Process for Validation and Strengthening of the ENCCRV).

## **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**

Criteria E.1.: No Conversion of Natural Forests

Sub-criteria E.1.1. Defining Natural Forest, Biological Diversity and Ecosystem Services

Sub-criteria E.1.2. Prohibiting the Conversion of Natural Forests

Criteria E.2. Protection and Conservation of Natural Forests and Biodiversity

Sub-criteria E.2.1. Identifying Natural Forests and Biodiversity

Sub-criteria E.2.2: Measures to Protect Biodiversity and Natural Forests

Sub-criteria E.2.3: Supporting Conservation Research and Awareness-Raising

Sub-criteria E.2.4: Integration of Biodiversity in Cross-Sectoral Policies

Sub-criteria E.2.5: Enhancement of Other (non-carbon) Benefits

Diagnostic Question: to what extent do PLRs define the term natural forests, biological diversity and ecosystem services?

Diagnostic Question: do PLRs prohibit the conversion of natural forests?

Diagnostic Question: do PLRs promote or require the identification/mapping of natural forests and biological diversity?

Diagnostic Question: Do PLRs regulate the protection of biodiversity and natural forests?

Diagnostic Question: do PLRs support/promote conservation research and awareness raising over forest and biological diversity protection?

Diagnostic Question: Do PLRs require/promote the integration of biodiversity consideration in cross-sectoral policies?

Diagnostic Question: do PLRs promote the enhancement of multiple benefits?

## i. **Approach:**

To address this safeguard in the ENCCRV implementation, integration of ratified international agreements, conventions and agreements signed by the country, where CONAF participates as a focal point are considered. Also, integration with other national entities; and the current national legislation, in regards of conservation of natural forests and biodiversity. This information is presented in detail in the Summary of Safeguards (available online at CONAF's site).

The following the international agreements ratified by Chile are worth to note:

- The UNCCD ratified by decree 2065/1998
- The UNFCCC promulgated by Decree 123/1995 with the REDD-plus + approach, in which CONAF is the focal point.
- CBD and the Aichi Targets, ratified in Decree No. 1.965 / 1995, that aims to conserve biological diversity; the

sustainable use of its components, and; the fair and equitable participation in the benefits that derive from the use of genetic resources. In 2010, the CBD urged countries to update their National Biodiversity Strategies (NBS) according to the "Strategic Plan for Biodiversity 2011-2020 and the Aichi Targets".

- The Organization for Economic Cooperation and Development (OECD), in its "Environmental Perspectives to 2050", aims to promote sustainable use, the inclusion of biodiversity objectives in policies and intersectoral plans, and protection and restoration of ecosystems and habitats, among other aspects.
- SDG 2015-2030, specifically objective 15: Sustainably manage forests, combat desertification, stop and reverse land degradation and stop the loss of biodiversity.
- Forum of Forests of the United Nations (UNFF), where CONAF fulfills the role of National Focal Point. Among its objectives is to reverse the loss of forest cover through protection, restoration, reforestation and afforestation, and prevent forest degradation.
- Ramsar Convention, The Man and the Biosphere Program and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in both CONAF is a focal point.

National legislation and regulations, regarding the conservation of natural forests and biological diversity preventing the conversion of natural forests in detriment of ecosystems:

- Political Constitution of Chile: The Constitution establishes in its Article 19, number 8 as a duty of the State to protect the preservation of nature.
- Law No. 20,283 / 2008, on Recovery of Native Forest and Forest Development, aims to protect, recover and improve native forests, in order to ensure forest sustainability and environmental policy.
- Law N ° 19.300 / 1993, the right to live in a pollution-free environment is established, the protection of the environment, the preservation of nature and the conservation of the environmental patrimony will be regulated by the provisions of this law, without prejudice of what other legal norms established on the matter (Article 1). Under this law, the administration of a National System of Protected Wild Areas of the State (SNASPE) is indicated, in order to ensure biological diversity, protect the preservation of nature and conserve the environmental heritage (Article 34).

## ii. Respect

Regarding Strategies, Programs and National Plans focused on the conservation of forests and biological diversity:

- National Biodiversity Strategy 2017-2030 to conserve the country's biodiversity by guaranteeing fair and equitable access to ecosystem goods and services, fostering the capacities to safeguard, restore and sustainably use heritage and natural heritage.
- The National Climate Change Adaptation Plan (2014) seeks to strengthen Chile's capacity to adapt to climate change through transversal and sectoral actions, within the latter with plans in the Silvoagriculture and Biodiversity sectors.
- Plan for Adaptation to Climate Change in the Silvoagricultural sector (2008-2012), includes the genetic conservation of forest resources and the development of new silvicultural methods to face climate change.
- Adaptation to Climate Change in Biodiversity Plan (2014), seeks to favor the conservation of biodiversity and the adaptation to climate change through research and capacity building, promotion of sustainable practices, incorporation into instruments of territorial planning and strengthening of the National System of Protected Wild Areas.
- National Action Program against Desertification, Land Degradation and Drought 2016-2035 (PANCD) aligned with the National Climate Change and Vegetation Resources Strategy (ENCCRV)

Respect for this safeguard has been achieved through the management of CONAF that has within its strategic objectives to conserve biological diversity, by strengthening the National System of Protected Wild Areas (SNASPE).

Also, the Forest Policy (2015-2035) indicates within its strategic axes, the protection and restoration of the forest heritage, for which it seeks to conserve and increase the State's forest heritage, develop environmental goods and services and restore and protect the biodiversity that provide forest resources and ecosystems.

In issues related to ecological restoration, the National Policy and Strategy for Ecological Restoration of the National System of Protected Wild Areas of the State (2012) was elaborated to guide the execution of plans, projects and actions tending to ecologically restore damaged territories within the SNASPE.

## ii. Compliance

Regarding the Protected Wild Areas of the State administered by CONAF, each of them has a Management Plan. Since early 2016, a new methodology has been implemented, incorporating zoning and territorial analysis, cultural conservation objects and human welfare objects, aspects of participation, analysis of vulnerability to climate change, logical framework matrix, operational plans, monitoring, among others. This implementation has been developed in various Protected Areas of the SNASPE since 2016, including the Nonguén National Reserve in the Bio Bio Region.

In specific terms of forest conservation and biological diversity, CONAF through the Program for the Conservation of Endangered Flora and Wildlife of Chile (1999) has executed 28 species conservation plans. It also highlights the National Program for the conservation of Wetlands inserted in the National System of Wild Protected Areas of the State (2010)

The action measures that comply with this safeguard correspond to the following areas in the ENCCRV.

- Strengthening of forestry and environmental control programs;
- Targeting restoration and inspection program in areas with substitution risk;
- Modification Law No. 19,561 that exempts from reforestation to agricultural recovery;
- Limit the application of Law No. 20,412 on Preferentially Forestry Aptitude soils;
- Strengthening and updating of Management Plans of SNASPE areas in the context of the ENCCRV;
- Incorporate forest conservation variables into Law No. 18,450;
- Strengthening of ecological restoration program in communes / prioritized areas;
- Program of restoration of ecosystems post Forest Fires;
- Adaptation program for the management of vegetational resources in the framework of climate change, desertification, land degradation and drought.

