

## **UNDP comments to TREES 3.0 draft**

*V.2, September 12, 2025*

UNDP welcomes the opportunity to provide comments on the TREES 3.0 draft and appreciates the ART Secretariat's efforts to strengthen environmental and social safeguards, transparency, and alignment with international frameworks. However, several critical areas require further clarification, strengthening, or revision to ensure the standard is inclusive, rights-based, and implementable at scale.

**Calendar Year Reporting:** The requirement to align all data to calendar years conflicts with national forest monitoring systems that provide wall-to-wall mapping (this is the case in Brazil, Costa Rica, Ecuador and many other countries). TREES should allow flexibility where national systems provide robust and consistent data.

**Uncertainty Calculations:** UNDP recommends removing the requirement for annual uncertainty assessments, arguing that they are redundant and administratively burdensome. Instead, uncertainty should be assessed at the end of each crediting period.

**Validation Delays:** The average two-year delay in validation and verification is a concern. TREES should consider setting maximum review timelines or allowing retroactive crediting based on submission date rather than acceptance date.

**Retroactive Crediting:** The current language allows crediting for up to four years prior to the "year of acceptance" of the TREES Concept. UNDP suggests changing this to "year of submission" to avoid penalizing jurisdictions for long review timelines.

**Subnational vs. National Crediting:** UNDP recommends clarifying that subnational crediting is a time-bound interim measure toward national-level accounting.

**Tenure and Carbon Rights:** UNDP emphasizes the need to clarify the role of the validation in attesting to legality of the legal instruments used for the cession of carbon rights and the timing of these.

**Article 6 and CORSIA:** TREES 3.0 includes provisions for crediting under Article 6 and CORSIA. UNDP recommends clarifying host country authorization requirements and explicitly stating when national governments are exempt from certain documentation.

**Public comments to TREES documents before submission to the ART secretariat:** Noting numerous concerns raised around stakeholder consultation on and support for TREES

documentation submitted by Participants, Guidance could clarify expectations regarding e.g.: (i) stakeholder identification; (ii) disclose relevant information in timely, accessible manner in understandable form and language. Includes information on project's purpose, nature and scale, duration, and risks/impacts; (iii) consider any special needs of groups that may be disproportionately affected, disadvantaged or groups with specific information needs, such as due to disability, literacy, gender, mobility, language, and accessibility; (iv) transparent process for feedback and response; (v) effective GRM/process for addressing concerns/complaints raised.

**Consistency with international obligations, international human rights law, Indigenous Peoples' rights:** Guidance could provide specific criteria that would demonstrate conformance with related provisions, with a focus on situations where there are gaps between national law and international obligations.

**Participation of Indigenous Peoples, Local Communities, Afro-descendant Peoples or equivalent in the design and implementation of REDD+ activities:** Guidance could clarify specific criteria that would demonstrate conformance with this provision, e.g. including that meaningful, effective, informed consultation processes will be free of charge and possess key characteristics:

- free of external manipulation, coercion, intimidation
- gender and age-inclusive and responsive
- culturally appropriate and tailored to language preferences of each group
- where applicable, include differentiated measures to allow effective participation of disadvantaged or vulnerable groups, including persons with disabilities
- based on prior and timely disclosure of relevant, accessible information
- initiated early and continue through project life cycle
- addresses social and environmental risks/impacts and mitigation
- seeks to empower stakeholders and incorporates their views into project decision-making
- documented and reported in accessible form to participants
- consistent with States' duties and obligations under international law.

**Free, Prior and Informed Consent (FPIC):** Guidance could define FPIC and clarify when FPIC is required, key principles, the FPIC process, roles and responsibilities, in general terms.

**Gender:** Gender provisions could be further strengthened either in the Standard or in Guidance, reflecting the below key points:

- Promote gender equality and the empowerment of women, including advocating for women's and girls' human rights, combating discriminatory practices, and challenging the roles and stereotypes that create inequalities and exclusion.
- Programs are informed by gender analysis in their design and implementation.
- Reduce gender inequalities in access to and control over resources and development benefits.
- Ensure that both women and men can participate meaningfully and equitably.
- Ensure program do not discriminate against women and girls or reinforce gender-based discrimination or inequalities.
- Seek to identify and address any risk of potential exposure of affected people to gender-based violence (GBV) and other abuse that may occur in connection with any of its supported activities.

