Guatemala

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REDD in Guatemala

The Republic of Guatemala (Guatemala) is the second largest country in Central America with 108,890km² (approximately one-fifth of the area of France). It is rich in biodiversity; the Organisation of Like Minded Megadiverse Countries having admitted it as a member in 2012 (MARN 2012) and 13% of its species being endemic (CONAP 2009).

Guatemala can be divided into three principle areas: (i) The Pacific lowlands, which have largely been deforested and converted to plantation agriculture, mainly sugar. (ii) The mountainous central region, which is the most populated and includes Guatemala’s coniferous forests and the Western highlands, home to the majority of the indigenous population; and (iii) Petén, in the North, originally...
an area of dense tropical forest forming part of the Selva Maya shared between Guatemala, Mexico and Belize. Over half of Petén (2.1m of 3.5m Ha) is protected as the Maya Biosphere Reserve (Reserva Biosfera Maya; RBM), the largest protected area in Mesoamerica.

According to the Guatemalan Government, in 2010 Guatemala had 3.723m Ha of forest, covering 34.2% of its land area (INAB et al 2012). The Food and Agriculture Organisation of the United Nations (FAO) reported 3.657 m Ha of forest for the same year, based on projections from Guatemala’s 2007 figures (FAO, 2010). The greatest extensions of this are found in Petén, which accounts for 1.8m Ha or 48.4% of the national total.

The country’s name comes from the Náhuatl word “Quauhtlemallan” meaning the “land of many trees”, however between 1950 and 2002, Guatemala lost half its forest cover (INAB et al 2012). Guatemala reports that between 2006 and 2010 deforestation averaged 38,597 Ha or 1.0% per year, down from 48,084 Ha or 1.15% per year for 2001-2006 (INAB et al 2012). FAO projected a rate of deforestation of 56,000 Ha or 1.47% per year for 2005-2010, up from 54,000 Ha or 1.32% per year for 2000-2005 (FAO 2010).

Key drivers of deforestation differ by region. In Petén the principal drivers are conversion to cattle ranching (including in order to launder proceeds of drug trafficking), large-scale agriculture including oil palm, human settlement and forest fires (IARNA 2013). Mining, particularly large-scale open cast mining also contributes to deforestation, though figures on its impact are unavailable. The coniferous forests of the central region are under pressure mainly for conversion to subsistence agriculture and for the extraction of firewood, which provides 47% of the country’s total energy (SIFGUA 2012). This is often manifested as forest degradation, which is not currently measured nationally.

The high concentration of land ownership (USAID 2010) is another structural driver of deforestation. This limits the possibility of intensifying Guatemala’s agriculture and pushes landless peasants ever further up the slopes of the highlands and into Petén. Land issues were a significant cause of Guatemala’s 36 year civil war which left over 200,000 dead (83% of them indigenous) and between 500,000 and 1.5m internally displaced people (CEH 1999; IDMC 2011).

In addition to this pressure on forests, according to the Climate Risk Index Guatemala is one of the ten countries most at risk worldwide from climate change (GERMAN WATCH 2013). Weather patterns are changing with the annual rainy season getting shorter and more intense (TICO TIMES 2013). Hurricane Mitch seriously affected Guatemala in 1998, while Hurricane Stan in 2004 resulted in hundreds of fatalities and losses of US$919m, equivalent to 3.4% of GDP (SEGEPLAN 2005). As a consequence of these extreme weather events, the previous President, Alvaro Colom, whose four-year term began in 2008, made climate change a political priority.

In 2009, Guatemala drafted its first National Climate Change Policy [19] and submitted a bill for a Climate Change Law [20], finally approved in September 2013. In 2010 Guatemala entered into a US$250m loan agreement with the Inter-American Development Bank (IDB) to strengthen its climate change programme, including by establishing climate change offices in all key institutions and by creating two high level-political bodies to coordinate climate change.

As a member of the Coalition of Rainforest Nations, Guatemala had taken an interest in a REDD-like mechanism since 2008. Guatemala’s Readiness Project Idea Note (R-PIN) was accepted by the World Bank Forest Carbon Partnership Facility (FCPF) in June 2009, authorising a grant of US$200,000 to help Guatemala prepare its REDD+ Readiness Preparation Proposal (R-PP). Guatemala submitted this in March 2012 in the middle of the transition to the current (at September 2013) Government of President Otto Perez, who was voted in at the end of 2011. The FCPF approved the R-PP and
authorised a further grant of US$3.6m.