More information can be found in the Summary of Safeguards available at CONAFs site
<b>SAFEGUARD F</b> <b>Actions to address the risks of reversals</b>
Criteria F&G.1: Monitoring and Assessment
Diagnostic Question: to what extent do PLRs require regular monitoring and measurement of risks to forest permanence
<p><b>i. Approach:</b></p> <p>To address this safeguard, the procedure established in the document "Guidelines for the amortization of the ER Program" of the Forest Carbon Partnership Fund (FCPF) was applied. This process includes i) the identification of reversal risks, where four risk factors are analyzed, their description and valuation, and ii) concepts are defined to prevent and minimize potential reversals. The details of this analysis are presented in the Safeguard Summary available at CONAFs site.</p> <p>Law No. 20,283 / 2008 and Decree Law No. 701/1974 allow addressing some of the risks associated with reversals, favoring the activities leading to the reduction of deforestation and sustainable management of forests</p> <p>On the other hand, forest fires are one of the main causes of degradation of vegetational resources, and in Chile, 99.9% of them are anthropic. In this case, the national legislation considers the following regulations:</p> <ul style="list-style-type: none"> <li>• Decree No. 4363/1931 (text approving the Forest Law), of the Ministry of Lands and Colonization, whose art. N°22 establishes penalties for those who cause forest fires, and Law No. 20.653, of 2013, which amended Art. No. 22 of the Forest Law.</li> <li>• Supreme Decree 276/1980, Ministry of Agriculture, to prevent the occurrence of forest fires establishes that the use of fire, to eliminate plant waste in agricultural and forestry lands, will only be carried out in the form of controlled burning and Supreme Decree 100/1990 Ministry of Agriculture, which prohibits the use of fires to destroy vegetation in winter.</li> </ul> <p><b>ii. Respect and compliance:</b></p> <p><u>Reversal Management Mechanisms</u></p> <p>The same methodology used to estimate reference levels in the ENCCRV was proposed to be used to monitor the emissions associated with reversals. This safeguard, therefore, will be addressed through the Measurement and Monitoring System (SMM) of the ENCCRV which includes elements of Measurement, Reporting and Verification as part of the National Strategy.</p> <p>As a result of the potential reversal risk analysis of the Strategy, a reserve fund of 21% of the ERs is established as a buffer of reversals, which will remain during the validity of the Strategy. This fund will be generated only from reduced emissions due to deforestation and degradation, since increases in removals due to increased stocks or conservation are exposed to natural and anthropogenic risks that may affect its permanence over time.</p>
<b>SAFEGUARD G</b> <b>Actions to reduce displacement of emissions</b>
Criteria G.2: Measures to Tackle Reversals and Displacement
Diagnostic Question: to what extent do PLRs aim to minimise the risks related to deforestation and forest degradation?
<p><b>i) Approach</b></p> <p>In the context of the ENCCRV, this safeguard requires to consider, first of all, that Decision 1/16 CP, paragraph 70, of the UNFCCC, establishes that in the implementation of REDD-plus + activities there may be a risk that activities may be transferred to other territories and generate GHG emissions outside the ENCCRV execution limits. On the other hand, although the Strategy has a national scope, this risk of displacement of emissions is related to the FRL / FREL and the technical annex of results REDD-plus +, which has a subnational scope, within the six regions included in this proposal, regions included in the so-called South Zone, from the Maule to Los Lagos.</p> <p>In terms of regulations, to address this safeguard, the country has the following laws:</p> <ul style="list-style-type: none"> <li>• Decree No. 4363/1931 of the Ministry of Lands and Colonization, which sets the definitive text of the forest law and whose implication with the ENCCRV is that it defines the Preferential Forest Aptitude (APF) lands to those who, due to their conditions of soil and climate, should not be plowed permanently. The definition excludes those soils without suffering degradation that can be used for agriculture, fruit growing or intensive livestock. It is also defined that lands classified as APF, in addition to natural and artificial forests, will be subject to the CONAF approved management plans.</li> <li>• Decree Law No. 2565/1979, which replaces Decree Law No. 701, of 1974. This Law has the objective of regulating forest activity in APF soils and degraded soils and encouraging afforestation, especially by small forest owners and necessary for the prevention of the degradation, protection and recovery of the soils of the national territory.</li> <li>• Law No. 20.283 / 2008, on Recovery of the Native Forest and Forest Development, a legal body that aims to protect, recover and improve native forests, in order to ensure forest sustainability and environmental policy,</li> </ul>

has a direct relationship with the ENCCRV. This Law, among other regulations, defines and regulates forest types, management plans, and environmental protection norms, the Conservation, Recovery and Sustainable Management Fund of the native forest and the procedures and sanctions in cases of violation of its norms.

**ii) Respect and compliance**

In the Summary of Safeguards displacement risks associated with the most relevant deforestation and degradation causes are identified for the ENCCRV, among them:

- Expansion of agricultural-livestock activity and urban and industrial expansion
- Unsustainable use of vegetational resources for production
- Forest Fires
- Unsustainable management of forest crops
- Unsustainable use of vegetational resources for livestock

The risks associated with the displacement of emissions are linked to the reduction of the causes and agents of deforestation and forest degradation. Thus, if a territory is suffering from illegal agricultural activities in forested areas, increasing the vigilance and application of regulations can reduce deforestation in the places to which they are directed. In this way, like the previous safeguard, the monitoring will be done through the Measurement and Monitoring System of the ENCCRV, which includes elements of Measurement, Reporting and Verification (MRV).



