

**Government of Guyana**

April 2024

**THIRD SUMMARY OF INFORMATION FOR GUYANA  
On REDD+ Safeguards**



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## List of Abbreviations

AA	Amerindian Act
AIA	Access to Information Act
ALT	Amerindian Land Titling
APA	Amerindian People's Association
AML/CTF	Anti-Money Laundering and Countering the Financing of Terrorism Act
ART	Architecture for REDD+ Transactions
CORSIA	Carbon Offsetting and Reduction Scheme for International Aviation
CI-G	Conservation International Guyana
CETO	Customs, Excise and Trade Operation
CBD	Convention on Biological Diversity
CDP	Community Development Plans
EIA	Environmental Impact Assessment
EPA	Environmental Protection Agency
EFITAP	European Forest Institute Technical Assistance Project
FAAS	Forest Area Assessment System
FCA	Forestry Commission Act
FCMS	Forest Carbon Monitoring System
FCS	Forest Certification System
FLEGT	Forest Law Enforcement, Governance and Trade
FA	Forest Act
FSOs	Forest Sector Operators
FPA	Forest Products Association
FPIC	Free Prior Informed Consent
FTCI	Forestry Training Centre Inc
GoG	Government of Guyana
GGMC	Guyana Geology and Mines Commission
GNFCS	Guyana National Forest Certification Scheme
GNSSFM	Guyana National Standard for Sustainable Forest Management
GTLAS	Guyana Timber Legality Assurance System
GMSA	Guyana Manufacturing and Services Association
GOIP	Guyanese Organization of Indigenous Peoples
GLSA	Guyana Lands and Survey Act
GLSC	Guyana Lands and Surveys Commission
GRIF	Guyana REDD+ Investment Fund
GRM	Grievance Redress Mechanism

GSA	Guyana School of Agriculture
JIF	Joint Implementation Framework
JMRC	Joint Monitoring and Review Committee
IA	Independent Auditor
IPs	Indigenous Peoples
IPC	Indigenous Peoples Commission
Iwokrama	International Centre for Rainforest Conservation and Development
LCDS	Low Carbon Development Strategy
LCs	Local Communities
NDC	Nationally Determined Contribution
MNR	Ministry of Natural Resources
MoAA	Ministry of Amerindian Affairs
MoHSSS	Ministry of Human Services and Social Security
MoU	Memorandum of Understanding
MSSC	Multi Stakeholder Steering Committee
NADF	National Amerindian Development Foundation
NFP	National Forest Plan
NFPS	National Forest Policy Statement
NIWG	National Implementation Working Group
NRDDB	North Rupununi District Development Board
NSSWG	National Standard Setting Working Group
NSCCFO	National Steering Committee for Community Forest Organization
NTC	National Toshias Council
PAA	Protected Areas Act
PAC	Protected Areas Commission
PEFC	Programme for Endorsement of Forest Certification
Pre- JMRC	Pre-Joint Monitoring and Review Committee
PLRs	Policies Laws and Regulations
REDD+	Reducing emissions from deforestation and forest degradation, and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks
SFM	sustainable forest management
SLA	State Lands Act
SOPs	standard operating procedures
SIS	Safeguards Information System

SOI	Summary of Information
TAAMOG	The Amerindian Action Movement of Guyana
TREES	The REDD+ Environmental Excellence Standard
UNFCCC	United Nations Framework Convention on Climate Change
VPA	Voluntary Partnership Agreement
VSP	Village Sustainability Plans
WCMA	Wildlife Conservation and Management Act
WCMC	Wildlife Conservation and Management Commission
WTS	Wood Tracking System
WWF-G	World Wildlife Fund Guyana
WGE	Women and Gender Equality Commission

## Introduction

In accordance with the decision established in the United Nations Framework Convention on Climate Change (UNFCCC) regarding policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation, and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks (REDD+), the Government of Guyana (GoG) hereby submits its Third Summary of Information (SOI) on REDD+ Safeguards.

This SOI follows the submission of Guyana's second SOI in January 2023 and seeks to present Guyana's efforts in implementing the safeguards listed in decision 1/CP.16 Appendix I (hereinafter Cancun safeguards), and how the country continues to address and respect the Cancun safeguards in accordance with decisions 12/CP.17, 12/CP.19, 17/CP.21.

Key updates include the presentation of the newly updated Safeguards Information System (SIS) and an update on the REDD+ revenue sharing system. Guyana's previous SOI's covered the periods between 2009 and 2020, and January 1, 2021, and December 31, 2022, respectively.

This SOI covers the period between January 1, and December 31, 2023.

This SOI is structured as follows:

**Part I: REDD+ in Guyana.** This section provides a clear overview of REDD+ in Guyana, including the scope, scale and stage of design and implementation of the REDD+ actions that are subject to this period of reporting specifically.

**Part II: Conformance with REDD+ safeguards.** This section provides information over how the seven Cancun safeguards are being addressed and respected throughout the implementation of the GoG's Low Carbon Development Strategy (LCDS), focusing on the Direct REDD+ actions under implementation for this specific results period.

**Part III: REDD+ revenue distribution plan.** This section presents a description of Guyana's REDD+ revenue distribution plan and associated outcomes.

**Part IV: Overview of the Safeguard Information System.** This section presents an overview of the newly updated SIS (v.2), including its recently adopted Framework document, standard operating procedures (SOPs) and dedicated webpage.

**Part V: Stakeholder engagement.** This section includes information related to the stakeholder engagement process for the preparation of this report (including the meeting of the REDD+ Safeguards Committee), the SIS's consultation process, and how inputs have been integrated into this report.



## Part I: REDD+ in Guyana

This section provides a clear overview of REDD+ in Guyana, including the scope, scale and stage of design and implementation of the REDD+ actions that are subject to this period of reporting specifically.

### Context

Having one of the world's largest percentages of rainforest cover –approximately 85% of the national territory- and accounting also for one of the highest national carbon stock per capita globally, Guyana is a net carbon sink and therefore forest conservation and sustainable forest management are priorities in the fight against climate change. Guyana is working to sustain over 99% of that forest while building the foundation for a new low carbon, ecosystem economy, enabling Guyana to store 19.5 billion tons of carbon dioxide equivalent (the measure used for greenhouse gas emissions – the world emits about 50 billion tons a year).

Further, Guyana is characterized for its long history of forest conservation, where indigenous peoples have an outstanding role as forest stewards in recognition to the 7000-year long history of conservation and sustainable management of natural resources in the area. Guyana's Kaieteur National Park, established in 1929, was the first protected area established in the Amazon Region. In 1989 Guyana committed to 'lasting ecological, economic and social benefits' for the Guyanese people and the international community by committing to responsibly manage 1 million acres of forests in the Iwokrama Rainforest.

In 2008, Guyana recognized that national-scale action was essential if the world was to be successful in the fight against climate change, and that this needed a significantly higher level of ambition from forest countries and the world. As part of a vision to create a model that could be replicated elsewhere, forest policy evolved to embed national-scale, long-term commitments to maintaining Guyana's forests as an asset in the world's fight against climate change – with the then-President saying:

*"There is no solution to climate change without action on forests. The people of Guyana identified this long ago. As a country where most of our territory is rainforest, we didn't want to just despair about climate change – we wanted to do something about it. So we proposed two ideas. One, we said we were willing to create a global model for national scale action to create the right incentives to save forests. And two, we would use the payments we receive a*

*low carbon economy. If we are successful, we can offer the world a working example of what it takes to forge a successful, low deforestation, climate resilient economy.”*

This vision was encapsulated in Guyana’s LCDS, the original version of which was launched in 2009 – after one of the most comprehensive national consultations in Guyana’s history. The LCDS set out a phased approach to realizing the high-ambition vision of moving to national (jurisdiction) scale action and being a model for others, based on two pillars: (i) payment for forest climate services (this is how payment for carbon, or forest emission reductions (ER), is generally described in Guyana) and (ii) a suite of investments in low carbon development to create benefits for all stakeholders.

The two pillars were to evolve over three phases<sup>1</sup>, in line with Guyana’s long-standing policy position that:

- The world needs to value a wide variety of nature-based solutions and eco-system services if global climate, health and other challenges are to be met.
- The long-term future for eco-system services should include market-based mechanisms, while also recognizing that other forest countries may choose a different policy position.
- The most realistic entry point for building an eco-system services economy is based on carbon through integration of Guyana’s forest climate services into global carbon markets.

In Year 2022, a total of US\$75M was earned by Guyana from the sale of carbon credits. This added to another US\$75 million received in year 2023 totalling US\$150 million received as at the time of writing of this Sol and of which 15% has been disbursed to Amerindian Villages in keeping with a revenue distribution plan developed by the National Toshias Council working with the Government (see Part III for an overview of Guyana’s Revenue Sharing approach).

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<sup>1</sup> Phase I, a bilateral agreement with a partner which shared Guyana’s vision. Phase II, available market-based mechanisms. Phase III, a fully-fledged UNFCCC REDD+ mechanism.

## The LCDS 2030 and the REDD+ Strategy

### *The participatory design process of the LCDS*

A new LCDS 2030 was launched by HE President Irfaan Ali in October 2021 and was subject to one of the widest national consultation exercises completed in Guyana in recent history<sup>2</sup>.

This extensive national consultation took place between October 2021 to June 2022. The National Consultation consisted of (i) national level engagements; (ii) thematic engagements; (iii) community-based consultations; (iv) receipt of written feedback; (v) feedback via a website; (vi) an active public engagement programme; and (vii) oversight by a Multi Stakeholder Steering Committee (MSSC).

The consultation included the extensive representation from indigenous villages and forest-based communities. Over 200 Indigenous Villages and forest-based communities were engaged and directly informed the LCDS.

As per resolution of the National Toshias Council (NTC), the NTC “agrees with Guyana’s national approach of engaging with forest carbon financing that is aimed at bringing benefits to Guyanese and particularly Indigenous Villages and Communities” and “Welcomes and supports the LCDS, and engagement with carbon markets...that will create new opportunities to opt into revenue sharing mechanisms where Amerindian and other local communities can choose to access revenues through a combination of: national programmes...and community/village-led programmes for indigenous peoples and local communities...as set out in Village Sustainability Plans, or equivalent, put together by communities themselves.”<sup>3</sup>

### *The REDD+ Strategy- a component of the LCDS*

It is important to recognize that, for many years, Guyana, along with most countries, has advocated for the inclusion of forest climate services in carbon markets. This is now part of the United Nations Framework Convention on Climate Change (UNFCCC), through a mechanism known as REDD+. However, for the period up to 2015, no such carbon financing existed - despite Guyana and other countries continuing to lobby internationally.

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<sup>2</sup> The LCDS consultation report, accessible at: <https://lcds.gov.gy/summary-of-feedback/>

<sup>3</sup> NTC July 2022 Conference Report, pg. 261, accessible at: <https://ntcguyana.com/wp-content/uploads/2023/08/NTC-Report-2022.pdf>

In the absence of a UNFCCC REDD+ mechanism, Guyana and Norway sought to create a globally replicable model for a likely REDD+ mechanism. When it was agreed, the Guyana-Norway Agreement was the second-largest Interim REDD+ arrangement in the world.

Therefore, during the period 2009 to 2015, and in the context of the implementation of the 2009 LCDS, Guyana started building a mechanism for REDD+, focusing on (i) agreeing to jurisdictional (then known as national) approaches; and (ii) self-determination for villages expressed through village plans and village meetings to utilize revenues from results-based payments from the Guyana-Norway Agreement (as opposed to from carbon markets).

At the Paris COP in 2015, the basis for potential market-based jurisdictional-level carbon financing was finally established. This built on the Warsaw Framework, the Cancun Safeguards and Article 6 of the Paris Climate Agreement.

However, it was not until 2021 that markets become clearer, finally paving the way to the establishment of the ART-TREES carbon standard for HFLD jurisdictions in August 2021 (v2). While the international context changed in the period to 2021, and other valuable lessons were learned, the approach to jurisdictional-scale market-based finance has remained consistent since 2009, while waiting for the world to finally catch up with what Guyana and other forest countries had been calling for over many years.

The LCDS 2030 clearly recognizes that a Jurisdictional REDD+ approach and strategy is a component of Guyana's LCDS. The LCDS is however broader than the REDD+ Strategy component and includes low carbon development areas in the energy sector, the low carbon sectors such as agriculture, as well as areas of health and education.

Guyana's REDD+ jurisdictional approach has four modules for incentive creation:

- Reduce Deforestation - to incentivize reducing deforestation; albeit that in Guyana's case deforestation is already the lowest, or close to the lowest, in the world.
- Restore Forests - to incentivize restoring forests where deforestation has already taken place; in Guyana's case there are 200,000 hectares where this could happen as a priority.
- Remove Carbon - to recognize the value that standing forests continue to provide by removing carbon dioxide from the atmosphere; Guyana's forests remove about

154 million tons of CO<sub>2</sub>e every year, about the same as annual greenhouse gas emissions from Norway, Sweden, Finland and Denmark combined.

- Conserve Carbon - to recognize the value that standing forests provide to the world by storing carbon sequestered over hundreds of years, in Guyana's case 19.5Gt of stored carbon.

## REDD+ Actions - in the context and alignment with the LCDS's strategic areas and interventions

Within the context of the implementation of the broader LCDS, there are two types of REDD+ actions<sup>4</sup> considered:

**Direct REDD+ actions:** seek to achieve results in terms of emissions reductions and/or enhanced removals. Examples include reforestation, fire prevention or energy switching programmes.

**Enabling REDD+ actions:** aim to create an appropriate environment for effective and efficient interventions, often targeting indirect drivers or barriers to the 'plus' activities. Enabling REDD+ actions may include capacity building, land-use planning, clarification of tenure frameworks and measures aimed at improving governance, such as transparency in resource and land allocation. While essential to the success of REDD+, their carbon potential may be difficult or impossible to quantify.

The line drawn between direct and enabling REDD+ actions may at times be blurred, but it may remain a helpful distinction to improve stakeholders' understanding of the reasons behind interventions, particularly for the scope of safeguards application (see Part II below).

The table below identifies the REDD+ actions (direct and enabling) considered in the LCDS.

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<sup>4</sup> REDD+ actions or also referred to as 'policies and measures', 'actions' or 'interventions' are the means for implementing the five REDD+ activities: Reducing emissions from deforestation; Reducing emissions from forest degradation; Conservation of forest carbon stocks; Sustainable management of forests; and Enhancement of forest carbon stocks.

Table 1: REDD+ actions (direct and enabling) considered in the LCDS.

<b>LCDS Strategic Areas and planned interventions</b>	<b>Direct REDD+ actions</b>	<b>Enabling REDD+ action</b>
Enhancing the Guyana Forestry Commission and Guyana Geology and Mines Commission Codes of Practice (pg. 17)		X
Finalizing and implementing the Voluntary Partnership Agreement (VPA) under EU-FLEGT- (pg18)	X	
PEFC Forest Certification (PEFC) (pg. 18)	X	
Improving added-value activities for forest products locally- (pg18)		X
Mineral Mapping- (pg. 19)		X
Expansion and restoration of Guyana’s mangrove forests and ecosystems- (pg21)	X	
Maintenance of intact forest landscapes and Protected Areas - (pg. 21)	X	
Restoration projects (Mine-site reclamation and closure are legal requirements for all mining operations and are critical to ecosystem restoration or re-establishment. To date, approximately 200,000 hectares of forest areas are available for rehabilitation/reforestation)- (pg. 46)	X	
Amerindian Land Titling Project (pg. 65 +139)		X

REDD+ actions implemented in 2023 and which this SOI specifically focuses on reporting includes:

### **1. Guyana – EU FLEGT Process**

Guyana’s early commitment to REDD+ implementation under the Guyana-Norway partnership (Phase I), led to Guyana’s national process to join the European Union’s Forest Law Enforcement, Governance and Trade (FLEGT) initiative towards achieving a Voluntary Partnership Agreement (VPA).

Following a series of stakeholder consultations across the forestry sector, Guyana entered into formal negotiations with the EU for a VPA in December 2012, which aimed to ensure forest exports come from a legal source and improve forest governance and regulations, while

promoting broad stakeholder participation in decision-making processes, ultimately contributing to the achievement of sustainable development objectives in Guyana. While seeking to ensure Guyana's timber products are legally sourced, the process will contribute to further strengthening Guyana's existing policy, legal, and institutional frameworks for forest legality and sustainable forest management.

In December 2022, the VPA was signed in Montreal, Canada at the COP 15- on Biodiversity.

The Agreement is aligned with the country's LCDS, the National Forest Policy Statement 2018 (NFPS), National Forest Plan 2018 (NFP), and commitments to combat illegal logging and prevent the trade in illegal timber products.

During the Implementation phase in 2022, the National Implementation Working Group (NIWG) was established to overlook and monitor the activities set to be completed during this phase. There are mandatory groups of activities that need to be completed before the FLEGT Scheme becomes operational. These activities are listed and defined in a work-plan called the Guyana-EU Joint Implementation Framework (JIF).

The JIF was developed by broad stakeholder participation and agreed on by both Guyana and the EU in principle. This document will guide the implementation phase of the FLEGT progress in Guyana and will be used as part of the monitoring and reviewing tool by the NIWG.

EU FLEGT process is being implemented by a unit within the GFC. This unit is responsible for coordinating the negotiations process as well as the stakeholder engagement process for the FLEGT Programme.

As the VPA promotes sustainable forest management it has a direct impact on conservation/reduced deforestation or degradation. The emissions level from illegal logging will be maintained below 1% of the emissions from timber harvesting.

## **2. The Forest Certification System (FCS)**

Starting in 2021 and continuing through 2022, the GFC commenced preliminary activities on the development of a National Forest Management and Chain of Custody Standard. The National Forest Management and Legality Standard for Guyana will cover forest management on all land tenures where forest management for commercial purposes is permitted by law and is intended to be available to both individual forest management organisations and

potential group schemes involving multiple forest management entities. Certification will cover both timber and non-timber forest products and will facilitate chain of custody certification for entities purchasing, processing and/or trading in forest products.

Through 2021 and 2022 the Development of the Guyana National Forest Certification Scheme (GNFCS) was done and overseen by a National Working/Steering Committee comprising of broad stakeholder representation.

In 2023, this process has advanced to develop the benchmark Standards PEFC ST 1003:2018 and the Programme for Endorsement of Forest Certification (PEFC) Standard Setting Requirements PEFC ST 1001:2017 for Guyana. The proposal to develop the Guyana National Standard for Sustainable Forest Management (GNSSFM) was publicized widely in Guyana and was followed by a meeting of stakeholders to determine their support for the proposal. Following acceptance by the stakeholders to develop the Standard, a stakeholder mapping was done, leading to the establishment of the skilled-based technical committee of the key stakeholders in Guyana's forestry sector: the National Standard Setting Working Group (NSSWG), which was tasked to develop the Standard.

Once accredited, Guyana will be one of few tropical timbers producing country in the world to have a National Standard that has attained International Accreditation and hence companies can apply for Forest Certification under the Standard. This is a thematic program under LCDS 2030 and will open International Market Opportunities. Importantly it will allow for Guyana's Greenheart to re-enter the UK market.

As the FCS promotes sustainable forest management it has a direct impact on conservation/reduced deforestation or degradation. The emissions level from illegal logging will be maintained below 1% of the emissions from timber harvesting.



## Guyana's engagement with Architecture for REDD+ Transactions (ART)

On December 18, 2020, a concept note was submitted to the ART Secretariat by the Government of Guyana to become an entity eligible for the issuance of jurisdictional scale The REDD+ Environmental Excellence Standard (TREES) credits under the scheme. Guyana's entry into ART is under the High Forest Low Deforestation Module developed to be integrated under TREES v 2.0. Guyana identified two crediting periods, 2016- 2020 and 2021 to 2025 for payments.

Following this submission, Guyana underwent the independent Validation and Verification as required by ART, which audited Guyana's REDD+ results for conformance with both the carbon accounting requirements and the rigorous social and environmental safeguards of TREES. The results of which were presented to and approved by the ART Board of Directors. On December 1, 2022, it was announced that ART issued the world's first TREES credits to Guyana.

ART issued 33.47 million TREES credits to Guyana for the five-year period from 2016 to 2020. These serialized credits, are available to buyers on the global carbon market, including for use by airlines for compliance with the International Civil Aviation Organization's global emission reduction program, the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA), as well as for use toward voluntary corporate climate commitments.

## Part II: Conformance with REDD+ Safeguards

The UNFCCC and TREES requires that Guyana demonstrate that the implementation of REDD+ actions is conformant with the Cancun Safeguards.

Accordingly, Guyana has set out the safeguards will be applied to all its REDD+ actions (see Table 1). 'How' exactly they are applied will vary depending on the specific scope and nature of the REDD+ actions. Additionally, and considering the step wise approach to safeguards reporting, Guyana has also committed to progressively report more specifically on how Direct REDD+ actions (under the specific results period) are being implemented in conformance with the Cancun safeguards.

This section provides information over how the seven Cancun safeguards are being addressed and respected throughout the implementation of the REDD+ actions, focusing on the key REDD+ actions implemented in this specific results period (i.e. the VPA and the FCS).

In order to provide transparent and consistent information over how each of the Cancun safeguards are being addressed and respected, this section is structured as follows:

- **GoG's description of the Cancun safeguard:** presents the GoG's description of the Cancun safeguards that serves to specify how the objectives encompassed in the broad language of the Cancun safeguards translate into concrete principles and objectives that are to be followed in the context of the implementation of REDD+ Actions, and which are anchored in the GoG's Policies Laws and Regulations (PLRs).
- **Safeguard Theme:** presents the breakdown of the core elements of such description. Under each Safeguard Theme, the section presents the relevant:
  - **Legal Framework:** presents the relevant PLRs, which are the foundation through which the GoG guarantees the application of the Cancun safeguard theme throughout the implementation of the REDD+ actions. This sub-section also presents the specific legal framework of the key REDD+ actions implemented in this specific reporting period.
  - **Institutional Framework:** presents the institutional arrangements, mandates, and procedures in place, which facilitate the application of the Cancun safeguard theme throughout the implementation of the REDD+ actions. This sub-section also presents the specific institutional framework of the key REDD+ actions implemented in this specific reporting period.

- **Outcomes:** presents specific outcomes that demonstrate conformance with the Cancun safeguard theme, and in consistency with the relevant legal and institutional framework. This sub-section also presents the specific outcomes in the context of the implementation of the key REDD+ actions in this specific reporting period.
- **Means of verification:** presents the verification sources.

## Cancun Safeguard A

### GoG's description of Cancun Safeguard A

*“The REDD+ activities must be implemented in compliance with the objectives of national forest programmes, and consistent to the provisions of the relevant treaties and international conventions Guyana is Party to.”*

#### *Safeguard Theme A.1- Compliance with the objectives of national forest programs*

### Legal Framework

Guyana's legal framework provides a comprehensive suite of laws governing conservation and the protection of biodiversity consistent with national forest programmes that are applicable to REDD+. Among them are the NFPS and NFP, which were developed within the framework of Guyana's Constitution<sup>5</sup>, and have as their overall policy objective the 'conservation, protection, and utilization of the State's Forest, by ensuring it's social, economic, and environmental attributes and benefits are sustained and enhanced for the benefit of current and future generations of Guyanese, whilst fulfilling Guyana's commitments under international agreements and conventions.'

A new LCDS 2030 was launched by HE President Irfaan Ali in October 2021, and was subject to an extensive national consultation from October 2021 to June 2022. The LCDS 2030 seeks to build on the progress made in implementation of LCDS 2009 and to further create a new low-carbon economy in Guyana by establishing incentives which value the world's ecosystem

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5 The Constitution of Guyana 1980 – Principles and Bases of the Political, Economic and Social System recognizes by virtue of section 36- the wellbeing of the nation requires inter alia the preservation of the rich diversity of plants and eco-systems. This is a general aspiration of the nation expressed by the drafters of the Constitution and represent the broad objectives which can be viewed as the foundation for all the subordinate legislation, regulations, and policies.

services and promoting these as an essential component of a new model of global development with sustainability at its core.

The LCDS 2030 recognises that for global climate, health and other challenges to be met, nature-based solutions and eco-system services must be valued. It further posits that for Guyana, the long-term future for eco-system services should include market-based mechanisms, with the most realistic entry point for building an eco-system services economy being based on carbon through integration of Guyana's forest climate services into global carbon markets.

#### In the specific context of the VPA

Article 1 of the VPA defines the objective of the VPA as the: “a) commitment to the sustainable management of all types of forests, b) to provide a legal framework aimed at ensuring that all imports into the Union from Guyana of timber products covered by the VPA have been legally produced c) to promote trade in timber products d) to provide a basis for dialogue and cooperation between the Parties to facilitate and promote full implementation of the VPA and enhance forest law enforcement and governance.” Article 15 of the VPA reinforces this objective by committing to an implementation process which coordinates with current and future development initiatives that supports, *inter alia*, activities aimed at reducing emissions from deforestation and degradation.

Under the VPA, the Guyana Timber Legality Assurance System (GTLAS) is based on national laws and regulations and aims to ensure that Guyana's timber products are legal. To that end, the GTLAS will establish a credible legality assurance system that guarantees the legality of harvest, transport, processing, as well as exports and imports of timber products. It will include compliance checks to provide assurance that timber products have been legally produced irrespective of the intended destination market. In addition, the GTLAS will verify the legality of imported timber products.

The Legality Definition under the GTLAS is based on Guyana's national legal and regulatory framework, and shall be complied with by Forest Sector Operators (FSOs) in order for timber products to be covered by a FLEGT licence.

### In the specific context of the FCS

The FCS is comprised of the following aspects: Standard Setting Procedure; GNSSFM; Group Certification Procedures; Chain of Custody Standard (the PEFC Chain of Custody Standard); Certification and Accreditation Procedures; Logo license issuing procedures; and Complaints and appeals handling procedures.

The GFC and its subsidiary body -the NSSWG- have designed it with the aim of conforming to the mandates of the PEFC.

The initiative, which aims to further enhance Guyana's efforts to continually improve the sustainable management of the nation's valuable forest resources, also builds on Guyana's work on the VPA with the European Union. The GNFC will also support Guyana's LCDS 2030.

The specific objectives of the FCS are to support sustainable forest management through forest certification and labelling of forest-based products. Products with an FCS claim and/or label offer assurances that the raw materials that have been used in their manufacture originate from sustainably managed forests and legal or controlled sources.

### **Institutional Framework**

The GFC is one of the main agencies involved in REDD+ implementation in Guyana and is tasked with implementation of EU FLEGT, Sustainable Forest Management and the Monitoring Reporting and Verification System (MRVS) within its institutional framework.

Over this reporting period, the GFC executed its institutional mandate and advanced work in the areas of EU FLEGT, Development of a National Forest Management and Chain of Custody Standard, MRVS and Sustainable Forest Management.

### In the specific context of the VPA

As noted under the information on the legal framework for Safeguard Theme A.1, the Legality Definition sets out the applicable legislation (including regulations) underpinning the GTLAS. These pieces of legislation form the framework applicable to Guyana's forest sector and support the country's efforts towards sustainable forest management, in consistency with the

objectives of NFPS, the NFP and the LCDS. The GTLAS also sets out the implementing structures to ensure effective coordination between Government and non-governmental bodies involved in VPA implementation:

- The National Implementation Working Group is a multi-stakeholder structure that will contribute to the implementation of the regulatory framework of the VPA. It will include on the one hand representatives of Ministries and Government Agencies, and of other stakeholders from the private sector, civil society and Indigenous peoples on the other. The Working Group will act as focal point for effective communication and information exchange on progress in implementation. The National Implementation Working Group will coordinate the formulation of a detailed roadmap of activities in accordance with the implementation schedule. It will oversee the implementation of these activities in coordination with, and through the continuous engagement of, stakeholders in the development of the GTLAS during VPA implementation. The Working Group will provide strategic guidance to Guyana's representatives on the Joint Monitoring and Review Committee (JMRC). It will also be able to propose items to be added to the agendas of the JMRC's meetings. The Working Group will hold regular and periodic meetings, and receive inputs from the Government Coordination Body and the FLEGT VPA Secretariat.
- The FLEGT Secretariat, which is part of the GFC, serves as the secretariat to the National Implementation Working Group. This Secretariat will coordinate and facilitate activities to be implemented in accordance with the annual work plan approved by the National Implementation Working Group. It will also provide logistic and technical support to the meetings of the Government Coordination Body and the JMRC.
- The Government Coordination Body has been formalised through a government directive. It acts as a coordination body for Ministries and Government Agencies involved in the development and implementation of the Agreement. A joint Memorandum of Understanding (MoU) will be developed and signed by all Ministries and Government Agencies outlining their commitment to participate in the Government Coordination Body. The Government Coordination Body will ensure effective implementation of the Agreement in keeping with each Agency's legislative and policy mandate. It may co-opt any other Government entities when necessary. The functions of the Government Coordination Body include: Examining the current procedures of Ministries and Government Agencies that relate to the operation of the GTLAS with a view to identifying and addressing any gaps and overlaps in those procedures; Contributing to the development and implementation of the GTLAS; Carrying out the continuous review of the development and implementation of the

GTLAS; Recommending improvements and resolving issues that may arise in relation to the functioning of the GTLAS; and Developing GTLAS verification procedures, to ensure economies of scale and coordination among Ministries and Government Agencies.

- The Guyana-EU VPA Pre-Joint Monitoring and Review Committee (Pre-JMRC), will serve as the platform to discuss planning and preparation of the implementation of the Agreement before it enters into force. When the Agreement formally enters into force after its ratification, the Pre-JMRC will be replaced by the JMRC. Among the key functions of the JMRC includes recommendations to help attain the Agreement's objectives, and establishing working groups as needed to address any aspects of the Agreement's implementation requiring special attention.

#### In the specific context of the FCS

The GFC is responsible for the FCS design and implementation. As part of the process, a NSSWG has been created. Membership in the NSSWG consists of the National Steering Committee for Community Forest Organization (NSCCFO), Guyana Manufacturing and Services Association (GMSA), Forest Products Association (FPA), National Toshias Council (NTC), Indigenous Peoples Commission (IPC), Guyana Agriculture Workers Union (representing workers/trade unions), Amerindian People's Association (APA) National Amerindian Development Foundation (NADF), Guyanese Organization of Indigenous Peoples (GOIP), The Amerindian Action Movement of Guyana (TAAMOG), Conservation International Guyana (CI-G), World Wildlife Fund Guyana (WWF-G), Iwokrama (International Centre for Rainforest Conservation and Development), Ministry of Amerindian Affairs (MoAA), Ministry of Natural Resources (MNR), Forestry Training Centre Inc.(FTCI), Guyana Forestry Commission (GFC) (Chair, Standardising, and National Governing Body), Women and Gender Equality Commission (WGEC), Children and Youth (Ministry of Human Services and Social Security (MoHSSS)), Guyana School of Agriculture (GSA) (representing academia) (as a stakeholder with potential to influence standards implementation).

The primary role of the NSSWG is to build consensus on Guyana's forest management standard. The GFC will be responsible for coordinating the implementation of the FCS by providing routine updates to the MNR on the work of the NSSWG and overall coordination efforts on the development of the standard and certification system. Collectively all work done by the NSSWG will inform the Reports that will be drafted by the PEFC Secretariat of the GFC and will be submitted to relevant bodies (including the Ministry of Natural Resources) for

purposes of providing updates, seeking policy level advice and guidance and for formal decision making at the policy level.

## **Outcomes**

The design of the REDD+ actions is consistent with or complements the objectives of the NFPS, the NFP and the LCDS, with specific alignment on their respective commitments to the sustainable management of all types of forests and forest governance.

### In the specific context of the VPA

It must be noted the VPA has not yet entered into force and hence implementation has not commenced. Information on outcomes is therefore provided in relation to the design of the VPA.

Guyana has undertaken a process towards designing the VPA in consistency and complementarity to the objectives of the NFPS, NFP and LCDS. While seeking to ensure Guyana's timber products are legally sourced, the VPA will contribute to further strengthening Guyana's existing policy, legal and institutional frameworks for forest legality and sustainable forest management.

Over the reporting period the GFC commenced a series of stakeholder dialogues on the national MRVS and REDD+ related areas including Guyana's engagement in EU FLEGT and the PEFC. Sessions were held in eight clusters across the country, with a total of 354 stakeholder targeted, of which 163 (46%) of the participation was female. These engagements will be completed in the first quarter of 2024.

### In the specific context of the FCS

It must be noted the FCS has not yet been endorsed by the PEFC General Assembly, and hence its application has not commenced. Information on outcomes is therefore provided in relation to the design of the FCS.

The FCS has been designed in consistency and complementarity to the objectives of the NFPS, NFP and LCDS.



Moreover, the development of the FCS has followed the requirements of the PEFC's benchmark Standards PEFC ST 1003:2018 and the PEFC's standard setting requirements PEFC ST 1001:2017. The proposal to develop the GNSSFM was publicized widely in Guyana and was followed by a meeting of stakeholders to determine their support for the proposal. Following acceptance by the stakeholders to develop the Standard, a stakeholder mapping was done, leading to the establishment of the skilled-based technical committee of the key stakeholders in Guyana's forestry sector: the NSSWG, which was tasked to develop the Standard.