In August 2010, UN-REDD accepted Guatemala as a partner country and in 2011 invited it to apply for financial support. Guatemala did not submit its application within the allotted time and at the time of writing (September 2013) there is no indication of whether or when UN-REDD might reopen the application window for Guatemala. The current version of Guatemala’s R-PP uses the FCPF/UN-REDD common format and was submitted to the FCPF on 15 March 2013 (MARN 2013). Guatemala will not formally begin to implement the R-PP (including widespread consultations) until it has received the funds approved by the FCPF. This is likely to take place in 2014 so that the funds can be incorporated into the national budget.

President Perez has three focus areas: security, hunger reduction and tax reform (PARTIDO PATRIOTA 2012). Though climate change and the environment in general are not top priorities, Guatemala passed a new Framework Law on Climate Change [20] in 2013, has continued with REDD+, linking it to the Government’s agenda on sustainability and competitiveness. A strength of the REDD+ process in Guatemala is the consensus that exists between senior figures from different sectors as to the importance of REDD+ nationally and strategies to adopt.

The most significant early REDD+ initiative in Guatemala is GuateCarbon [21] in Petén. GuateCarbon has developed in parallel to the national REDD+ process and has spurred much of the progress at the subnational and national level including the preparation of the Northern Lowlands (Tierras Bajas del Norte; TBN) baseline, which covers approximately 40% of the country. As of September 2013, there are six other early initiatives at various stages of planning, two of which share the TBN reference level.

In July 2013, two further significant sources of funding for REDD+ were announced: (i) The USAID US$25m, five-year programme Climate, Nature and Communities in Guatemala [22], which includes approximately US$5m for REDD+; and (ii) The Sustainable Forest Management with Multiple Benefits [23] project, a US$4.4 grant from GEF that will be implemented by UNDP and will include two REDD+ pilot projects.

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Institutional arrangements

The Ministry of Environment and Natural Resources [24] (Ministerio de Ambiente y Recursos Naturales; MARN) is responsible for environmental management at the national level. Forest
management is shared between the National Council for Protected Areas [25] (Consejo Nacional de Areas Protegidas; CONAP) (for the 52% of Guatemala’s forests found within protected areas) and the National Forestry Institute (for forests outside of protected areas). MARN’s Climate Change Unit (Unidad de Cambio Climático) takes the lead on REDD+ readiness, including in coordinating support with the FCPF and UN-REDD.

The Climate Change Framework Law that was passed by Congress in September 2013 mandated the establishment of the National Climate Change Council (Consejo Nacional de Cambio Climático; CNCC), chaired by the President. When operational, the CNCC will lead national policies on climate change adaptation and mitigation and will oversee the newly established National Climate Change Fund (Fondo Nacional de Cambio Climático; FONCC). It replaces the Inter-institutional Committee for Climate Change [26] that was established by the previous Government.

The Forests, Biodiversity and Climate Change Group [27] (Grupo de Bosques, Biodiversidad y Cambio Climático; GBBCC) is the principal national forum for dialogue, consultation and consensus building on REDD+. It is chaired by MARN and includes wide participation from NGOs, Government, academia, indigenous groups, the private sector and donors. It evolved from the group of institutions that MARN consulted on an ad-hoc basis on forestry issues, for example on Guatemala’s first National Communication to the UNFCCC, and was formalised by MARN in 2009.

In the context of REDD+, the four national institutions with responsibility over Guatemala’s forests decided that they needed to establish a mechanism to work together more closely. In 2011 MARN, CONAP, the National Forestry Institute [28] (Instituto Nacional de Bosques; INAB) and the Ministry of Agriculture, Livestock and Food [29] (Ministerio de Agricultura, Ganadería y Alimentación; MAGA), signed an administrative agreement to establish the Inter-institutional Coordination Group [30] (Grupo Interinstitucional de Coordinación; GCI), comprised of the Vice-Ministers of MAGA and MARN and the Directors of CONAP and INAB.

The CGI meets at both the political and technical levels to harmonise the actions of the institutions responsible for the sustainable management of natural resources, vital for the successful implementation of REDD+. The CGI has given the GBBCC a strategic and policy role by incorporating two pre-existing fora into it; the REDD+ Implementers Group [31] (Grupo de Implementadores REDD+) and the Forest Mapping Group [32] (Grupo de Mapeo Forestal) as well as the newly constituted Safeguards Committee [33] (Comité de Salvaguardas).