## ANNEX B PLR Alignment review against FAO's ESS

Review indicators	Alignment review
<b>ESS 1 Natural Resources Management</b>	
<p><i>Key objectives: Promote direct action to enhance resource use efficiency. Focus on ways to ensure the transition to sustainable practices</i></p>	
<p>Management of soils and land resources Tenure Climate Management of water resources and small dams (not applicable for this assessment)</p>	<p>Chilean legislation has been proactive in supporting the protection of the environment and the preservation of the nature setting the stage prior to the ENCCRV with regulations that provided the framework for natural resources protection and tools for the regulation of the environmental evaluation instruments. The Law N ° 19.300, on the General Bases of the Environment from 1994 (updated in 2016) and D.S. N ° 40, of 2013, of the Ministry of the Environment go on that direction, establishing a general framework for the protection of the environment and the regulation of the System of Evaluation of Environmental Impact through which the Environmental Impact Assessment System (SEIA) is established. The SEIA is an instrument applicable to investment projects and/or productive activities to determine the potential effects they will have on the environment and establish the corresponding measures to mitigate the impacts of the project. The legislation considers the following socio-environmental assessment instruments: Environmental Impact Study (EIA), Environmental Impact Statement (EIS) and Strategic Environmental Assessment (EAE). During the development of the ENCCRV, the instruments were implemented according to the criteria and procedures established in the SEIA Regulation, as applicable.</p> <p>In addition, the decree No. 4.363 from 1931, of the Ministry of Lands and Colonization (current Ministry of National Assets), which approved the final text of the Forest Law No. 656 from October 17, 1925 that has as a purpose to protect forest resources and increase the forested area. This Decree constituted the first environmental regulation in the country for the protection of waters, soils and forests. It also established forestry development instruments that expanded the area of plantations to about 300,000 ha. This law also established the bases of the institutional mandate of CONAF in matters of erosion control and torrent correction. In terms of water, this law establishes that forest lands are those that are born in springs, those that are part of the river and estuary areas and that are not qualified for cultivation.</p> <p>Also, the Law No. 20,283, on Recovery of the Native Forest and Forest Development having as objectives the protection, recovery and improvement of native forests, in order to ensure forest sustainability and environmental policy and the Decree 4363 which was the first legal initiative aimed at promoting and regulating the use of forest resources in Chile</p> <p>As for the ENCCRV, it was expected that during the preparation phase (2010 – 2016) the activities to implement it generate significant positive impacts on the natural habitats of the country through the implementation of various activities to prevent their deterioration, neutralize their loss and in case of critical habitats, proceed with their recovery. The application of this policy seeks that the initiatives to be implemented within the framework of the ENCCRV reinforce the conservation of biodiversity and the different environmental services that natural habitats provide at the national level. To achieve this, the ENCCRV integrates a set of direct and facilitating action measures, developed through a process of technical and participatory formulation of regional and national character. To influence technical, political and financial decision-making to position the role of vegetational resources in mitigation and adaptation to climate change, the fight against desertification, land degradation and drought, as priority axes in policies of sectoral development.</p> <p>ENCCRV also supports the reduction of the vulnerability associated with the risk of land degradation through the management of vegetational resources. The contribution to the reduction of vulnerability is evaluated in terms of indicators associated with biodiversity, provision of ecosystem services such as the supply and regulation of water flows and quality, as well as soil productivity.</p>
<b>ESS 2 Biodiversity, Ecosystems and Natural Habitats</b>	
<p><i>Key objectives: Avoid agricultural, livestock, fisheries, aquaculture and forestry practices that could have adverse impacts on biodiversity, ecosystems,</i></p>	

*ecosystem services or critical habitats.*

*Sustainably manage the ecosystems in order to maintain the services and benefits they provide.*

*Ensure that exchange of genetic resources conforms to access and benefit sharing measures in force in the country (ies) involved.*

Protected Areas,  
buffer zones or  
natural habitats  
Biodiversity  
Conservation  
Use of Alien Species  
or non-native species  
(not applicable for  
this assessment)  
Access and benefit-  
sharing for genetic  
resources (not  
applicable for this  
assessment)  
Living Natural  
Resources (not  
applicable for this  
assessment)

The policies related with the implementation of the ENCCRV supported the management, restoration, afforestation, revegetation and conservation of native forest in line with the REDD-plus + approach. It was also supporting of the welfare of those communities that depend of the native forests for their subsistence, the protection of the biodiversity and the regulation of buffer zones.

The Decree Law (DL) No. 701 of 1974 on Forestry Development aims to promote the forestry development of Chile. The main regulation established by DL No. 701 related to the permanence of removals of greenhouse gases provided by forests, is the absolute obligation to reforest or regenerate after any cutting action in natural or artificial forests. However, the Law N ° 19,561 of 1998 goes further into conservation and preservation of species by modifying, among others, the following articles of Decree Law No. 701 on forestry promotion, the text that was replaced by Decree Law No. 2,565 of 1979. The purpose of the law is to regulate forestry activity in preferential soils. and on degraded soils and encourage afforestation, especially for the prevention of degradation, protection and recovery of soils.<sup>[1]</sup> Furthermore, Law 19561 introduced changes in the following definitions<sup>[2]</sup>:

Forestation: The action of populating with arboreal or shrubland species land that lacks them, or that, being covered with said vegetation, it is not possible to be managed as a tree or shrubby mass for preservation, protection or production purposes.

Reforestation: The action of repopulating with arboreal or shrub species, by sowing, planting or managing natural regeneration, a land that has been covered with forest and that has been subject to extractive exploitation after October 28, 1974

[1] [2] The Decree Law has the following complementary regulations: Supreme Decree No. 193, of 1998, of the Ministry of Agriculture. General Regulation of Decree Law No. 701, of 1974. Supreme Decree No. 192, of 1998, of the Ministry of Agriculture. Regulation for the Payment of Forest incentives. Supreme Decree No. 1,341, of 1998, of the Ministry of Finance. Regulation that establishes accounting rules applicable to taxpayers who carry out forestry activities in accordance with Decree Law No. 701 of 1974 on Forestry Development. Supreme Decree No. 259, of 1980, of the Ministry of Agriculture. Technical Regulation of Decree Law No. 701, of 1974. Defines twelve forest types for the native forest and the silvicultural treatments that apply to each of them. It should be noted that on December 31, 2012 the validity of the incentive system contemplated in Article 12 of the 1998 amendment to Decree Law No. 701 of 1974 expired, which is why afforestation and other incentive activities carried out from January 1, 2013 will not be subject to rebate, according to the regulations currently in force. However, the regulation of forestry regulations in forest plantations and native forests is still in force, especially the approval and supervision of management plans for forest cutting activities and the obligation to reforest

Law No. 20,283, on Recovery of Native Forest and Forestry Development

The purpose of this law is to regulate the protection, recovery and improvement of native forests, in order to ensure forest sustainability and environmental policy. Among other elements, through this law: it is established that every action of cutting of native forest must have a Management Plan; the Conservation, Recovery and Sustainable Management Fund of the Native Forest is created; the Consultative Council of the Native Forest is created; resources are established for the investigation of the native forest; and environmental protection standards are established that protect ecological values.

The regulations of this law are as follows: Decree No. 68 of 2009 of the Ministry of Agriculture, which establishes, approves and makes official the number of arboreal and shrubby species native to the country. Supreme Decree No. 80 of 2008 of the Ministry of Agriculture. Regulations of the Consultative Council of the Native Forest. Supreme Decree N ° 93, of 2008, of the Ministry of Agriculture. General Regulation of the Law on Native Forest Recovery and Forest Development. Supreme Decree No. 95 of 2008 of the Ministry of Agriculture. Regulation of the Conservation, Recovery and Sustainable Management Fund of the Native Forest. Supreme Decree N ° 96, of 2008, of the Ministry of Agriculture. Regulation on Resources for Native Forest Research. Supreme Decree N ° 82, of 2010, of the Ministry of Agriculture. Regulation of Soils, Water and Wetlands.