### **Means of Verification**

- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- Guyana-National-Forest-Plan-2018
- Guyana National Forest Policy Statement 2018
- Guyana-Low-Carbon-Development-Strategy-2030
- The Constitution of the Co-operative Republic of Guyana
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- Adopted Chain of Custody of Forest and Tree Based Products – Requirements -
- [Joint Monitoring and Review Committee \(JMRC\)](#)
- [Updated Joint Implementation Framework \(JIF\)](#)
- [Aide-mémoire from the first Pre-Joint Monitoring and Review Committee \(JMRC\) meeting on March 10, 2022, in Georgetown, Guyana](#)
- ['Public announcement public review and feedback on the draft Guyana national standard on sustainable forest management \(GNSSFM\)'](#)
- [Public review and feedback on the second draft of the Guyana national standard for sustainable forest management and the group certification standard requirements](#)
- [Reports from stakeholder dialogues](#)

## *Safeguard Theme A.2 Consistency with the objectives of relevant international conventions and agreements*

### **Legal Framework**

Guyana is currently party to 33<sup>6</sup> relevant international agreements which have been recognized and are applicable to the REDD+ actions. International law and conventions are enforceable when national law gives effect through enactment. The Constitution of Guyana<sup>7</sup> asserts that where a convention has been ratified, such rights shall be respected and upheld by the executive body, legislature, judiciary and all organs and agencies of the Government and enforceable in the manner prescribed<sup>8</sup>.

### In the specific context of the VPA and FCS

Guyana's VPA and FCS are consistent with commitments under the UNFCCC, other international conventions, and importantly national policies, including the NFP and the LCDS. These have been underscored in Guyana's Nationally Determined Contribution (NDC). Recognizing that the bulk of Guyana's forest emissions emanate from mining and logging activities, Guyana's efforts focus on ensuring that such activities are sustainable and efficient, in line with the objectives of Guyana's NDC.

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<sup>6</sup> Convention on Biological Diversity; Cartagena Protocol on Biodiversity to the Convention on Biological Diversity, CITES, UN Convention to combat desertification, Kyoto Protocol, Doha Amendment to Kyoto Protocol, International Plant Protection, Convention International Tropical Timber Agreement 1983, 1994, 2006, UNFCCC. CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, CAT-OP - Optional Protocol of the Convention against Torture, CCPR - International Covenant on Civil and Political Rights, CED - Convention for the Protection of All Persons from Enforced Disappearance, CEDAW - Convention on the Elimination of All Forms of Discrimination against Women, CERD - International Convention on the Elimination of All Forms of Racial Discrimination, CESCR - International Covenant on Economic, Social and Cultural Rights, CMW - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, CRC - Convention on the Rights of the Child, CRC-OP-AC - Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, CRC-OP-SC - Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography, CRPD - Convention on the Rights of Persons with Disabilities, Convention on Protection and promotion of the Diversity Critical Expressions, UN Convention against Corruption, International Covenant on Economic, Social and Cultural Rights, Geneva Convention, Inter-American Convention Against Corruption, International Convention for the Prevention of Pollution from Ships, International Convention relating to Intervention of the High Seas in cases of Oil Pollution Casualties, International Treaty on Plant Genetic resources for Food and Agriculture, Convention concerning the Protection of the World Cultural and Natural Heritage, Stockholm Convention on Persistent Organic Pollutants, UN Convention against Torture, Convention on Protection of Underwater Cultural Heritage, Vienna Convention for the Protection of the Ozone Layer.

<sup>7</sup> Constitution of Guyana, section 39 (2) In the interpretation of fundamental rights provisions in this Constitution a court shall pay due regard to international law, international conventions and charters bearing on human rights.

<sup>8</sup> Constitution of Guyana, section 154A (1) of Fourth Schedule.

Unconditional and conditional commitments established in the NDC - together with the National Forest Policy, Codes of Practice for Timber Harvesting for sustainable forest management - established the overarching guiding instruments and systems in Guyana to support country efforts to reduce emissions in the forest sector by 2025. Guyana has committed to unconditionally continue to pursue sustainable forest management (SFM), in compliance with applicable Forest Codes of Practice governing timber operations, including continuous efforts on forest monitoring to ensure high levels of timber legality. Similarly, Guyana is preparing and will begin implementing the VPA under EU-FLEGT, aiming to provide independent accreditation of forest legality and management practices in the timber industry. The four objectives of the LCDS 2030 aim to bring Guyana into conformity with its international obligations and are aided by the implementation of the FCS. Collectively, these programmes will advance the maintaining of low deforestation rates through forest legality and sustainable forest management.

### **Institutional Framework**

The LCDS requires continuous multi-stakeholder consultation process which is characterized by an institutionalized, systematic, and transparent process of multi-stakeholder consultation to ensure full and effective participation, particularly of indigenous peoples and other forest-dependent communities. This is aligned with promoting the applicable international human rights commitments on the matter.

The MNR provides strategic direction to the work of the GFC, and the Office of the President provides guidance to the Environmental Protection Agency (EPA) and Guyana Lands and Surveys Commission (GLSC).

### **In the specific context of the VPA**

It must be noted that the Legality Definition is a summary of Guyana's national legal and regulatory framework applicable to the VPA, which recognizes and promotes the application of ratified relevant international conventions and agreements. Principles and procedures applicable to all FSOs types are listed in Annex II of the VPA. This framework shall be complied with by FSOs for timber products to be covered by a FLEGT licence.

### In the specific context of the FCS

Several procedures have been adopted to support its implementation, all of which are aligned with national legislation and hence ratified relevant international conventions and agreements:

- Code of Practice for Forest Operations- State Forest Permission Holders (Small scale forest operators)
- Code of Practice for Forest Operations- State Forest Authorizations
- Code of Practice for Forest Operations- Timber sales agreement and wood cutting license holders

The terms and definitions of the GSSFM draw on those from the PEFC ST 1003:2018. They include direct reference to applicable conventions:

- Eight conventions (ILO 29, 87, 98, 100, 105, 111, 138 and 182) identified by the ILO's Governing Body as "fundamental" in terms of principles and rights at work: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation. All of them have been ratified by Guyana.

Additionally, and through the GSSFM, the FSO is required to adopt several procedures which recognize and promote the application of ratified international conventions and agreements:

- Principle 3 – Workers Rights. According to criterion 3.1 the FSO is required to comply with employment law, social security requirements and the fundamental ILO conventions.
- Principle 7- Maintenance of Forest Ecosystem Health and Vitality. Indicator 7.4.3 requires the FSO ensures that within the forest management area: a) the use of WHO Class 1A and 1B pesticides and other highly toxic pesticides are prohibited, except where no other viable alternative is available; and b) pesticides, such as chlorinated hydrocarbons whose derivatives remain biologically active and accumulate in the food chain beyond their intended use, and any pesticides banned by international agreement (Pesticides banned by international agreements are defined in the Stockholm Convention on Persistent Organic Pollutants), shall be prohibited.

## **Outcomes**

The design of the REDD+ actions is consistent with or complements the objectives of relevant international conventions and agreements, with specific alignment on their respective commitments to the sustainable management of all types of forests and forest governance.

### In the specific context of the VPA

The VPA has been designed consistency and complementarity to the objectives of ratified and relevant international conventions and agreements.

The VPA is a legally binding agreement that aims to improve forest governance and promote trade in legal timber from Guyana to the EU and globally. Under the agreement, both parties commit to trading only in legal timber products, and hence advance international environmental commitments. Additionally, a significant outcome of the VPA is that it looks beyond trade to consider the development issues. Stakeholder participation remains a key feature of the implementation phase of the VPA. Guyana will also enhance and/or develop the systems, institutions, capacity, legislative frameworks, and governance reforms agreed in the VPA- as agreed in the JIF.

A legislative review of the VPA was completed in 2023. This review was done with the aim of determining whether the laws the VPA is built on, are coherent or whether there is a need to have some minor amendments to ensure perfect synergy. This review will also allow for the strengthening of the laws where possible.

The review process offers a series of recommendations to the Ministry of Legal Affairs, where possible strengthening can be done. It should be noted that the VPA process can only make recommendations where strengthening can be made and will prove useful.

The legal review process was carried out with the inclusivity of all relevant stakeholders at the national level. These stakeholders include representatives from loggers, sawmillers, concession holders, civil society, indigenous groups, government agencies etc. There was also participation from key logging association such as the GMSA and FPA.

### In the specific context of the FCS

It must be noted the FCS has not yet been endorsed by the PEFC General Assembly, and hence its application has not commenced. Information on outcomes is therefore provided in relation to the design of the FCS.

The FCS has been designed in consistency and complementarity to the objectives of the ratified and relevant international conventions and agreements.

As noted above, recognizing that the bulk of Guyana's forest emissions emanate from mining and logging activities, Guyana's efforts focus on ensuring that such activities are sustainable and efficient, in line with the objectives of Guyana's NDC.

### **Means of Verification**

- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- The GTLAS
- The NDC of Guyana
- Code of Practice for Forest Operations- State Forest Permission Holders (Small scale forest operators)
- Code of Practice for Forest Operations- State Forest Authorizations
- Code of Practice for Forest Operations- Timber sales agreement and wood cutting license holders
- ILO 29, 87, 98, 100, 105, 111, 138 and 182

## Cancun Safeguard B

### **Guyana's description of Cancun Safeguard B**

*“The rights of access to information, accountability, justice, gender equality, land tenure and fair distribution of benefits will be respected and promoted in the scope of the application of the REDD+ activities”*

*Safeguard Theme B.1 Respect, protect, and fulfil the right of access to information*

### **Legal Framework**

The Access to Information Act (AIA) gives every Guyanese citizen or person domiciled in Guyana the qualified right of access to information. The Amerindian Act 2006 (AA) – refers to proper records and financial accounts to be furnished to the subject Minister. This is supported by the Protected Areas Act 2001 (PAA) and the Guyana Forestry Commission Act 2007 (FCA). The FCA also makes provision for disclosure of privileged information by way of exception to the disclosure restrictions contained in S.13(1).

The AIA defines "right of access to information" as the information which is held by or under the control of any public authority and includes the right to - (a) inspect any work, documents or records; (b) take notes, extracts or certified copies of documents or records; (c) take certified samples of material; (d) obtain information in any digital or electronic mode or through printouts where such information is stored in a computer or in any other similar device. Further, 3. (1) which outlines the objective of this Act: is to extend the right of members of the public to access information in the possession of public authorities by — (a) creating a general right of access to information in documentary form in the possession of public authorities limited only by exceptions and exemptions necessary for the protection of essential public interests and the private and business affairs of persons in respect of whom information is collected and held by public authorities; and (b) making available to the public, information about the operations of public authorities and, in particular, ensuring that the authorisations, policies, rules and practices affecting members of the public in their dealings with public authorities are readily available to persons affected by those authorisations, policies, rules and practices.

### In the specific context of the VPA

It must be noted that the Legality Definition is a summary of Guyana's national legal and regulatory framework applicable to the VPA, which recognizes and promotes the application of the right to access to information. Additionally, the VPA Art. (20) – Reporting and Public Disclosure of Information – provides (1) Public access to information is essential to improve governance and therefore provision of relevant information to stakeholders shall be central for this Agreement. Information shall be made available to facilitate implementation and monitoring of systems, and thus improve stakeholder and consumer confidence as well as to ensure accountability of the Parties. Details of the information to be published are set out in Annex IX of the VPA. (2) Each Party shall consider the most appropriate mechanisms (media, documents, Internet, workshops, annual reports) by which to disseminate the information to the public. In particular, the Parties shall endeavour to provide the various stakeholders associated with the forestry sector with reliable, relevant, and up-to-date information using the mechanisms described in Annex IX of the VPA.

Annex IX -Public access to information on the FLEGT licensing scheme- encapsulates several commitments which are the agreement by the Parties that the availability of information is essential for the successful implementation of the VPA therefore they commit to ensuring that there is continuing access to information to facilitate the implementation and monitoring of the Agreement and to ensure that the information acquired under the GTLAS is made available to the public.

VPA Art.16- provides for stakeholder involvement in the implementation of the Agreement which is linked to access to information. Notably 'The Union shall hold regular consultations with its stakeholders on the implementation of this Agreement, taking into account its obligations under the 1998 Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention).'

### In the specific context of the FCS

Access to information is recognized and promoted through Guyana's legal framework and applicable to the FCS. Additionally, one of the principles under the GSSFM is that of free and informed consent, whereby an individual or a community has the right to give or withhold their consent to proposed projects that may affect the land they own, occupy, or otherwise use. Free implies that there is no coercion, intimidation, or manipulation. Informed implies that information provided covers a range of aspects, including the nature, size, pace, reversibility



and scope of any proposed project or activity; the purpose of the project as well as its duration; locality and areas affected; a preliminary assessment of the likely economic, social, cultural, and environmental impact, including potential risks; personnel likely to be involved in the execution of the project; and procedures the project may entail. The model demands holistic disclosure of relevant information.

## **Institutional Framework**

The NFP<sup>9</sup> and NFPS<sup>10</sup> address dissemination and distribution of information on all aspects of forestry and forest-related activities. The FCA requires maintenance and dissemination of information. In order to promote access to information, the GFC operates a publicly accessible website which details the process of local implementation and makes available all documentation and information. The relevant government websites include: [www.forestry.gov.gy](http://www.forestry.gov.gy), [www.lcds.gov.gy](http://www.lcds.gov.gy) and <https://nre.gov.gy>

Each process is executed through the organisational process and planning of the agencies that are in the lead: the EPA, GFC and GLSC. Annual reports of the GFC are provided and include an overview on how the MRVS, PEFC and EU FLEGT process have advanced within the institutional structures that have led on these programmes.

### In the specific context of the VPA

Certain processes and procedures are being implemented to recognize and promote the right of access to information. A publicly accessible website provides all information concerning the VPA's design and implementation, accessible at: <https://euflegt.gov.gy/>

Principles and procedures applicable to all FSOs types are listed in Annex II of the VPA. This framework shall be complied with by FSOs in order for timber products to be covered by a FLEGT licence.

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<sup>9</sup> The NFP Specific Objective 3 – Governing the Forest to Ensure Continuing and Future Benefits- Policy Goal 3.2.2 – Transparency, Equity and Connectedness – 3.2.2.1 Develop and articulate standards for transparency and public disclosure of non-sensitive information, including agency decisions and their rationale. 3.2.2.2- Full and timely disclosure of decisions, financial information, performance, research, and other information that affects the well-being of Guyanese stakeholders.

<sup>10</sup> The NFPS Specific Objective 3- Governance contemplates the establishment of governance mechanisms for improved efficiency, efficacy, equity, transparency, financial prudence, and stakeholders' participation in the management of forests. These mechanisms to be established at the local, regional, and national levels. The policies linked to this specific objective includes the development of standards for transparency and public disclosure of non-sensitive information, particularly agency decisions and their rationale.

Additionally, a key process was the adoption of the National Communication Strategy and Implementation Plan 2020-2023: Guyana-EU FLEGT VPA Implementation Phase with support from the European Forest Institute Technical Assistance Project (EFITAP), which is guided by the following principles:

- a. Information will be accessible at no-cost or at a reasonable cost;
- b. A list of public and accessible documents will be made available;
- c. Information will be accurate and up-to-date;
- d. Information will be made available in a timely fashion;
- e. Information will be provided in the appropriate format for publication;
- f. Methods of communication will be listed;
- g. The GTLAS will be one of the main sources of information.

Annex VII – supporting measures and financial mechanisms-identified key measures to ensure effective communication of the results as well as impacts of the VPA. These include organising annual national level consultation/awareness raising sessions; providing annual updates on advances on key milestones on the implementation of the VPA through the GFC’s website, social media forums, the local press and local radio sessions; maintaining a digital and regularly updated record of all stakeholders’ feedback; and developing an information exchange platform for consistent dissemination of information.

#### In the specific context of the FCS

Several procedures have been adopted to support its implementation, all of which are aligned with the right to access to information as recognized by national legislation and ratified international conventions and agreements:

- Code of Practice for Forest Operations- State Forest Permission Holders (Small scale forest operators)
- Code of Practice for Forest Operations- State Forest Authorizations
- Code of Practice for Forest Operations- Timber sales agreement and wood cutting license holders

Additionally, and through the GSSFM, the FSO is required to adopt several procedures which recognize and promote the application of the right to access to information:

- Principle 4- Management Systems and Planning. According to Indicator 4.4.2 – The FSO is required to establish and implement procedures for effective communication and consultation with local communities, Indigenous peoples and

other stakeholders relating to sustainable forest management. According to Indicator 4.4.3 the FSO is required to ensure that mechanisms for communication and consultation are culturally appropriate and facilitate the meaningful engagement of stakeholders. According to Indicator 4.4.4 the FSO is required to keep records of communications and consultation sufficient to demonstrate implementation of its procedures and meaningful engagement with local communities, indigenous peoples and other stakeholders in relation to the FSO's forest management activities.

## **Outcomes**

The EPA, GFC and GLSC have continuously provided information over the design and implementation of REDD+ actions they lead, in accordance with the legal and institutional framework. These include:

- Public engagements sessions are planned and conducted by the Ministry of Natural Resources.
- Regular updating of websites that disseminate information to a wide range of stakeholder will be continuous and include areas such as EU FLEGT.
- Annual publishing of reporting from the GFC and the MRVS
- Development Report Summary for PEFC

### In the specific context of the VPA

It must be noted the VPA has not yet entered into force and hence implementation has not commenced. Information on outcome is therefore provided in relation to the design of the VPA. The VPA has been designed to recognize and promote the right to access to information.

The EU FLEGT and GFC's websites provide regular updates on the VPA. The websites have been fully functioning to make available updates on the VPA implementation process in Guyana. Stakeholder engagement sessions and information provided through the websites have allowed for the public to be made aware and to seek and receive official information.

### In the specific context of the FCS

It must be noted the FCS has not yet been endorsed by the PEFC General Assembly, and hence its application has not commenced. Information on outcomes is therefore provided in relation to the design of the FCS.

The FCS has been designed to recognize and promote the right to access to information.

The GNSSFM and the Group Certification Standard Requirements have been subject to several consultations in 2022-2023. In addition to the formal public consultations required by the PEFC guidelines, the GFC continually held stakeholder engagements to promote and publicize the Standard development process. In this regard, the GFC has conducted extensive community outreaches throughout the country during the development phase of the Standards. These stakeholder outreaches were conducted based on the FLEGT National Communication Strategy, to ensure disadvantaged and affected stakeholders were appropriately reached.

Though at the beginning of the GNFC process, physical outreach meetings were not possible due to the Covid-19 Pandemic, as soon as the restrictions were relaxed, the GFC conducted national community-level meetings and radio broadcast programs to ensure the relevant stakeholders were aware of the GNFC process in Guyana and were directed to GFC's website to access softcopies of the Standard documents. Stakeholders outside Guyana's national capital, Georgetown, were informed that they were able to obtain both hard and electronic copies of the GNFC documents at any of the 33 GFC's Forest Stations, located throughout the country.

The Annual Report of the GFC summarize outreach activities, engagement at the Ministerial level with stakeholders, and capacity building sessions that are held, all aimed at engaging with stakeholders and creating the mechanism necessary for ease in access to information. Over the reporting period the GFC engaged in a multi-stakeholder consultation process-multiple awareness and capacity-building activities, which included hosting eight stakeholder dialogues on the national MRVS and REDD+ related areas including Guyana's engagement in EU FLEGT and the Programme for Endorsement of Forest Certification.

### **Means of Verification**

- The Constitution of the Co-operative Republic of Guyana
- Access to Information Act 2011
- Protected Areas Act 2011
- The Amerindian Act 2006
- Forestry Commission Act 2007
- Guyana-National-Forest-Plan-2018
- Guyana National Forest Policy Statement 2018

- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- Adopted Chain of Custody of Forest and Tree Based Products
- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- The GTLAS
- Code of Practice for Forest Operations- State Forest Permission Holders (Small scale forest operators)
- Code of Practice for Forest Operations- State Forest Authorizations
- Code of Practice for Forest Operations- Timber sales agreement and wood cutting license holders
- National Communication Strategy and Implementation Plan 2020-2023: : Guyana-EU FLEGT VPA Implementation Phase
- Relevant websites: <https://euflegt.gov.gy/>, [www.forestry.gov.gy](http://www.forestry.gov.gy), [www.lcds.gov.gy](http://www.lcds.gov.gy) and <https://nre.gov.gy>
- PEFC website: <https://www.pefc.org/news/public-consultation-guyanese-forest-certification-system>

*Safeguard Theme B.2: Promote transparency and prevention of corruption, including the promotion of anti-corruption measures*

## **Legal Framework**

The FCA, the PAA and the AA contain provisions mandating independent audits with the State Lands Act<sup>11</sup> providing for rent, fees, and other moneys to be paid to the Accountant General. The Criminal Law Offences Act<sup>12</sup> and the Summary Jurisdiction of Offences Act<sup>13</sup> outlaw bribery and corruption by public servants. The Anti-Money Laundering and Countering the Financing of Terrorism Act (AML/CTF)<sup>14</sup> legislation including regulations and amendments are intended, *inter alia*, to provide comprehensive powers for the prosecution of money laundering, terrorist financing and other financial crimes.

Guyana's relevant legal framework and institutional arrangements that guide financial management and are applicable to the REDD+ actions are summarized below:

- The Revenue Authority is the tax and customs authority in Guyana. The Customs, Excise and Trade Operation (CETO) unit of the Revenue Authority will ensure that all timber products exported from and imported into Guyana meet the GTLAS requirements related to the customs and excises functions. The CETO ensures that all timber products to be exported have a valid FLEGT licence and Export Certificate for the European Union market, or an Export Certificate. These statutory powers are derived from the suite of tax legislation and regulations of Guyana.
- The MoAA supports Indigenous Peoples (IPs) and Local Communities (LCs) in developing governance structures to manage sustainable livelihood opportunities at the village level and advise and support on village planning – processes crucial to securing and accounting for benefits under the VPA or related the REDD+ benefits.
- State Lands Act- The Guyana Lands and Surveys Commission (GLSC) supports the monitoring of forest areas that result in crediting and reference level for REDD+ payments being determined, for forest and land degradation and mapping. In the context of the VPA the legislation may be applicable to forest allocation and

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<sup>11</sup> State lands Act Cap 62:01.

<sup>12</sup> Criminal Law (Offences) Act Cap 8:01.

<sup>13</sup> Summary Jurisdiction (Offences) Act Cap 8:02

<sup>14</sup> Anti-Money Laundering and Countering the Financing of Terrorism Act No.13 of 2009.

harvesting rights and outline the procedures that the GFC must follow in order to allocate forest concessions within state lands and grant harvesting rights on state forest areas and state lands and conversion of state lands to government lands.

- Criminal Law Offences Act- Ministry of Legal Affairs monitors that all income earned including from REDD+ and its earnings come from sources that are free of criminal background and operations.
- Summary Jurisdiction of Offences Act- Ministry of Legal Affairs monitors that all income earned including from REDD+ earnings come from sources that are free of offences.
- Anti-Money Laundering and the Countering of Financing Terrorism Act- Bank of Guyana monitors that all income earned from REDD+ earning come from and go to sources that are free of influences of money laundering and terrorism linkages.

Additionally, fair distribution of benefits is addressed in the LCDS, the NFPS, and NFP. In recognition of the stewardship role over forests and other landscapes<sup>15</sup> that Amerindian and other local communities play, the LCDS 2030 was approved on August 8<sup>th</sup> of 2022, which sets out two tracks for the distribution of incentives<sup>16</sup>:

1. Uncapped investments from the **85% of all revenues** for the implementation of development projects in areas of health, education, etc. that benefit Amerindian and other local communities.
2. Direct payment of **15% of all revenues** towards Village Plans that are developed by villages.

#### In the specific context of the VPA

The VPA has adopted additional provisions for transparency and accountability:

- VPA Art. 10 provides for the appointment of an Independent Auditor (IA) who shall be a person or group of persons with no conflict of interest, including but not limited to conflicts resulting from an organisational or commercial relationship with the Union or with Guyana's forestry sector's regulatory authorities, its Licensing Authority or anybody given the responsibility of verifying the legality of timber production, or any operator exercising a commercial activity in its forestry sector. The IA has a duty to

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<sup>15</sup> This rationale considers that allocation of benefits should not be based on actors reducing emissions now but on forest users with a proven record of responsibly managing forests. The stewardship rationale also emphasizes the principle of equity: benefits should be distributed equally among the providers of a service, regardless of the level of service provision, to support marginalized groups.

<sup>16</sup> LCDS 2030, pg. 43-45

work within a framework of internationally accepted best practices, to refer complaints about its work to the JMRC and publish its reports in accordance with the provisions of the VPA. Conversely the parties have an obligation to facilitate the work of the IA.

- Independent audits are a compulsory feature of the VPA timber legality assurance systems. They underpin the credibility of the timber legality assurance system and the VPA as a whole. The audits provide independent evidence that the timber legality assurance system is working. The IA's role is not to find evidence of illegality, but to assess whether a timber legality assurance system is functioning properly and effective as a forest management tool.

### In the specific context of the FCS

The GSSFM sets out several requirements for the FSOs- to promote transparency and accountability:

- Principle 1. Criterion 1.4 – ‘The FSO makes policy commitments to comply with national forest management standards and continuous improvements to forest management’. Indicator 1.4.4 – mandates that the FSO shall ‘have a documented policy commitment not to offer or receive bribes or condone/participate in any other form of corruption; and make policy commitments publicly available. Under Indicator 1.4.5 – the FSO is also obliged to comply with anti-corruption legislation where it exists.
- Principle 5 – Monitoring, Evaluation and Continuous Improvement. Criterion 5.2 The FSO conducts internal audits and management reviews and practices continual improvement. Criterion 5.3 The FSO has a system for detecting nonconformities and implementing corrective actions.

### **Institutional Framework**

The Office of the Auditor General<sup>17</sup> is entitled to investigate the financial performance of the government organizations, including details on revenue and expenditure relating to ministries, departments and regions. In the forest sector the Forestry Commission Act<sup>18</sup>, the PAA and the AA contain provisions mandating independent audits with the State Lands Act<sup>19</sup> providing for

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<sup>17</sup> The Auditor General is a public servant who is appointed in accordance with Article 223 of the Constitution of the Cooperative Republic of Guyana. The Audit Office is the public's watchdog for government accountability. The main function of the Auditor General is to audit the accounts of all public agencies, including ministries and other government bodies to ensure that all monies are spent responsibly and for the purposes intended.

<sup>18</sup> Guyana Forestry Commission Act 2007.

<sup>19</sup> State Lands Act Chapter 62:01



rent, fees and other moneys to be paid to the Accountant General. The Criminal Law Offences Act and the Summary Jurisdiction of Offences Act regulate the bribery and corruption by public servants.

All revenues are transparently administered via the Consolidated Fund, enabling them to be scrutinised and approved by the National Assembly via the National Budget process.

During 2023, transparency in REDD+ actions and distribution of REDD+ revenues have been provided by complete reporting on all projects under REDD+ and finances received. The procedures and processes are set out in the operation of the Guyana REDD+ Investment Fund [Operational Manual \(lcsd.gov.gy\)](https://lcsd.gov.gy/OperationalManual). The Trustee (the World Bank) is required to produce an annual report which is accessible publicly.

All receipts under Phase 2 of the LCDS 2030 are part of the national Budgetary process (<https://finance.gov.gy/wp-content/uploads/2023/01/Budget%202023%20Final.pdf>), and are publicly declared on the LCDS website.

On the Government's LCDS website, each project is presented with information on the contractual agreement, final report and performance.

Additionally, on the financial and accountability side, information on all revenues received and how this is accounted for is publicly available on [www.guyanareddfund.org](http://www.guyanareddfund.org)

#### In the specific context of the VPA

Independent audits are a compulsory feature of the VPA timber legality assurance systems, and it provides for the appointment of an IA. The IA has a duty to work within a framework of internationally accepted best practices, to refer complaints about its work to the JMRC and publish its reports in accordance with the provisions of the VPA. The IA's role is not to find evidence of illegality, but to assess whether a timber legality assurance system is functioning properly and effective as a forest management tool. The audits underpin the credibility of the timber legality assurance system and the VPA as a whole.

#### In the specific context of the FCS

The GSSFMS sets out several requirements and associated procedures for the FSOs:

- Principle 1. Indicator 1.4.4 – mandates that the FSO shall 'have a documented policy commitment not to offer or receive bribes or condone/participate in any other form of corruption; and make policy commitments publicly available.

- Principle 5 – Monitoring, Evaluation and Continuous Improvement:

Indicator 5.2.1 Appropriate to the scale and size of the operation, the FSO is required to:

- a) plan, establish, implement, and maintain an audit program(s) including the frequency, methods, responsibilities, planning requirements and reporting, which shall take into consideration the importance of the processes concerned and the results of previous audits;
- b) define the audit criteria and scope for each audit (e.g., the GSSF);
- c) select the auditors and conduct audits to ensure objectivity and the impartiality of the audit process;
- d) ensure that the results of the audits are reported to relevant levels of management within the Organisation; and
- e) retain documented information as evidence of the implementation of the audit programme and the audit results.

Indicator 5.3.1 The FSO is required to establish and implement a system to respond to nonconformities detected through internal mechanisms such as internal audits or through external sources such as regulatory bodies.

Additionally, the Terms of Reference of the NSSWG lists as a qualification of membership the attribute – commitment to transparency, collective accountability, and consensus outcomes.

## Outcomes

Key outcomes that demonstrate transparency and accountability include:

- a) **Fund Management and Accountability:** The GoG makes available full tracking of REDD+ financial transactions by project intervention.
- b) **Project Agreements and Reporting:** The GoG makes each project agreement and Progress Report available through the GRIF Steering Committee:
  - i. All Project agreement for each REDD+ action
  - ii. Final Report on each REDD+ Project
- c) **Reporting Framework in Place:** During 2023, transparency in REDD+ actions and distribution of REDD+ revenues have been provided by complete reporting on all project

under REDD+ and finances received. The procedures and processes are set out in the operation of the Guyana REDD+ Investment Fund( Operational Manual (lcds.gov.gy). The Trustee (the World Bank) is required to produce an annual report which is accessible publicly.

All financing from Phase 2 of the LCDS 2030, is publicly reported on the LCDS website. As set out in the LCDS 2030 (Chapter Two), revenues from the sale of carbon credits have been invested through a combination of:

- (i) national and multi-community projects and programmes;
- (ii) a dedicated 15% of all revenues for investment in village plans, put together through village-led processes as set out in the LCDS 2030 (Chapter Two).

Initial receipts from the one carbon credit agreement completed to date will totalled US\$150 million by the end of 2023.

A total of G\$4.725B (15% of US\$150 million) was allocated for direct transfer to villages and communities. This number may increase as other agreements for the sale of the remainder of Guyana's credits are concluded.

In line with the LCDS objectives, 15% of the revenues are being dedicated to bottom-up investments through community plans outlined in village sustainability plans. Villages follow local decision-making processes to participate in the benefit-sharing mechanism, and as of end of 2023, all 242 Amerindian villages have produced their village plans with all supporting documents<sup>20</sup>, and the remaining village is working on strengthening their governance structure, to participate in the programme. The strategic investment empowers villages across Guyana by providing the necessary resources and support to enhance their social, economic, and environmental well-being.

By involving villages in the planning and decision-making process, these resources promote community ownership and ensure effective utilization of funds to address their specific needs. Over January to February 2023, the NTC, the national body of elected Village Leaders from across all ten regions of Guyana, led engagements which determined a structure for the

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<sup>20</sup> Each village made submission of:

1. Village Plans (Outline Plans or 10-year Plans)
2. Village Meeting Minutes where Village Plan was approved
3. Village Meeting attendance sheet
4. Letter of Willingness to Participate on the National Carbon Credits programme.

allocation of these carbon credits payments. This structure centres on the determination of payments, based on population, and includes villages (both titled and untitled areas), communities, and satellites. Indigenous villages and local communities have defined for themselves their priorities of economic development initiatives of social upliftment, on climate adaptation and mitigation and food security that need to be advanced for village sustainability to be fostered.

Village level governance structures are empowered through the Amerindian Act 2006, to deliver on village sustainability plans, outlining the short, medium and long-term priorities for each Village. These plans outline how villages, through a process of self-determination and autonomous management, identify and implement actions to develop village livelihoods whilst addressing the impacts of climate change. The benefits sharing mechanism has been a continuous, stepwise process since the launch of the LCDS 2030 in 2021. The outcomes relating to the village plans, though realized in 2023, was initiated in 2021. The following results are noted:

- Investments in Low Carbon Development at Village level: Priority Investment needed at Village Level Identified through village-led processes;
- Village-led Planning producing Village Sustainability Plans: 242 Plans submitted by Villages with the final Plan awaiting the formation of a governance structure at the last village;
- Carbon Credits Revenues Disbursed to Villages: US\$22.5 Million disbursed to 242 designated Village Bank Accounts for year ending 2023, from Guyana's first commercial sale of carbon credits; and
- Implementation of Projects at Village Level: Development Projects implemented at village level in economic and social upliftment activities to deliver on climate, livelihood and food security initiatives.

The revenue distribution mechanism was developed by the NTC over the period January 2023 to February 2023 and a timeline of these process steps is available. Reports of the various meetings held with the NTC as part of the development are available as well as a tracking sheet on submission of village Plans. This process is managed jointly by the LCDS Office within the Department of Environment and Climate Change, the MoAA, in collaboration with the NTC.