At the time of writing (September 2013) there is no established subnational structure for REDD+ policy. The intention is to incorporate REDD+ into the agendas of existing bodies wherever possible. These will be Regional Roundtables on Climate Change (Mesas Regionales de Cambio Climático) and the pyramid of Departmental; Municipal; and Community Development Councils (Consejos de Desarrollo Departamental; Municipal; y Comunitarios (CODEDES; COMUDES; COCUDES) that constitute the principle mechanism for public participation in Guatemala (LARSON 2008).

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**Stakeholder engagement and participation**

When the Forest Carbon Partnership Facility (FCPF) financing enters the national budget (likely to be 2014), Guatemala plans to carry out a full process of public and sectorial consultations on the national REDD+ strategy.
At the time of writing (September 2013) a limited amount of consultation has already taken place, including six regional awareness-raising workshops on forests and climate change in 2009 and 2010 and some bilateral interviews with representatives of key sectors, particularly indigenous groups (MARN 2013).

The two main fora for stakeholder participation in the design of REDD+ in Guatemala are currently the **Forests, Biodiversity and Climate Change Group** [27] (**Grupo de Bosques, Biodiversidad y Cambio Climático; GBBCC**) and the **National Roundtable on Climate Change** [34] (**Mesa Nacional de Cambio Climático; MNCC**).

Membership of the GBBCC is open and includes broad participation from NGOs, Government, academia, indigenous groups, the private sector and donors. It has a hybrid role. On the one hand it plays a strategic and policy role, overseeing the technical REDD+ working groups and holding the Government **Inter-institutional Coordination Group** [30] (**Grupo Interinstitucional de Coordinación; GCI**) accountable. At the same time it is envisaged as the main national forum for inter-sectorial consensus building on REDD+, acting as a bridge between the GCI and the different sectors conforming the GBBCC.

The effectiveness of the GBBCC as a mechanism for participation, however, is limited. It was established top-down by the **Ministry of Environment and Natural Resources** [24] (**Ministerio de Ambiente y Recursos Naturales; MARN**) (originally to help prepare the R-PP), its open membership does not guarantee full participation of all key sectors and it is not decentralised, making effective forest and indigenous community participation difficult. MARN is aware of this limitation and for that reason has lobbied key second and third-level organisations to take part in the GBBCC.

The MNCC plays a complementary role to the GBBCC. It was also convened by Government, this time in 2009 to agree the new **National Climate Change Policy** [19] with civil society, but in contrast to the GBBCC it is wholly owned and convened by civil society. It is formed of 255 organisations concerned by climate change from a range of non-governmental sectors and is both a space for discussion with Government and one able to formulate critical positions (for example coming up with a counter proposal to Guatemala’s draft Climate Change Law in 2010).

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**Land tenure arrangements and carbon rights**

Guatemala is divided into eight regions, each with between one and six Departments (**Departamentos**), of which there are 22 in total. Each Department is in turn subdivided into municipalities (**Municipios**), 334 in all (MARN 2012). The region of Petén contains 47.8% of Guatemala’s forests (INAB et al 2012) and is comprised of just one Department (also called Petén), with 12 Municipalities.

There is no single piece of legislation establishing different types of land tenure, but in practice private, communal, usufruct, leasehold, municipal and State tenure are all recognised (WORLD BANK 2006). Of these, communal and usufruct rights are the least protected. Land tenure in Guatemala is highly unequal: Just 2.5% of the country’s farms occupy 65% of agricultural land, while 88% of all farms occupy just 16%. Approximately 40% of the economically active rural population owns no land at all and the largest landholdings are over the most fertile soils (USAID 2010). The only serious attempts at land redistribution began in 1944 but threatened powerful vested interests and President Arbaenz was deposed in a US-sponsored coup in 1954 (ZANDER & DURR 2011).
The incoming military Government after the coup zoned Petén for colonisation, gave larger parcels of land to those favoured by the military than to peasants and required that land be put to use (of which deforestation was evidence). Together this resulted in massive deforestation and conversion to cattle (HOGDEN et al 2013). Deforestation intensified with displacement from the Guatemalan civil war in the 1980’s leading to the foundation of the National Council for Protected Areas (Consejo Nacional de Areas Protegidas; CONAP) in 1989 and the Mayan Biosphere Reserve (Reserva de la Biosfera Maya; RBM) a year later.