The protected wild areas of Chile are legally supported by the Law of Forests of 1931, in the D.S. No. 531 of 1967, which ratifies the 1940 Washington Convention and in the D.L. No. 1,939 of 1977, on acquisition and Administration of State assets. The country has a good record in the area with legislation to protect forests dating back to 1872 when the first law to protect forest against slash was dictated. The protected areas located in the South Zone are covered under those mandates and also the biosphere reserves such as the Araucarias

	<p>(Araucanía region) Valdivian Temperate Rainforest (Los Lagos and Los Ríos Regions) and the Nevados de Chillán Biological Corridor (Bio-Bio Region). Furthermore, the creation of the CITES National Committee in 2006 as instance of coordination between the different State bodies and institutions linked to the international trade in endangered species of wild fauna and flora supported the protection of biodiversity.</p> <p>[1] <a href="https://www.ecolex.org/details/legislation/ley-no-19561-modifica-el-decreto-ley-no-701-sobre-fomento-forestal-lex-faoc015393/">https://www.ecolex.org/details/legislation/ley-no-19561-modifica-el-decreto-ley-no-701-sobre-fomento-forestal-lex-faoc015393/</a></p> <p>[2] <a href="http://extwprlegs1.fao.org/docs/pdf/chi15393.pdf">http://extwprlegs1.fao.org/docs/pdf/chi15393.pdf</a></p> <p>El DL 701 establece incentivos a la forestación o estabilización de dunas en suelos APF y bonificación o beneficios tributarios por manejo de bosques plantados en terreno APF. Luego, la modificación de 1998 (Ley 19.561) efectivamente incentiva la forestación por parte de pequeños propietarios, en suelos frágiles y degradados, a través de dos bonificaciones.</p> <p>[2]</p>
<b>ESS 3 Plant Genetic Resources for Food and Agriculture</b>	
<p><i>Key objectives:</i>  <i>Prevent actions resulting in loss of PGRFA diversity by promoting their effective conservation (in situ and ex situ);</i>  <i>Safeguard against actions resulting in unintended environmental and social consequences;</i>  <i>Promote sustainable crop improvements and production and enhanced productivity;</i>  <i>Ensure that the transfer of PGRFA conforms with the measures relating to access and benefit sharing, IPR and farmers' rights which are in force in the country(ies) involved.</i></p>	
<p>Introduction of new crops and varieties (not applicable)  Provision of seeds and planting materials  Modern biotechnologies and the deployment of their products in crop production (not applicable)  Planted Forests (not applicable)</p>	<p>CONAF has managed, since its creation in 1966, the Centre for Seeds, Genetics and Entomological Research (CSGE), whose mission has been to supply forest seeds to national foresters, both in the public and private sectors. In parallel, it collaborates in the conservation of biodiversity through the protection and recovery of native forest species with conservation problems, together with a decisive action in the production of agents for the biological control of pests<sup>[1]</sup>.</p> <p>The Center for Seeds, Genetics and Entomology is located in the city of Chillán, where activities are carried out and programs are developed to improve the quality and condition of the forest resource.</p> <p>The activities that are developed in the CSGE are classified and distributed in different programs and lines of work. Among those lines is the Genetic conservation: Responsible for the design and application of ex situ conservation strategies of native species with conservation problems or that are threatened with extinction risk.</p> <p>Regarding the native forest, the main action related to forest genetic resources is the collection of seeds in all regions of the country, covering as many accessions as possible, which are then classified and subjected to treatments for proper storage, or they are nursed and then sent to plantations. Also at a national level, the areas with the greatest biological diversity and the plus trees are identified from where seeds will be obtained for proper future preservation.</p> <p>The work of the Centre particularly with regards to the ENCCRV produced later the publication Adaptation Program for the management of vegetational resources, in the framework of climate change, desertification, land degradation and drought, a document available at the following link:  <a href="https://docs.wixstatic.com/uqd/902a1e_409e88ec8bd346c58b0694ba7f61d648.pdf">https://docs.wixstatic.com/uqd/902a1e_409e88ec8bd346c58b0694ba7f61d648.pdf</a></p> <p>[1] <a href="http://www.conaf.cl/nuestros-bosques/plantaciones-forestales/semillas-y-biocontroladores/">http://www.conaf.cl/nuestros-bosques/plantaciones-forestales/semillas-y-biocontroladores/</a></p>
<b>ESS 4 Animal - Livestock and Aquatic - Genetic Resources for Food and Agriculture</b>	
<p><i>Key objectives:</i>  <i>Promote sustainable management of animal and aquatic genetic resources;</i>  <i>Prevent loss of valuable livestock and aquatic genetic diversity;</i>  <i>Safeguard against actions resulting in unintended environmental and social consequences.</i></p>	

<p>Introduction of breeds into new production environments</p> <p>Change in the production system of locally adapted breeds</p> <p>Introduction of new species</p> <p>Collection of wild genetic resources for farming systems</p> <p>Modification of habitat</p>	<p>Given the nature of the ENCCRV and the REDD-plus preparedness phase activities none of the main features highlighted to be assessed in this safeguard is applicable.</p>
<p><b>ESS 5 Pest and Pesticides Management</b></p>	
<p><i>Key objective: Promote Integrated Pest Management (IPM), reduce reliance on pesticides and avoid adverse impacts from pesticide use on the health and safety of farming communities, consumers and the environment.</i></p>	
<p>Pest Management Plan</p> <p>Selection of pesticides</p> <p>Supply of pesticides by FAO</p> <p>Disposal</p> <p>Responsibility</p>	<p>The ENCCRV and the REDD-plus activities did not plan to support the introduction of pesticides, therefore, the main features of this ESS are not applicable to the evaluation i.e. PIM, disposal and responsibility. Nevertheless, we would like to highlight the inclusion of specific actions for the strengthening of phytosanitary protection in native vegetational resources. One important piece of law for the understanding of policies and regulation regarding this safeguard is the Health Code; DL 725, 1968.</p> <p>The Code establishes provisions on agricultural protection. Phytosanitary surveillance of Chile's forest resource is under the responsibility of the Agricultural and Livestock Service (SAG) to protect, maintain or improve the condition of commercial plantations, native forests and urban trees, without prejudice to the provisions included in forestry legislation regarding phytosanitary issues[1] [2] . In addition, law 20283 and the DL 701 have measures to prevent damages produced by plagues and the recovery of the native forest affected by plagues.</p> <p>El anexo N°4 del MGAS de la ENCCRV corresponde al protocolo para el control de plagas y enfermedades, basado en las recomendaciones establecidas en la OP/BM 4.09, sobre plagas y enfermedades. Este anexo contiene información que complementa los antecedentes presentados para esta salvaguarda.</p> <p>[2]</p>
<p><b>ESS 6 Involuntary Resettlement and Displacement</b></p>	
<p><i>Key objectives:</i></p> <p><i>Prohibit forced eviction.</i></p> <p><i>Avoid, and when avoidance is not possible, minimize adverse social and economic impacts from restrictions on land or resource use or from land and resource acquisition</i></p> <p><i>Improve or at least restore living conditions of persons who are physically or economically displaced, through improving and restoring their productive assets and security of tenure.</i></p>	
<p>Prohibit forced evictions</p> <p>Avoid and mitigate physical and economic displacement</p> <p>Develop plans for physical or economic displacement</p>	<p>In no case, in the objectives and activities of the ENCCRV has been planned to carry out involuntary resettlement actions that affect the beneficiaries and/or the population of the area of influence of the interventions, i.e. the displacement or loss of land, housing, real estate or physical assets. Nevertheless, there is strong legislation placed in country in order to avoid physical and/or economic displacement that were in place during the time of the evaluation ensuring compliance with this safeguard.</p> <p>The national regulatory framework address situations of involuntary resettlement that occur as a result of the implementation of the ENCCRV. It should be noted that the national regulations (including international ones incorporated into domestic law such as international conventions) was always respected, and any resettlement or mitigation action of the impacts that this could have produced, should have been designed and implemented according to said regulations.</p> <p>A non-exhaustive list of them are briefly discussed below<sup>[1]</sup>;</p>