### In the specific context of the VPA

As illustrated under the legal framework and institutional framework, the VPA has been designed to recognize and promote transparency and accountability. On the Government's LCDS website ([www.lcds.gov.gy](http://www.lcds.gov.gy)), there is detailed information on the goals and achievements of the projects undertaken within the LCDS framework, including the VPA and the FCS. Project are presented with information on reports and performance status.

Additionally, the EU's website dedicated to FLEGT ([Guyana-EU FLEGT VPA – Discover all the details about the Guyana-EU FLEGT VPA](#)) provides comprehensive information on the progress of the FLEGT process for Guyana.

The GFC's website ([www.forestry.gov.gy](http://www.forestry.gov.gy)) provides comprehensive information on the VPA, its implementation and current activities and future actions at both grassroots and government level. It details the stakeholder, awareness raising and capacity building sessions.

### In the specific context of the PEFC

It must be noted that the PEFC standard has only been approved by the PEFC Council at the end of March 2024, a few weeks before the finalising of this report. Information on outcomes is therefore provided in relation to the design of the PEFC.

As previously illustrated under the legal framework and institutional framework, the PEFC has been designed to recognize and promote transparency and accountability.

The GFC's website provides comprehensive information on the PEFC and Guyana National FCS, their implementation and current activities and future actions at both grassroots and government level. It details the stakeholder sessions held since the process for the implementation of the GNFCFS commenced and makes publicly available documents and publications related to the Standard for Sustainable Forest Management, the Group Forest Management Requirements and the Appeals and Complaints Handling Procedure under the umbrella programme of the GNFCFS.

### **Means of Verification**

- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management

- The GTLAS
- Terms of Reference of the NSSWG
- Guyana Forestry Commission Act 2007
- State Lands Act
- The Forestry Commission Act
- The Protected Areas Act
- The Amerindian Act
- The State Lands Act
- The Criminal Law Offences Act
- The Summary Jurisdiction of Offences Act
- The Anti-Money Launder and Countering Terrorism Financing Act
- Village Sustainability Plans and supporting documents
- Guyana REDD+ Investment Fund Trustee Report
- Relevant websites: <https://euflegt.gov.gy/>, [www.forestry.gov.gy](http://www.forestry.gov.gy), [www.lcds.gov.gy](http://www.lcds.gov.gy) and <https://nre.gov.gy>
- PECF website: <https://www.pefc.org/news/public-consultation-guyanese-forest-certification-system>

*Safeguard Theme B.3 Respect, protect, and fulfil land tenure rights*

## Legal Framework

The AA<sup>21</sup>, State Lands Act (SLA)<sup>22</sup>, PAA, FCA, Mining Act<sup>23</sup>, Forest Act (FA) and other sectoral policies recognise statutory and customary ownership and use rights. The FA establishes the

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<sup>21</sup> The AA S. 61 outlines the following regarding defining the boundaries of an Amerindian Area (mapping, surveying, and inventory): The Minister (Amerindian Affairs) upon the village fulfilling the eligibility criteria for land titling as outlined in S.61, conduct an investigation into the size of area occupied, a description of the customs and traditions of the village, examine the nature of the relationship between the Amerindians and the land, examine information on historical or current sketches or drawings of the areas, and initiate surveys to be prepared by the Guyana Lands and Surveys Commission (the State agency with the mandate to conduct mapping, inventory and resource tenure physical description for this area). S. 63 of the AA provides for the grant of title if the application is approved. Where it is a village, the title shall be held by the Village Council (VC). Where it is an Amerindian Community (AC), the Minister shall establish a VC to hold title for the community until such time as the AC becomes a village. If a Community Council has been recognized, then the Minister can establish the community as a VC.

<sup>22</sup> State Lands Act 1903 S.42.

<sup>23</sup> Mining Act 1989 Part XIII – Special Provisions Relating to Amerindians – S.110 and 111 address statutory and customary rights with S.111 providing ‘For the purposes of this Act, all land occupied or used by Amerindian communities and all land necessary for the quiet enjoyment by the Amerindians of any Amerindian settlements, shall be deemed to be lawfully occupied by them.’

basis on which public forested areas can be declared State Forests and the basis on which those forests may be acquired<sup>24</sup>. The PAA S.30 places an obligation on the subject Minister to investigate existing rights and to settle or terminate rights as permitted by law. The Act allows for the creation of Amerindian Protected Areas on application by a village council. This suite of forest legislation provides clear legal rules recognizing land and forest land tenure rights.

Amerindian communities can either acquire lands through the AA, which has a procedural framework in place, or through the SLA, which confers upon the President the power to issue land titles to Amerindian communities.

Guyana's Constitution<sup>25</sup> forbids expropriation as default of any type of right, while requiring compensation for expropriated property and guarantees the person compensated access to the High Court to appeal any such decision<sup>26</sup>. Some forest sector legislation offer specific rules on regulating state forest authorisations<sup>27</sup>.

The Guyana Lands and Survey Act (GLSA) outlines the functions of the GLSC as follows:

- to have charge of and act as guardian over all public lands, rivers, and creeks of Guyana;
- to execute or cause to be executed geodetic, topographic, hydrographic, and cadastral surveys in relation to the land and water resources of Guyana;
- to prepare and publish maps and charts of Guyana or parts thereof;
- to establish and maintain the national survey control system, set standards for the collection of photogrammetric data, and specify the technical requirements for land surveys; and
- to check, approve, record and, where required, certify all land surveys carried out in relation to any land in Guyana.

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<sup>24</sup> Excluding village lands as defined in the Amerindian Act, the Iwokrama Act, and the Kaieteur National Park Act.

<sup>25</sup> "No property of any description shall be compulsory taken possession of, and no interest in or right over property of any description shall be compulsory acquired, except by or under the authority of a written law" Constitution Art. 142(a) 1980 (2001).

<sup>26</sup> The Constitution states: "Nothing contained or done under the authority of any law shall be held to be inconsistent with or in contravention of [the above guarantees of compensation and appeal] to the extent that the law in question makes provision for the taking of possession or acquisition of: (i) property of the Amerindians of Guyana for the purpose of its care, protection and management; or any right, title or interest held by any person in or over any lands situated in an Amerindian District, Area or Village established under the Amerindian Act for the purpose of effecting the termination or transfer thereof for the benefit of an Amerindian community" (Art. 142(b)(i)).

<sup>27</sup> Forest Act Section 18-Suspension, amendment, and revocation of State Forest authorisation- Where the Commissioner believes an offence has been committed, he has the power to suspend, amend or revoke a forest authorisation. The holder is given an opportunity to be heard prior to application of powers under section 18.

For areas under the State Forest Estate, the Mining Act, along with the GFCA, and the FA outline how areas under mining and forest leases are managed and organised. These pieces of legislations refer to processes for issuance of lease and compliance commitments. The FA is accompanied by the Code of Practice for Timber Harvesting that outlines in detail, the areas of mapping and resource assessment, including forest inventory and annual and management planning. For example, the FA S.8 outlines the process to be implemented by the GFC for the granting or renewal of forest concession leases. The Mining Act also details the modalities of operations for mining permits including surveying and mapping activities that are conducted.

The land titling process is a multi-faceted process that brings about various perspectives, requests, and areas needing resolution before the title can move forward to conclusion. The MoAA is responsible for implementing the resolution mechanism that forms part of the land titling process.

#### In the specific context of the VPA

It builds on the existing legal framework of recognizing and protecting land tenure rights.

Art. 17 – Social Safeguards – encompasses the recognition and protection of land tenure rights, as it sets out: “In order to minimise potential adverse effects on stakeholders within and outside the forest sector regardless of gender, age, location, religion or belief, ethnic origin, colour, language, disability or any other status the Parties hereby agree to regularly assess the impact of the VPA. The Parties shall monitor the impact of this Agreement on stakeholders and take reasonable and appropriate steps to mitigate any adverse effects. The Parties may agree on additional measures to address any adverse effect.”

Additionally, the Legality Definition is a summary of Guyana’s national legal and regulatory framework applicable to the VPA. This framework shall be complied with by FSOs in order for timber products to be covered by a FLEGT licence. Annex 2 of the VPA, sets out specific requirements that FSOs must comply with in relation to the recognition and protection of land tenure rights:

- Section 4.2 outlines the Legality matrix B for State Forest Authorisations (large concessions). Criterion 1.2 requires the FSOs respect other parties’ legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).
- Section 4.3 outlines the Legality matrix C for State Forest Authorizations (small concessions). Criterion 1.2 requires the FSOs respect other parties’ legal user rights,



including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).

- Section 4.4 outlines the Legality Matrix D for Amerindian Villages. Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).

### In the specific context of the FCS

It builds on the existing legal framework of recognizing and protecting land tenure rights, and the FSOs are required to adhere to these regulations to satisfy the requirements of the GSSF. M.

The GSSF. M. sets out several requirements for the FSOs:

- Principle 2- Legal, Customary and Traditional Rights. Criterion 2.1- requires FSOs to respect legal, customary and traditional rights to land. Criterion 2.2 requires FSOs have appropriate commercial contracts with Amerindian villages. Land tenure rights are described there as the legal claim made on tenure of land and/or natural resources by an individual or group of individuals.

### **Institutional Framework**

Under the coordination of the MoAA, Amerindian communities can either acquire lands through the AA (2006)<sup>28</sup>, which has a procedural framework in place, or through the SLA, which confers upon the President the power to issue land titles to Amerindian communities. The MoAA, is mandated to lead the implementation of the AA, it conducts the first stages of the process of engagement with Amerindian Villages and Communities in the land titling process. The AA S.61 outlines the criteria for defining the boundaries of an Amerindian area (mapping, surveying, and inventory)<sup>29</sup>. The Amerindian Land Titling Project on page 7 outlines the requirements for Free prior and informed consent (FPIC) that are complied with during titling, and on page 9 details the activities of mediation and negotiation as part of the process.

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<sup>28</sup> The Protected Areas Act -Sections 59-64.

<sup>29</sup> AA S.61: "The Minister (Minister of Amerindian Affairs) upon the village fulfilling the eligibility criteria for land titling as outlined in Section 61, conducts an investigation into the size of area occupied, a description of the customs and traditions of the village, examines the nature of the relationship between the Amerindians and the land, examines information on historical or current sketches or drawings of the areas, and initiates surveys to be prepared by the Guyana Lands and Surveys Commission (the State agency with the mandate to conduct mapping, inventory and resource tenure physical description for this area)."

The Commissioner of the Guyana Lands and Surveys Commission executes the following roles as mandated by the Guyana Lands and Survey Act:

- to have charge of and act as guardian over all public lands, rivers and creeks of Guyana;
- to execute or cause to be executed geodetic, topographic, hydrographic and cadastral surveys in relation to the land and water resources of Guyana;
- to prepare and publish maps and charts of Guyana or parts thereof;
- to establish and maintain the national survey control system, set standards for the collection of photogrammetric data and specify the technical requirements for land surveys;
- to check, approve, record and, where required, certify all land surveys carried out in relation to any land in Guyana.

Upon completion of this process, and as outlined by the AA S. 63, the Ministry of Amerindian Affairs executes the formal approval process.

The FA is implemented by legal mandate by the GFC as outlined in the GFCA. The Mining Act is implemented by legal mandate by the Guyana Geology and Mines Commission (GGMC) as outlined by the GGMC Act.

#### In the specific context of the VPA

The Legality Definition is a summary of Guyana's national legal and regulatory framework applicable to the VPA. This framework shall be complied with by FSOs in order for timber products to be covered by a FLEGT licence.

Additionally, Annex 2 of the VPA, sets out specific requirements that FSOs must comply with in relation to the recognition and protection of land tenure rights, which encompass specific procedures set out in the relevant legislation.

- Section 4.2 outlines the Legality matrix B for State Forest Authorisations (large concessions). Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).
- Section 4.3 outlines the Legality matrix C for State Forest Authorizations (small concessions). Criterion 1.2 requires the FSOs respect other parties' legal user rights,

including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).

- Section 4.4 outlines the Legality Matrix D for Amerindian Villages. Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).

#### In the specific context of the FCS

The GSSFMS sets out several procedures that the FSO must comply with:

- Principle 2- Legal, Customary and Traditional Rights. Indicator 2.1.1 requires the FSO establishes and implements a policy commitment to ensure that his or her forest practices and operations are conducted in a manner that recognises the established framework of legal, customary, and traditional rights such as outlined in ILO 169, the UN Declaration on the Rights of Indigenous Peoples, and the Universal Declaration on Human Rights.
- Principle 2- Legal, Customary and Traditional Rights. Indicator 2.2.1 requires the FSO ensure that any contractual arrangements for timber harvesting on Amerindian lands are made with free and information consent of the community.
- Principle 2- Legal, Customary and Traditional Rights. Indicator 2.3.3 requires the ensure that disputes over Amerindian land tenure and use rights on its concession or within Amerindian lands are brought to the attention of the GFC, MoAA and the GLSC.

#### **Outcomes**

All stakeholder engagement activities that have been conducted have provided the opportunity for communities and broader forest-based stakeholder groups to protect and fulfil land tenure rights. This were measured by:

- Project Engagement on EU FLEGT Readiness
- Project Implementation of Guyana REDD+ Investment Fund (GRIF) Projects on Amerindian Land Titling (in partnership with UNDP) highlights FPIC as the basis of its programming.

#### In the specific context of the VPA

It must be noted the VPA has not yet entered into force and hence implementation has not commenced. Information on outcomes is therefore provided in relation to the design of the

VPA. As illustrated in the legal and institutional framework context, the VPA has been designed in to recognize and protect land tenure rights.

### In the specific context of the Forest Certification Scheme

It must be noted the PEFC standard for Guyana was approved by the PEFC Council at end of March 2024. Information on outcomes is therefore provided in relation to the design of the Certification Standard. As illustrated in the legal and institutional framework context, the Certification Standard has been designed in to recognize and protect land tenure rights.

### **Means of Verification**

- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- The GTLAS
- The AA
- The SLA
- The PAA
- The GFCA
- The Forest Act
- The Code of Practice for Timber Harvesting
- Village Sustainability Plans and supporting documents
- Relevant websites: [www.lcds.gov.gy](http://www.lcds.gov.gy) and [www.guyanareddfund.org](http://www.guyanareddfund.org).
- [GRIF Operations Manual](#)
- [Amerindian Land Titling Project Document](#)
- [The Voluntary Partnership Agreement](#)

### ***Safeguard Theme B.4 Respect, protect, and fulfil access to justice***

### **Legal Framework**

The Guyana Constitution recognizes the right of access to justice and the right to bring proceedings for the infringement of fundamental rights by arms of the State. The GoG has at present a number of operational mechanisms in place through which stakeholders can provide feedback and seek redress, that are open to all stakeholders, equally and at no cost. An overview is offered in the table below.

Table 2: Feedback and grievance redress mechanisms in the context of REDD+

Level	Legislation	Institution	Characteristics	Type
<b>Local Community Mechanisms</b>	Amerindian Act 2006, Ch.29:01	Amerindian Village & Community Councils	<ul style="list-style-type: none"> <li>• Make Rules</li> <li>• Investigate and enforce breaches of Rules</li> <li>• Allocate lands and resolve land disputes</li> <li>• Negotiate commercial agreements for mining and forestry on Amerindian lands</li> </ul>	<b>Statutory</b>
<b>Sector Specific Mechanisms</b>	GLSC Act, Ch.59:01 State Lands Act, Ch.62:01 State Lands Resumption Act, Ch 62:02 Public Lands (Public Roads) Act, Ch.62:03	Guyana Lands & Surveys Commission	<ul style="list-style-type: none"> <li>• Investigation and resolution of complaints</li> <li>• Enforcement of terms and conditions of leases, license and permissions</li> </ul>	<b>Administrative</b>
	GGMC Act, Ch.65:09 Mining Act, Ch.65:01 & Mining Regulations; Petroleum (Exploration and Production) Act, Ch. 65:10	Guyana Geology and Mines Commission	<ul style="list-style-type: none"> <li>• Investigation and resolution of complaints</li> <li>• Enforcement of terms and conditions of permits</li> <li>• Law enforcement</li> </ul>	<b>Statutory</b>
	GFC Act, No.20 of 2007 Forests Act, No.6 of 2009	Guyana Forestry Commission	<ul style="list-style-type: none"> <li>• Investigation and resolution of complaints</li> <li>• Enforcement of terms and conditions of permits</li> <li>• Law enforcement</li> </ul>	<b>Administrative</b>
	Amerindian Act 2006, Ch.29:01	Ministry of Amerindian Affairs	<ul style="list-style-type: none"> <li>• Minister may investigate and remove Toshaos &amp; Village Councillors</li> <li>• Minister must determine applications for grants of State lands</li> <li>• AVC may appeal from Minister's decision to High Court</li> </ul>	<b>Statutory</b>
			<ul style="list-style-type: none"> <li>• Amerindian Land Titling Project GRM</li> </ul>	<b>Administrative</b>

	<b>Environmental Protection Act, Ch.20:05</b>	Environmental Protection Agency  Environmental Assessment Board	<ul style="list-style-type: none"> <li>• Appeals to EAB concerning EPA decisions not to ask for EIA</li> <li>• Appeals to EAT against EPA decisions to refuse, or grant conditionally, environmental permits</li> <li>• Appeals to EAT against EPA decisions to refuse, grant conditionally, vary or revoke, construction and operation permits and process licenses</li> <li>• Law enforcement</li> </ul>	<b>Statutory</b>
	<b>Protected Areas Act, No.14 of 2011</b>	Protected Areas Commission	<ul style="list-style-type: none"> <li>• Extinction of existing claims/rights in PAs</li> <li>• Appeals by AVCs re-creation of PAs on Amerindian lands</li> <li>• Consultation and agreement with AVCs re traditional rights and archaeological sites in public PAs</li> <li>• Public meetings re variation and de-reservation of PAs</li> </ul>	<b>Statutory</b>
	<b>Wildlife Conservation and Management Act, No. 14 of 2016</b>	Wildlife Conservation and Management	<ul style="list-style-type: none"> <li>• Representations by licensees against cancellation of licenses &amp; permits</li> </ul>	<b>Statutory</b>
<b>National Law Courts</b>	<b>Summary Jurisdiction Act, Ch.3:05</b>	Magistrate's Courts	<ul style="list-style-type: none"> <li>• Small Claims</li> <li>• Summary Offences</li> </ul>	<b>Judicial</b>
	<b>High Court Act, Ch.3:02</b>	High Courts	<ul style="list-style-type: none"> <li>• Criminal Prosecutions</li> <li>• Civil Litigation</li> </ul>	<b>Judicial</b>
	<b>Court of Appeal Act, Ch.3:01</b>	Court of Appeal	<ul style="list-style-type: none"> <li>• Appeals from lower courts</li> </ul>	<b>Judicial</b>
	<b>Caribbean Court of Justice Act 2004, No.16 of 2004</b>	Caribbean Court of Justice	<ul style="list-style-type: none"> <li>• Appeals from Court of Appeal</li> </ul>	<b>Judicial</b>

<b>Special</b>	<b>Land Registry Act</b>	Land Court	<ul style="list-style-type: none"> <li>• Land Adjudication</li> </ul>	<b>Judicial</b>
<b>Purpose Forums</b>	<b>Arbitration Act, Ch.7:03</b>	Arbitrators	<ul style="list-style-type: none"> <li>• Out of Court Settlement of Civil Proceedings</li> </ul>	<b>Statutory ADR Process</b>
	<b>Constitution, Ch.1:01 Ombudsman Act, Ch.19:04</b>	Ombudsman	<ul style="list-style-type: none"> <li>• Investigation of complaints against government bodies</li> <li>• Recommendation of remedial actions</li> <li>• Reporting to the National Assembly</li> <li>• Publication of reports</li> </ul>	<b>Feedback</b>

The FA, as administered by the GFC, specifically guide redress for non-Amerindian stakeholders as it is State Forest Leases that are issued and are governed by the requirements of such leases including on redress.

The AA, 2006, which provides for redress on governance areas for Amerindian villages and communities. This Act provides an accessible cost-effective mechanism to access redress and dispute resolution. The Act, in Section 16, outlines powers of the village council to investigate breaches and rules and impose fines; Section 17 outlines that a person, who refuses to appear before a Village Council when required to do so under section 16(1) or who, although possessed of sufficient means so to do, fails to pay a fine imposed by the Village Council or to serve the substituted period of community service imposed by a Village Council under section 16(4) commits an offence and is liable on summary conviction (before a magistrate) to the penalties prescribed in paragraph (b) of the First Schedule. Further, Section 27 outlines petitions for removals and states that a village general meeting may petition the Minister to carry out an investigation on the grounds that a Toshao or a Councillor has failed to carry out his duties or has contravened any provision of this Act. The Minister is required to carry out an investigation if at least fifty-one percent of the Village general meeting voted in favour of the petition. Additionally, on Land Titling, Section 64 outlines that an Amerindian Village or Community which is dissatisfied with the Minister's decision under section 62 may apply to the High Court for a review of the decision. Further, "A Guideline for Amerindian Land Titling in Guyana" which details the Grievance Redress Mechanism (GRM) for the Amerindian Land Titling process under Part III on page 31, was developed and is in place.

For non-Amerindian as well as for Amerindian Communities, the MNR and its natural resources management agencies have dedicated resources for feedback and redress across each natural resource sector thereby providing specialized resources for this purpose. The Ministry of Natural Resources, within each sector agency, requires for those agencies to address and resolve sector specific issues in a structured, cost effectively and in a timely manner. Additionally, at the level of the MNR, the technical staff of the Ministry meet on a monthly basis with stakeholders and record concerns raised. A process of resolution of each matter raised is then initiated whereby the MNR channels the specific sector issue (e.g. in the case of forestry and mining matters these are forwarded to the GFC and GGMC respectively) and reports on steps taken to address these. These reports are taken forward and updates reported back to the MNR for complete reporting. Whilst some matters may relate only indirectly to REDD+, it is a view that all matters regarding forests and natural resources have bearing on REDD+ as it affects use, management and maintaining forest cover – core



elements of REDD+ in Guyana's context, which relies heavily on sustainable forest management implementation.

Through its Community Officers, the MoAA provides a decentralized framework for disseminating information and receiving feedback and subsequent addressing of grievances where these may arise. This is part of the mandate and operational function of the agencies.

At the level of the Ministry of Amerindian Affairs, the operational mechanism for grievance redress is implemented through the Ministry's Technical and Project Staff, where they record each grievance expressed by a stakeholder and implements the resolution mechanism for each.

#### In the specific context of the VPA

A dedicated complaint mechanism addresses complaints and disputes on the functioning of the GTLAS. Under the GTLAS, the complaint mechanism will be supported using three channels: Ministries and Government Agencies, the Independent Auditor or the JMRC. The detailed procedures for the complaint and dispute mechanism for each channel will be developed during the implementation phase of the GTLAS and will be made public. Below is an overview of the requirements for the complaint and dispute mechanism for each channel:

a) The complaint mechanism for each Ministry and Government Agency involved in the GTLAS will build on existing systems, which will be assessed and modified as necessary during the development of the GTLAS. The complaint mechanism within each Ministry and Government Agency will be based on the following principles:

- Be clear, transparent, and simple to follow;
- Be publicized widely, with instructions on how and where to lodge complaints;
- Consider electronic or paper-based submissions;
- Be sufficiently responsive to ensure complaints are investigated and addressed adequately;
- Ensure, through the internal audits of each Ministry and Government Agency, that complaints are adequately addressed in a timely manner;
- Enable complainants to appeal decisions;
- Consider complaints from both natural persons and legal entities;
- Ensure that complaints forms are user-friendly and consider the fact that not all complainants may be literate. Each Ministry and Government Agency will regularly provide a summary of complaints received in relation to the implementation and

functioning of the GTLAS to the GFC. This summary will include the number of complaints received, the types of complaints and their Annex V 166 status. The GFC will maintain that information in an electronic Register of Complaints in the CID. The Independent Auditor will have access to information in the electronic Register of Complaints.

b) The Independent Auditor will set up a dedicated mechanism for transparently handling complaints or grievances from stakeholders. In the procedures to be developed, the Independent Auditor will share all complaints with the GFC for inclusion in the Register of Complaints and with the JMRC. The procedures developed for the complaint mechanism under the Independent Audit (Annex VI) will adhere to the principles of independence, credibility, accessibility, transparency, and timeliness.

c) The JMRC is responsible for handling complaints regarding the functioning and implementation of the FLEGT licensing scheme in the territory of both Parties. It will also be responsible for handling complaints relating to work carried out by the Independent Auditor and agree on appropriate actions to be taken. The procedures developed for this complaint mechanism under the JMRC will adhere to the principles of independence, credibility, accessibility, transparency, and timeliness.

#### In the specific context of the FCS

The Complaints and Appeals Handling Procedure FCS (GY-PROC-2022-01) lays out a comprehensive guide for the hearing and resolution of legitimate complaints and appeals directed towards the FCS by internal and external shareholders. It provides for the hearing of stakeholder appeals and for a transparent resolution process. These complaints may arise in the process of developing and implementing the FCS. The GFC as the Standardising body or the National Governing Body will necessarily be the main respondent to appeals and complaints. Complaints and Appeals are handled in a transparent process, with the administrative process and their resolution managed through the FCS Secretariat within the GFC. The GFC is responsible for investigating complaints and appeals to determine whether it is a suitable matter for pursuit by the GFC. If it is, then the Commission will follow the resolution procedure outlined in the Complaints and Appeals Handling Procedure at Section 8.

Additionally, and in the context of implementing the GSSFM, the FSO<sup>30</sup> is required to establish and implement appropriate mechanisms for resolving complaints and disputes relating to forest management operations, land use rights and work conditions.

### **Institutional Framework**

At the level of the Ministry of Amerindian Affairs, the operational mechanism for grievance redress is implemented through the Ministry's Technical and Project Staff, who are responsible for recording each grievance and implementing a resolution. This is done through the application of "A Guideline for Amerindian Land Titling in Guyana" which details the GRM procedure for the Amerindian Land Titling process under Part III on page 31.

At the level of the MNR, the technical staff of the Ministry meet on a monthly basis with stakeholders and record concerns raised. A process of resolution of each matter raised is then initiated whereby the MNR channels the specific sector issue (e.g. in the case of forestry and mining matters these are forwarded to the GFC and GGMC respectively) and reports on steps taken to address these are taken forward and updates reported back to the MNR for complete reporting.

#### In the specific context of the VPA

The detailed procedures for each channel's complaint and dispute mechanism (under GTLAS) will be developed during the Implementation Phase and made public upon completion.

#### In the specific context of the FCS

The Complaints and Appeals Handling Procedure of the GNFC<sup>31</sup> was adopted in May 2022. This Procedure relates only to the GFC's role as the Standardising Body and the FCS. The Procedure has been developed to guide the resolution of legitimate complaints and appeals related directly to the GNFC. Complaints and appeals may arise during the development and implementation of the GNFC. These complaints and appeals may relate to the GSSFM, the Group Certification Standard and the Chain of Custody of Forest and Tree Based Products - Requirements, and the GFC's oversight, management and implementation of the GNFC.

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<sup>30</sup> Criterion 4.4 of the GSSFM

<sup>31</sup> GY-PROC-2022-01

The GFC is committed to addressing, in an effective and efficient manner, any legitimate complaint(s) and appeal(s) related directly to the GNFCs which may arise. This procedure ensures transparency and accountability in the implementation of the FCS by giving stakeholders and interested persons a mechanism for access to justice.

## **Outcomes**

All stakeholders have access to existing mechanisms of recourse to resolve information requests, disputes, competing claims, and effective recourse and remedies are provided when there is a violation of rights.

Issues raised in 2023 have been resolved and effective recourse and remedies have been provided.

At the level of the MNR, a database recorded the grievances raised, many of them directly or indirectly related to REDD+ through its linkages to sustainable mining and forestry activities, also showing how each request/grievance/concern has been resolved and if not resolved, the reason for this.

At the forest sector level, the GFC has collated issues raised (with the Amerindian Land Titling project being the main area) in a registry, which also shows how each request/grievance/concern has been resolved and if not resolved, the reason for this.

### In the specific context of the VPA

It must be noted the VPA has not yet entered into force and hence implementation has not commenced. Information on outcomes is therefore provided in relation to the design of the VPA.

As reported previously, a number of operational mechanisms have been adopted, through which stakeholders can provide feedback and seek redress. As noted, the GTLAS' complaint mechanism will be supported using three channels: Ministries and Government Agencies, the Independent Auditor or the JMRC. The detailed procedures for the complaint and dispute mechanism for each channel will be developed during the implementation phase of the GTLAS and will be made public.

### In the specific context of the FCS

It must be noted the FCS has not yet been endorsed by the PEFC General Assembly, and hence its application has not commenced. Information on outcomes is therefore provided in relation to the design of the FCS.

As reported previously, the Complaints and Appeals Handling Procedure FCS (GY-PROC-2022-01) lays out a comprehensive guide for the hearing and resolution of legitimate complaints and appeals directed towards the FCS by internal and external shareholders.

### **Means of Verification**

- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- The GTLAS
- The Complaints and Appeals Handling Procedure FCS (GY-PROC-2022-01)
- The Complaint mechanism for each Ministry and Government Agency involved in the GTLAS
- The Complaints and Appeals Handling Procedure of the GNFC
- The Forest Act
- The GFC Act
- The Amerindian Act
- The matrix of issues (requests for information and grievances raised) at the level of the Ministry of Natural Resources for the period of 2023
- The matrix of issues (requests for information and grievances raised) at the forest sector level for the period of 2023, and compiled by the GFC

## Cancun Safeguard C

### Guyana's description of Cancun Safeguard C

"The REDD+ activities will be implemented in accordance and with respect to the rights of recognition of, and respect for the rights of Amerindian peoples and local communities; including the rights to non-discrimination, traditional knowledge and culture, self-determination, benefit sharing and land tenure rights."

#### *Safeguard Theme C.1 Identify indigenous peoples and local communities, or equivalent*

### Legal Framework

Several pieces of legislation address the protection of indigenous rights, key among those is the Constitution of Guyana<sup>32</sup>. The AA is the key piece of legislation which offers a definition of "Amerindian"<sup>33</sup>. The FA and the PAA refer to Amerindian Community and ascribes to the meaning given to Amerindian in the AA. The Iwokrama International Centre for Rainforest Conservation and Development Act 1996 regulates consultations with the Amerindian community<sup>34</sup>.

The Guyana Constitution<sup>35</sup> defines the right to the protection, preservation and promulgation of their languages, cultural heritage and way of life. This is further elaborated through similar protections of the Convention on Biological Diversity (CBD) implemented into laws recognising and protecting the spiritual relationship which Amerindians have with the land<sup>36</sup>.

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<sup>32</sup> Art (149G): Indigenous people shall have the right to the protection, preservation and promulgation of their languages, cultural heritage, and way of life.

<sup>33</sup> 'Amerindian' means any citizen of Guyana who — (a) belongs to any of the native or aboriginal peoples of Guyana; or (b) is a descendant of any person mentioned in paragraph (a). The Protected Areas Act - The (a) "Amerindian Community" has the meaning assigned to it by the Amerindian Act. According to article 1, paragraph 1 (a), of ILO Convention 169, its scope embraces tribal as well as indigenous peoples. The latter are defined as those peoples who are descended from populations which inhabited the country, or the geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural, and political institutions.

<sup>34</sup> The Forests Act 11(1) community group means person living within and having strong ties with the community..." The Iwokrama Act 6(2).

<sup>35</sup> Art 149G

<sup>36</sup> The Amerindian Act 2006 contains the mechanisms for implementing Article 8(j) of the CBD.

The PAA establishes that the management authority for a national protected area may enter into an agreement with each Amerindian community and Amerindian village which has traditional rights in the national protected area and the agreement may provide for a host of benefits<sup>37</sup>.

Section 11 of the Forest Act provides for the issuance of short-term, small-scale forest leases (not titles but short-term forest management leases for 3 years) to community groups that are both indigenous and non-indigenous. These are similar to other short term forest leases but is managed by a collective called a Community Forest Association, rather than by an individual which is the case for other permits of this scale, size and duration. The rights that are relevant to these leases are for forest management and timber harvesting purposes and last for 3 years subject to renewal based on criteria of performance and compliance with SFM requirement as outlined in the GFC's Codes of Practice. These are all part of the lease document that is issued to the Community Group and detailed in Section 11 of the Forest Act.

#### In the specific context of the VPA

It contemplates the indigenous peoples as a distinct group and as primary stakeholders. The VPA adopted the definition of 'Amerindian' as defined in S.2 of the AA and Village Council as defined S.2 of the AA.

The Legality Definition is a summary of Guyana's national legal and regulatory framework applicable to the VPA. This framework shall be complied with by FSOs in order for timber products to be covered by a FLEGT licence. Annex 2 of the VPA, sets out specific requirements that FSOs must comply with the identification or self-identification of indigenous peoples, and local communities, and for the respect of their rights:

- Section 4.2 outlines the Legality matrix B for State Forest Authorisations (large concessions). Criterion 1.2 requires the FSOs respect other parties' legal user rights,

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<sup>37</sup> — (a) the use of scientific methodologies to assess the levels at which use is sustainable;

(b) systems for monitoring and recording the exercise of traditional rights;

(c) systems for reporting any threats to traditional rights including any use or extraction

of resources which is not authorised under a traditional right or otherwise permitted in the management plan;

(d) recognition of the spiritual relationship which the Amerindian community or Amerindian village has with the national protected area or any part of it;

(e) identification of sacred places and measures to ensure their protection;

(f) the management of any archaeological sites identified under section 79;

including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).