**Benefit sharing arrangements:** Guidance could provide a lot more information on best practice principles, processes and content on the design and implementation of benefit sharing arrangements (see UNDP Benefit Sharing Guidance previously shared with Secretariat).

**Participants' GRMs:** Guidance could clarify how GRMs are assessed against the best international practice principles of GRM effectiveness:

- **Independence:** Independence requires that the compliance / dispute resolution mechanism be established and operate without undue influence from the institution 's operational decision-makers, states, NGOs or complainants. Independence requires that those who evaluate complaints to the mechanism would be screened and rejected if they have been involved in self-dealing or nepotism; they would recuse themselves if there were an actual or potential conflict of interest.
- **Fairness:** Fairness and objectivity require the compliance / dispute resolution mechanism to give equal weight to the arguments of all sides to conduct independent and impartial investigations. The mechanism procedures should treat all parties fairly, and fairness should be an expectation of all outcomes.
- **Transparency:** The principle of transparency requires public comment and participation in the design and operation of the mechanism, and clear, demonstrable and publicly available rules of procedure. In addition, the mechanism should publicly report in a timely fashion its methods of investigation, terms of reference, factual findings, non-confidential party submissions, and final reports. Transparency also requires that the mechanism publicize its existence and operations.

- **Professionalism:** The mechanism 's decision-makers and staff should abide with international standards of discretion and professionalism; the mechanism should be able to hire consultants with specific expertise when needed.
- **Accessibility:** To be accessible to affected people, the mechanism should maintain open lines of communication and provide information in languages and formats required to allow the greatest access practicable to affected people. Accessibility also requires that no unnecessary barriers impede triggering the mechanism 's processes and that complainants may submit their complaints without fear of reprisals, intimidation, demands for payment, or restrictions on their ability to access legal or judicial processes.
- **Effectiveness:** The compliance / dispute resolution mechanism process should be effective in objectively evaluating claims from affected communities, in conducting compliance reviews, and in communicating to all stakeholders, including the complainants, the institution, and the public. Effectiveness also requires that the mechanism operate in a timely and responsive manner.

**Complaints and Appeals Process:** Noting publicly raised concerns about the effectiveness of the ART complaints process in terms of independence, transparency, legitimacy, etc.; and the fact that most Participants' GRMs do not meet the international standard for GRM effectiveness referenced above, it is suggested the Secretariat commission an independent review its proposed complaints process and procedures to evaluate it against those same international standards, and propose a new and more detailed complaints mechanism and process – for both claims of non-compliance and requests for dispute resolution, clarifying the eligibility of complaints, the interface/escalation with Participants, the governance structure, respective roles and responsibilities, etc. Clarification of roles, especially regarding Winrock and Validation and Verification Bodies, is recommended.

**Overall guidance beyond the TREES standard main document:** UNDP notes that throughout the last 3 years, while countries and jurisdictions have been working hard to comply with the TREES standard, several documents and guidance, beyond the 2.0 version of the standard, have been changed/ published by the ART Board and secretariat, becoming part of the rules for compliance. This creates a lot of risks for the jurisdictions that are undergoing validation and verification.

**Issues that must be addressed by the ART/TREES Validation and Verification Manual:**

- It must clearly state that the jurisdictional REDD+ program is the object of validation and verification, using the ART/TREES standard as a performance metric.
- It should not use "project level approaches" (e.g., t-test) to assess the "level of assurance" of a "jurisdictional REDD+ Program".

- The objective is not to validate/verify the NFI, the national GHG or the national forest monitoring system, but the data and information presented. These long-standing institutional sources of information have their own validation/verification processes.
- Validators/verifiers must speak the official language of the country being audited and have appropriate training and expertise to directly engage with IPs and local communities.
- VVBs should have translators for safeguarding issues, which guarantees an impartial and sensitive translation to the conditions of dialogue, cultural and social of the interviewees.
- The Manual must include forms/ standardized documents summarizing the selection of individuals/institutions to be interviewed, information requirements, etc., and their link with the specific requirement of the standard, as well as with the questions to be asked to the auditees or interviewees related to the requirement of the standard.