	<p>The decree Law No. 2,695 of 1979 sets rules to regularize the possession of the small property and for the constitution of the domain over it, establishing the instruments for its regularization, including who owns or owns material of a real estate, but lacking properly registered title of domain in the Real Estate Curator, recognizing the quality of regular holder to acquire the domain of the property</p> <p>Article 19 No. 24 of the Political Constitution of the State Establishes that no one may, in any case, be deprived of their property, the good over which falls or any of the essential attributes or powers of the domain, but by virtue of the general or special law authorizing the expropriation for reasons of public utility or of national interest, qualified by the legislator</p> <p>Law N ° 19.300, on General Bases of the Environment and D.S. No. 40 of 2013, Ministry of the Environment Regulation of the Environmental Impact Assessment System</p> <p>Article 11 of Law No. 19.300 establishes that all those projects that involve the resettlement of human communities, or significant alteration of the life systems and customs of human groups, will require an EIA. The Regulation establishes in its Article 8, that, in order to evaluate significant alteration to life systems and customs of human groups, the generation of significant adverse effects on the quality of life of these groups will be considered, in attention of the duration or magnitude of any of the following circumstances:</p> <ul style="list-style-type: none"> <li>a) The intervention, use or restriction of access to natural resources used as economic support of the group or for any other traditional use, such as medicinal, spiritual or cultural use.</li> <li>b) Obstruction or restriction to free circulation, connectivity or significant increase in travel times.</li> <li>c) The alteration to access or quality of goods, equipment, services or basic infrastructure.</li> <li>d) The difficulty or impediment to the exercise or manifestation of traditions, culture or community interests, which may affect the feelings of social cohesion or group cohesion</li> </ul> <p>D.S. N °. 95 of 2001 (MSGPR), Regulation of the System of Environmental Impact Assessment <sup>[2]</sup></p> <p>With regard to the resettlement, the Regulation of Law No. 19.300 deepens in what was established in said legal body through its article 8 of the Law, stating that the owner of a project must submit an EIA, if his project or activity generates resettlement of human communities or significant alteration of systems of life and customs of human groups. Moreover, article 22 of the D.S 95 establishes that in order to evaluate whether the project or activity generates significant alteration of life systems and customs of groups, the change produced in the following dimensions will be considered: geographical, demographic, anthropological, socio-economic and the resignation of basic social welfare</p> <p>Decree Law No. 2,186, of 1978, Organic Law of Expropriation Procedures.</p> <p>This Decree contemplates detailed procedures that aim to protect the owner of the property, in the justification of the expropriation, in the correct valuation of the property and in the payment of a fair price. It establishes the option for the expropriated to challenge the procedures when it considers that it is being harmed</p> <p>Decree Law No. 1.939, of 1977, of the Ministry of Lands and Colonization (current Ministry of National Property)</p> <p>The Decree Law regulates all matters relating to the ownership of the land under the control of the State and establishes that the Ministry of National Assets will be responsible for starting and maintaining the cadastre of real property owned by the tax authorities and of all State entities. Establishes that Forest Reserves, National Parks and fiscal lands whose occupation and work in any way compromise the ecological balance, may only be used or granted in use to State agencies or legal persons governed by Title XXXIII of Book I of the Civil Code, for conservation purposes and protection of the environment</p> <p><sup>[1]</sup> Anexo N°7: Marco de políticas de reasentamiento y normas de procedimiento OP/BM 4.12</p> <p><sup>[2]</sup> <a href="http://www.conaf.cl/cms/editorweb/GEF-BM/Apendice-7_07-Normas_Reasentamiento_Involuntario.pdf">http://www.conaf.cl/cms/editorweb/GEF-BM/Apendice-7_07-Normas_Reasentamiento_Involuntario.pdf</a></p>
<b>ESS 7 Decent Work</b>	
<p><i>Key objectives:</i></p> <p><i>Promote direct action to foster decent rural employment.</i></p> <p><i>Promote fair treatment, non-discrimination and equal opportunity for all workers.</i></p> <p><i>Protect and support workers, particularly disadvantaged and vulnerable categories of workers.</i></p> <p><i>Promote the application of international labour standards in the rural economy, including the prevention and elimination of child labour in agriculture.</i></p>	

<p>Creation of more and better employment opportunities, especially for youth and women</p> <p>Non-discrimination and equal opportunity</p> <p>Occupational Safety and Health (OSH)</p> <p>Child labour prevention and reduction</p> <p>Forced labour</p> <p>Workers' and producers' organizations</p>	<p>Given the nature of the ENCCRV and the REDD-plus preparedness phase activities none of the main features highlighted to be assessed in this safeguard is applicable.</p>
<b>ESS 8 Gender Equality</b>	
<p><i>Key objectives</i></p> <p><i>Provide equal access to and control over productive resources, services and markets.</i></p> <p><i>Strengthen women and men's participation in decision-making in rural institutions and policy processes.</i></p> <p><i>Ensure that all stakeholders benefit equally from development interventions and that inequality is not reinforced or perpetuated.</i></p>	
<p>Combating discriminatory practices</p> <p>Equal opportunities for men and women to participate in and benefit</p>	<p>The most important legal instruments in Chile and that are considered as a basis for Gender equality are:</p> <p>Article 19 of the Political Constitution of the State, in its numeral 2, establishes "Equality before the Law (...) men and women are equal before the law", (National Congress, 2005)</p> <p>Besides, the Law No. 20.820 / 2015, created by the Ministry of Women and Gender Equity, in its article 1, establishes the foundations of the Ministry, indicating that the Secretary of State is in charge of collaborating with the President of the Republic in the design, coordination and evaluation of policies, plans and programs aimed at "promoting equity of gender, equal rights and to seek the elimination of all forms of discrimination arbitrary against women "</p> <p>The Law No. 20,609 / 2012, which establishes measures against discrimination and that is provided in Article 1,</p> <p>Chile has also the "Interministerial Committee for Equality of Rights and Gender Equity "agency that should collaborate in the implementation of policies, plans and programs aimed at equal rights between women and men, incorporating the gender perspective in the performance of the State</p> <p>For more details in gender related information of the ENRVCC implementation period 2014-16 the project has prepared a full Gender Assessment and Action Plan that is included in the submission package of the proposal</p>
<b>ESS 9 Indigenous Peoples and Cultural Heritage</b>	
<p><i>Key objectives</i></p> <p><i>Ensure that the UN Declaration on the Rights of Indigenous Peoples is respected in all FAO's projects and programmes;</i></p> <p><i>Promote the right to self-determination and development with identity of indigenous peoples (right to decide the kind of development that takes place among their people and on their lands and territories, in accordance with their own priorities and conceptions of well-being);</i></p> <p><i>Guarantee the application of the principle of Free, Prior and Informed Consent (FPIC) of indigenous people affected by the project;</i></p> <p><i>Recognize, respect and preserve the rights, lands, natural resources, territories, livelihoods, knowledge, social fabric, traditions, governance systems of Indigenous Peoples.</i></p>	
<p>Identification of indigenous people</p> <p>Rights over land, territories and natural resources</p>	<p>The assessment of the fulfilment of this safeguard is explained in detail in the evaluation presented under the item XX Cancun Safeguards (C). However, as explained at the beginning of the section we wanted to complement the information so to have a comprehensive assessment and a more robust response.</p>