- Section 4.3 outlines the Legality matrix C for State Forest Authorizations (small concessions. Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).
- Section 4.4 outlines the Legality Matrix D for Amerindian Villages. Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).

### In the context of the FCS

It builds on the existing framework of recognizing and protecting the identification or self-identification of indigenous peoples, and local communities, and for the respect of their rights, and the FSOs are required to adhere to these regulations to satisfy the requirements of the GSSF. M.

The GSSF. M. sets out several requirements for the FSOs:

- Principle 1 – Compliance with Legal Requirements and Organisational Commitments. Criterion 1.1- Requires the FSO has the legal right to harvest, including that the identification or self-identification of indigenous peoples is recognized and protected (e.g. "For forest operations in Amerindian Villages, the FSO must be a Village Council, and has been appointed lawfully in accordance with the Amerindian Act").
- Principle 2- Legal, Customary and Traditional Rights. Criterion 2.1- requires FSOs to respect legal, customary and traditional rights to land. Criterion 2.2 requires FSOs have appropriate commercial contracts with Amerindian villages. Land tenure rights are described there as the legal claim made on tenure of land and/or natural resources by an individual or group of individuals.

Additionally, the GSSF. M. notes that "Indigenous" applies to the first nation's people of Guyana, and that indigenous forests, therefore, refer to forest lands belonging to the first nation's people of Guyana.<sup>38</sup> The definition of stakeholder for the purposes of the Standard under the section dealing with terms and definitions also specifically includes indigenous peoples and

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<sup>38</sup> Section 3,.2 of the GY-ST-2023-01.



communities. It provides that a stakeholder is a person, group, community or organisation with an interest in the subject to the FCS, and may include local communities, forest dwellers and indigenous communities. The existing legislation, tied to the prescriptions of the FCS create a legal framework which is conducive to the identification and recognition of indigenous peoples.

### **Institutional Framework**

The Amerindian Act is administered by the Ministry of Amerindian Affairs and has a clear mandate to implement all process requirements of the Act. Similarly, the Forest Act and the Guyana Forestry Commission Act are administered by the Guyana Forestry Commission.

The mandates as described above for the MoAA and the GFC are implemented through the following processes below:

- **Continuous multi-stakeholder consultation process:** *Institutionalized, systematic and transparent process of multi-stakeholder consultation.* Aims to ensure full and effective participation, particularly of indigenous peoples and other forest-dependent communities.
- **Operational Governance Structures:** The Ministry of Amerindian Affairs work in close collaboration with the Village Tshaos and village leaders in developing village plans, addressing land use and supporting the land titling process as outlined in the Amerindian Act. This is done through engagement within the governance framework of the Amerindian Act. Likewise, the Guyana Forestry Commission work closely with Community Forestry Associations through community meetings and capacity building programmes to enable for the effective implementation of Section 11 of the Forest Act to be realised.
- **Engagement with the Ministry of Natural Resources:** the MNR provides strategic direction to the work of the GFC and assist in addressing and resolving issues regarding rights, where these may exist and more broadly support the holistic development of the work on REDD+ Implementation.

### In the specific context of the VPA

Public institutions recognize and protect the rights of identification or self-identification of indigenous peoples and local communities. The Legality Definition is a summary of Guyana's national legal and regulatory framework applicable to the VPA. This framework shall be complied with by FSOs in order for timber products to be covered by a FLEGT licence. Annex

2 of the VPA, sets out specific requirements that FSOs must comply with in relation to the recognition and protection of the rights of identification or self-identification of indigenous peoples and local communities, which encompass specific procedures set out in the relevant legislation:

- Section 4.2 outlines the Legality matrix B for State Forest Authorisations (large concessions). Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).
- Section 4.3 outlines the Legality matrix C for State Forest Authorizations (small concessions). Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).
- Section 4.4 outlines the Legality Matrix D for Amerindian Villages. Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).

#### In the specific context of the FCS

The GSSFMS sets out several procedures that the FSO must comply with:

- Principle 1 – Compliance with Legal Requirements and Organisational Commitments. Indicator 1.1.2 For forest operations in Amerindian Villages:
  - a) The FSO is a Village Council, and has been appointed lawfully in accordance with the Amerindian Act;
  - b) The Village Council (the FSO) has a legal title for the forest land where commercial activities are being conducted;
  - c) If residents of the Amerindian Village are acting on behalf of the Village Council, they have a written agreement with the Council to engage in commercial activities related to harvesting or extraction within Village lands; and
  - d) If non-residents who are acting on behalf of the Village Council, they have a written agreement with the Council to engage in commercial activities related to harvesting or extraction within Village lands
- Principle 2- Legal, Customary and Traditional Rights. Indicator 2.1.1 requires the FSO establishes and implements a policy commitment to ensure that his or her forest practices and operations are conducted in a manner that recognises the established

framework of legal, customary, and traditional rights such as outlined in ILO 169, the UN Declaration on the Rights of Indigenous Peoples, and the Universal Declaration on Human Rights.

- Principle 2- Legal, Customary and Traditional Rights. Indicator 2.2.1 requires the FSO ensure that any contractual arrangements for timber harvesting on Amerindian lands are made with free and information consent of the community.
- Principle 2- Legal, Customary and Traditional Rights. Indicator 2.3.3 requires the ensure that disputes over Amerindian land tenure and use rights on its concession or within Amerindian lands are brought to the attention of the GFC, MoAA and the GLSC.

Additionally, the Guidelines for Forest Operations for State Forest Authorizations- State Forest Permission set out practices and standards based on the land and forest use rights and responsibilities, and community and workplace relations, rights and responsibilities. In promoting recognition of rights of indigenous peoples, it provides that concessionaires be in possession of a legally valid concession agreement for the area from which all timber is sourced and that if the concessionaire has contracted a third party (includes concession activities relating to harvesting, extracting of forest produce and transporting to another point out of the concession, processing and export, of forest produce), such arrangement shall be formally approved by the GFC using the defined approach and in compliance with the Forests Act<sup>39</sup>. It provides that the legal, social, and ecological integrity of all Amerindian lands shall be respected and that disputes over Amerindian land tenure and use rights shall be brought to the attention of the MoAA and Guyana Lands and Surveys commission. Dealing with the commercial aspect of FSO interaction with indigenous communities, the Guidelines for Forest Operations states that contractual arrangements for logging on Amerindian lands must have been made with free and informed consent of the community and the MOAA and GFC should be aware of the contractual arrangements.

## **Outcomes**

REDD+ actions are designed and implemented in accordance with the relevant legal and institutional framework that recognizes and respects the right to identification or self-identification of indigenous peoples and local communities.

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<sup>39</sup> Guidelines for Forest Operations 2018 S.11.1.

### In the specific context of the VPA

It must be noted the VPA has not yet entered into force and hence implementation has not commenced. Information on conformance with this outcome indicator is therefore provided in relation to the design of the VPA. As illustrated in the legal and institutional framework context, the VPA has been designed in to recognize and respect the right to identification or self-identification of Indigenous peoples and local communities.

### In the specific context of the Certification Standard

It must be noted the PEFC Standard was approved by the PEFC Council at end of March 2024, and hence its application has not commenced. Information on outcomes is therefore provided in relation to the design of the Standard.

As illustrated in the legal and institutional framework context, the Standard has been designed to recognize and respect the right to identification or self- identification of Indigenous peoples and local communities.

### **Means of Verification**

- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- The GTLAS
- Guidelines for Forest Operations for State Forest Authorizations- State Forest Permission

### *Safeguard Theme C.2 Respect and protect traditional knowledge*

#### **Legal Framework**

Article 212S of the Constitution of Guyana provides that Indigenous Peoples Commission shall establish mechanisms for the improved status of indigenous peoples by protecting their rights, raising awareness of the problems they face, promoting their empowerment and protecting their traditional knowledge.

The Amerindian Act outlines the procedures that are mandated to be in place to protect indigenous People's knowledge. Section 2 of the Amerindians Act defines Traditional Rights. Section 13 of the Act outlines the Functions of the Village Council and lists the following:

- encourage the preservation and growth of Amerindian culture;
- ensure that places and artefacts located within Village lands and which hold sacred or cultural values to the Village are protected and cared for;
- protect and preserve the Village's intellectual property and traditional knowledge;

The procedures that enforces these rights rest with the Village Council and the governance structure at village level as detailed further in Part III of the Act.

#### In the specific context of the VPA

The Definition of Legality, recognizes and provides for respect for traditional knowledge. The legality matrix glossary defines “Traditional right” in accordance with section 2 of the Amerindian Act as any subsistence right or privilege, in existence at the date of the commencement of the Amerindian Act, which is owned legally or by custom by an Amerindian Village or Amerindian Community and which is exercised sustainably in accordance with the spiritual relationship which the Amerindian Village or Amerindian Community has with the land, but it does not include a traditional mining privilege.

The Legality Definition is a summary of Guyana’s national legal and regulatory framework applicable to the VPA. This framework shall be complied with by FSOs in order for timber products to be covered by a FLEGT licence. Annex 2 of the VPA, sets out specific requirements that FSOs must comply with regards to the recognition and protection of traditional knowledge of indigenous peoples, and of local communities:

- Section 4.2 outlines the Legality matrix B for State Forest Authorisations (large concessions). Criterion 1.2 requires the FSOs respect other parties’ legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).
- Section 4.3 outlines the Legality matrix C for State Forest Authorizations (small concessions. Criterion 1.2 requires the FSOs respect other parties’ legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).
- Section 4.4 outlines the Legality Matrix D for Amerindian Villages. Criterion 1.2 requires the FSOs respect other parties’ legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).

### In the specific context of the FCS

The GSSFM prescribes adherence to the principle of cultural sustainability, which entails managing the forests in a manner that allows the community, particularly Indigenous peoples, to continue to access the forests for cultural practices, including practising their traditional customs and religion.<sup>40</sup> Cultural sustainability also involves respecting and, where necessary and appropriate, incorporating traditional knowledge and wisdom of Indigenous and other forest-dependent communities in the management of the forests on benefit sharing basis. Some Indigenous cultural practices also enhance the environmental assets of the forests, and these must be preserved and maintained through sustainable forest management practice.

The FCS builds on the existing framework for the recognition and protection of traditional knowledge of indigenous peoples, and of local communities, and the FSOs are required to adhere to these regulations to satisfy the requirements of the GSSFM.

The GSSFM sets out certain requirements for the FSOs under Principle 11 - Maintenance or Appropriate Enhancement of Socio-Economic Functions and Conditions:

- Criterion 11.5 requires the FSO makes best use of forest related experience and traditional knowledge.
- Criterion 11.3 requires the FSO protects significant sites, of special cultural, religious or historical significance, sites of cultural or religious value, e.g., sacred trees and forests (these should be identified in collaboration with the local communities).

### **Institutional Framework**

The Ministry of Amerindian Affairs, the Protected Areas Commission, and the Guyana Forestry Commission, through the relevant legislations that govern each body, have used their mandates to protect traditional rights. The Ministry of Amerindian Affairs has implemented the Amerindian Act and its attendant protection of traditional rights. The GFC has implemented the EU FLEGT programme with specific provisions made for traditional rights. Similarly, the Protected Areas Commission has implemented its management of the PAC through the recognizing of Community Owned Conservation Areas and traditional rights.

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<sup>40</sup> GY-ST-2023-01 S.3 Introduction.

The Amerindian Act outlines the procedures that are mandated to be in place to protect Indigenous People's knowledge. Section 2 of the Amerindians Act defines Traditional Rights. Section 13 of the Act outlines the Functions of the Village Council and lists the following:

- encourage the preservation and growth of Amerindian culture;
- ensure that places and artefacts located within Village lands and which hold sacred or cultural values to the Village are protected and cared for;
- protect and preserve the Village's intellectual property and traditional knowledge;

The procedures that enforces these rights rest with the Village Council and the governance structure at village level as detailed further in Part III of the Act.

#### In the specific context of the VPA

Public institutions recognize and protect the traditional knowledge of the indigenous peoples and local communities.

The Legality Definition is a summary of Guyana's national legal and regulatory framework applicable to the VPA. The Legality Definition has specific provisions in place for Amerindian Lands and the interaction of forest harvesting on State Lands and Amerindian Lands. Pages 13, 18, 23, 31 and 48 outline various aspects of definition that speaks to respect for traditional knowledge. As well, the GTLAS outlines on page 70 the requirement for establishing criteria for protection of traditional knowledge as part of the FLEGT process. This framework shall be complied with by FSOs in order for timber products to be covered by a FLEGT licence. Annex 2 of the VPA, sets out specific requirements that FSOs must comply with in relation to the recognition and protection of the traditional knowledge of the indigenous peoples and local communities, which encompass specific procedures set out in the relevant legislation:

- Section 4.2 outlines the Legality matrix B for State Forest Authorisations (large concessions). Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).
- Section 4.3 outlines the Legality matrix C for State Forest Authorizations (small concessions. Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).
- Section 4.4 outlines the Legality Matrix D for Amerindian Villages. Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not

impede the exercise of traditional rights of Amerindian peoples (in accordance with relevant legislation).

#### In the specific context of the FCS

The GSSFM sets out specific procedures that the FSO must comply with:

- Principle 2- Legal, Customary and Traditional Rights. Indicator 2.1.1 requires the FSO establishes and implements a policy commitment to ensure that his or her forest practices and operations are conducted in a manner that recognises the established framework of legal, customary, and traditional rights such as outlined in ILO 169, the UN Declaration on the Rights of Indigenous Peoples, and the Universal Declaration on Human Rights.

#### **Outcomes**

All REDD+ actions incorporate protecting and harnessing traditional knowledge of indigenous peoples and local communities in a manner that is valuable to the indigenous peoples and local communities.

Notably, the Land Titling Programme, under the LCDS, has included broad direct involvement of indigenous peoples that have identified and utilized traditional knowledge.

#### In the specific context of the VPA

It must be noted the VPA has not yet entered into force and hence implementation has not commenced. Information on outcomes is therefore provided in relation to the design of the VPA. As illustrated in the legal and institutional framework context, the VPA has been designed to recognize and protect traditional knowledge of IP and LCs.

#### In the specific context of the Certification Standard

It must be noted the Standard has been endorsed by the PEFC Council at end of March 2024, and hence its application has not commenced. Information on outcome is therefore provided in relation to the design of the Standard. As illustrated in the legal and institutional framework context, the Standard has been designed to recognize and protect traditional knowledge of indigenous peoples and local communities.



## Means of Verification

- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- The GTLAS
- GRIF Project Reports on ALT Programme
- [Home - Guyana REDD+ Investment Fund \(guyanareddfund.org\)](http://guyanareddfund.org)
- [Amerindian Land Titling - Guyana REDD+ Investment Fund \(guyanareddfund.org\)](http://guyanareddfund.org).

*Safeguard Theme C.3 Respect, protect, and fulfil rights of indigenous peoples and/or local communities, or equivalent*

**Note:** Given Safeguard Themes C.1, C.2 and D.2 of this SOI address certain human rights of IPs and LCs (e.g. traditional knowledge, participation, etc.) under this theme the focus is on forest ownership and rights.

## Legal Framework

The Amerindian Lands Commission Act asserts collective forest ownerships and rights<sup>41</sup>. The Constitution of Guyana, the FA, the AA and the PAA all address the procedure where rights are susceptible to being extinguished or diminished<sup>42</sup>. The AA empowers the Minister to determine the grant of title, based on an investigation that accords recognition and protection of the communal property rights of Indigenous Peoples which arise from and are grounded in traditional ownership systems<sup>43</sup>.

It should be noted that “the Government of Guyana has committed to review the existing primary legislation governing the rights of Amerindians, this exercise is being executed in collaboration with the NTC and the Attorney General’s chambers. The review process began

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<sup>41</sup> The Amerindian Lands Commission Act asserts<sup>41</sup> ownership and other customary rights. The role of the Commission is to investigate and recommend which tribes and communities shall be given rights of tenure and inter alia the nature of the rights of tenure, beneficial or legal and how vested or conferred.

The Amerindian Act defines which applications are made to and decided by the Minister under a very simplified process. The land claim mechanism encompasses inter alia unorthodox sources such as oral histories, local sketches and drawings.

<sup>42</sup> For example: The Protected Areas Act sec (30) the Minister shall carry out an investigation to determine what rights and claims exist over the area and may take steps to settle such claims and terminate such rights as permitted by law.

<sup>43</sup> While rights are protected, those rights are limited: the Amerindian Act limits those to only “subsistence rights or privileges,” and requires that those rights be “exercised sustainably” in accordance with indigenous peoples’ “spiritual relationship” with their lands, which limits enforceability.

with the training of 54 facilitators - 14 NTC executive members, 25 CDOs, 5 MDOs, 15 CSOs were trained on the Amerindian Act 2006, understanding it and how to facilitate consultations in the Villages”<sup>44</sup>. “Consultation on the revision of the Act will be conducted in every Amerindian area across Guyana, including other stakeholders. The revision will take into consideration the increased benefits and secure rights and will not consider the dilution of any such rights and must result in increased benefits and more secured rights for our people”<sup>45</sup>

The Amerindian Act, outlines rights for Indigenous Peoples regarding areas of traditional privileges (Section 2), governance roles over village lands (Section 13), make rules for the conduct of the Village (Section 14) and its activities, and impose remedies if rules rights are breached (Section 16). Additionally, several areas of provision of rights are also included with respect to developing village plans, managing the affairs of the villages, conducting mining, refusal to allow small and medium scale mining, use of forest products for village purposes, and a number of other operational rights-based areas including seeking title and extensions to village lands.

The AA recognises benefit sharing as a key component of the empowerment of indigenous people.<sup>46</sup> For each of these legislative provisions, within the sections outlined above, the procedures and processes are also clearly defined. One example is regarding land titling; in which the procedures is clearly set out in the Act. Taken together, this Act effectively lays down the requirements and procedures to guarantee the respect, protection, and fulfilment of rights of indigenous peoples and/or local communities. The Act also appropriately defines the role of the MoAA, the NTC, Village Leaders, and villagers in implementing the mandate of the Act to protect the rights of Indigenous Peoples.

The Amerindian Act regulates and protects the rights of Indigenous Peoples on both titled and untitled Amerindian areas. With respect to non-indigenous communities, there is no communal ownership of land, but rather individual household titles held.

With respect to non-indigenous communities, there is no communal ownership of land but rather individual household titles held. Specific Guidelines for Small Concessions of which

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<sup>44</sup> Hon. Pauline Sukhai MP Minister of Amerindian Affairs, Draft Budget Presentation 2024.

<sup>45</sup> Presentation by the Minister of Amerindian Affairs, Ms. Pauline Sukhai. NTC Conference Report, 2022, pg. 13. Accessible at: <https://ntcguyana.com/wp-content/uploads/2023/08/NTC-Report-2022.pdf>

<sup>46</sup> ‘The requirement for consent for small and medium scale mining, employment of locals in mining operations and benefit sharing with communities. Moreover, central government is now bound to pay a percentage of royalties from mining on Amerindian lands into a fund for the benefit of all Indigenous villages and communities.’<sup>46</sup>

community forest management agreement are a part is available at: [Microsoft Word - Guidelines for Forest Operations \(SMALL CONCESSIONS\)2018-3-04-SG EDIT \(2\) \(forestry.gov.gy\)](#) and also provided, with reference to pages 9, 121, and 122 on human rights and page 12 identifying the linkage to community forestry operations. This Guideline is to be read with the Code of Practice for Timber Harvesting also available on the GFC's website at: [Microsoft Word - CoP for Forest Operations FINAL \(forestry.gov.gy\)](#) and provided, and makes reference among other sections, to pages 2 and 40, where reference is made to human rights of local communities.

#### In the specific context of the VPA

The Legality Definition is a summary of Guyana's national legal and regulatory framework applicable to the VPA. This framework shall be complied with by FSOs in order for timber products to be covered by a FLEGT licence. Annex 2 of the VPA, sets out specific requirements that FSOs must comply with regards to the recognition and protection of the rights of IP and LCs:

- Section 4.2 outlines the Legality matrix B for State Forest Authorisations (large concessions). Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples and of other individual groups (in accordance with relevant legislation).
- Section 4.3 outlines the Legality matrix C for State Forest Authorizations (small concessions). Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples and of other individual groups (in accordance with relevant legislation).
- Section 4.4 outlines the Legality Matrix D for Amerindian Villages. Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples and of other individual groups (in accordance with relevant legislation).

#### In the specific context of the FCS

It builds on the existing framework of recognizing and protecting the rights of IPs, and of LCs, and the FSOs are required to adhere to these regulations to satisfy the requirements of the GSSFM. The GSSFM sets out several requirements for the FSOs:

- Principle 1 – Compliance with Legal Requirements and Organisational Commitments. Criterion 1.1- Requires the FSO has the legal right to harvest, including that:

- a) The FSO is a Village Council, and has been appointed lawfully in accordance with the Amerindian Act;
  - b) The Village Council (the FSO) has a legal title for the forest land where commercial activities are being conducted;
  - c) If residents of the Amerindian Village are acting on behalf of the Village Council, they have a written agreement with the Council to engage in commercial activities related to harvesting or extraction within Village lands; and
  - d) If non-residents who are acting on behalf of the Village Council, they have a written agreement with the Council to engage in commercial activities related to harvesting or extraction within Village lands.
- Principle 2- Legal, Customary and Traditional Rights. Criterion 2.1- requires FSOs to respect legal, customary and traditional rights to land. Criterion 2.2 requires FSOs have appropriate commercial contracts with Amerindian villages. Land tenure rights are described there as the legal claim made on tenure of land and/or natural resources by an individual or group of individuals. Criterion 2.3 The FSO has a system to manage conflicts between forest operations and local communities.
  - Principle 3- Workers Rights. Criterion 3.1 requires the FSO complies with employment law, social security requirements and the fundamental ILO conventions. Criterion 3.2. requires the FSO provides appropriate workplace conditions, including no use of child or forced labour, and compliance with Guyana's Non-Discrimination Legislation. Criterion 3.3 The FSO provides for the health and safety of workers.
  - Principle 4 – Management Systems and Planning. Criterion 4.4 requires the FSO has a system for stakeholder engagement and managing complaints appropriate for the size and scale of operations.
  - Principle 11 – Maintenance or Appropriate Enhancement of Socio-Economic Functions and Conditions. Criterion 11.2 the FSO is required to facilitate public access to forests in accordance with legislative requirements. Criterion 11.3 the FSO is required to protect significant sites. Criterion 11.4 the FSO is required to promote the long-term health and well-being of forest-dependent communities and Indigenous peoples. Criterion 11.5 the FSO is required to make best use of forest related experience and traditional knowledge. Criterion 11.6 the FSO is required to give due regard for the role of forestry in enhancing local economies.

## **Institutional Framework**

The MNR, the MoAA and the GFC, through the relevant legislations that govern each body, have used their mandates to protect rights of indigenous peoples and local communities.

The MNR provides strategic direction to the work of the GFC and assists in addressing the protection of rights of indigenous peoples and local communities, where these may exist and more broadly support the holistic development of the work on REDD+ Implementation in the areas of MRVS, EU FLEGT and SFM.

The MoAA has implemented several procedures for the recognition and protection of rights of indigenous peoples and local communities. The MoAA works in close collaboration with the Village Toshias and village leaders in developing village plans, addressing land use and supporting the land titling process as outlined in the Amerindian Act. This is done through engagement within the governance framework of the Amerindian Act.

The GFC has implemented several procedures for the recognition and protection of the rights of indigenous peoples and local communities. This includes consultations on EU FLEGT as well as REDD+ actions of MRVS and Sustainable Forest Management. These are all coordinated through the GFC by the FLEGT Unit, the REDD Secretariat, and the Community Forestry Unit. The Community Forestry Unit is a dedicated unit within the GFC that is mandated to support work at community level, to ensure that rights are respected and that economic activities in the forest sector bring about socio economic benefits that are sustained for communities and villages. Through these units of the GFC, the FLEGT work programme, MRVS actions and work on SFM are coordinated with key stakeholders.

Additionally, the GFC works closely with Community Forestry Associations through community meetings and capacity building programmes to enable for the effective implementation of Section 11 of the Forest Act to be realised.

### In the specific context of the VPA

The Legality Definition is a summary of Guyana's national legal and regulatory framework applicable to the VPA. This framework shall be complied with by FSOs in order for timber products to be covered by a FLEGT licence. Annex 2 of the VPA, sets out specific requirements that FSOs must comply with in relation to the recognition and protection of the

rights of the IP and LCs, which encompass specific procedures set out in the relevant legislation:

- Section 4.2 outlines the Legality matrix B for State Forest Authorisations (large concessions). Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples and of other individual groups (in accordance with relevant legislation).
- Section 4.3 outlines the Legality matrix C for State Forest Authorizations (small concessions). Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples and of other individual groups (in accordance with relevant legislation).
- Section 4.4 outlines the Legality Matrix D for Amerindian Villages. Criterion 1.2 requires the FSOs respect other parties' legal user rights, including that FSOs do not impede the exercise of traditional rights of Amerindian peoples and of other individual groups (in accordance with relevant legislation).

#### In the specific context of the FCS

It builds on the existing framework of recognizing and protecting the rights of indigenous peoples, and of local communities, and the FSOs are required to adhere to these regulations to satisfy the requirements of the GSSFM. The GSSFM sets out several requirements for the FSOs:

- Principle 1 – Compliance with Legal Requirements and Organisational Commitments. Indicator 1.1.2- Requires the FSO has the legal right to harvest, and in the case of forest operations in Amerindian Villages:
  - a) The FSO is a Village Council, and has been appointed lawfully in accordance with the Amerindian Act;
  - b) The Village Council (the FSO) has a legal title for the forest land where commercial activities are being conducted;
  - c) If residents of the Amerindian Village are acting on behalf of the Village Council, they have a written agreement with the Council to engage in commercial activities related to harvesting or extraction within Village lands; and d) If non-residents who are acting on behalf of the Village Council, they have a written agreement with the Council to engage in commercial activities related to harvesting or extraction within Village lands.
- Principle 2- Legal, Customary and Traditional Rights, including but not limited to:

- Indicator 2.1.1 requires the FSO establishes and implements a policy commitment to ensure that his or her forest practices and operations are conducted in a manner that recognises the established framework of legal, customary, and traditional rights such as outlined in ILO 169, the UN Declaration on the Rights of Indigenous Peoples, and the Universal Declaration on Human Rights.
- Indicator 2.1.2 requires the FSO does not prevent traditional rights of Amerindian/Indigenous peoples.
- Indicator 2.2.1 requires the FSO shall ensure that any contractual arrangements for timber harvesting on Amerindian lands are made with free and informed consent of the community.
- Indicator 2.3.1 The FSO shall ensure that any conflicts are first resolved through consultation before exploring legal options.
- Indicator 2.3.2 The FSO shall ensure that conflicts are resolved through consultations through a neutral third party.
- Indicator 2.3.3 The FSO shall ensure that disputes over Amerindian land tenure and use rights on its concession or within Amerindian lands are brought to the attention of the GFC, MoAA and the GLSC.
- Principle 3- Workers Rights, including but not limited to:
  - Indicator 3.1.2 The FSO shall ensure that the forest practices and operations comply with fundamental ILO conventions (ILO Conventions 29, 87, 98, 100, 105, 111, 138 and 182 and related legislation.
  - Indicator 3.3.1. The FSO complies with applicable OHS legislation and the Guidelines for Forest Operations
- Principle 4 – Management Systems and Planning, including but not limited to:
  - Indicator 4.4.2 – The FSO establishes and implements procedures for effective communication and consultation with local communities, Indigenous peoples and other stakeholders relating to sustainable forest management.
  - Indicator 4.4.5 – The FSO establishes and implements appropriate mechanisms for resolving complaints and disputes relating to forest management operations, land use rights and work conditions.
- Principle 11 – Maintenance or Appropriate Enhancement of Socio-Economic Functions and Conditions, including but not limited to:
  - Indicator 11.2.1 For large and small concession holders, the FSO facilitates access to persons travelling through the State Forest and occupying or using

the State Forest for the purposes of their journey in accordance with the Forests Act.

- Indicator 11.3.1 The FSO marks and protects any existing verified areas of special cultural, religious or historical significance, sites of cultural or religious value, e.g., sacred trees and forests (these should be identified in collaboration with the local communities) in accordance with the Code of Practice and the Guidelines.
- Indicator 11.4.1 The FSO has a plan and strategy to promote the long-term health and well-being of forest-dependent communities including Indigenous peoples within or adjacent to the forest management area.
- Indicator 11.4.2 The FSO maintains regular communication channels for exchanging information with forest-dependent communities including Indigenous peoples.
- Indicator 11.5.1 Where relevant, the FSO seeks and incorporates appropriate forest-related experience and traditional knowledge, innovations, and practices such as those of forest owners, NGOs, local communities, and Indigenous peoples in the management of the forest and rewards the use such knowledge.
- Indicator 11.6.2 Where the Organisation employs forest-dependent communities including Indigenous peoples within the concession, the FSO provides regular, appropriate and relevant training, to ensure continual socio-economic benefits.

Additionally, the Code of Practice for Forest Operations For State Forest Authorizations provides that when contracting with LCs, employers must comply with the requirements for Equal opportunity employment, prohibition against forced labour, employment opportunities for local and forest-dependent populations, education and training for workforce and local populations, social security benefits, recreation, prohibition against child labour, workers right to union representation and conflict management in the workplace, as specified in the Guidelines for Forest Operations (for both large and small concessions). These requirements are in alignment with the general fundamental rights and freedoms of the individual recognised in Art. 40 of the Constitution of Guyana.

## **Outcomes**

Human rights and fundamental freedoms are central to REDD+ governance in Guyana. To ensure that these priorities are realized, land tenure and resource availability are two enabling



conditions. Given this, Guyana has in place several processes that have been implemented with specific emphasis on rights of indigenous peoples. Two of more national scale, recent examples of such programmes are focused on: Land Titling and Amerindian Development. The latter one was completed prior to this reporting period.

On Land Titling, the Amerindian Land Titling (ALT) project, which is still ongoing, seeks to accelerate the legal demarcation and titling of Amerindian lands. Amerindians total approximately 14 percent of Guyana's population and currently own in excess of 15.65 percent of Guyana's territory, up from about six percent in the early 1990s. The ownership of land empowers and allows Amerindians the liberty to engage in and promote investments towards their own social and economic advancement Under the ALT project. It is expected that titling of communities will strengthen land tenure security and the expansion of the asset base of Amerindians, enabling improved long-term planning for their future development.

In 2023, the Implementation of the Amerindian Land Titling Programme advanced demarcations:

- 15 villages were issues with absolute grants, bringing total number of Amerindian villages titled with Absolute grants to 111.
- 26 villages were demarcated and 24 were issues with certificates of title in what is the first steps in the titling process. This brought the total number of villages demarcated and issues with Certificates of Titling to 101.

The principle of Free Prior and Informed Consent (FPIC) continues to be an important and respected principles that is applied under the Project. Amerindians are provided with enough information well in advance of planned or proposed activities to allow communities and villages to agree or consent to the execution of those activities. Under the Project, over 210 persons have been trained in FPIC to ensure that only do Amerindians understand their rights but most importantly, for other stakeholders to recognize and understand those rights and practically apply the principle of FPIC during project implementation.

A grievance redress mechanism (GRM) was established as an alternative for helping to resolve land titling disputes. Twenty-three people have been trained as GRM liaisons, 254 community members were trained in mediation and 378 people were part of cluster awareness exercises on the core function of the GRM.

### In the specific context of the VPA

It must be noted the VPA has not yet entered into force and hence implementation has not commenced. Information on outcome is therefore provided in relation to the design of the VPA. As illustrated in the legal and institutional framework context, the VPA has been designed to recognize and protect the rights of IP and LCs.

Several activities have been conducted to ensure the rights of IP and/or LCs have been recognized and protected:

- Compliance Outreach in several regions. The GFC led this initiative by hosting eight awareness-raising sessions on the forestry sector's legal compliance requirements
- Formation of the pre-Joint Monitoring and Review Committee including Indigenous Peoples representatives. Consultations on the VPA's implementation have promoted the recognition and protection of the rights of indigenous peoples and local communities.
- The NIWG was established. The NIWG is a multi-stakeholder group which forms part of the supporting structure for the Implementation Phase of the VPA and consists of representatives from government, private sector, indigenous NGOs, and civil society. The MoAA, National Toshias' Council and Indigenous NGO representatives are members of the NIWG. The NIWG works, *inter alia*, on all work plan activities in the JIF<sup>47</sup>, overseeing their implementation with and through the continuous engagement of stakeholders.

### In the specific context of the Forest Certification Standard

It must be noted the Standard has been endorsed by the PEFC Council at end of March 2024, and hence its application has not commenced. Information on outcome is therefore provided in relation to the design of the Standard. As illustrated in the legal and institutional framework context, the Standard has been designed to recognize and protect the rights of IP and LCs.

#### **Means of Verification**

- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- The GTLAS

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<sup>47</sup> Guyana-European Joint Implementation Framework- Guide for the implementation of the FLEGT-VPA.

