



## **ART Secretariat Statement on the APA Appeal Submission**

**November 3, 2023**

On October 27, 2023, the Architecture for REDD+ Transactions (**ART**) Secretariat dismissed an appeal made by the Amerindian Peoples Association (**APA**), due to the APA's failure to comply with procedural requirements. This decision ends a 4-month effort to advance the Appeals process to address the appeal submitted by APA on June 16, 2023. The APA was appealing the result of the ART review process for the APA's complaint regarding the 2016-2020 Validation and Verification of the Government of Guyana's REDD+ program, first [submitted by the APA on March 8, 2023](#). A brief summary of the Appeal Record as well as all Appeal Record Documents are available on the ART [website](#).

ART's mission includes providing procedures and processes to instill confidence in the integrity of emission reductions and removals from country-wide, jurisdictional forest protection and restoration programs in order to unlock and scale finance for forest conservation and enhancement of forest carbon sinks. These programs must include appropriate environmental, social and governance safeguards, including effective benefit sharing mechanisms for all relevant stakeholders, including Indigenous peoples and local communities. The ART Secretariat understands that following the requirements of Guyana's national REDD+ program, and in accordance with the vote of the indigenous National Toshias Council, all Indigenous villages and communities have been consulted, had additional consultation, and have held individual votes to affirm that they wish to participate in the REDD+ program and receive funds from the benefit sharing program. ART understands that those funds have already started to flow directly to the communities and villages, and the resulting projects chosen by the communities are taking place. The independent validation and verification process of Guyana's 2021 REDD+ results, currently underway, includes a review of the results of the community consultations and votes on participation in the REDD+ program. The outcome of the review will be in the final verification reports when they are completed.

The review of the APA's complaint concluded that all ART processes and procedures had been followed during the validation and verification process, and that stakeholder comments and inputs had been properly considered by the Government of Guyana. The review also concluded that many elements of the complaint addressed topics beyond the scope and mandate of ART.

On June 16, 2023, the APA sent an appeal submission to ART regarding the outcome of the complaint review process. During the four months of good faith negotiations to move the process forward:

- ART developed Terms of Reference to ensure a common understanding of the process, including a process to determine the eligibility of the appeal, for all parties and the Appeal Committee members.
- APA proposed changes to the Terms of Reference.
- APA received a response regarding the proposed changes, accepting changes that were procedurally fair to all parties and explaining that other proposed changes were not accepted because they were in conflict with the requirements and scope of the Appeals Process.
- APA was granted additional time to review the Terms of Reference, as well as the opportunity to submit an Addendum to its Appeals submission.



- APA submitted additional materials as an Appeal Addendum, however, the APA would not agree to proceed without the unilateral changes to the Terms of Reference that it was dictating for all parties.

Given the significant time that had elapsed since the appeal submission and the need to ensure a timely appeal process, the APA was ultimately provided another extension to execute the Terms of Reference along with a notice that the Appeal would be dismissed, as detailed in the Appeal Dismissal Notice, if it did not comply. The APA's appeal was then dismissed on October 27, 2023, on the basis that the APA failed to comply with procedural requirements and the procedural fairness required for both parties.

While the APA's appeal submission has been dismissed, the validation and verification body (VVB) and ART continue to review and evaluate the APA's concerns, as well as the comments submitted by other stakeholders as part of the current validation and verification of the Government of Guyana's 2021 REDD+ results. The VVB has included these as part of the body of evidence it considers and will report on at the conclusion of the validation and verification process. The VVB audit plan was designed to ensure that the APA concerns are duly considered.