<p>Prior Assessment of the Impact on Indigenous Peoples Free, Prior and Informed Consent (FPIC) Indigenous Peoples' Plan</p>	<p>Chile has continental and overseas rural indigenous populations distributed mainly in 10 regions of the country, however the present assessment refers only to the continental population of indigenous peoples that have a presence in the regions targeted by this proposal. The ESS evaluation reviews the specific instruments for working with indigenous people. To this end, the SESA included the participation of representatives of Indigenous Peoples throughout the country in all stages of the process; during the process of formulation and validation, through the process of Dialogue and Indigenous participation which was carried out in all the regions with the presence of continental rural indigenous peoples (Maule, <b>Biobío</b>, Araucanía, Los Ríos, Los Lagos, included).</p> <p>The process was based on the statement of the national body competent in indigenous matters that corresponds to the Ministry of Social Development (MIDESO) through the Undersecretary of Social Services, via the Oficio ORD. N°1604 of June 9, 2016, where it was determined that in this phase, the right to "participation" of Indigenous Peoples is applied in accordance with the provisions of Article 7 of ILO Convention No. 169 (according to Decree No. 66). Adding that if there are legal or administrative initiatives that could affect the Indigenous Peoples that should be promoted in the framework of the implementation of the Strategy, the right to consultation should be applied according to article 6 of the same Convention. To that end, in the implementation phase of the ENCCRV, an Indigenous Peoples Planning Framework (MPPI) has been prepared, it includes the instruments to be applied such as the Plans for Indigenous Peoples and the models of intervention in indigenous lands developed in a differentiated manner for the southern macrozone (target area of the proposal) and northern macrozone of the country, which have then later been incorporated as instruments of the ENCCRV ESMF.</p> <p>Law No. 19,253, which establishes regulations on protection, promotion and development of indigenous peoples, and creates the National Indigenous Development Corporation. It establishes regulation on protection, promotion and development of the natives, and creates the National Indigenous Development Corporation (CONADI). Moreover, article 13 of the Law No. 19,253, Indigenous Law, establishes that indigenous lands shall enjoy the protection of this Law and may not be alienated, seized, encumbered, or acquired by prescription, except among communities or indigenous persons of the same ethnicity. However, it will be allowed to tax them, with prior authorization from CONADI. This tax cannot include the house-room of the indigenous family and the land necessary for their subsistence. Likewise, lands whose holders are indigenous communities may not be leased, given as a loan, nor assigned to third parties in use, enjoyment or administration.</p> <p>Decree No. 236 of the Ministry of Foreign Affairs that promulgated as the Law of the Republic, Convention No. 169 on Indigenous and Tribal Peoples in Independent Countries, of the ILO Art. 13 and following states that the peoples concerned should not be transferred from the lands they occupy. When exceptionally the transfer and relocation of these peoples are considered necessary, it should only be done with their consent, given freely and with full knowledge of the cause.</p> <p>Also, the Supreme Decree No. 66 of 2013 of the Ministry of Social Development Regulates the procedure of Indigenous Consultation under Article 6 No. 1 and No. 2 of ILO Convention 169, promulgated through D.S. No. 236, of October 2, 2008, MINREL.</p> <p>Although the ENCCRV does not financed activities that involve the elimination or alteration of physical cultural resources, during the SESA, risks for the national cultural heritage linked to the implementation of some actions were identified. This became relevant for the design and execution of activities that are proposed or implemented with the ENCCRV and that may affect tangible or intangible heritage resources, including sites of cultural value and / or ancestral use for indigenous communities related to forests and vegetational resources (for example species of flora and fauna ancestrally associated to indigenous communities). However, the implementation of measures that guarantee their identification and protection were contemplated in accordance with national regulations, internal CONAF procedures and WB OP standards as those activities were implemented under the support of the FCPF.</p> <p>Now regarding cultural heritage it is worth to mention that it has constitutional rank, since the Constitution of Chile in its tenth article states: "It will correspond to the State, (...), to promote the development of education at all its levels; stimulate scientific and technological research, artistic creation and the protection of the Cultural heritage of the Nation". From this constitutional recognition a legal order has been generated on the cultural heritage, highlighting the following laws,</p> <p>Constitutional Organic Law on Government and Regional Administration, by Supreme Decree No. 291 of 1993 (updated from Law No. 19,175). Refers in its article 19, in matters of social and cultural development, and specifically in its literal f), that it will correspond to the regional government: "to promote cultural expressions, protect historical heritage, artistic and cultural heritage, including national monuments, and ensure the protection and development of the original ethnic groups "</p>
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	<p>The Law No. 17.288, on National Monuments and D.S. No. 484, of 1990, of the Ministry of Education, which established the Regulation on explorations and/or archaeological, Anthropological and Paleontological Surveys. The Law seeks to protect the existing cultural heritage in Chile, in terms of buildings or objects of historical value such as artistic, scientific, etc. It distinguishing 4 categories of national monuments:</p> <ul style="list-style-type: none"> <li>i) Historical monuments;</li> <li>ii) Public monuments;</li> <li>iii) Archaeological monuments;</li> <li>iv) Typical areas and sanctuaries of nature</li> </ul> <p>Handing over to the Council of National Monuments the responsibility of its implementation. Title V this law refers to excavations and archaeological, anthropological and paleontological surveys, and states that the regulation (Supreme Decree No. 484 of March 28, 1990) will determine, among others, the conditions of the permits granted, of its realization and the way in which the obtained objects and species will be distributed. Additionally, Chile has signed the Convention on the Protection of the World Cultural and Natural Heritage, promulgated by Supreme Decree No. 259 of March 27, 1980, MINREL</p> <p>Another legal body that assumes the protection of Chilean cultural heritage is Law No. 19,300 on General Bases of the Environment. This incorporates cultural heritage within the aspects protected by its provisions, considering the elements as part of the "environment" sociocultural and their interactions. In this way, for all legal purposes, in article 2 conservation of environmental heritage will be understood as "the rational use and exploitation or repair, where appropriate, of the components of the environment, especially those of the country that are unique, scarce or representative, in order to ensure their permanence and regeneration capacity<sup>[1]</sup>."</p> <hr/> <p><sup>[1]</sup> Anexo 6. Normas de procedimiento para el patrimonio cultural físico OP/BM 4.11 SESA</p>
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## ANNEX C. Alignment Assessment with FAO Screening check list Environmental and Social Safeguards.