- Amerindian Land Titling Project (GRIF) documents.
- EU-Guyana Aide Memoires: <https://euflegt.gov.gy/resources/>
- [GRIF Operations Manual](#)
- [Amerindian Land Titling Project Document](#)

## Cancun Safeguard D

### Guyana's description of Cancun Safeguard D

“The right to participate, in particular for relevant Indigenous peoples and local communities, is recognized and are to be promoted under the implementation of the REDD+ activities.”

*Safeguard Theme D.1 Respect, protect, and fulfil the right of all relevant stakeholders to participate fully and effectively in the design and implementation of REDD+ actions*

### Legal Framework

The AA<sup>48</sup>, the PAA, the FA<sup>49</sup> regulate public participation in the context of the REDD+ actions. The IA sec 6(2) recognizes and provides for a process of consultancy and involvement of the Amerindian community. The Guyana Constitution established the Indigenous Peoples Commission, which has a constitutionally mandated role in enhancing participation and representation of Indigenous people in the decision-making process. The Amerindian Act, the Forest Act, the Forest Policy Statement and Forest Plan, and the Iwokrama Act contain provisions for ensuring participation of stakeholders in the forestry sector.<sup>50,51</sup>

### In the specific context of the VPA

The participation of all relevant stakeholders is contemplated in Art.16<sup>52</sup>, mandating that the implementation and monitoring of the VPA be carried out in a transparent, participatory

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<sup>48</sup> The Amerindian Act section 34 establishes the village general meeting to meet on a quarterly basis. The meetings are open to all villagers and decisions are arrived on a consensus basis, if not mechanisms are in places to so address. Decisions of the general meeting are elevated for consideration by the subject Minister. The Forest Policy Statement and Forest Plan 2018 contain provisions for addressing the issue of capacity building.

<sup>49</sup> The Forests Act section 11 speaks of the free and fair opportunity for participation where grants of Community Forest Management Agreements are awarded.

<sup>50</sup> The Amerindian Act, the Forest Act<sup>50</sup>, the Forest Policy Statement and Forest Plan, and the Iwokrama Act contain provisions on representation in the forestry sector.

<sup>51</sup> The Amerindian Act section 34 establishes the village general meeting to meet on a quarterly basis. The meetings are open to all villagers and decisions are arrived on a consensus basis, if not mechanisms are in places to so address. Decisions of the general meeting are elevated for consideration by the subject Minister. The Forest Policy Statement and Forest Plan 2018 contain provisions for addressing the issue of capacity building.

<sup>52</sup> Article 16 VPA: ‘Guyana shall ensure that the implementation and monitoring of this Agreement are done in a transparent and participatory manner together with all relevant stakeholders through their own institutions, regardless of gender, age, location,

manner with all relevant stakeholders. Article 16.2 requires that Guyana ensures that the NIWG is in place to monitor the implementation of this Agreement, and is made up of representatives of relevant Government agencies and representatives of all relevant stakeholders. Article 16.3 sets out that Guyana shall develop and employ strategies, modalities and programmes to meaningfully consult its stakeholders.

### In the specific context of the FCS

Stakeholders are defined by the FCS Standard Setting Procedures and the GSSFM 'as a person, group, community, or organisation with an interest in the FCS'<sup>53</sup>. These also define stakeholder mapping<sup>54</sup> and stakeholder engagement<sup>55</sup>. To support continual improvement in Guyana's forests sustainable forest management systems, the GSSFM defines review, research, monitoring and evaluation protocols and requirements including stakeholder engagement.

The FCS builds on the existing framework of recognizing and protecting the rights of IPs, and of LCs, and the FSOs are required to adhere to these regulations to satisfy the requirements of the GSSFM. The GSSFM sets out several requirements for the FSOs:

- Principle 4 – Management Systems and Planning. Criterion 4.4 requires the FSO has a system for stakeholder engagement and managing complaints appropriate for the size and scale of operations.
- Principle 11 – Maintenance or Appropriate Enhancement of Socio-Economic Functions and Conditions. Criterion 11.4 requires the FSO promotes the long-term health and well-being of forest-dependent communities and IPs, including through regular communication channels for exchanging information with forest-dependent communities including IPs.

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religion or belief, ethnic origin, color, language, disability or any other status, including from the private sector, civil society, local and indigenous communities and other people dependent on forests.'

<sup>53</sup> Section 4.17 FCS Standard Setting Procedures, Section 5 of GSSFM

<sup>54</sup> An exercise of establishing contact with the already identified and interested stakeholders for the standard setting process. Stakeholder mapping exercise includes defining key sectors of stakeholders, issues of each sector and best means of communication to reach them. The major stakeholder groups outlined in the UN Agenda 21 are: business and industry, non-governmental organizations, scientific and technological communities, farmers and small forest landowners' workers and trade unions, local authorities, Indigenous Peoples, women, children, and youth.

<sup>55</sup> The process used by an organization to engage relevant stakeholders for the purpose to achieve accepted outcomes.

## Institutional Framework

The AA, PAA and FA outline the key procedures through which stakeholders are to be engaged, and which include:

- Procedure for Participating at Village Level in all activities including REDD+ actions: one of the functions of the Village Council is to engage with Villagers and to network with the Ministry of Amerindian Affairs and the National Toshihos Council (Section 13) that sets the governance framework for effective execution of REDD+.
- Procedure for Securing Tenure to enable effective participation in all areas including REDD+: Another procedure that has its origin from the Amerindian Act is the Land Titling process as outlined in Part VI is key to REDD+ effectiveness.
- Procedure for developing Village Plans which are fundamental to REDD+ Actions: this is detailed in Section 32 of the Amerindian Act.
- Procedure for Issuing a Use Permit for sustainable forest management actions that are a part of REDD+: Section 10 of the Forest Act, requires consultation with stakeholders before granting of a Use permit.
- Entering into Afforestation Agreement that is one area of REDD+ that could be advanced: the Forest Act in Section 12 outlines procedures that are in place for the GFC to follow prior to proceeding with any Afforestation agreement.
- The PAA outlines in Section 29, procedures for engaging with stakeholder in instances of establishing a new protected area. It includes provisions for all persons, communities and other entities who exercise or claim rights over the area to notify the Minister in writing of those rights and claims.

The Protected Areas Commission (PAC) is responsible for implementing the provisions of the Protected Areas Act and conducts stakeholder engagement with communities and village that could potentially be affected by proposed new protected areas. As part of its ongoing work, the PAC collaborated with local NGOs such as Conservation International in the implementation of stakeholder engagement and collaboration.

Iwokrama International Centre<sup>56</sup> is responsible for leading on the implementation of the Iwokrama Act and conducts stakeholder engagement with Amerindian villages and communities, especially those within region 9. Engagements focus on training as well as consultations on sustainable forest management implementation and community forestry. In

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<sup>56</sup> [Community Development – Iwokrama International Centre](#)

collaboration with Iwokrama, the Bina Hill Institute, established in 2001, also works with several partners under the umbrella of the North Rupununi District Development Board (NRDDB), including Pronatura, to develop training, research and other resources in the North Rupununi.

The MoAA works in close collaboration with the Village Toshias and village leaders in developing village plans, addressing land use and supporting the land titling process as outlined in the Amerindian Act. This is done through engagement within the governance framework of the Amerindian Act. A dedicated Project Unit is in place within the Ministry of Amerindian Affairs, supported by Government and financing from the Guyana Norway cooperation, to support work on land titling as well as continuous engagement with stakeholders as part of the process. The MoAA, with stakeholders, identifies issues and resolves these as they occur, in keeping with the Amerindian Act. One role of this Unit is also to receive requests for titling. Likewise, the Guyana Forestry Commission works closely with Community Forestry Associations through community meetings and capacity building programmes to enable for the effective implementation of Section 11 of the Forest Act to be realised. Both of these structures allow for the effective and timely participation in the design and implementation of REDD+ actions.

The MNR provides strategic direction to the work of the GFC and assists in addressing effective and timely participation in the design and implementation of REDD+ actions, where these may exist and more broadly support the holistic development of the work on REDD+ Implementation.

#### In the specific context of the VPA

Art. 16 of the VPA requires Guyana develop and employ strategies, modalities and programmes to meaningfully consult its stakeholders. One of such modalities is the establishment of the NIWG, which replaced the NTWG in 2018. The NIWG is a multi-stakeholder group which forms part of the supporting structure for the Implementation Phase of the VPA and consists of representatives from government, private sector, indigenous NGOs, and civil society. The Working Group will act as focal point for effective communication and information exchange on progress in implementation. The National Implementation Working Group will coordinate the formulation of a detailed roadmap of activities in accordance with the implementation schedule. It will oversee the implementation of these activities in coordination with, and through the continuous engagement of, stakeholders in the development of the GTLAS during VPA implementation. The Working Group will provide

strategic guidance to Guyana's representatives on the JMRC. It will also be able to propose items to be added to the agendas of the JMRC's meetings. The Working Group will hold regular and periodic meetings, and receive inputs from the Government Coordination Body and the FLEGT VPA Secretariat. The NIWG works, *inter alia*, on all work plan activities in the JIF<sup>57</sup>, overseeing their implementation with and through the continuous engagement of stakeholders.

Additionally, among the key functions of the Joint Monitoring and Review Committee is to make recommendations, in order to help attain the objectives of the VPA, including on capacity building and the participation of the private sector, civil society and Indigenous stakeholders.

#### In the specific context of the FCS

It builds on the existing framework of recognizing and protecting the rights of indigenous peoples, and of local communities, and the FSOs are required to adhere to these regulations to satisfy the requirements of the GSSFM. The GSSFM sets out several requirements for the FSOs:

- Principle 4 – Management Systems and Planning:
  - Indicator 4.4.1 – The FSO is required to identify and keep up to date: the affected stakeholders that are relevant to sustainable forest management; and the relevant needs and expectations of these stakeholders.
  - Indicator 4.4.2 – The FSO is required to establish and implement procedures for effective communication and consultation with local communities, Indigenous peoples and other stakeholders relating to sustainable forest management.
  - Indicator 4.4.3 – The FSO is required to ensure that mechanisms for communication and consultation are culturally appropriate and facilitate meaningful engagement.
  - Indicator 4.4.4 – The FSO is required to keep records of communications and consultation sufficient to demonstrate implementation of its procedures and meaningful engagement with local communities, Indigenous peoples and other stakeholders in relation to the FSO's forest management activities.

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<sup>57</sup> Guyana-European Joint Implementation Framework- Guide for the implementation of the FLEGT-VPA.



- Indicator 4.4.5 – The FSO is required to establish and implement appropriate mechanisms for resolving complaints and disputes relating to forest management operations, land use rights and work conditions.
- Indicator 4.4.6 – The FSO is required to keep records of all complaints and disputes relating to forest management operations, land use rights and work conditions.
- Principle 11 – Maintenance or Appropriate Enhancement of Socio-Economic Functions and Conditions:
  - Indicator 11.4.1 The FSO is required to have a plan and strategy to promote the long-term health and well-being of forest-dependent communities including Indigenous peoples within or adjacent to the forest management area.
  - Indicator 11.4.2 The FSO is required to maintain regular communication channels for exchanging information with forest-dependent communities including Indigenous peoples.

Additionally, the GFC, as the FCS Standardising Body has established the NSSWG to guide the development and revision of the Standard and associated documents and be responsible for consensus building to ensure they are customised and suitable for Guyana and its local situations.

## **Outcomes**

Relevant stakeholders have been engaged in planning and implementation of REDD+ actions in the areas of LCDS, EU FLEGT and MRVS. Notably:

- Indigenous peoples' representatives are members of main coordinating committees involved in various aspects of LCDS and REDD+. This allows for direct influence on the design and implementation of related activities.
- Direct support is given to communities and villages to build capacity areas of governance such as in decision making, project execution, financial management and reporting, and project management.
- The Government of Guyana continues to conduct ongoing stakeholder outreach activities on the LCDS, and related REDD+ areas.

### In the specific context of the VPA

The VPA is currently in its implementation phase. As illustrated in the legal and institutional framework context, the VPA has been designed to ensure the full and effective participation of all stakeholders.

Several activities have been conducted to ensure participation:

- Formation of the pre-Joint Monitoring and Review Committee including IP representatives. Consultations on the VPA's design have promoted the participation of all stakeholders.

Moreover, through the VPA the NIWG was established. The NIWG is a multi-stakeholder group which forms part of the supporting structure for the Implementation Phase of the VPA and consists of representatives from government, private sector, indigenous NGOs, and civil society.

### In the specific context of the Forest Certification Standard

It must be noted the Standard has been endorsed by the PEFC Council at end of March 2024, and hence its application has not commenced. Information on outcome is therefore provided in relation to the design of the Standard illustrated in the legal and institutional framework context, the Standard has been designed to ensure the full and effective participation of all stakeholders. During 2023, the GFC and NSSWG hosted a public review and feedback process where the public was invited to submit comments, recommendations and opinions on the draft GNSSFM and Group Certification Standard Requirements. This is one of the key processes that have ensured stakeholders participated fully, effectively and timely in the design of the Standard.

### **Means of Verification**

- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- The GTLAS
- EU-Guyana Aide Memoires: <https://euflegt.gov.gy/resources/>
- ['Public announcement public review and feedback on the draft Guyana national standard on sustainable forest management \(GNSSFM\)'](#)

- [Public review and feedback on the second draft of the Guyana national standard for sustainable forest management and the group certification standard requirements](#)
- The Forest Act
- The PAA
- The Amerindian Act
- The Iwokrama Act
- The National Forest Plan and Policy Statement
- The Protected Areas Act

*THEME D.2 Promote adequate participatory procedures for the meaningful participation of indigenous peoples and local communities, or equivalent.*

## **Legal Framework**

The AA, the PAA, the FA<sup>58</sup> outline varying levels and processes of public participation. The IA sec 6(2) recognizes and provides for a process of consultancy and involvement of the Amerindian communities. The Guyana Constitution established the Indigenous Peoples Commission which has a constitutionally mandated role in enhancing participation and representation of Indigenous people in the decision-making process. The Amerindian Act, the Forest Act, the Forest Policy Statement and Forest Plan, and the Iwokrama Act contain provisions for ensuring participation of stakeholders in the forestry sector.<sup>59,60</sup>

### In the specific context of the VPA

Art.16<sup>61</sup> mandates that the implementation and monitoring of the VPA be carried out in a transparent, participatory manner with all relevant stakeholders, including IP and LCs and

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<sup>58</sup> The Forests Act section 11 speaks of the free and fair opportunity for participation where grants of Community Forest Management Agreements are awarded.

<sup>59</sup> The Amerindian Act, the Forest Act<sup>59</sup>, the Forest Policy Statement and Forest Plan, and the Iwokrama Act contain provisions on representation in the forestry sector.

<sup>60</sup> The Amerindian Act section 34 establishes the village general meeting to meet on a quarterly basis. The meetings are open to all villagers and decisions are arrived on a consensus basis, if not mechanisms are in place to so address. Decisions of the general meeting are elevated for consideration by the subject Minister. The Forest Policy Statement and Forest Plan 2018 contain provisions for addressing the issue of capacity building.

<sup>61</sup> Article 16 VPA: 'Guyana shall ensure that the implementation and monitoring of this Agreement are done in a transparent and participatory manner together with all relevant stakeholders through their own institutions, regardless of gender, age, location, religion or belief, ethnic origin, color, language, disability or any other status, including from the private sector, civil society, local and indigenous communities and other people dependent on forests.'

other people dependent on the forests. Article 16.2 requires that Guyana ensures that the NIWG is made up of representatives of relevant Government agencies and representatives of all relevant stakeholders, including IP and LCs and other people dependent on the forests.

#### In the specific context of the FCS

It builds on the existing framework of recognizing and protecting the rights of IPs, and of LCs, and the FSOs are required to adhere to these regulations to satisfy the requirements of the GSSFM. The GSSFM sets out several requirements for the FSOs:

- Principle 4 – Management Systems and Planning. Criterion 4.4 requires the FSO has a system for stakeholder engagement and managing complaints appropriate for the size and scale of operations.
- Principle 11 – Maintenance or Appropriate Enhancement of Socio-Economic Functions and Conditions. Criterion 11.4 requires the FSO promotes the long-term health and well-being of forest-dependent communities and IPs, including through regular communication channels for exchanging information with forest-dependent communities including IPs.

#### **Institutional Framework**

The AA, PAA and FA outline the key procedures through which stakeholders are to be engaged, and which include:

- **Procedure for Participating at Village Level in all activities including REDD+ actions:** one of the functions of the Village Council is to engage with Villagers and to network with the Ministry of Amerindian Affairs and the National Toshias Council (Section 13) that sets the governance framework for effective execution of REDD+.
- **Procedure for Securing Tenure to enable effective participation in all areas including REDD+:** Another procedure that has its origin from the Amerindian Act is the Land Titling process as outlined in Part VI is key to REDD+ effectiveness.
- **Procedure for developing Village Plans which are fundamental to REDD+ Actions:** this is detailed in Section 32 of the Amerindian Act.
- **Procedure for Issuing a Use Permit for sustainable forest management actions that are a part of REDD+:** section 10 of the Forest Act, requires consultation with stakeholders before granting of a Use permit.

- **Entering into Afforestation Agreement that is one area of REDD+ that could be advanced:** the Forest Act in Section 12 outlines procedures that are in place for the GFC to follow prior to proceeding with any Afforestation agreement.
- **Establishing a Proposed Protected Area:** The Protected Areas Act outlines in **Section 29**, procedures for engaging with stakeholder in instances of establishing a new protected area. It includes provisions for all persons, communities and other entities who exercise or claim rights over the area to notify the Minister in writing of those rights and claims;

Additionally, and considering the different demography and languages, the recommended participatory mechanisms to apply to engagements with Indigenous Peoples and forest-dependent communities in Guyana are two-fold:

- Engaging representative groups in stakeholder engagement exercises to identify attitudes, strengths, and weaknesses to REDD+ and mitigation strategies;
- Targeting representative groups with capacity strengthening interventions. To ensure full, effective, and ongoing participation of IPs, the MoAA serves as the primary recipient of introductory information, and it then notifies communities in writing. Often, interpreters from the target community are employed to translate from English to the local language, and community meetings are chaired by the Captain (or Toshao) of the community. To ensure follow up and continuity, a community liaison person is identified by the Village Council and may receive a paid stipend from the interested third party. For non-IP communities, the Ministry of Local Government is the focal point government entity working through its regional and local governance organs to organise meetings and to disseminate information. Forest-specific information is communicated directly through the GFC representatives in the field.

Processes such as the LCDS, MRVS and EU FLEGT continue to employ the above approach.

#### In the specific context of the VPA

Art. 16 of the VPA requires Guyana develop and employ strategies, modalities and programmes to meaningfully consult its stakeholders, including with IP and LCs. One of such modalities is the establishment of the NIWG, a multi-stakeholder group which forms part of the supporting structure for the implementation Phase of the VPA, and includes representatives of IP and LCs.

### In the specific context of the FCS

There are several procedures and processes to recognize and protect the right of participation of IP and LCs:

- a) Firstly, the FSO (Criterion 4) is required to have a stakeholder engagement policy and documented procedures for the effective communication and consultation with IP and LCs relating to sustainable forest management. These must be culturally appropriate and facilitate meaningful engagement of IP and LCs. The FSO is also required to keep records of communications and consultation sufficient to demonstrate implementation of its procedures and meaningful engagement with IP and LCs. Moreover, the FSO is required to establish and implement appropriate mechanisms for resolving complaints and disputes relating to forest management operations, land use rights and work conditions.
- b) Secondly, the GSSFm observes the need for FPIC of IP and LCs (Criterion 1.1, 2.2). The GSSFm defines<sup>62</sup> FPIC as the principle that an individual or a community has the right to give or withhold their consent to proposed projects that may affect the land they own, occupy, or otherwise use. Free implies that there is no coercion, intimidation, or manipulation. Prior implies that consent is to be sought sufficiently in advance of any authorization or commencement of activities and respect is shown to time requirements of Indigenous consultation/consensus processes. Informed implies that information is provided that covers a range of aspects, including the nature, size, pace, reversibility and scope of any proposed project or activity; the purpose of the project as well as its duration; locality and areas affected; a preliminary assessment of the likely economic, social, cultural, and environmental impact, including potential risks; personnel likely to be involved in the execution of the project; and procedures the project may entail. This process may include the option of withholding consent. The GSSFm ensures the right to FPIC through the following modalities:
  - For forest operations in Amerindian Villages: residents and non-residents of the Amerindian Village who are acting on behalf of the Village Council, must have a written agreement with the Council to engage in commercial activities related to harvesting or extraction within Village lands. Specifically, they must provide evidence of FPIC from the interested indigenous communities.<sup>63</sup>
  - The FSO must ensure that any contractual arrangements for timber harvesting on Amerindian lands are made with FPIC of the community. This consent is expected

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<sup>62</sup> The terms and definitions of the Standard draw on those from the PEFC ST 1003:2018.

<sup>63</sup> GSSFm, Criterion 1.1, Indicator 1.1.2

to be verified via interviews. Additionally, the FSO must ensure that any contractual arrangements (and even intention to negotiate such contracts) for timber harvesting on Amerindian lands or with Amerindian Village Councils are brought to the attention of the MoAA and the GFC in order to ensure compliance with the GNFCs.<sup>64</sup>

- c) Finally, the NSSWG was established by the Standardising Body to guide the development of the Standard and associated documents and be responsible for consensus building among Guyanese stakeholders. The NSSWG's operating principles are to facilitate accessibility to all stakeholders; balanced representation by sectoral groups; and inclusion of stakeholders with expertise relevant to the Standard. Its membership consists substantially of organisations representing IPLCs including the National Toshias' Council, the Indigenous Peoples' Commission, the Amerindian People's Association, the National Amerindian Development Foundation, the Guyanese Organisation of Indigenous People, the Amerindian Action Movement of Guyana, and the Ministry of Amerindian Affairs.

## **Outcomes**

Indigenous peoples' representatives are members of the main coordinating committees that are involved in various aspects of REDD+ actions and have been and continue to be extensively involved in the REDD+ process in Guyana. The main body through which all coordination is carried out is the NTC. This is the democratically elected body tasked with the responsibility of representing the rights and views of Amerindian communities and villages at the national level.

Free Prior and Informed Consent continues to be a guiding principle of the LCDS as it relates to Indigenous villages and communities. Under implementation of REDD+ projects such as those under Guyana's LCDS Project on Amerindian Land Titling, direct support is given to communities and villages to build capacity in areas of governance such as in decision making as well as in project execution, financial management and reporting, and project management (Community Development Plans (CDPs)). Key stakeholder groups that have been identified include communities, forest associations, miners, NGOs, government agencies, women, and youth groups.

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<sup>64</sup> GSSF, Criterion 2.2, Indicators 2.2.1, 2.2.2, 2.2.3.

The GoG has in place ongoing stakeholder engagement and dialogue on the LCDS 2030 and related REDD+ actions such as EU FLEGT. Along with REDD+ areas, the GFC continues to build capacities in related areas, including Guyana's engagement with the EU FLEGT, the Development of a National Forest Management and Legality Standard for Guyana, and the MRVS for REDD+. These processes continue to be undertaken through a continuous, interactive two-way process of outreach programmes, consultations and dialogue, incorporation of ideas, and effective dissemination of all relevant information.

The approach the GFC has taken in the execution of stakeholder engagement and dialogue has been the use of cluster sessions, during which the facilitator and team are able to engage with stakeholders, in detail, on key areas in order to enable and build participants' capacities in these areas. A number of mechanisms and tools have been employed during these sessions to engage the stakeholders, garner feedback, and promote capacity building, including:

- Use of preliminary start up activities, which served to encourage participants to get to know each other in a positive atmosphere, which would further encourage participants to share information and discuss issues.
- Use of culturally appropriate, user friendly, non-technical outreach materials such as posters, booklets and videos. Breakout groups for discussions, which are key to encouraging stakeholder engagement, participation and feedback on the areas being discussed. This serves to make the materials less theoretical and more applicable to everyday life for stakeholders.
- Recording of stakeholder feedback, criticisms and recommendations to further strengthen the process, and make it more robust.

#### In the specific context of the VPA

As illustrated in the legal and institutional framework context, the VPA has been designed to ensure the full and effective participation of all stakeholders. As noted, the establishment of the NIWG, a multi-stakeholder group which forms part of the supporting structure for the design and implementation Phase of the VPA and includes representatives of IP and LCs. The MoAA, NTC and Indigenous NGO representatives are members of the NIWG.

Additionally, stakeholder engagement sessions held as part of the EU-FLEGT process continued through the reporting period. The approach the GFC has taken in the execution of stakeholder engagement and dialogue has been the use of cluster sessions, during which the facilitator and team are able to engage with stakeholders, in detail, on key areas to enable and



build participants' capacities in these areas. A few mechanisms and tools have been employed during these sessions to engage the stakeholders, garner feedback, and promote capacity building, including:

- Use of preliminary start up activities, which served to encourage participants to get to know each other in a positive atmosphere, which would further encourage participants to share information and discuss issues.
- Use of culturally appropriate, user friendly, non-technical outreach materials such as posters, booklets and videos.
- Breakout groups for discussions, which are key to encouraging stakeholder engagement, participation and feedback on the areas being discussed. This serves to make the materials less theoretical and more applicable to everyday life for stakeholders.
- Recording of stakeholder feedback, criticisms and recommendations to further strengthen the process, and make it more robust.

#### In the specific context of the FCS

It must be noted the FCS has not yet been endorsed by the PEFC General Assembly, and hence its application has not commenced. Information on outcomes is therefore provided in relation to the design of the FCS. As illustrated in the legal and institutional framework context, the Standard has been designed to ensure the full and effective participation of all stakeholders, including IP and LCs.

During 2023, the GFC and NSSWG hosted a public review and feedback process where the public was invited to submit comments, recommendations and opinions on the draft GNSSFM and Group Certification Standard Requirements. This is one of the key processes that have ensured indigenous peoples and local communities participated fully, effectively and timely in the design of the FCS.

Moreover, the NSSWG identified IPs and other stakeholders living outside large urban centres as “disadvantaged.” This is because this group of stakeholders may lack access to electronic media.<sup>65</sup> It has been agreed that hard copies of documents the stakeholders agree to make available publicly will be made available through the network of GFC Forest Stations in all the forestry regions of Guyana. This will apply to all disadvantaged stakeholder groups and/or

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<sup>65</sup> GNFC Standard Setting Procedures GY-PROC-2023-01 S.6.2.3.

their representatives who may be required to participate in online discussions and/or consultations relating to the development of the Standard. The GFC, as the Standardising Body, has undertaken to facilitate GY-PROC-2023-01\_Standard Setting Procedures access to Forest Stations to enable disadvantaged stakeholder groups and/or their representatives, to use computers and other appropriate electronic devices to take part in online discussions and/or consultations.

### **Means of Verification**

- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- The GTLAS
- EU-Guyana Aide Memoires
- Workshop reports
- ['Public announcement public review and feedback on the draft guyana national standard on sustainable forest management \(GNSSFM\)'](#)
- [Public review and feedback on the second draft of the guyana national standard for sustainable forest management and the group certification standard requirements](#)

## Cancun Safeguard E

### Guyana's description of Cancun Safeguard E

"The REDD+ activities will promote the conservation of natural forests and biodiversity, the enhancement of social and environmental benefits, and will not result in the conversion of natural forests."

#### *THEME E.1 Non-conversion of natural forests and other natural ecosystems*

### Legal Framework

Guyana's legal framework defines the terms "biological diversity" and "ecosystems services"<sup>66,67</sup>. The Guyana Forestry Commission has utilised the definition of Forest<sup>68</sup> as per the Forest Act and operationalised it for mapping purposes so the stipulation of a minimum mapping unit of 1 hectare is utilized<sup>69</sup>. The PAA establishes the basis for creating protected areas. The AA has limitations in respect to large-scale mining<sup>70</sup>.

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<sup>66</sup> The Protected Areas Act and the Iwokrama Act. Protected Areas Act 6(f) "biological diversity" means the variability among living organisms from all sources including, inter alia, terrestrial ecosystems, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.

<sup>67</sup> Defined in the act as benefits provided by ecosystems which include provisioning services such as food, water, timber, fiber, and genetic resources; regulating services such as the regulation of climate, floods, disease, and water quality as well as waste treatment; cultural services such as recreation, aesthetic enjoyment and spiritual fulfilment; and supporting services such as soil formation, pollination and nutrient cycling;

<sup>68</sup> Forests Act- Forest means an ecosystem dominated by woody plants consisting of closed forest formations where trees of various stories and undergrowth cover a high proportion of the ground; or open forest with continuous vegetation cover in which tree crown cover exceeds 10 percent and includes mangrove forests and any wetlands or open lands within a forest which forms an integral part of the ecosystem, forest produce in the ecosystem; and biological soil and water resources of the ecosystem.

<sup>69</sup> Guyana Lands and Surveys Commission (GL&SC) is the main agency responsible for land surveying and administration in Guyana. The Commission, a statutory body, is responsible for the development and management of land information system. It maintains registers of GIS data and maps in Guyana. It is responsible for the purchase and lease of all public lands in Guyana. The Commission engages in projects with the Guyana Forestry Commission to address mapping and verification. A National Land Use Plan was crafted by the GLSC. Its key policy focus is summarized as follows- The National Land Use Plan highlights present land use, potential and constraints and recommendations. Short, medium and long-term priorities for development and land use, especially how to deal with competing land uses in each of the development periods are planned by various Agencies. Planning ultimately analyses the sustainability of activities such as forestry and agriculture against non-sustainable but high-value activities such as mining. The GL&SC has overall responsibility for land use planning. It carries out land surveys, produces maps and stores and distributes geographical information through Guyana Integrated Natural Resources Information System (GINRIS).

<sup>70</sup> The subject Minister may override the village's consent to large scale mining. The Forests Act contains restrictions on activities in State Forests.

## Definition of Forests

Guyana's Definition of Forests in the Forest Act is consistent to the Definition of Forests applied in the national REDD+ programme.

The definition of forests in the Forest Act 2009 is as follows:

- (a) "forest" – means an ecosystem dominated by woody plants, consisting of –
- (i) closed forest formations, where trees of various stories and undergrowth cover a high proportion of the ground; or
  - (ii) open forest with a continuous vegetation cover in which tree crown cover exceeds 10 percent, and
- (b) includes –
- (i) mangrove forests and any wetlands or open lands
  - (ii) forest produce in the ecosystem; and
  - (iii) biological, soil, and water resources of the ecosystem;

This definition serves the purpose as the broad legal definition of forests.

To operationalize this definition for purposes of REDD+, UNFCCC reporting, including on Reference Level and MRV System reporting, there was the need to specify certain basic parameters which were not detailed in the broad, legal definition in the Forest Act and in a way that complements but not conflict with the Act, these areas being:

- the minimum mapping unit
- tree height characteristics that were within the ability of a REDD+ system to realistically monitor
- the canopy cover that was practical, realistic yet conservative to be monitored from spatial methods.

Given the above, an operational definition that further details this broad definition was developed as part of the MRV process and complements the broad, legal definition, now with parameters that enabling monitoring and as guided by the Marrakech Accords.

For operational and monitoring purposes, Land classified as Forest follows the definition as outlined in the Marrakech Accords. Guyana classifies land as forest if it meets the following criteria:

- Size: Over a minimum area of 1 ha
- Canopy Cover: Tree cover of minimum 30%

- Height of Stand: At a minimum height of 5 m at maturity.

Land area that satisfies the area, height and crown cover criteria for forest but are not classified as forest include lands that are predominantly under agriculture, infrastructural development and settlements. Guyana has no commercial forest plantation and has not had any plantation project implemented over the period 2023.

Additionally, within the MRVS, the base layers of natural forest cover, dating back to the starting spatial layers on which the MRVS is built, are grounded on forest cover from 1990. This benchmark forest cover map which comprises natural forest cover, forms the basis of forest change monitoring.

The UNFCCC allows REDD+ countries to choose how they wish to define forest for purposes of monitoring of REDD+ actions. The following definition falls within the general parameters:

*“An area of land spanning more than 0.05 hectares with tree crown cover (or equivalent stocking level) of more than 10 percent with trees with the potential to reach a minimum height of 2-5 meters at maturity in situ. Actual definitions can vary from country to country as the Kyoto Protocol permits countries to specify the precise definition within these parameters to be used for national accounting of emissions”*

Guyana's elected to use its REDD+ criteria for several reasons:

1. Its forests are compact and dense, with a clear distinction between forest and non-forest land cover and boundaries.
2. One of the limitations to forest and change mapping was the availability of satellite data in 1990. Early on, it was clear that (Landsat 30 m imagery) can identify tree cover > 30% at a 1 ha scale; it is, however, difficult to reduce the vegetation cover (to < 30%) and measurement area (<1 ha) and still retain confidence that forest changes are being identified.
3. Guyana used 1990-era satellite imagery to define the forest area per the selected definition. A vegetation map developed in 2001, from aerial photography classifies the defined vegetation types within the forest area. This classification has been retained and is used within the forest monitoring system.

4. Historically, plantations have been confined to small trial areas (<50 ha) around Bartica.

The operational application of forests for Guyana’s REDD+ programme has been officially reported to the UNFCCC as part of Guyana’s Reference Level for REDD+ as excerpted in the table below:

Decision of COP (UNFCCC)	Details of Application
Decision 12/CP.17 Annex, paragraph (d)	<ul style="list-style-type: none"> <li>• Minimum tree cover: 30%</li> <li>• Minimum height: 5 m</li> <li>• Minimum area: 1 ha<sup>71</sup></li> </ul>

The two aspects of the definition complement each other and are consistent. The definition in the Forest Act speaks to ecosystems and forest type; whilst the definition applied to the REDD+ programme is specific monitoring characteristics such as minimum mapping unit, forest monitoring canopy threshold, and forest mapping height characteristics.

### Plantations

The National Forest Policy Statement addresses the inclusion of plantation forests within Guyana’s forest strategy and by extension REDD+ application. The Strategy, in Policy Statement 2.2.5, states that: “This will require developing a National Forest Plantation Strategy, based on best practices and updated forest plantation information”. As such, plantations are not included as part of Guyana’s REDD+ strategy and are also not included as part of Guyana’s ART Application; it is also not included as part of forests reported under Guyana’s MRVS. At such point where the National Forest Plantation Strategy is developed and approved, this current status remains. It is important to note that whilst the National Forest Policy Statement 2018 identifies afforestation and reforestation programmes, these will have to be part of an approved Strategy which was not the circumstance for the reporting period. Were this to change when a Strategy is developed, the role, if any of plantations will be clearly identified in the MRVS and reported separately. Table 2.1 of the Standard Operating Procedure for mapping of forest change has separate categories for afforestation and reforestation should these occur.

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<sup>71</sup> Based on the Marrakech Accords.

## **Other Natural Ecosystems**

The current MRV system as outlined in Guyana's submission to the UNFCCC, as well as under its national reporting on REDD+, includes forest-based ecosystems. The Roadmap for the MRVS outlines plans to integrate other aspects of natural ecosystems within the MRVS within the next 5 years. Additionally, Guyana's LCDS has expanded the focus of REDD+ actions in Guyana to focus on the ecosystem as a whole. This will be developed within the 2022 to 2030 period term of the LCDS.

Guyana's legal framework regulates protection of wildlife- The Animals Disease Prevention Act 2003, Animal Control of Experiments Act Chp 71:03, and the Wildlife Conservation and Management Act contain provisions for the protection of endangered species. Penalties<sup>72</sup> exist for non-compliance in respect to protection, marketing, and trade of endangered species. Guyana's PLRs promote conservation research for science-based biodiversity conservation: IA, PAA, and WCMA are among the key legislative instruments addressing science-based conservation in addition to policies such as the NFPS and NFP<sup>73</sup>.

## **Legislative and Policy Mandates Against Conversion of Natural Forests**

Further, Guyana's Forest Act (Part 1, Section 2) and Forest Policy outline legislative and policy mandates around forest utilisation and these rest firmly on sustainable forest management principles, and no conversion of natural forests for commercial timber harvesting or REDD+ activities. This is regulated based on requirements of Guyana's Codes of Practice for forest operations, which is also outlined in the Forest Act (Section 35). Section 2 of the Code of Practice for Timber Harvesting outlines requirement for Sustainable Management of Production Forests including reduced impact logging procedures. Though there is no statement of what should not prevail (such as clear felling), there are clear stipulations of what should prevail – in the outline of Section 2, all requirements of SFM. There is maximum allowable cut and forest management and planning requirements are all aimed at selective logging that allows for natural regeneration of harvested forests.

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<sup>72</sup> The WCM Act 2018- Unlawful trade and the carrying out of certain activities without authorization are offences under clause 68. Clause 69 creates an offence to possess, control, offer or expose for sale or display to the public any specimen to which the Act relates without authorization from the Commission.

<sup>73</sup> Develop structure and content for biodiversity databases and legal and stakeholder-based processes used to increase forest protection based on protected areas and biodiversity conservation guidelines

### In the specific context of the VPA

The VPA is focused on legality, and has as a core element, sustainable forest management. The implementation of the VPA contributes to protect against conversion of natural forests. The VPA, by enhancing transparency, accountability through multi-stakeholder participation, may prevent or limit the sale of timber harvested from illegal land conversion thus reducing incentives to clear land. The Legality Definition contained in the VPA sets out the applicable legislation (including regulations) underpinning GTLAS<sup>74</sup>. Therefore, the VPA is intended to work in tandem with the legislative framework applicable to Guyana's forest sector.

### In the specific context of the Forest Certification Standard

Forest conversion is defined in the GSSFM as the '*direct human-induced change of forest to non-forest land or forest plantation. Forest conversion occurs when natural forests are converted to highly cultivated forests, typically with an increased focus on wood production, and decreased environmental benefits...*'. The GSSFM also defines Plantations as '*a forest area established by planting or sowing by using either alien or native species, often with one or few species, regular spacing and even ages, and which lacks most of the principal characteristics and key elements of natural forests*'.

GNFCS uses this definition to build on the existing legal framework in an effort to regulate the conversion of forests by FSOs. Principle 6 Criterion 6.3 of the Standard provides that the FSO must not undertake conversion except in clearly justified circumstances where the conversion:

- a) is in compliance with national and regional policy and legislation applicable for land use and forest management and is a result of national or regional land use planning governed by a governmental or other official authority including consultation with affected stakeholders; and
- b) entails a small proportion (no greater than 5 %) of forest type within the certified area; and
- c) does not have negative impacts on ecologically important forest areas, culturally and socially significant areas, or other protected areas; d) does not destroy areas of significantly high carbon stocks; and e) makes a contribution to long-term conservation, economic and social benefits.

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<sup>74</sup> Appendix 1 of Annex 11 – VPA.



## **Institutional Framework**

The GFC has exercised its mandate under the Forest Act for sustainable management of forest resources in Guyana. In doing so, REDD+ actions identified in Guyana's NDC have reflected an approach of maintaining Guyana as a High Forest Cover Low Deforestation rate country.

Guyana's LCDS 2030 and the NDC commitments to the UNFCCC all mirror this approach, seeking to target the key drivers of forest change in Guyana, ensuring the maintenance of the low rates of deforestation and forest degradation.

Over the reporting period, public institutions have made use of their mandates, procedures, and resources to ensure the design and implementation of REDD+ actions consider information of spatial distribution of natural forests and other natural ecosystems and avoids the conversion of these forests and other natural ecosystems in the following ways:

The GFC has made use of its mandates, procedures, and resources as set out in the Forest Act and the Forest Regulations to ensure the design and implementation of REDD+ actions consider information of spatial distribution of natural forests and other natural ecosystems and avoids the conversion of these forests and other natural ecosystems. The implementation of the Code of Practice for Forest Operations is based on sustainable forest management principles and limits to cutting of timber that protects against conversion of natural forest and enables natural regeneration. Forest Management Plans are required for all large-scale forest operations as a means of ensuring that in the long-term large operations limit their impact on the forest and are well planned out. Additionally, there is also the requirement that is implemented by the GFC at large operator level, for management level and pre harvest level inventory (at 100%) to be provided by the operator and approved by the GFC prior to timber being harvested. These were implemented at the forest sector level as detailed by the Annual Reports of the GFC.

The Forestry Training Centre Incorporated, which is an arm of the GFC, implemented reduced impact logging training that is aimed at reducing collateral and incidental damage and this limit impact of timber harvesting on the forest.

The implementation of the MRV System through the GFC, provides trend data on drivers of forest change to inform natural resources policy and decision making on land use and land

allocation. This was implemented over the 2023 period as evidenced by the MRVS Report for that year.

Planned activities on mineral mapping and improved planning for mining areas will also reduce the areas that are cleared for mining. These are coordinated through the implementation of work at the Guyana Geology and Mines Commission.

#### In the specific context of the VPA

The advancement of the EU FLEGT process, through the FLEGT Secretariat of the GFC is another example of a process in implementation to protect against conversion of natural forests. Several procedures have been adopted to support its implementation, including protecting against conversion of natural forests:

- Procedures for the Issuance and Reallocation of State Forest Concessions
- Procedure for Issuing State Forest Permission
- Timber Sales Agreement and Wood Cutting Lease
- Procedure for the Issuance of a Timber Sales Agreement and Wood Cutting Lease
- Guidelines for Forest Operators – Large Concessions
- Guidelines for Forest Operators – Small Concessions

#### In the specific context of the FCS

Several procedures have been adopted to support its implementation, including protecting against conversion of natural forests:

- Code of Practice for Forest Operations- State Forest Permission Holders (Small scale forest operators)
- Code of Practice for Forest Operations- State Forest Authorizations
- Code of Practice for Forest Operations- Timber sales agreement and wood cutting license holders

Moreover, Principle 6 Criterion 6.3 of the Standard provides that the FSO must not undertake conversion except in clearly justified circumstances where the conversion: a) is in compliance with national and regional policy and legislation applicable for land use and forest management and is a result of national or regional land use planning governed by a governmental or other official authority including consultation with affected stakeholders; and b) entails a small proportion (no greater than 5 %) of forest type within the certified area; and

c) does not have negative impacts on ecologically important forest areas, culturally and socially significant areas, or other protected areas; d) does not destroy areas of significantly high carbon stocks; and e) makes a contribution to long-term conservation, economic and social benefits.

The FSO must provide evidence that any conversion undertaken by the FSO has appropriate governmental approval, and evidence of authorised access and use of lands by regulatory authorities or other entities acting in accordance with applicable legislation or regulations.

## **Outcomes**

Guyana's Monitoring Reporting and Verification System, which is composed of Forest Area Assessment System (FAAS) and the Forest Carbon Monitoring System (FCMS), has been developed for data and information collection, such as information on historical forest cover changes and emission factors, to inform the assessment of national forest RELs. In this way, the MRVS forms the link between historical assessments and current/future assessments, enabling consistency in the data and information to support the implementation of REDD+ activities. The MRVS details the methods required to quantify the changes in forest cover and changes in forest carbon stocks in Guyana, develop driver-specific emission factors, and monitor emissions from land cover/land use change over time based on a range of management activities.

Assessments for the historic period covers 1990 to 2009 and annual assessments commenced in 2010. To date, independently verified MRVS reporting confirm that deforestation in Guyana has remained low and has not exceed in any annual period 0.079%. The main driver of forest change is gold mining and has not exceeded this level over the 30 years of combined assessments. There has been no conversion to plantation forests in Guyana.

### **A key outcome is that MRVS Implementation Reflects Deforestation Rate below 0.1%.**

The REDD+ Secretariat has finalised MRVS Reporting for Years 2010 to 2022. These reports were completed and published on the GFC's website, including:

- Annual Reporting of forest change and emission for year 2022 reflecting rates below 0.1%

### In the specific context of the VPA

As illustrated in the legal and institutional framework context, the VPA has been designed to avoid the conversion of natural forests and other natural ecosystems to plantations or other land uses.

### In the specific context of the Forest Certification Standard

It must be noted the Standard has been endorsed by the PEFC Council at end of March 2024, and hence its application has not commenced. Information on outcome is therefore provided in relation to the design of the FCSAs illustrated in the legal and institutional framework context, the Standard has been designed to avoid the conversion of natural forests and other natural ecosystems to plantations or other land uses.

### **Means of Verification**

- [Procedures for the Issuance and Reallocation of State Forest Concessions](#)
- [Procedure for Issuing State Forest Permission \(SFP\)](#)
- [Procedure for the Issuance of a Timber Sales Agreement \(TSA\) and Wood Cutting Lease \(WCL\)](#)
- [Guidelines for Forest Operators – Large Concessions](#)
- [Guidelines for Forest Operators – Small Concessions](#)
- [Code of Practice for Forest Operations- State Forest Authorizations](#)
- [Code of Practice for Forest Operations- State Forest Permission Holders \(Small scale forest operators\)](#)
- [Code of Practice for Forest Operations- Timber sales agreement and wood cutting license holders](#)
- MRVS Annual Reports published by the GFC that includes in the Appendices, the report on Independent Accuracy Assessment.
- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- The GTLAS

**THEME E.2** *Protect natural forests, biological diversity, and ecosystem services*

**Legal Framework**

Guyana’s legal framework defines the terms “biological diversity”<sup>75</sup> and “ecosystems services”<sup>76</sup>.

Table 3 illustrates that Guyana is a party to the following relevant international conventions, agreements, treaties and protocols.

*Table 3: Relevant international conventions, agreements, treaties and protocols that Guyana is a Party to*

<b>Convention/Protocol/ Treaty/Agreement</b>	<b>Objectives/Summary</b>
United Nations Convention on Biodiversity	<ul style="list-style-type: none"> <li>• Conservation of Biodiversity</li> <li>• Sustainable Use of Biodiversity</li> <li>• Fair and Equitable Sharing of Benefits Arising from Use of Genetic Resources including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies.</li> <li>• Presently guided by the Strategic Plan for Biodiversity 2011-2020, including the Aichi Biodiversity Targets 2011-2020.</li> </ul>
Cartagena Protocol on Biosafety to the Convention on Biological Diversity	Ensures the safe handling, transport and use of living modified organisms (LMOs) resulting from modern biotechnology that may have adverse effects on conservation and sustainable use of biological diversity, also taking into account risks to human health.

<sup>75</sup> Defined in the Protected Areas Act, 6(f) "biological diversity" means the variability among living organisms from all sources including, inter alia, terrestrial ecosystems, marine and other aquatic ecosystems, and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.

<sup>76</sup> Defined in the Protected Areas Act as benefits provided by ecosystems which include provisioning services such as food, water, timber, fiber, and genetic resources; regulating services such as the regulation of climate, floods, disease, and water quality as well as waste treatment; cultural services such as recreation, aesthetic enjoyment, and spiritual fulfilment; and supporting services such as soil formation, pollination and nutrient cycling.

	<p>Key Components:</p> <ul style="list-style-type: none"> <li>• Consists of an Advanced Informed Agreement Procedure whereby countries of import have to be notified on the LMO prior to import.</li> <li>• Establishes a Biosafety Clearing House to facilitate the exchange of information on living modified organisms and to assist countries in the implementation of the Protocol.</li> <li>• Strategic Plan for the Protocol (2011-2020).</li> </ul>
<p>Convention on the International Trade of Endangered Species of Wild Flora and Fauna (CITES)</p>	<p>Aims to ensure that international trade in specimens of wild animals and plants does not threaten their survival.</p> <ul style="list-style-type: none"> <li>• CITES works by subjecting international trade in specimens of selected species to certain controls.</li> <li>• Legally binding</li> <li>• All import, export, re-export and introduction from the sea of species covered by the Convention has to be authorized through a licensing system.</li> <li>• Each Party must designate one or more Management Authorities in charge of administering that licensing system and one or more Scientific Authorities to advise them on the effects of trade on the status of the species.</li> </ul> <p>Species covered by CITES are listed in <u>three Appendices</u>, according to the degree of protection they need.</p> <ul style="list-style-type: none"> <li>• Appendix I lists species that are the most endangered among CITES-listed animals and plants. They are threatened with extinction and CITES prohibits international trade in specimens of these species except when the purpose of the import is not commercial for instance for scientific research.</li> <li>• Appendix II lists species that are not necessarily now threatened with extinction but that may become so unless trade is closely controlled.</li> <li>• Appendix III is a list of species included at the request of a Party that already regulates trade in the</li> </ul>

	species and that needs the cooperation of other countries to prevent unsustainable or illegal exploitation.
Special Protected Areas and Wildlife Protocol under the Cartagena Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region	The SPAW Protocol stresses the importance of protecting habitats and is focused on fragile and vulnerable ecosystems as a whole rather than on individual species.
United Nations Framework Convention on Climate Change	The objective of the Convention is to stabilize greenhouse gas concentrations "at a level that would prevent dangerous anthropogenic (human induced) interference with the climate system." It states that "such a level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened, and to enable economic development to proceed in a sustainable manner."
Kyoto Protocol to the United Nations Framework Convention on Climate Change	International agreement linked to the United Nations Framework Convention on Climate Change, which commits its Parties by setting internationally binding emission reduction targets. Recognizing that developed countries are principally responsible for the current high levels of GHG emissions in the atmosphere as a result of more than 150 years of industrial activity, the Protocol places a heavier burden on developed nations under the principle of "common but differentiated responsibilities"
Paris Agreement	To strengthen the global response to the threat of climate change by keeping a global temperature rise below 2 degrees Celsius. All Parties must put forward their best efforts through "nationally determined contributions" (NDCs) and to strengthen these efforts in the years ahead. This includes requirements that all

	Parties report regularly on their emissions and on their implementation efforts.
United Nations Convention on Combatting Desertification and Land Degradation	<ul style="list-style-type: none"> <li>• Sole legally binding international agreement linking environment and development to sustainable land management.</li> <li>• Addresses specifically the arid, semi-arid and dry sub-humid areas, known as the drylands, where some of the most vulnerable ecosystems and peoples can be found.</li> <li>• The new UNCCD 2018-2030 Strategic Framework is the most comprehensive global commitment to achieve Land Degradation Neutrality (LDN) in order to restore the productivity of vast expanses of degraded land, improve the livelihoods of more than 1.3 billion people, and reduce the impacts of drought on vulnerable populations to build.</li> </ul>
Treaty of Amazonian Cooperation	<ul style="list-style-type: none"> <li>• Signed on July 1978 by Bolivia, Brazil, Colombia, Ecuador, Guyana, Peru, Suriname and Venezuela, is a legal instrument that recognizes the transboundary nature of the Amazon.</li> <li>• The main purpose of the ACT is to promote the harmonious development of the Amazon while incorporating the countries' Amazonian territories to their respective national economies, an essential condition for reconciling economic growth with environmental preservation.</li> </ul>
International Treaty on Plant Genetic Resources for Food and Agriculture	Main objectives are the conservation and sustainable use of all plant genetic resources for food and agriculture and the fair and equitable sharing of the benefits arising out of their use.
International Tropical Timber Agreement	<p>The ITTA 2006 has two overarching objectives: to promote the expansion and diversification of international trade in tropical timber from sustainably managed and legally harvested forests and to promote the sustainable management of tropical timber producing forests.</p> <p>The ITTA 2006 provided for the establishment of Thematic</p>



	<p>Programs which are designed to generate increased project funding focused on areas of strategic importance. Thematic Programs established by the ITTC are:</p> <ul style="list-style-type: none"> <li>• Forest law enforcement, governance and trade</li> <li>• Community forest management and enterprises</li> <li>• Trade and market transparency</li> <li>• Industry development and efficiency</li> <li>• Reducing deforestation and forest degradation and enhancing environmental services in tropical forests.</li> </ul>
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The above international agreements and conventions that Guyana is party to, have been implemented through relevant domestic legal framework or policies as detailed below.

There are number of laws to conserve and protect natural forests, biological diversity, and ecosystem services. The GFC, established by the **GFC Act in 2007**, is responsible for the management and regulation of Guyana’s forests on State Lands (Forest Act, 2009) and overseeing the implementation of key technical aspects of international agreements such as REDD+ and related climate change mitigation activities in Guyana.

The GLSC established under the **GLSC Act 1999**, is the state’s regulatory body for lands, under the Land Act.

The PAC established in 2011 by the PAA provides for “creation, management and financing of a national system of protected areas; the maintenance of ecosystem services of national and global importance including climate regulation; the establishment of a protected areas commission; the establishment and management of a protected areas trust fund; the fulfilment of Guyana's international environmental responsibilities; public participation in protected areas and conservation; and related purposes.”

The **Wildlife Conservation and Management Act (WCMA) of 2016** was enacted “to provide for the protection, conservation, management, sustainable use, internal and external trade of Guyana’s wildlife.” This Act applies to all wildlife species including those listed in – (a) the First, Second, and Third Schedules which lists all species included in Appendix I, II, and III respectively of the CITES Convention. The Guyana Wildlife Conservation and Management Commission (WCMC) was established by the WCMA.

The **Environmental Protection Act of 1996**, establishing the EPA was enacted to “provide for the management, conservation, protection and improvement of the environment, the prevention or control of pollution, the assessment of the impact of economic development on the environment, the sustainable use of natural resources and for matters incidental thereto or connected therewith.”

#### In the specific context of the VPA

The protection and conservation of biological diversity is recognised and protected, in particular through the requirement that CITES export permits issued by the Parties to CITES for specimens of species listed in Appendices I, II or III be granted only under certain conditions and not obtained in breach of laws for the protection of flora and fauna. It is relevant to the VPA, where in the issuance of a license a CITES permit is required if the shipment of timber products contains CITES listed species. Thus, timber with CITES permits or licensed under the VPA is considered risk free and requires no further due diligence measures from the importer.

#### In the specific context of the FCS

The protection and conservation of biological diversity and ecosystem services is recognised and protected. The GSSFMS sets out several requirements for the FSOs:

- Principle 6- Maintenance or Appropriate Enhancement of Forest Resources and their Contribution to the Global Carbon Cycle. Criterion 6.1 requires the FSO to maintain or increase forests and ecosystem services, and maintains or enhances the economic, ecological, cultural, and social values of forest resources.
- Principle 7- Maintenance of Forest Ecosystem Health and Vitality. Criterion 7.1 requires the FSO maintains the health and vitality of the ecosystem. Criterion 7.2 requires the FSO maintains the genetic diversity of species and forest structures. Criterion 7.3 requires the FSO adopts an integrated approach to pest management, minimizing the use of pesticides and other chemicals.
- Principle 9- Maintenance, Conservation or Appropriate Enhancement of Biological Diversity in Forest Ecosystems. Criterion 9.1 requires the FSO aims to maintain, conserve, or enhance biological and structural diversity. Criterion 9.2 requires the FSO identifies, protects, conserves, and sets aside, where appropriate, ecologically important forest areas. Criterion 9.3 requires the FSO ensures that protected, threatened and endangered species are not exploited for commercial purposes.

Criterion 9.4 requires the FSO ensures successful regeneration of harvested areas. Criterion 9.5 requires the FSO does not use genetically modified trees. Criterion 9.6 requires the FSO conducts forest management operations in a manner that minimises damage to forest ecosystems.

- Principle 10 – Maintenance or Appropriate Enhancement of the Protective Functions in Forest Management (notably soil and water). Criterion 10.1 requires the FSO to maintaining and or enhancing the protective functions of forests. Criterion 10.2 requires the FSO to implement measures to maintain and/or enhance the protective functions of forests in sensitive situations.

## **Institutional Framework**

There are number of public institutions and associated mandates and procedures to conserve and protect natural forests, biological diversity, and ecosystem services.

The GFC, established by the GFC Act in 2007, is responsible for the management and regulation of Guyana's forests on State Lands (Forest Act, 2009) and overseeing the implementation of key technical aspects of international agreements such as REDD+ and related climate change mitigation activities in Guyana. The GFC's main responsibilities are: policy implementation, sustainable forest management including conservation operations for purposes of carbon sequestration and environmental services, community forestry and planning the effective utilization of Guyana's State Forest Resources. The GFC is responsible for enforcement of forest laws and regulations, monitoring and control of social and environmental impacts of operations within the State Forest Estate, collection of revenues from forestry activities and implementation of the national Monitoring Reporting and Verification System for country level land-use and forest change monitoring. The GFC works with private and Amerindian Village land management structures (*e.g. Ministry of Amerindian Affairs and Village Councils*) to provide technical assistance for sustainable forest management activities.

The GGMC, created in 1979, administers the 1989 Mining Act and 1971 Minerals Act, which provide for the management of large, medium and small-scale mining claims on state lands, including those on State Forests. Through a memorandum of understanding between the EPA and the GGMC, the EPA has environmental oversight of mining operations, including those in the forest. Of note, GGMC can issue mining licenses on State Forest (but no other) and miners could deforest the licensed area, which is now the greatest driver of deforestation in Guyana.

The GLSC, established under the GLSC Act 1999, is the state's regulatory body for lands, under the Land Act. Its primary role is to survey and map the land and water resources of Guyana; to take charge and act as guardian over all public lands, rivers and creeks; to administer and manage public lands; to provide land-based information to a broad range of public and private sector entities and interests; and to develop land policy and land use plans. GLSC has responsibility for the preparation of land use plans. The function is *"to prepare land use plans for Guyana or any part of Guyana, except any municipality which is subject to a planning scheme (or interim development control pending the preparation of a planning scheme) under the Town and Country Planning Act"*.

The PAC established in 2012 by the PAA provides for *"creation, management and financing of a national system of protected areas; the maintenance of ecosystem services of national and global importance including climate regulation; the establishment of a protected areas commission; the establishment and management of a protected areas trust fund; the fulfilment of Guyana's international environmental responsibilities; public participation in protected areas and conservation; and related purposes."*

The objectives of the PAA are to: (a) provide for the conservation of biological diversity, natural landscapes, seascapes and wetlands; (b) safeguard ecosystem services; (c) establish a national protected areas system; (d) provide for the recognition of the intrinsic value of biodiversity and associated spiritual and cultural values; (e) enhance national pride in and encourage stewardship of Guyana's natural heritage, at the national, regional, local, community and individual levels of society; (f) assist in safeguarding Guyana's sovereignty over its natural heritage and to regulate access to the nation's biological resources; (g) give appropriate recognition to the conservation efforts and achievements of Amerindian Villages and Amerindian Communities; (h) promote ecologically sustainable development; (i) assist in the implementation of Guyana's international environmental responsibilities to conserve the nation's natural heritage; (j) promote the rehabilitation of degraded areas and the restoration of ecological integrity; (k) promote the recovery and rehabilitation of species which are vulnerable, threatened or endangered.

The WCMA of 2016 was enacted *"to provide for the protection, conservation, management, sustainable use, internal and external trade of Guyana's wildlife."* This Act applies to all wildlife species including those listed in – (a) the First, Second, and Third Schedules which lists all species included in Appendix I, II, and III respectively of the CITES Convention. The Guyana Wildlife Conservation and Management Commission (WCMC) was established by the WCMA.

Some of the functions of the Commission are to: (a) provide effective management of wildlife so as to ensure its conservation, and sustainable use; (b) prevent over-exploitation; (c) develop and recommend strategies in the field of conservation, management and sustainable use of species of wildlife; (f) devise measures for the protection of endangered or threatened species of wildlife; (h) identify and recommend areas for dedication to wildlife conservation; (i) grant, amend and cancel licenses, permits and certificates in respect to activities related to species of wildlife; (l) monitor and enforce compliance with the terms and conditions of licenses, permits and certificates; (m) administer, promote and enforce compliance with the provisions of this Act and any other laws relating to wildlife; (n) disseminate information and promote education, training and awareness of wildlife conservation, management, sustainable use, the international wildlife trade and implementation of the Convention; (o) promote scientific research and knowledge of wildlife, within their natural habitats and for ex situ conservation management; (q) develop, implement and monitor collaborative arrangements for the conservation, management and sustainable use of wildlife; (r) coordinate, in consultation with stakeholders, the establishment and maintenance of wildlife conservation and management plans and programmes; (s) on a periodic basis, assess and report on the status of species of wildlife in Guyana in consultation and collaboration with other institutions; (t) advise the Minister on action to be taken for the implementation and enforcement of the Convention; First, Second and Third Schedules of the CITES Convention.

The Environmental Protection Act of 1996, establishing the EPA was enacted to “*provide for the management, conservation, protection and improvement of the environment, the prevention or control of pollution, the assessment of the impact of economic development on the environment, the sustainable use of natural resources and for matters incidental thereto or connected therewith.*” Four important functions of the EPA are: (a) to take such steps as are necessary for the effective management of the natural environment so as to ensure conservation, protection, and sustainable use of its natural resources; (b) to promote the participation of members of the public in the process of integrating environmental concerns in planning for development on a sustainable basis; (k) to establish and co-ordinate institutional linkages locally, nationally, regionally and internationally; (l) to play a coordinating role in the preparation and implementation of cross-sectoral programmes of environmental contents.

These agencies have made use of the mandates outlined above in the design and implementation of REDD+ actions through the following processes:

- **Continuous multi-stakeholder consultation process:** The GFC, Guyana Lands and Surveys Commission and the EPA engage with stakeholders to consult on and inform the implementation of REDD+ actions.
- **Operational Governance Structures:** Each process is executed through the organizational process and planning of the agencies that are in the lead: the EPA, GFC and GLSC. This involves work within the organizations and coordination with the focal point for delivery on REDD+ actions under the agreements. Delivery of programme at each agency level feeds into national reports and programming on advancing REDD+ commitments under international agreements.

REDD+ implementation in Guyana has a large potential for delivering significant co-benefits. Indigenous peoples comprise about 10% of Guyana's population, and they live and depend on forests for their livelihoods. REDD+ implementation has the potential to reduce their vulnerability to climate change. Improving the sustainability of extractive economic activities and identifying alternative economic activities has the potential to result in additional employment opportunities and improve indigenous people's livelihoods. Furthermore, REDD+ implementation could result in biodiversity conservation when considering Guyana's high biodiversity abundance, being one of the richest in mammalian assemblages.

- **Engagement with the Ministry of Natural Resources and Government Ministries (Communication and Collaboration):** the MNR provides strategic direction to the work of the GFC and the Office of the President, provides guidance to the EPA and GLSC. Aiming to contribute to global efforts to reduce emissions associated with deforestation and forest degradation, Guyana's national REDD+ Implementation Plan will seek to recognise the need for integrated and comprehensive land use planning efforts that inform the efficient and sustainable management and exploitation of natural resources, including through policies and measures, incentive programmes and broadening civil society and private sector participation in efforts to reduce deforestation and forest degradation.

#### In the specific context of the VPA

There are several procedures have been adopted to support its implementation, including for avoiding adverse impacts on natural forest areas and natural ecosystems, biodiversity, and ecosystem services:

- Procedures for the Issuance and Reallocation of State Forest Concessions
- Procedure for Issuing State Forest Permission
- Timber Sales Agreement and Wood Cutting Lease
- Procedure for the Issuance of a Timber Sales Agreement and Wood Cutting Lease
- Guidelines for Forest Operators – Large Concessions
- Guidelines for Forest Operators – Small Concessions

In the specific context of the FCS

Several procedures have been adopted to support its implementation, including for avoiding adverse impacts on natural forest areas and natural ecosystems, biodiversity, and ecosystem services:

- Code of Practice for Forest Operations- State Forest Permission Holders (Small scale forest operators)
- Code of Practice for Forest Operations- State Forest Authorizations
- Code of Practice for Forest Operations- Timber sales agreement and wood cutting license holders

Additionally, and through the GSSF, the FSO is required to adopt several procedures for avoiding adverse impacts on natural forest areas and natural ecosystems, biodiversity, and ecosystem services:

- Principle 6- Maintenance or Appropriate Enhancement of Forest Resources and their Contribution to the Global Carbon Cycle. Indicator 6.1.2 requires the FSO to establish and implement procedures to ensure the area of forest and the associated ecosystem services are maintained or increased; and the economic, ecological, cultural and social values of forest resources are maintained or enhanced.
- Principle 7- Maintenance of Forest Ecosystem Health and Vitality. Indicator 7.3.1 requires the FSO establishes and implements waste management procedures to ensure that the indiscriminate disposal of waste within the forest management area is strictly avoided. Indicator 7.3.4 requires the FSO establishes and implements emergency procedures for minimizing the risk of environmental harm arising from the accidental spillage.
- Principles 9- Maintenance, Conservation or Appropriate Enhancement of Biological Diversity in Forest Ecosystems. Indicator 9.1.2 requires the FSO has procedures in place, appropriate to the size and scale of the operation, to promote, where applicable:
  - a) diversity of both horizontal and vertical structures and the diversity of species such

as mixed stands, with the aim of also maintaining or restoring landscape diversity; and  
b) the use of traditional management practices that create valuable ecosystems on appropriate sites.

- Principle 10 – Maintenance or Appropriate Enhancement of the Protective Functions in Forest Management (notably soil and water). Indicator 10.1.1 requires the FSO has documented a commitment in accordance with the Code of Practice to maintain or enhance the protective functions of forests for society within the forest management area, including their potential role in: erosion control; flood prevention; water purification; climate regulation; carbon sequestration; and other regulating or supporting ecosystem services.

## **Outcomes**

Guyana's REDD+ Actions proposed in Guyana's NDC are aimed at protecting natural forest areas, biodiversity and ecosystem services. These are:

- Sustainable management of forests
- Reduced Impact Logging
- EU FLEGT and PEFC Certification
- MRVS

These actions also address the main drivers of deforestation and forest degradation in Guyana.

Codes of Practice for the Forestry Sector have been revised, as supporting guidance regulations to accelerate REDD+ implementation by ensuring low deforestation and forest degradation rates. This includes for instance Codes of Practice for Timber Harvesting and Non-Timber Forest Products.

### In the specific context of the VPA

The VPA is currently in implementation phase. As illustrated in the legal and institutional framework context, the VPA has been designed to promote the protection of natural forest, biodiversity and ecosystem services.

The core focus of the VPA is on legality, but it sets clear links between legality and sustainability, including the protection of natural forests, biodiversity and ecosystem services.



The VPA and GTLAS have been designed to incorporate principles and requirements that promote the protection of natural forest, biodiversity and ecosystem services.

### In the specific context of the FCS

It must be noted the Standard has been endorsed by the PEFC Council at end of March 2024, and hence its application has not commenced. Information on outcome is therefore provided in relation to the design of the Standard illustrated in the legal and institutional framework context, the Standard has been designed to incorporate principles and requirements that promote the protection of natural forest, biodiversity and ecosystem services.