The design and implementation of the National Strategy for Climate Change and Vegetation Resources (ENCCRV, acronym in Spanish) is leading by the application of measures set for in the policies and regulations defined at national level. At the subnational level, with each of the FAO safeguards, the following is a thorough analysis of that evaluation during the timeframe of the proposal.

### SAFEGUARD 1 NATURAL RESOURCES MANAGEMENT

Question	Management of soil and land resources	Alignment Review	Evaluation / Recommendations
1.1	<p>No activities undertaken that may result in the degradation (biological or physical) of soils</p> <p>Ensure sustainable land management practices</p>	<p>The activities promoted the maintenance of ecosystem services benefitting the biological and physical characteristics of soils in the area of influence</p> <p>The programme supported sustainable land management. According to the law 20.283, any stakeholder engaging in conservation or enhancement of forest carbon stock activities had to present a Management Plan to plan the management of ecological heritage or the sustainable use of forest resources, safeguarding water quality and avoiding soil degradation.</p> <p>All activities were carried out according to national legislation. There is no evidence to-date that the activities undertaken resulted in any adverse impacts to native forests, critical habitats, soils, including conversion etc.</p>	<p>Good level of alignment, consistent with key objectives of FAO ESS, without relevant shortcomings. Chilean laws have a long record of protection of the environment and management of the natural capital (land and water resources)</p>
	<b>Management of water resources and small dams</b>		
1.3	<p>Would this project develop an irrigation scheme that is more than <b>20 hectares</b> or withdraws</p>	<p>The actions carried out to reduce deforestation, degradation, conservation and enhancement of forest carbon stocks did not include the</p>	<p>This FAO ESS did not apply in the case of this project</p>

	more than <b>1000 m3/day</b> of water?	development or improvement of irrigation schemes.	
<b>1.4</b>	Would this project develop an irrigation scheme that is more than <b>100 hectares</b> or withdraws more than <b>5000 m3/day</b> of water?		
<b>1.5</b>	Would this project aim at improving an irrigation scheme (without expansion)?		
<b>1.6</b>	Would this project affect the quality of water either by the release of pollutants or by its use, thus affecting its characteristics (such as temperature, pH, DO, TSS or any other)?	The actions carried out, given its nature and scale, did not pose any risk to affect the quality of water either by the release of pollutants or by its use	This FAO ESS did not apply in the case of this project
<b>1.7</b>	Would this project include the usage of wastewater?		
<b>1.8</b>	Would this project involve the construction or financing of a dam that is more than <b>15 m.</b> in height?	The actions carried out to reduce deforestation, degradation, conservation and enhancement of forest carbon stocks did not involve the development or financing of dams	This FAO ESS did not apply in the case of this project
<b>1.9</b>	Would this project involve the construction or financing of a dam that is more than <b>5 m.</b> in height?		
	<b>Tenure</b>		

1.10	<p>Would this project permanently or temporarily deny or restrict access to natural resources to which they have rights of access or use</p> <p>Could this project result in any changes to existing <i>tenure rights</i><sup>1</sup> (<i>formal and informal</i>) of individuals, communities or others to land, fishery and forest resources?</p> <p><sup>1</sup>Tenure rights are rights to own, use or benefit from natural resources such as land, water bodies or forests</p> <p><sup>2</sup>Socially or traditionally recognized tenure rights that are not defined in law may still be considered to be 'legitimate tenure rights'.</p>	<p>The activities undertaken did not pose any risks to individual or communities' tenure rights, including right to use or benefit from natural resources. The Law 19253 in the article 12 expressly states that there are no restrictions to use or benefit from natural resources by Indigenous people in their lands.</p> <p>Activities undertaken to reduce forest degradation were framed in the Dendroenergy Strategy 2015. The actions in 2015 involved the strengthening of capacities for traceability of firewood, with the end of improving CONAF's regulatory and supervisory role.</p>	<p>Good level of alignment, consistent with key objectives of FAO ESS, without relevant shortcomings</p>
	Climate		

1.11	Activities result in a reduction of the adaptive capacity to climate change for any stakeholders in the area of results.	From the first draft in 2015, the ENCCRV aims to support the recovery and protection of native forests and xerophytic formations, and enhance the establishment of vegetation formations in suitable areas, as measures of mitigation and adaptation to climate change. This ENCCRV goes beyond mitigation. It includes specific activities related to adaptation, as well as activities related to biodiversity protection and reduction of land degradation.	Good level of alignment, consistent with key objectives of FAO ESS, without significant shortcomings.
1.13	Activities resulted in a net increase of GHG emissions beyond those expected from increased production	<p>Data collected to date does not reveal that communities already subjected to impacts from climate change may experience an acceleration and/or intensification of such impacts due to the conclusion of these agreements and realization of their conservation objectives.</p> <p>The Reducing Emissions from Deforestation and Forest Degradation (REDD) is an effort to create a financial value for the carbon stored in forests, offering incentives for developing countries to reduce emissions from forested lands and invest in low-carbon paths to sustainable development.</p> <p>Between 2014 and 2016, the ENCCRV contributed to Chile's mitigation from REDD+ ACTIVITIES of 18.409.424 tCO<sub>2</sub>e achieved at the subnational level and reported in the REDD+ Technical Annex of the Biennial Update Report submitted to the UNFCCC in 2018.</p>	

#### SAFEGUARD 2 BIODIVERSITY, ECOSYSTEMS AND NATURAL HABITATS

	Protected areas, buffer zones or natural habitats	Alignment Review	Evaluation / Recommendations
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2.1	Would this project be implemented within a legally designated protected area or its buffer zone?	<p>The activities carried out in buffer zones or protected areas aimed to strengthen the protected areas and to increase the biodiversity and the ecosystems functions they provide, thus not negative impact on ecosystem functions over which the project had direct or indirect effects did occur.</p> <p>The Law No. 19,300, General Basis for the Environment, and the Superior Decree No. 40, 2013, of the Ministry of the Environment, establishes that for any intervention within a legally designated protected area or its buffer zone an Environmental Impact Assessment must be presented to the Environmental Impact Assessment System (SEIA) in order to ensure regulatory compliance.</p>	Good level of alignment, consistent with key objectives of FAO ESS.
	<b>Biodiversity Conservation</b>		
2.3	Would this project change a natural ecosystem to an agricultural/aquaculture/forestry production unit with a reduced diversity of flora and fauna?	The activities undertook did not change any natural ecosystem but improve them	This FAO ESS did not apply in the case of this project
	<b>Use of alien species</b>		