### **Means of Verification**

- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- The GTLAS
- GFC Annual Reports
- Reporting by the FLEGT Secretariat
- [Procedures for the Issuance and Reallocation of State Forest Concessions](#)
- [Procedure for Issuing State Forest Permission \(SFP\)](#)
- [Procedure for the Issuance of a Timber Sales Agreement \(TSA\) and Wood Cutting Lease \(WCL\)](#)
- [Guidelines for Forest Operators – Large Concessions](#)
- [Guidelines for Forest Operators – Small Concessions](#)
- [Code of Practice for Forest Operations- State Forest Authorizations](#)
- [Code of Practice for Forest Operations- State Forest Permission Holders \(Small scale forest operators\)](#)
- [Code of Practice for Forest Operations- Timber sales agreement and wood cutting license holders](#)

## *THEME E.3 Enhancement of social and environmental benefits*

### **Legal Framework**

Guyana is party to 33<sup>77</sup> international agreements that together with several national pieces of legislation conform to a framework aimed at promoting sustainable development and consistency and coherence across sectors.

Guyana's current legal and institutional framework has in place a series of instruments leading to the protection and conservation of natural forests and biodiversity. In particular, legislation and policies such as the Wildlife Conservation and Management Act and institutions such as the Guyana Forestry Commission and the Guyana Lands and Surveys Commission are in charge of such protection.

The current legal and institutional framework, along with the governance framework, that regulate the assessment of potential social and environmental benefits of REDD+ actions are outlined below.

The EPA establishes the requirements Environmental Impact Assessment (EIA) in various sectors including mining and the forestry sector. This is also supported by the implementation programmes of the MoAA and the GFC.

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<sup>77</sup> Convention on Biological Diversity; Cartagena Protocol on Biodiversity to the Convention on Biological Diversity, CITES, UN Convention to combat desertification, Kyoto Protocol, Doha Amendment to Kyoto Protocol, International Plant Protection, Convention International Tropical Timber Agreement 1983, 1994, 2006, UNFCCC. CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, CAT-OP - Optional Protocol of the Convention against Torture, CCPR - International Covenant on Civil and Political Rights, CED - Convention for the Protection of All Persons from Enforced Disappearance, CEDAW - Convention on the Elimination of All Forms of Discrimination against Women, CERD - International Convention on the Elimination of All Forms of Racial Discrimination, CESCR - International Covenant on Economic, Social and Cultural Rights, CMW - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, CRC - Convention on the Rights of the Child, CRC-OP-AC - Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, CRC-OP-SC - Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography, CRPD - Convention on the Rights of Persons with Disabilities, Convention on Protection and promotion of the Diversity Critical Expressions, UN Convention against Corruption, International Covenant on Economic, Social and Cultural Rights, Geneva Convention, Inter-American Convention Against Corruption, International Convention for the Prevention of Pollution from Ships, International Convention relating to Intervention of the High Seas in cases of Oil Pollution Casualties, International Treaty on Plant Genetic resources for Food and Agriculture, Convention concerning the Protection of the World Cultural and Natural Heritage, Stockholm Convention on Persistent Organic Pollutants, UN Convention against Torture, Convention on Protection of Underwater Cultural Heritage, Vienna Convention for the Protection of the Ozone Layer.

The procedure for conducting an EIA is found in the EPA section 11.

Additionally, the AA contains provisions which can be described as an ESIA though not defined as such in the AA. Section 48 – provides that a miner who wishes to carry out mining activities on Village lands or in any river, creek, stream or other source of water within the boundaries of Village lands shall - (a) obtain any necessary permissions and comply with the requirements of the applicable written laws; (b) make available to the Village any information which the Village Council or Village reasonably requests; (c) give the Village Council a written summary of the proposed mining activities including information on - (i) the identity of each person who is involved; (ii) a non- technical summary of the mining activities; (iii) the site where the mining activities will be carried out; (iv) the length of time the mining activities are expected to take; (v) the likely impact of the activities on the Village and the Village lands; (vi) any other matters which the Village Council on behalf of the Village requests and which are reasonably relevant; (d) attend any consultations which the Village Council or Village requests; (e) negotiate with the Village Council on behalf of the Village in good faith all relevant issues; (f) subject to section 51 reach agreement with the Village Council on the amount of tribute to be paid; and (g) obtain the consent of at least two- thirds of those present and entitled to vote at a Village general meeting.

Section 56 of the AA provides that if the Guyana Forestry Commission intends to issue a permit, concession, license, timber sales agreement or other permission in respect of any State forests which are contiguous with Village lands the Guyana Forestry Commission shall first consider the impact on the Village.

The above outlined legal framework and governance arrangements allow for REDD+ project to appropriately reflect social and economic benefits as required:

- maintain forest cover by reducing or limiting drivers of deforestation
- advancing protected areas and reducing or eliminating potential threats to protected areas
- protect watersheds
- promote sustainable forest management and forest legality
- promote local livelihoods development in forest-based communities.

#### In the specific context of the VPA

It must be noted that the Legality Definition is a summary of Guyana's national legal and regulatory framework applicable to the VPA, which addresses ecological, biological, climatic,

and socio-cultural benefits. Principles applicable to all FSOs types are listed in Annex II of the VPA. This framework shall be complied with by FSOs in order for timber products to be covered by a FLEGT licence. Notably:

- Section 4.2 outlines the Legality matrix B for State Forest Authorisations (large concessions). Criterion 2.1 requires the FSOs comply with forest management, environment and Wood Tracking System (WTS) requirements (in accordance with relevant legislation).
- Section 4.3 outlines the Legality matrix C for State Forest Authorizations (small concessions). Criterion 2.1 requires the FSOs comply with forest management, environment and WTS requirements (in accordance with relevant legislation).
- Section 4.4 outlines the Legality Matrix D for Amerindian Villages. Criterion 2.1 requires the FSOs comply with forest management, environment and WTS requirements (in accordance with relevant legislation).

#### In the specific context of the FCS

The enhancement of ecological, biological, climatic, and socio-cultural benefits is clearly recognised and protected. The GSSFMS sets out several requirements for the FSOs under:

- Principle 6- Maintenance or Appropriate Enhancement of Forest Resources and their Contribution to the Global Carbon Cycle. Criterion 6.1 requires the FSO to maintain or increase forests and ecosystem services, and maintains or enhances the economic, ecological, cultural, and social values of forest resources.
- Principle 7- Maintenance of Forest Ecosystem Health and Vitality. Criterion 7.1 requires the FSO maintains the health and vitality of the ecosystem. Criterion 7.2 requires the FSO maintains the genetic diversity of species and forest structures. Criterion 7.3 requires the FSO adopts an integrated approach to pest management, minimizing the use of pesticides and other chemicals.
- Principles 9- Maintenance, Conservation or Appropriate Enhancement of Biological Diversity in Forest Ecosystems. Criterion 9.1 requires the FSO aims to maintain, conserve, or enhance biological and structural diversity. Criterion 9.2 requires the FSO identifies, protects, conserves, and sets aside, where appropriate, ecologically important forest areas. Criterion 9.3 requires the FSO ensures that protected, threatened and endangered species are not exploited for commercial purposes. Criterion 9.4 requires the FSO ensures successful regeneration of harvested areas. Criterion 9.5 requires the FSO does not use genetically modified trees. Criterion 9.6

requires the FSO conducts forest management operations in a manner that minimises damage to forest ecosystems.

- Principle 10 – Maintenance or Appropriate Enhancement of the Protective Functions in Forest Management (notably soil and water). Criterion 10.1 requires the FSO to maintaining and or enhancing the protective functions of forests. Criterion 10.2 requires the FSO to implement measures to maintain and/or enhance the protective functions of forests in sensitive situations.
- Principle 11- Maintenance or Appropriate Enhancement of Socio-Economic Functions and Conditions. Criterion 11.1 requires the FSO to ensure that forest management planning recognises the importance of all socio-economic functions of forests. Criterion 11.4 requires the FSO promotes the long-term health and well-being of forest-dependent communities and Indigenous peoples. Criterion 11.6 requires the FSO gives due regard for the role of forestry in enhancing local economies.

## **Institutional Framework**

Stakeholders, including indigenous peoples and local communities participate in and benefit from development policies and planning instruments that are relevant to REDD+.

These have been drafted to address land-use, land tenure and titling, natural resource rights, livelihoods, and governance issues in priority regions related to specific REDD+ programmes, to outline further steps, and to identify required resources, with a broad range of potential REDD+ activities emerging from the plans, recommendations and activities.

A dedicated Project Unit is in place within the Ministry of Amerindian Affairs, supported by Government and financing from the Guyana Norway cooperation, to support work on land titling as well as continuous engagement with stakeholders as part of the process. The MoAA with stakeholders, identify key areas that are relevant to international conventions and agreements, and ensure that the social and environmental framework is in place for REDD+ Actions. This involves the MoAA assessing benefits of programmes that are being pursued on land tenure and community development and conducting investigations and assessments of impacts of these activities. The land titling process involves a stage of investigations to assess impacts. Additionally, the process overseen by the MoAA on Village Planning as outlined in the Amerindian Act allows for guidance to be given to villages and communities by MoAA and importantly in a bottom-up manner from village leaders, to inform projects and impact within plans before any actions are pursued.

In terms of land tenure, and Amerindian land tenure in particular, Ministry of Amerindian Affairs in collaboration with the United Nations Development Programme and GLSC, and with GRIF funding is implementing the Amerindian Land Titling (ALT) project. The purpose of the land titling project was to accelerate the titling of Amerindian lands in order that titled Amerindian Villages might participate in the GRIF-funded scheme for forest protection. Securing land tenure results in more effective management of social and economic development of forest-based communities. A total of 68 villages were expected to benefit from the project when completed at a cost of US\$11 million. The total budgetary allocation was US\$8 million.

The GRIF-funded Sustainable Land Development and Management project includes measures for land reclamation and development, and implementation of a land classification system to optimise land use and this maintain forest cover.

Consultations on EU FLEGT as well as REDD+ actions of MRVS and Sustainable Forest Management are all coordinated through the GFC by the FLEGT Unit, the REDD Secretariat, and the Community Forestry Unit. The Community Forestry Unit is a dedicated unit within the GFC that is mandated to support work at community level, to ensure that rights are respects and that economic activities in the forest sector bring about socio economic benefits that are sustained for communities and villages. Through these units of the GFC, the FLEGT work programme, MRVS actions and work on SFM are coordinated with key stakeholders. These units are financed by the GFC.

#### In the specific context of the VPA

Several procedures have been adopted to support its implementation, including for contributing to the enhancement of ecological, biological, climatic, and socio-cultural benefits:

- Procedures for the Issuance and Reallocation of State Forest Concessions
- Procedure for Issuing State Forest Permission (SFP)
- Timber Sales Agreement and Wood Cutting Lease
- Procedure for the Issuance of a Timber Sales Agreement (TSA) and Wood Cutting Lease (WCL)
- Guidelines for Forest Operators – Large Concessions
- Guidelines for Forest Operators – Small Concessions

#### In the specific context of the FCS

Several procedures have been adopted to support its implementation, including for contributing to the enhancement of ecological, biological, climatic, and socio-cultural benefits:

- Code of Practice for Forest Operations- State Forest Permission Holders (Small scale forest operators)
- Code of Practice for Forest Operations- State Forest Authorizations
- Code of Practice for Forest Operations- Timber sales agreement and wood cutting license holders

Additionally, and through the GSSF, the FSO is required to adopt several procedures for contributing to the enhancement of ecological, biological, climatic, and socio-cultural benefits:

- Principle 6- Maintenance or Appropriate Enhancement of Forest Resources and their Contribution to the Global Carbon Cycle. Indicator 6.1.2 requires the FSO to establish and implement procedures to ensure the area of forest and the associated ecosystem services are maintained or increased; and the economic, ecological, cultural and social values of forest resources are maintained or enhanced.
- Principle 7- Maintenance of Forest Ecosystem Health and Vitality. Indicator 7.3.1 requires the FSO establishes and implements waste management procedures to ensure that the indiscriminate disposal of waste within the forest management area is strictly avoided. Indicator 7.3.4 requires the FSO establishes and implements emergency procedures for minimizing the risk of environmental harm arising from the accidental spillage.
- Principles 9- Maintenance, Conservation or Appropriate Enhancement of Biological Diversity in Forest Ecosystems. Indicator 9.1.2 requires the FSO has procedures in place, appropriate to the size and scale of the operation, to promote, where applicable: a) diversity of both horizontal and vertical structures and the diversity of species such as mixed stands, with the aim of also maintaining or restoring landscape diversity; and b) the use of traditional management practices that create valuable ecosystems on appropriate sites.
- Principle 10 – Maintenance or Appropriate Enhancement of the Protective Functions in Forest Management (notably soil and water). Indicator 10.1.1 requires the FSO has documented a commitment in accordance with the Code of Practice to maintain or enhance the protective functions of forests for society within the forest management area, including their potential role in: erosion control; flood prevention; water purification; climate regulation; carbon sequestration; and other regulating or supporting ecosystem services.

- Principle 11- - Maintenance or Appropriate Enhancement of Socio-Economic Functions and Conditions. Indicator 11.1 requires the FSO to have clearly defined strategies to respect and enhance all socio-economic functions of forests. Indicator 11.4.1 requires the FSO has a plan and strategy to promote the long-term health and well-being of forest-dependent communities including Indigenous peoples within or adjacent to the forest management area.

## **Outcomes**

Over the year 2023, indigenous peoples and local communities have been involved in informing a wide range of development policies and planning instruments that are relevant to REDD+. These have been drafted to address land-use, land tenure and titling, natural resource rights, livelihoods, and governance issues in priority regions related to specific REDD+ programmes; to outline further steps; and to identify required resources, with a broad range of potential REDD+ activities emerging from the plans, recommendations and activities.

Although there is a great diversity across these plans some key themes emerge:

- Improving coordination across natural resource management agencies;
- Improving efficiency within extractive industries;
- Improving planning and zoning, inclusive of improved information on the resources;
- Increasing value-added within the forestry sector;
- Developing mechanisms to distribute and allocate the benefits associated with REDD+ or forest management more generally.

In terms of land tenure, and Amerindian land tenure in particular, Ministry of Amerindian Affairs in collaboration with the United Nations Development Programme and GLSC, and with GRIF funding, implemented the ALT project. The purpose of the land titling project was to accelerate the titling of Amerindian lands in order that titled Amerindian Villages might participate in the GRIF-funded scheme for forest protection. A total of 68 villages were expected to benefit from the project when completed at a cost of US\$11 million. The total budgetary allocation was US\$8 million. The GRIF-funded Sustainable Land Development and Management project includes measures for land reclamation and development, and implementation of a land classification system to optimise land use. In 2023, demarcations were advanced, with the Certificates of Titles for these demarcations to be issued.



The ALT Programme, the advancement of the MRV System for the forest sector, and the implementation of the EU FLEGT Programme, and the sustainable land management project, are executed with a common aim to deliver on social and environmental benefits to stakeholders:

- Forest based communities benefit from capacity building sessions on forest legality and enhanced knowledge to practice SFM to maintain forest cover
- Implementation of the Amerindian Land Titling Programme to secure tenure for Amerindian Villages and Communities

#### In the specific context of the VPA

It must be noted the VPA has not yet entered into force and hence implementation has not commenced. Information on outcomes is therefore provided in relation to the design of the VPA. As illustrated in the legal and institutional framework context, both the VPA and GTLAS have been designed to incorporate principles and requirements that promote enhancement of ecological, biological, climatic, and socio-cultural benefits.

#### In the specific context of the Forest Certification Standard

It must be noted the Standard has been endorsed by the PEFC Council at end of March 2024, and hence its application has not commenced. Information on outcome is therefore provided in relation to the design of the FCS. As illustrated in the legal and institutional framework context, the Standard has been designed to incorporate principles and requirements that promote the enhancement of ecological, biological, climatic, and socio-cultural benefits.

#### **Means of Verification**

- [Procedures for the Issuance and Reallocation of State Forest Concessions](#)
- [Procedure for Issuing State Forest Permission \(SFP\)](#)
- [Procedure for the Issuance of a Timber Sales Agreement \(TSA\) and Wood Cutting Lease \(WCL\)](#)
- [Guidelines for Forest Operators – Large Concessions](#)
- [Guidelines for Forest Operators – Small Concessions](#)
- [Code of Practice for Forest Operations- State Forest Authorizations](#)
- [Code of Practice for Forest Operations- State Forest Permission Holders \(Small scale forest operators\)](#)

- [Code of Practice for Forest Operations- Timber sales agreement and wood cutting license holders](#)
- Guyana-EU-VPA-and-Annexes-with-Disclaimer
- GY-ST-2023-01\_The Guyana Standard for Sustainable Forest Management
- The GTLAS
- Amerindian Land Titling Project (GRIF) documents.

## Cancun Safeguard F

### Guyana's description of Cancun Safeguard F

“Risks of reversals and displacement of emissions of the REDD+ activities are addressed through the MRVS and national forest monitoring system.”

*Safeguard Theme F.1 The risk of reversals is integrated in the design, prioritization, implementation, and periodic assessments of REDD+ policies and measures*

**Note:** No outcome sections have been developed for Safeguard F as outcomes are addressed by the MRVS.

### Legal Framework

The Guyana Forestry Commission Act<sup>78</sup> and the SLA<sup>79</sup> with their corresponding NFPS<sup>80</sup> and NFP<sup>81</sup> apply. The Code of Practice for Timber Harvesting<sup>82</sup>, the Guidelines for Conducting Management-level Inventory and 100%-level Inventory, and the Guidelines for the Preparation of Forest Management Plans and Annual Operational Plans additionally the Code of Practice for Timber Harvesting is based on the UN Food and Agriculture Organisation Model Code of Forest Practice, prescribes inter alia internationally accepted standards for exclusion areas and buffer zones, pre-harvest inventory, road construction and felling. Guyana's legal framework provides measures to tackle reversals and displacement, this is done through the

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<sup>78</sup> Guyana Forestry Commission Act No 20 of 2007.

<sup>79</sup> State Lands Act 1903.

<sup>80</sup> Guyana National Forest Policy Statement 2018.

<sup>81</sup> Guyana National Forest Plan 2018.

<sup>82</sup> Code of Practice for Forest Operations 2018

PAA<sup>83</sup> and the FA<sup>84</sup>, as well as through several policy instruments: NFPS<sup>85</sup> and NFP<sup>86</sup>, LCDS<sup>87</sup>. These efforts include enforcement.<sup>88</sup>

Guyana is a high forest cover low deforestation jurisdiction.

The MRVS is led by the GFC and utilises management and land use data and reporting from land use agencies in Guyana including the Guyana Geology and Mines Commission and the Guyana Lands and Surveys Commission. All agencies are in receipt for spatial layers and results of the annual MRVS and this supports decision making at the agency and sector level. The MRVS was developed as performance measurement mechanism for REDD+ with focus initially placed on the development of two primary components: (i) a framework for forest area change assessment and monitoring; and (ii) forest carbon stock measurement and monitoring. The national-scale MRVS is identified as a national priority of Guyana's REDD+ program. Guyana's MRVS Roadmap, developed in 2009, aimed to build a comprehensive national system to monitor, report and verify forest carbon emissions resulting from deforestation as

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<sup>83</sup> Protected Areas Act –section 123 Except with the permission of the management authority any person who lights any plant or vegetation. fire or clears, burns or otherwise damages any tree, bush, plant or other vegetation commits an offence.

<sup>84</sup> Forests Act – section 5-Except in accordance with subsection (2), no person shall (a) enter a State forest, provided that a person may travel through a state forest in the course of his journey and may reasonably occupy or use the forest for the purpose of his journey; cut, damage, or take any forest produce, or carry out any other kind of forest operation in a State forest; carry out any kind of exploratory operation in a State forest;(d) occupy or use any land in a State forest;(e) clear, cultivate, or turn soil in a state forest; or (f) graze or pasture livestock in a state forest. Section 1212. The Commission. after consultation with relevant stakeholders may on agreement. application grant any person an afforestation agreement by entering into an agreement with the person concerned authorising that person to (a) plant specified trees and specified plants in a specified area of State Forest; and (b) manage the planted area in accordance with a forest management plan approved by the Commission.

<sup>85</sup> National Forest Policy Statement - Policy Strategy 2.2.5 Afforestation and Reforestation -The policy promotes the rehabilitation and restoration of degraded landscapes through forest plantation development, enrichment planting, and community forestry. The strategy is to develop systems, and incentive packages, to support reforestation and forest plantation development. Public, private sector and community investment shall be sought, with emphasis on degraded forests, agricultural and mining lands and mangroves. This will require developing and implementing a National Forest Plantation Strategy, based on best practices and updated forest plantation

<sup>86</sup> National Forest Plan- SO 2-Improved rating for Guyana on the global Environmental Performance Index; Real-time quantification of forest cover loss and forest degradation; Reduced numbers of forest fires, disease and pest outbreaks; Sustainable use reserves increases.

<sup>87</sup> Low Carbon Development Strategy- the Government of Guyana supports a phased approach to REDD+: (i) starting with a fund-based mechanism for REDD+ from 2010, and (ii) gradually merging REDD+ into the carbon market(s). Starting in 2013, a portion of each country's rainforest should be assigned forestry emissions quotas or carbon credits (known as REDD Credits)<sup>31</sup> as offsets to trade within the carbon markets. Over years, the portion of rainforest for which REDD Credits are assigned should be progressively increased in line with a trajectory which prevents "flooding" the markets.

<sup>88</sup> Areas such as the Community Owned Conservation Area (COCA), Kanashen, established under the Amerindian Act<sup>88</sup>, the Kaieteur National Park and Iwokrama Forest have Rangers. The Protected Areas Act further strengthened that approach by committing financial support for Rangers in all protected areas, with The Guyana Forestry Commission tracking illegal logging. The Guyana Geology and Mines Commission<sup>88</sup> is the regulatory body for most of the extractive sector. In

well as forest degradation. Since 2010, there have been nine national-level assessments done on an annual basis. MRVS uses a combination of GIS and field-based data to report on activity and emissions data. Satellite imagery technology used include Landsat, Planet Scope and Sentinel 2.

The MRVS has been able to track all drivers of deforestation and forest degradation in Guyana. The trends show that whilst there have been marginal fluctuations in all drivers, the trends have been stable. Trends will continue to be monitored in the MRVS.

### **Institutional Framework**

Public institutions in Guyana, specifically those that are working on REDD+, have identified and integrated measures to address the risk of reversals in the design, prioritization, implementation, and periodic assessments of REDD+ actions. At the institutional level, there are various mechanisms in place to enable the objectives of preventing the risk of reversals in the design, prioritization, implementation, and periodic assessments of REDD+ policies and measures, are met, and these include:

- **Continuous multi-stakeholder consultation process:** The Guyana Forestry Commission has coordinated this process through the work of the REDD Secretariat. The REDD Secretariat is financed by the Government and is headed by a Programme Coordinator and supported by technical and administrative staff. The work of the GFC is evidenced by the GFC Annual Reports which speaks about the process in place to advance the work of the Commission. *Support to the development of the MRVS was completed via a multi stakeholder approach with Roadmap for development developed and implemented in a consultative manner.* The MRVS is led by the GFC and utilises management and land use data and reporting from land use agencies in Guyana including the Guyana Geology and Mines Commission and the Guyana Lands and Surveys Commission. All agencies are in receipt for spatial layers and results of the annual MRVS and this supports decision making at the agency and sector level. The MRVS was developed as performance measurement mechanism for REDD+ with focus initially placed on the development of two primary components: (i) a framework for forest area change assessment and monitoring; and (ii) forest carbon stock measurement and monitoring. The national-scale MRVS is identified as a national priority of Guyana's REDD+ program. Guyana's MRVS Roadmap, developed in 2009, aimed to build a comprehensive national system to monitor, report and verify forest carbon emissions resulting from deforestation as well as forest degradation. Since

2010, there have been twelve national-level assessments done on an annual basis. MRVS uses a combination of GIS and field-based data to report on activity and emissions data. Satellite imagery technology used include Landsat, Planet Scope and Sentinel 2. The repeated, systematic assessments under the Guyana MRVS, integrates the risk of reversals in its approach.

- **Operational Governance Structures:** The GFC and the GGMC are technical agencies within the natural resources sector that have worked on implementing these processes on governance. Each Agency is headed by a commissioner and staffed by technical and administrative staff. The Commissions are financed by Government and through revenue collection. This work is evidenced by the Agency Annual Report such as the GFC Annual Reports. Each process is executed through the organisational process and planning of the agencies that are in the lead: the GGMC, GLSC and the GFC. This involves work within the organisations and coordination with the focal point for delivery on REDD+ actions under the agreements. Delivery of programmes at each agency level feeds into national reports and programming on advancing REDD+ and mitigating risk of reversals in the design, prioritization, implementation, and assessments of REDD+ actions. This allows for public institutions to have updated information that has enabled them to address the risk of reversals.
- **Continuous Engagement with the Ministry of Natural Resources and Government Ministries:** the MNR provides strategic direction to the work of the GFC and the Office of the President, provides guidance to the GFC and the GGMC. The Ministry of Natural Resources is headed by a Minister, and supported by technical and administrative staff. The work of the Ministry is financed by the national budget. The Ministry conducts regular engagements with stakeholders on this area as evidenced by the Summary Report on matters raised in the forestry and mining sector and concluding on resolutions arrived at for each aspect. Aiming to contribute to global efforts to reduce emissions associated with deforestation and forest degradation, Guyana's national REDD+ Implementation Plan will seek to recognise the need for integrated and comprehensive land use planning efforts that inform the efficient and sustainable management and exploitation of natural resources, including in addressing and mitigating risk of reversals in the design, prioritization, implementation, and routine assessments of REDD+ actions.

Over the course of the reporting period, the GRIF project on sustainable land management ([Sustainable Land Management and Development - Guyana REDD+ Investment Fund \(guyanareddfund.org\)](https://guyanareddfund.org)) was signed and commenced work.

### **Means of Verification**

- Technical Reports on Forest Area and Forest Carbon Monitoring for Year 2022
- GFC's annual report

### **Cancun Safeguard G**

#### **Guyana's description of Cancun Safeguard G**

"Risks of reversals and displacement of emissions of the REDD+ activities are addressed through the MRVS and national forest monitoring system."

*Safeguard Theme G.1 The risk of displacement of emissions is integrated in the design, prioritization, implementation, and periodic assessments of REDD+ policies and measures.*

**Note:** No outcome sections have been developed for Safeguard G as outcomes are addressed by the MRVS.

### **Legal Framework**

The Guyana Forestry Commission Act and the SLA with their corresponding NFPS and NFP apply. The Code of Practice for Timber Harvesting, the Guidelines for Conducting Management-level Inventory and 100%-level Inventory, and the Guidelines for the Preparation of Forest Management Plans and Annual Operational Plans additionally the Code of Practice for Timber Harvesting is based on the UN Food and Agriculture Organisation Model Code of Forest Practice, prescribes inter alia internationally accepted standards for exclusion areas and buffer zones, pre-harvest inventory, road construction and felling. Guyana's legal framework provides measures to tackle reversals and displacement. This is done through the PAA and the FA, as well as through several policy instruments: NFPS, NFP, and LCDS. These efforts include enforcement. The FA addresses the issue of detection and reduction of forest fires.

## **Institutional Framework**

The Guyana Forestry Commission has coordinated this process through the work of the REDD Secretariat. The REDD Secretariat is financed by the Government and is headed by a Programme Coordinator and supported by technical and administrative staff.

Public institutions have identified and integrated measures to address the risk of displacement of emissions in the design, prioritization, implementation, and periodic assessments of REDD+ actions in the following way:

- ***Consultative Process in Implementing the National Forest Policy, Codes of Practice and the Forest Act***

The GFC conducts routine consultations and stakeholder sensitisation exercises as part of its work on SFM. Implementing SFM and the provision of the National Forest Policy along with the Code of Practice for Forest Operations enables the lowest forest carbon impact from these extractive activities and reduces risks of displacement of emissions by building effective capacities. These include work at the company, individual and community level. This also extends through formal training at the level of the forest sector agency for training – the Forestry Training Centre Inc. which conducts training on the Code of Practice including in technical areas of Reduced Impact Logging. These are summarised in the GFC Annual Reports.

- ***National scale implementation of the MRV System utilising best practice and guidance***

Guyana's MRVS Roadmap, developed in 2009, aimed to build a comprehensive national system to monitor, report and verify forest carbon emissions resulting from deforestation as well as forest degradation. This reduces risks of displacement as national scale information on a routine basis inform national planning on land allocation, forest utilization and forest monitoring activities. All forest-related emissions by sources and removals are monitored, reported and verified in accordance with UNFCCC guidance. A system of tiers has been developed by the IPCC to represent different levels of methodological complexity. Tier 1 is the basic method; Tier 2 is intermediate and Tier 3 is the most demanding in terms of complexity and data requirements. Guyana is operating at Tier 2 to 3 levels for the following reasons:

- Wall-to-wall coverage of satellite imagery is used to obtain the AD related to conversion of forest lands to other uses. For the period 1990 to 2010 Guyana used primarily Landsat imagery with a variety of other sensors. Post-2010 to 2015 AD is based on practically wall-to-wall monitoring using high resolution RapidEye imagery. Sentinel imagery was used following 2015.
- All AD are disaggregated by the strata used for the field sampling design for EF estimation (e.g. threat for land use change, accessibility), and by the drivers (e.g. mining, infrastructure, converted to cropland, converted to settlements).
- All AD are combined and co-registered with other key spatial databases such as roads, rivers, settlements, vegetation class, location of logging concessions, location of mining concessions, topography, etc.
- A comprehensive, peer-reviewed, field sampling system was designed to attain the required precision target.

This approach has safeguarded against the risk of leakage.

The GFC and the GGMC are technical agencies within the natural resources sector that have worked on implementing these processes on governance. Each Agency is headed by a commissioner and staffed by technical and administrative staff. The Commissions are financed by Government and through revenue collection.

- **Continuous Engagement with the Ministry of Natural Resources and Government Ministries**

The MNR provides strategic direction to the work of the GFC and the Office of the President, provides guidance to the GFC and the GGMC. The Ministry of Natural Resources is headed by a Minister, and supported by technical and administrative staff. The work of the Ministry is financed by the national budget. The Ministry conducted regular engagement with stakeholders on this area as evidenced by the Summary Report on matters raised in the forestry and mining sector and concluding on resolutions arrived at for each aspect. Aiming to contribute to global efforts to reduce emissions associated with deforestation and forest degradation, Guyana's national REDD+ Implementation Plan will seek to recognise the need for integrated and comprehensive land use planning efforts that inform the efficient and sustainable management and exploitation of natural resources, including in addressing the risk of displacement of emissions in the design, prioritization, implementation, and periodic assessments of REDD+ policies and measures. Over the course of the reporting period, the



GRIF project on sustainable land management ([Sustainable Land Management and Development - Guyana REDD+ Investment Fund \(guyanareddfund.org\)](http://Sustainable_Land_Management_and_Development_-_Guyana_REDD+_Investment_Fund_guyanareddfund.org)) was signed and commenced work.

**Means of Verification**

- Technical Reports on Forest Area and Forest Carbon Monitoring
- Reports on Independent Accuracy Assessment
- GFC's annual report

## Part III: The REDD+ revenue sharing plan

This section presents the REDD+ revenue sharing plan, as outlined in the LCDS 2030.

### Overview of the REDD+ revenue sharing plan

Guyana has addressed REDD+ revenue sharing in a number of different policies, including the 2009 LCDS, the NFPS and the NFP. This said, the LCDS 2030, among its key objectives, sought to centralize Guyana's approach to REDD+ revenue sharing.

To this end, and in recognition of the stewardship role over forests and other landscapes that Amerindian and other local communities play, the LCDS 2030 sets out two tracks for the distribution of incentives:

1. **National Low Carbon Priorities.** Uncapped investments from the 85% of all revenues for the implementation of development projects in areas of health, education, etc. that benefit Amerindian and other local communities (land titling, protection against climate change, etc.). These are set out in the LCDS and the accompanying LCDS Strategy.
2. **Community/Village'-led programmes for indigenous peoples and local communities, as set out in Village Sustainability Plans (VSPs).** Direct payment of 15% of all revenues towards VSPs that are developed by villages and communities themselves. The process for developing the VSPs is outlined in the LCDS in alignment with international free, prior and informed consent (FPIC), and should cover the period up to 2025, or longer if the Village chooses. The Government will provide assistance to villages if this is requested, and it is anticipated that several non-governmental organisations will also be willing to provide assistance. Between August 2022 and January 2023, second level of consultations with stakeholders were held on the modalities of operationalizing the revenue sharing mechanism.

Through this revenue sharing mechanism, Guyana pays homage to the 218 Amerindian and other hinterland villages and communities that make up 13% of the country's demographic make-up. Given these IPs and LCs unique role in the stewardship of forests and other landscapes, Amerindian and other local level communities will have the opportunity to engage with both pathways for REDD+ revenue stemming from ART-TREES. The VSP-dedicated

revenue stream will be shared equally between the villages and communities that have voluntarily opted in to do so – regardless of whether their community has forest coverage or not. There is no deadline for opting in.

With regards to the VSPs themselves, there is no specific requirements on their format and content, although the LCDS encourages Villages to run workshops and consultations internally to identify priorities, determine action plans and make decisions on their vision statement as a community and priority areas to deliver on this vision, such as on community infrastructure, livelihood opportunities or education. These VSPs can address all sustainable development matters at the village level.

### Design process of Guyana’s REDD+ revenue sharing plan

As noted by the NTC, “a central tenet of the LCDS 2030, like the LCDS 2009, involves communities benefiting from revenues earned from the sale of forest carbon services; and where the LCDS 2030 sets out new opportunities for new revenues”. The same report “recognizes that extensive national scale and community-based consultations, conducted over the last seven months have informed the main aspects of the LCDS 2030”<sup>89</sup>.

The following timeline summarizes engagement with IPs and LCs on matters regarding benefits sharing.

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<sup>89</sup> NTC Council Conference 2022 Report, accessible at <https://ntcguayana.com/wp-content/uploads/2023/08/NTC-Report-2022.pdf>

Table 4: Timeline of engagement with IP and LCs in the design of the REDD+ revenue sharing plan

Date	Action/Process Step
2009	Launch of the first Low Carbon Development Strategy that outlines process of benefits sharing, referred to as 'Opt In', for IPs and LCs
2009-2015	Programmes on Land Titling, Amerindian Development Fund, Solar Electrification Project, and others, implemented
2021 (October)	<p>Launch of draft LCDS 2030</p> <p>Proposal for revenues to flow to IPs and LCs from two tracks:</p> <ol style="list-style-type: none"> <li>3. Direct payment of 15% towards Village Plans that are developed by villages.</li> <li>4. Uncapped investments from remaining 85% for implementation of development projects through national project development in areas of health, education, etc. at IPLC.</li> </ol> <p>Proposed process for participation in benefit sharing mechanism outlined.</p>
2021 October to June 2022	<p>Public Consultation on LCDS 2030.</p> <p>The National Consultation consisted of:</p> <ol style="list-style-type: none"> <li>(i) National level engagements; <ul style="list-style-type: none"> <li>o 77 stakeholder groups were engaged in presentations and discussions, follow-up bilaterals were held if requested (included APA, GOIP and TAAMOG)</li> </ul> </li> <li>(ii) thematic engagements; <ul style="list-style-type: none"> <li>o 5 sessions addressing themes – 2 regarding women and 1 for regional leaders.</li> </ul> </li> <li>(iii) community based consultations; <ul style="list-style-type: none"> <li>o At least one in each region, 16 total attended by representatives of over 200 Indigenous Villages and forest-based communities (there are a total of 218 Amerindian and other hinterland villages or communities)</li> </ul> </li> <li>(iv) receipt of written feedback;</li> <li>(v) feedback via a website;</li> <li>(vi) an active public engagement programme; <ol style="list-style-type: none"> <li>a. Radio and television programmes, public service announcements (PSAs), interviews</li> </ol> </li> </ol>

	<ul style="list-style-type: none"> <li>b. Literature: brochures, flyers, posters, newspaper articles, press releases</li> <li>c. Public events (including Government officials &amp; MSSC members)</li> <li>d. Virtual meetings (Zoom and other platforms)</li> <li>e. Social media platforms (YouTube, Facebook, Instagram, Twitter, and other online sites)</li> <li>f. A full report on all LCDS Communication and Consultation activities is also prepared and</li> <li>g. published on the LCDS Website.</li> </ul> <p>Materials were shared in advance, presentations were made, and explanations provides on technical materials as inputs sought, feedback was received, these were considered in the revision of the final LCDS, and each comment made was recorded and publicly available feedback on how each comment was considered in the revision process.</p> <p>Following the conclusion of the consultations exercise, the NTC support the updating of villages by sharing the revised version of the LCDS.</p>
<p>2022 February - Ongoing</p>	<p>Oversight by <b>MSSC</b>, which includes the Offices of the President and the Vice President, the Office of the Prime Minister, Ministry of Public Works, Ministry of Amerindian Affairs, Ministry of Finance, Ministry of Natural Resources (including Guyana Forestry Commission and Guyana Geology and Mines Commission), Ministry of Agriculture, the National Toshaos' Council, Indigenous Peoples Commission, Amerindian Peoples' Association, Guyanese Organisation of Indigenous Peoples, The Amerindian Action Movement of Guyana, National Amerindian Development Foundation, Private Sector Commission, Forest Products Association, Guyana Gold and Diamond Miners Association, in addition to representatives of Labour Unions, Women's organizations and youth groups.</p>
<p>2021 February to June 2022</p>	<p>Continuous engagement with indigenous stakeholder including the APA:</p> <p><b>4<sup>th</sup> February 2022: Direct Engagement Round 1</b> - Engagement with all Indigenous NGOs including the APA on summarized on Report on Consultation. <a href="https://lcds.gov.gy/summary-of-feedback/">https://lcds.gov.gy/summary-of-feedback/</a></p> <p><b>6<sup>th</sup> May 2022: Direct Engagement Round 2:</b> Following the first round of stakeholder sessions, the LCDS Team engaged stakeholders directly based on specific requests and follow up actions identified.</p> <p><b>13<sup>th</sup> May 2022: Direct Engagement Round 2:</b> Consultations Session on Carbon Markets. At the session it was agreed that the APA would send further feedback on benefits sharing proposal.</p>

	<b>27<sup>th</sup> May 2022: Direct Engagement Round 3:</b> Consultations with various and inputs received. Follow up with APA, but feedback from was not submitted.
2022 (July) – first week	<p>Revision of LCDS 2030 to take on board feedback received. Significant changes throughout the entire document to incorporate feedback received.</p> <p>The chapter dealing with benefit sharing mechanism was one of the chapters that had material changes as a result of consultation feedback. The following changes were among the main areas that were revised:</p> <ul style="list-style-type: none"> <li>- Participation to include both titled and untitled areas, and customary lands</li> <li>- Participation to include all aspects of forest ecosystems – forest land, wetlands, savannah lands, etc.</li> <li>- Focus on social as well as economic aspects of development in addition to forest size in determination of benefits sharing</li> <li>- Connect benefits sharing to existing village planning process which is led by the approach of self-determination of programmes to be implement for sustainable development of villages</li> </ul>
2022 July 15	<p>National Tshaos Council resolution agreeing with national approach and welcoming and supporting the proposed revenue sharing pathways and allocations, including ability for communities to opt-in for direct benefits from the 15% set aside at any time.</p> <p>See <a href="#">Meeting Report from the NTC Council Conference</a>.</p>
2022 July 18	MSSC approved the LCDS 2030 and recommended for tabling at National Assembly.
2022 August 8	National Assembly approved LCDS 2030 and proposed revenue sharing amounts and pathways.
2022 August to January 2023	<p>Second level of consultations with stakeholders, including the NTC, on modalities of operationalizing the benefits sharing Mechanism.</p> <p><b>August 8-12, 2022: NTC Capacity-Building Workshop and 1st Statutory Meeting:</b> on 11th August 2022 to discuss feedback and to seek inputs from villages, on the modalities of the benefits sharing mechanism.</p> <p><b>September to December 2022:</b> final LCDS, NTC resolution on the LCDS 2030 were sent out to villages.</p> <p><b>January 2023:</b> Meeting held with NTC and LCDS Team to receive feedback from the three-month engagement with villages and to inform the benefits sharing mechanism. The modalities of the mechanism were drafted and sent to LCDS Team.</p>

	<p>Templates for village plan, letters of submission, and requirements for administration were identified and developed.</p>
2023 February 15-16	<p>Meeting held with all Village leaders and benefits sharing mechanism was presented to all present.</p> <p>Announcement was made that a total of GYD 4.725 billion dollars will be transferred to over 200 villages and communities, for investment in village priorities as outlined in Village Plans put together by villages themselves.</p> <p>Villages were informed, that as set out in the LCDS 2030 (Chapter Two), revenues from the sale of carbon credits will be invested through a combination of (i) national and multi-community projects and programmes;(ii) a dedicated 15% of all revenues for investment in village plans, put together through village- led processes as set out in the LCDS 2030 (Chapter Two).</p> <p>Initial receipts from the one carbon credit agreement completed to date will total US\$150 million by the end of 2023 – with US\$112.5 million already received and a further US\$37.5 million to come in July 2023.</p> <p>Dedicated Bank Accounts were also set up to prepare for Village-Led Implementation.</p> <p>Presentations were delivered, based on templates for Village Planning and village planning process outlined.</p>
2023 March to December 30	<p>NTC engagement with Village conducted in all regions, financed by Government of Guyana. Peer to Peer engagements instead of Government led (though Government financed) engagement. Support also provided by Conservation International and Iwokrama for Regions 9 and 8.</p> <p>Village Plans are submitted to the Ministry of Amerindian Affairs.</p> <p>As of 30<sup>th</sup> December 2023, <b>232</b> village Plans with letter of participation, village meeting minutes and attendance sheets (referred to as the complete package of information) have been submitted.</p>

## Alignment with international best practices

The revenue distribution plan has been designed in alignment with international best practices, which set out several principles<sup>90</sup>:

### a) Participation

Guyana's REDD+ revenue sharing was designed through the extensive participation of beneficiaries (see previous section), who led the identification of the most appropriate form of incentives and modalities. The participatory process<sup>91</sup> informed the following specific outcomes in the design of the REDD+ revenue sharing plan<sup>92</sup>:

- The decision to allocate 15% of all revenues from sales of the carbon credits for investment in Amerindian village and community plans that would be put together through village- and community-led processes. These funds will be available to the villages to support development initiatives. This will be supplementary to the considerable funds communities are expected to receive from national level programmes.
- The modalities, which ensure the equitable sharing of these revenues across villages and communities would be mainly based on population of the village/community rather than by area of titled lands or forest size.
- This dedicated revenue stream will be shared equally with villages and communities, including those that are covered with forests as well as those in non-forest ecosystems.
- All Amerindian communities have the opportunity to engage with both pathways for carbon market revenues, in accordance with the principles of Free, Prior and Informed Consent (FPIC). Notably, untitled communities can participate in the 15% of the carbon credit revenue dedicated specifically for investment in Amerindian villages and communities.
- Additionally, the LCDS recognizes that Amerindian titled villages (or private land owners<sup>93</sup>) can participate in separate carbon credit programs, apart from the national

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<sup>90</sup> World Bank Group. 2019. Benefit Sharing at Scale: Good Practices for Results-Based Land Use Programs. © World Bank, Washington, DC. <http://hdl.handle.net/10986/32765>

<sup>91</sup> Summary of consultation process of the LCDS, accessible at: <https://lcds.gov.gy/summary-of-feedback/>

<sup>92</sup> NTC Council Conference 2022 Report, accessible at <https://ntcguyana.com/wp-content/uploads/2023/08/NTC-Report-2022.pdf>

<sup>93</sup> Important note: Amerindian titled villages are private land - unlike in the vast majority of forest countries.



strategy that utilizes the TREES Standard under the ART Program. Chapter Two (page 46) of LCDS 2030 sets out Guyana's approach to nesting.

### **b) Transparency**

Guyana's REDD+ revenue sharing plan provides transparent information on eligibility and conditions to access revenues, and how decisions are made and implemented, which provides a basis for building trust, support, agreement, and legitimacy.

The LCDS 2030, Chapter 2 (page 43 - 44) outlines the avenues that are available for submission of Village Plans –that could cover up to periods of 2025 or longer, or shortened Plans.

The clear and transparent process draws on input from long standing good practice on FPIC, as well as the NTC's Policy Statement of 2019 which outlined key pillars of FPIC. These principles of FPIC form the guidelines to be applied for village level planning and decision making in shaping investment plans for forest climate financing to ensure village ownership, and longevity in project implementation.

### **c) Accountability**

Guyana's REDD+ revenue sharing plan ensures accountability through effective and transparent oversight mechanisms that ensure revenue distribution is governed and implemented as agreed.

As part of the process for producing the VSPs, the village Toshao will communicate the village's decision to the ART-TREES national focal point (in the Guyana Forestry Commission), who will ensure a record of all village decisions is publicly available. Public updates will be provided by the Government and the NTC regarding status of village decisions and sustainability planning.

As of January 2024, 232 villages have accessed funding for their village plans. Implementation of VSPs is currently monitored by the Ministry of Amerindian Affairs and the LCDS Unit.

#### **d) Equity and inclusion**

Guyana's REDD+ revenue sharing plan has been designed to ensure that REDD+ revenue distribution is fair, impartial, equitable and inclusive, ensuring non-discrimination regarding women and vulnerable and/or marginalized individuals and groups.

As illustrated under the 'Participation' principle, an extensive and robust participatory process<sup>94</sup> informed the design of a fair, impartial, equitable and inclusive REDD+ revenue sharing plan. Notably:

- all Amerindian communities can engage with both pathways for carbon market revenues, in accordance with the principles of FPIC.
- The 15% dedicated revenue stream will be shared equally with villages and communities, including those that are covered with forests as well as those in non-forest ecosystems, and not distinguishing between titled and untitled communities.

#### **e) Effectiveness and efficiency**

The particular modalities and mechanisms for disbursement of Guyana's REDD+ revenue sharing plan, ensures that revenues reach beneficiaries in a timely manner while minimizing costs.

The LCDS 2030, Chapter 2 (page 43 - 44) outlines the process for the production and submission of the VSPs. At least annual disbursements are scheduled within the first half of each year.

#### **Status of implementation of the REDD+ revenue sharing plan**

As of 30<sup>th</sup> December 2023, **all 242** village Plans with letter of participation, village meeting minutes and attendance sheets (referred to as the complete package of information) have been submitted.

Village planning process of self-determination, management of low carbon project at village level.

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<sup>94</sup> Summary of consultation process of the LCDS, accessible at: <https://lcds.gov.gy/summary-of-feedback/>

It is also worth noting that the Government of Guyana entered into an agreement with Hess Corporation on December 2, 2022, for the sale of these credits for a minimum of \$750 million between 2022 and 2032.

This agreement will serve to support Guyana's efforts to protect the country's vast forests and provide capital to improve the lives of Guyana's citizens through investments made by the Government as part of Guyana's LCDS 2030. The government expects to receive US\$187 million from Hess in the first 18 months, for credits developed from the legacy period. Of this, Guyana plans to give US\$28 million to Indigenous communities, in keeping with a policy of the LCDS 2030 to set aside 15% of carbon credit earnings for them. However, of the amount to be paid for the full period, government expects to give at least US\$112 million to the Indigenous peoples.

## Part IV: Overview of the Safeguard Information System

This section will present an overview of the SIS (v.2), including its new SIS Framework document, SOPs and dedicated webpage.

The SIS is understood as a domestic institutional arrangement responsible for providing information as to how safeguards are being addressed and respected in the context of the implementation of the REDD+ actions. While a SIS is intended to demonstrate how the Cancun safeguards are being addressed and respected, it is merely an institutional framework for collecting, managing and disseminating information. It is important to note that a SIS on its *own* is not expected to – nor is it intended to – ensure that REDD+ actions are *implemented* in a manner that is consistent with the Cancun safeguards, although it may contribute to doing so.

In 2023 the GoG has commence development of following instruments to support the implementation of the SIS, all of which are briefly examined below and this will be advanced in 2024:

1. The SIS Framework Document (For all details, please refer to document titled "*Guyana's Safeguard Information System: Framework Document*")
2. The SIS's SOPs (For all details, please refer to document titled "*Guyana's Safeguard Information System: Standard Operating Procedures*")

3. The SIS dedicated webpage (<https://forestry.gov.gy/>)

## The SIS Framework Document

The framework document of the GoG's SIS is composed of the following elements, some of which are briefly examined in the following sections

- Principles of the SIS;
- Objectives of the SIS;
- Scope of the SIS;
- Description of each Cancun safeguard;
- Indicators of the SIS;
- Functions and institutional arrangements of the SIS; and
- SIS's technological systems requirements.

### *Principles of the SIS*

Although there are no official guidelines on how countries are supposed to set up a system for providing information on how safeguards are addressed and respected, Parties to the UNFCCC have agreed on some broad guidance on the characteristics of a SIS<sup>95</sup>. In alignment with such guidance, Guyana's SIS is guided by the following principles:

1. **Transparency:** the SIS will provide transparent information on a regular basis.<sup>96</sup>
2. **Accessibility:** the SIS will provide information that is accessible by all stakeholders through its dedicated webpage.<sup>97</sup>
3. **Flexibility:** the SIS is designed to allow for improvements over time in recognition of the stepwise approach to producing safeguards information. Guyana's SIS will provide information appropriate to the stage of design and implementation of its REDD+ actions. Such a stepwise approach with periodic dissemination of information will create a narrative that provides the "positive direction of travel" in safeguards

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<sup>95</sup> UNFCCC, Decision 12/CP.17

<sup>96</sup> UNFCCC, Decision 12/CP.17, paragraph 2 (letter 'b')

<sup>97</sup> UNFCCC, Decision 12/CP.17, paragraph 2 (letter 'b')

implementation.<sup>98</sup>

4. **Completeness:** the SIS will provide information on how all the safeguards referred to in appendix I to decision 1/CP.16 are being addressed and respected, and in correlation to the nature, scope and stage of design and implementation of the REDD+ actions.<sup>99</sup>
5. **Country-driven:** the SIS is consistent with national sovereignty, national legislation and national circumstances, including building upon relevant systems and institutional arrangements<sup>100</sup>.

### *Objectives of the SIS*

The objectives of Guyana's SIS is to provide transparent and consistent information that is accessible in a regular basis by all relevant stakeholders over how the Cancun safeguards are being addressed and respected throughout the implementation of the REDD+ actions. As such, the SIS will be used to:

- a. Provide information that is accessible by all domestic stakeholders over how the seven Cancun safeguards are being addressed and respected throughout the implementation of the REDD+ actions;
- b. Provide the required information to ART over how TREES safeguard requirements (in particular, the structural, process and outcome safeguards indicators) are being met;
- c. Provide the required information to the UNFCCC (through the most recent summary of information) over how all the Cancun safeguards are being addressed and respected<sup>101</sup>.

### *Scope of the SIS*

The scope of Guyana's SIS is linked to the scope of safeguards application. The default UNFCCC requirement is to apply the Cancun safeguards to all REDD+ actions to be implemented under the National Strategy.<sup>102</sup> However, as Guyana has embedded REDD+ into

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<sup>98</sup> UNFCCC, Decision 12/CP.17, paragraph 1 and 2 (letter 'c')

<sup>99</sup> UNFCCC, Decision 12/CP.17, paragraph 1 and 2 (letter 'd')

<sup>100</sup> UNFCCC, Decision 12/CP.17, preamble, and paragraph 2 (letter 'e' and 'f')

<sup>101</sup> Decision 12/CP.17, paragraph 3 and Decision 9/CP.19, paragraph 4

<sup>102</sup> Decision 2/CP.17 paragraph 63

broader low-carbon development, this narrow safeguard application is difficult to implement and introduces unnecessary complications. Therefore, Guyana has taken a more strategic and practical approach in applying the Cancun safeguards more broadly to its LCDS.

Recognizing the SIS must allow for improvements over time; Guyana will progressively report more specifically on Direct REDD+ actions<sup>103</sup> under the implementation for each specific results period. For example, for the 2023 results period, it reports more specifically on two Direct REDD+ actions under implementation: the VPA and the FCS.

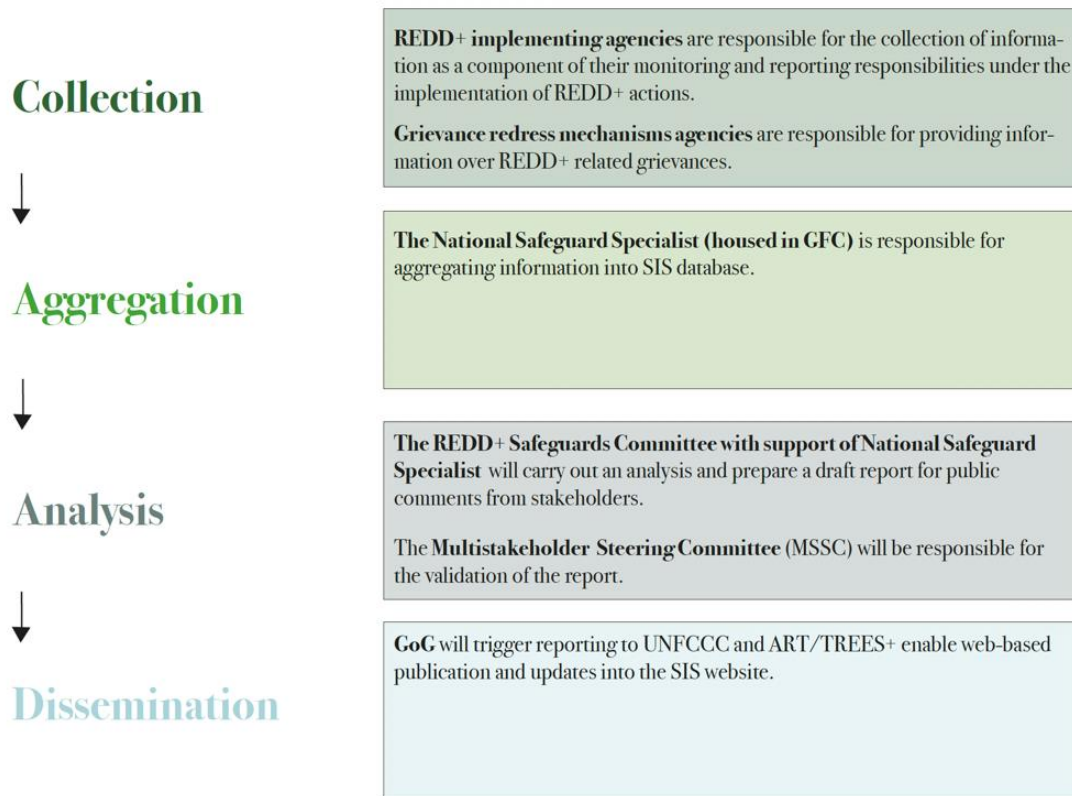
### *Functions and institutional arrangements of the SIS*

The proposed institutional arrangements for the SIS are linked to the overall institutional arrangements set out for the implementation of the LCDS. See Figure 1 for an overview of the functions and institutional arrangements of Guyana's SIS and see Figure 2 for an overview of the SIS functioning process. Each function and associated institutional arrangement are further explained and presented below.

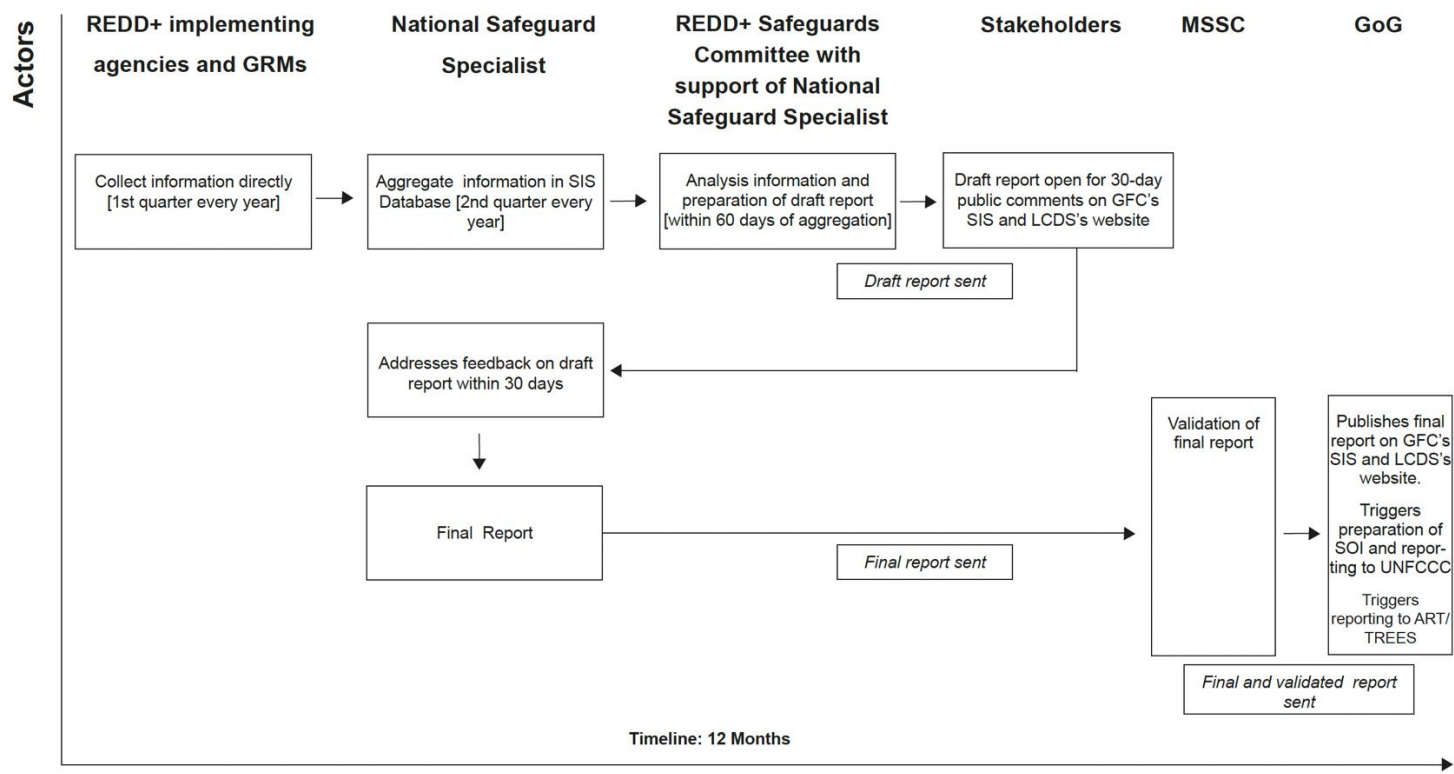
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<sup>103</sup> **Direct REDD+ actions** are understood to be those that seek to achieve results in terms of emissions reductions and/or enhanced removals. Examples include reforestation, fire prevention or energy switching programmes. Enabling REDD+ actions: aim to create an appropriate environment for effective and efficient interventions, often targeting indirect drivers or barriers to the 'plus' activities. **Enabling REDD+ actions** may include capacity building, land-use planning, clarification of tenure frameworks and measures aimed at improving governance, such as transparency in resource and land allocation. While essential to the success of REDD+, their carbon potential may be difficult or impossible to quantify.

**Figure 1: SIS's functions and associated institutional arrangements**



**Figure 2: Overview of SIS's functioning process**





## Function 1: Collection of information

This function refers to the process of collecting information in correlation to the SIS's indicators. Information will be collected the first quarter of each calendar year.

The collection of information is to be carried out primarily by the REDD+ Implementing agencies (i.e. those agencies with institutional responsibility and mandate over the implementation of the REDD+ Actions) as a component of their monitoring and reporting responsibilities.

Additionally, and to complement the information gathered by REDD+ Implementing agencies, the relevant GRM agencies will also be responsible for the collection of information. Table 5 identifies the specific GRMs that will be responsible for providing information.

*Table 5: Available GRMs and responsible agencies*

Level	Legislation	Institution
Local community mechanisms	Amerindian Act 2006	Amerindian Village and Community Councils
Sector Specific Mechanisms	GLSC Act, State Lands Act, State Lands Resumption Act, Public Lands Act,	Guyana Lands and Survey Commission
	GGMC Act, Mining Act, Mining and Petroleum Act	Guyana Geology and Mines Commission
	GFC Act, Forests Act	Guyana Forestry Commission
	Amerindian Act	Ministry of Amerindian Affairs
		Amerindian Land Titling Project GRM
	Environmental Protection Act	Environmental Protection Agency  Environmental Assessment Board  Environmental Appeals Tribunal

	Protected Areas Act	Protected Areas Commission
	Wildlife Conservation and Management Act	Wildlife Conservation and Management Commission
	Voluntary Partnership Agreement on Forest, Land and Trade with the European Union	EU-FLEGT GRM
National Law Courts	Summary Jurisdiction Act	Magistrate's Court
	High Court Act	High Courts
	Court of Appeal Act	Court of Appeal
	Caribbean Court of Justice Act	Caribbean Court of Justice
Special	Land Registry Act	Land Court
Purpose Forums	Arbitration Act	Arbitrators
	Constitution, Ombudsman Act	Ombudsman

Both REDD+ Implementing agencies and GRM agencies will be primarily responsible for collecting information in relation to REDD+ Direct Action's specific indicators. To be able to collect the necessary information, specific template reports will be utilized<sup>104</sup>.

### **Function 2: Aggregation of information**

This function refers to the process of aggregating all the requested information, with the aim of understanding the level of conformance with the SIS's indicators for each REDD+ Action. The aggregation of information will take place the second quarter of each calendar year.

### **Function 3: Analysis of information**

The analysis function aims to provide an analysis of the level conformance with the SIS's indicators for each REDD+ Action.

The REDD+ Safeguards Committee with the support of the National Safeguard Specialist will analyse the information and prepare a draft report. This will take place within 60 days of the aggregation of information.

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<sup>104</sup> Templates are available in the standard operating procedures (SOPs) of the safeguard information system.

Should be noted that the members of the REDD+ Safeguards Committee will be responsible for consulting with its own constituencies in this process, to gather their respective views and perspectives.

The draft report will be posted on the LCDS and GFC's SIS webpages, and the public will have 30 working days to submit any written comments to the GFC.

The GFC will address feedback received within 30 days of finalizing the public comment period and prepare a final report. Based on comments received, the office will issue a responsiveness summary that summarizes all comments and responses to each and will submit the final report for validation and endorsement.

The final report will be sent to the Multi-stakeholder Steering Committee (MSSC) for its validation.

#### **Function 4: Dissemination of information**

This function refers to the process of disseminating the information produced by the SIS.

The final validated report will be published every year by the GFC in the LCDS and GFC's SIS webpage. This same report will be shared with the UNFCCC focal point to trigger its submission to the UNFCCC.

The GFC will also utilize the final national report to trigger the preparation of the monitoring reports for ART/TREES. It is important to note that the monitoring reports will be based entirely on the final validated reports, which is why no additional public consultation process is considered.

#### **The SIS Standard Operating Procedures**

The objective of the SOPs is to provide step by step instructions for the execution of the functions of the GoG's SIS and preparation of SOIs.

The SOPs are structured in seven sections. The table below identifies the applicability of certain sections in correlation to the roles and responsibilities allocated for the operation of the SIS:

Table 6: Scope and structure of the SIS's SOPs

<b>Section</b>	<b>Specifically applicable to</b>
<b>Section I: Provides the context, which informs the use of this standard operating procedures (SOPs)</b>	All
<b>Section II: Provides instructions for the collection of information using the SIS's template reports</b>	REDD+ implementers <sup>105</sup> , and relevant GRM agencies  The National Safeguard Specialist
<b>Section III: Provides instructions for how to aggregate information</b>	The REDD+ Safeguards Committee with the support of the National Safeguard Specialist
<b>Section IV: Provides instructions for how to analyse the information</b>	The REDD+ Safeguards Committee with the support of the National Safeguard Specialist
<b>Section V: Provides instructions for the preparation of the SOI</b>	The REDD+ Safeguards Committee with the support of the National Safeguard Specialist
<b>Section VI: Provides instructions for the consultation and validation of the SOI</b>	The REDD+ Safeguards Committee with the support of the National Safeguard Specialist
<b>Section VII: Provides instructions for how to disseminate the SOI</b>	The REDD+ Safeguards Committee with the support of the National Safeguard Specialist
<b>Annex I: Template for preparation of the SOI</b>	The REDD+ Safeguards Committee with the support of the National Safeguard Specialist
<b>Annex II: Template for Collecting Information by REDD+ implementers (to be adapted)</b>	REDD+ implementers
<b>Annex III: Template for Collecting Information on the Voluntary Partnership Agreement</b>	The Guyana Forestry Commission
<b>Annex IV: Template for Collecting Information on the Forest Certification Scheme</b>	The Guyana Forestry Commission

<sup>105</sup> Those agencies with institutional responsibility and mandate over the implementation of the REDD+ actions, as a component of their monitoring and reporting responsibilities.

<b>Annex V: Template for Collecting Information by relevant GRM agencies</b>	GRM agencies
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## The SIS webpage

The SIS dedicated webpage will be a tool to enable the dissemination of information to all stakeholders, and will be hosted in the GFC's website. This is in development.

Table below illustrates the scope and structure considered for the dedicated webpage.

<b>Main tabs</b>	<b>Sub tabs</b>	<b>Scope/content</b>
<b>Home</b>		Provides an overview of what is an SIS and what are the GoG's relevant commitments in relation to UNFCCC and ART/TREES- which offer rationale for the set-up of the SIS
<b>What is the safeguard information system?</b>	Objectives	Outlines the objectives of the SIS
	Functions and Institutional arrangements	Outlines the functions and the institutional arrangements of the SIS + the functioning process
<b>What are safeguards?</b>	Cancun safeguards	Briefly explains what the Cancun safeguards encompass, and that these are the set of safeguards the country has committed to ensuring its application in alignment with UNFCCC and ART/TREES commitments.
	Guyana's description of the Cancun safeguards	Provides the description/unpacking of the Cancun safeguards to the country's context.  This would be presented by each Cancun safeguard
<b>How does Guyana report on the safeguard's application?</b>	Indicators for reporting	Presents the three types of indicators (structural, process and outcome) that are used to collect and analyse the information.

		Presents each indicator by each REDD+ action and by safeguard.
	National and International Reports	<p>Outlines the reports and associated timelines that would be prepared utilizing the SIS's information.</p> <p>It will also have a link to the reports (when available)</p>

## Part VI: Stakeholder engagement

(PENDING-to be completed after public consultation)

This section will present an overview of the public consultation process for the approval of this third SOI.

Feedback received throughout the national consultation will be summarized, showing each comment received and how it has been used to inform the finalization of the SOI.