2.4	<p>Would this project use an alien species which has exhibited an invasive* behavior in the country or in other parts of the world or a species with unknown behavior?</p> <p>*An invasive alien species is defined by the Convention on Biological Diversity as “an alien species whose introduction and/or spread threaten biological diversity” (see <a href="https://www.cbd.int/invasive/terms.shtml">https://www.cbd.int/invasive/terms.shtml</a>).</p>	<p>The actions carried out to reduce promote conservation and enhancement of forest carbon stocks aimed to conserve and preserve the native vegetative resources of the country or for the promotion, establishment, restoration and sustainable management of native forests.</p> <p>The article 2 of Law 20283 provided incentives for control or elimination of alien species</p> <p>that threaten the xerophytic formations of high ecological value or native preservation forests.</p>	<p>Good level of alignment, consistent with key objectives of FAO ESS. Some potential risks were identified related to actions to be promoted in the ENCCRV.</p> <p>This risk has been addressed in the ESMF where the list of activities excluded comprises:</p> <ul style="list-style-type: none"> <li>· Afforestation (plantation on land that did not have forests in the last twenty years) of dense monocultures with fast-growing introduced forest species in continuous stands of more than 10 hectares (continuity means that between stands there is a buffer of at least 5 times the area that was planted).</li> <li>· Planting of vegetal species (trees or shrubs) that have not passed the reliable proof of not being invasive, proof that should be done by CONAF's own centres for this purpose (typically exotic species fall into this category, but may eventually include native species that are introduced from one biome to another even within the same country).</li> </ul>
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	<b>Access and benefit sharing for genetic resources</b>		
	Would this project involve access to genetic resources for their utilization and/or access to traditional knowledge associated with genetic resources that is held by indigenous, local communities and/or farmers?	The activities undertaken did not involve the use of plant genetic resources for food and agriculture (PGRFA) falling under the Multilateral System of Access and Benefit-sharing (MLS).	This FAO ESS did not apply in the case of this project

### SAFEGUARD 3 PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

	<b>Introduce new crops and varieties</b>	<b>Alignment Review</b>	<b>Evaluation / Recommendations</b>
<b>3.1</b>	Would this project introduce crops and varieties previously not grown?	The activities carried out did not introduce any crops or varieties previously not grown.	This FAO ESS did not apply in the case of this project
	<b>Provision of seeds and planting materials</b>		
<b>3.2</b>	Would this project provide seeds/planting material for cultivation?	CONAF has managed, since its creation in 1966, the Centre for Seeds, Genetics and Entomological Research (CSGE). Regarding the native forest, the main action related to forest genetic resources was the collection of seeds in all regions of the country, which are then classified and subjected to treatments for proper storage, or they are nursed and then sent to support process of establishment, restoration and sustainable management of native forests.	Good level of alignment, consistent with key objectives of FAO ESS.

	<b>Modern biotechnologies and the deployment of their products in crop production</b>		
<b>3.3</b>	Would this project supply or use modern plant biotechnologies and their products?	The activities carried out did not involve supply or use modern plant biotechnologies and their products	This FAO ESS did not apply in the case of this project
	<b>Planted forests</b>		
<b>3.4</b>	Would this project establish or manage planted forests?	The actions carried out to reduce deforestation, degradation, conservation and enhancement of forest carbon stocks were targeted in native forest and not actions to establish or manage planted forest were undertaken.	This FAO ESS did not apply in the case of this project

#### **SAFEGUARD 4 ANIMAL (LIVESTOCK AND AQUATIC) GENETIC RESOURCES FOR FOOD AND AGRICULTURE**

	<b>Introduce new species/breeds and change in the production system of locally adapted breeds</b>	<b>Alignment Review</b>	<b>Evaluation / Recommendations</b>
<b>4.1</b>	Would this project introduce non-native or non-locally adapted species, breeds, genotypes or other genetic material to an area or production system?	Non-animal genetic resources for food and agriculture were involved in the actions carried out to reduce deforestation, degradation, conservation and enhancement of forest carbon stocks	This FAO ESS did not apply in the case of this project
<b>4.2</b>	Would this project introduce a non-native or non-locally adapted species or breed for the first time into a country or production system?	REDD supports the conservation of natural ecosystems no introduction of new species will be supported by the programme	This FAO ESS did not apply in the case of this project

4.3	Would this project introduce a non-native or non-locally adapted species or breed, independent whether it already exists in the country?	The programme did not support the introduction of non-native species	This FAO ESS did not apply in the case of this project
4.4	Would this project ensure there is no spread of the introduced genetic material into other production systems (i.e. indiscriminate crossbreeding with locally adapted species/breeds)?	No introduced genetic material was considered in the programme	This FAO ESS did not apply in the case of this project

#### **SAFEGUARD 5 PEST AND PESTICIDES MANAGEMENT**

	<b>Supply of pesticides by FAO</b>	<b>Alignment Review</b>	<b>Evaluation / Recommendations</b>
5.1	Would this project procure, supply and/or result in the use of pesticides on crops, livestock, aquaculture or forestry?	<p>The actions carried out to reduce deforestation, degradation, conservation and enhancement of forest carbon stocks did not include:</p> <ul style="list-style-type: none"> <li>· to procure, supply and/or result in the use of pesticides on forestry,</li> <li>· to provide seeds, other materials treated with pesticides or inputs to farmers directly</li> </ul> <p>Therefore, the actions did not lead to increased use of pesticides through intensification, expansion</p>	This FAO ESS did not apply in the case of this project
5.2	Would this project provide seeds or other materials treated with pesticides?		
5.3	Would this project provide inputs to farmers directly or through voucher schemes?		

<b>5.4</b>	Would this project lead to increased use of pesticides through intensification or expansion of production?	of production or manage or dispose of waste pesticides.	
<b>5.5</b>	Would this project manage or dispose of waste pesticides, obsolete pesticides or pesticide contaminated waste materials?		

#### **SAFEGUARD 6 INVOLUNTARY RESETTLEMENT AND DISPLACEMENT**

		<b>Alignment Review</b>	<b>Evaluation / Recommendations</b>
<b>6.1</b>	<p>Would this removal* be voluntary?</p> <p>*temporary or permanent removal of people from their homes or means of production/livelihood or restrict their access to their means of livelihoods</p>	<p>The activities did not consider any displacement as part of actions carried out. The pilot projects, did not generate direct or economic displacement.</p> <p>In the case of indigenous peoples, this alignment is also ensured by the Law 19253 in the article 13 that states: "the indigenous lands, due to national interest, shall enjoy the protection of this law and may not be alienated, seized, encumbered, or acquired by prescription, except between communities or indigenous persons of the same ethnicity.</p>	Good level of alignment, consistent with key objectives of FAO ESS.