Land issues were central to the civil war and therefore to the Peace Accords, which (i) contained a commitment to give peasant communities sustainable usufruct rights over 100,000 Ha of protected areas; (ii) mandated the creation of a market-based mechanism for land redistribution through subsidised loans; and (iii) prioritised the creation of a geo-referenced land registry or cadastre; in 1998 70% of all properties and 95% of rural properties, were unregistered (WORLD BANK 2006).

The commitment made to peasant communities were the origin of the community concessions over much of the forest in Petén (ELIAS et al 2009). Forest communities that had traditionally extracted resources from the area demanded continued access and the Government found itself unable to control deforestation through command and control policies leading CONAP to grant concessions to over 500,000 Ha of the Mayan Biosphere Reserve (RBM) between 1994 and 2002. Concessions ranged from between 7,000 and 83,000 Ha and were granted to two private companies and 12 community organisations for usufruct rights to timber and non-timber products (community concessions only). Two of the community concessions have subsequently been cancelled and two more have been repeatedly suspended because of high deforestation. Nevertheless, the other concessions have been very successful at slowing deforestation meaning that overall deforestation within the RBM is significantly lower than outside it (RADACHOWSKY et al 2011).

The provisions around market-based land redistribution and cadastre were supported by the World Bank’s US$100m Land Administration Project (PAT), which established the National Land Fund (FONTIERRAS) to lend money for land purchase and is currently in its second phase. Guatemala is making good progress in term of cadastre. The PAT project is due to complete at the end of 2013, having established cadastre for 50% of the country. A notable outcome of the project was the passage of the Registry and Land Cadastre Law (Ley de Registro e Información Catastral; RIC), the first time that collective lands had been recognised in Guatemalan legislation (ELIAS et al 2009).

Guatemala has made less progress on land access and titling. Out of an estimated 300,000 – 500,000 families in need of land (ZANDER & DURR 2011) between 1998 and February 2012 FONTIERRAS provided loans for land purchase to 19,968 families (FONTIERRAS 2013a) and issued land titles (individual or collective) to 60,997 families (FONTIERRAS 2013b). Land ownership in Guatemala remains the most inequitable in all of Mesoamerica (USAID 2010).

According to the most recent National Forest Inventory of 2003, forest ownership in Guatemala is 33.8% public (national), 8.4% public (municipal), 14.7% public (communal), 37.8% private and 5.3% other (INB 2003). Most of the non-privately owned forests outside of Petén are likely to be ejidos (originating in the titles given by the Spanish to indigenous communities). These are particularly common in the Central and Western highlands and the 2003 Forest Inventory counts 525 of them covering 157,000 Ha (LARSON 2008). Many communities saw themselves forced to cede title to Municipalities over time and ejidos may therefore be recognised as either communal, municipal or both (ELIAS et al 2009). The policy of the Food and Agriculture Organisation of the United Nations (FAO) is to treat communally held property as “private” so reports 42% public ownership and 52% private (FAO 2010).

Mineral subsoil rights in Guatemala belong to the State (Constitution Art. 121) while the ownership
of trees and the rights to the fruits of the land follows ownership of the land on which they are found
(FAO 2010; Código Civil Art. 459). In September 2013, Congress passed the Climate Change
Framework Law, finally clarifying the issue of ownership over rights to emission reductions after
seven years of discussion in the context of the Guatecarbon project. It is now clear that these will
belong to the project proponents, who must have legal title or possession over the project area. This
represents a significant shift from the original 2009 draft of the law, which would have given MARN
ownership over all REDD+ credits, irrespective of their origin.

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Forest management

Guatemala has a strong tradition of community natural resource management, rooted in the Mayan
relationship to nature and their collective ownership of property. Famous examples of these include
the communal forests of Totonicapán and el Palín, ancestral lands that were recognised by the
Spanish and continue to be community managed today. These are often threatened today by the fact
that title over these ejidos has formally been passed to Municipalities, undermining community
control over its land.

Forest management at the national level is shared between the National Council for Protected Areas
(Consejo Nacional de Areas Protegidas; CONAP) for forests within protected areas and the National
Forestry Institute (Instituto Nacional de Bosques; INAB) for all other forests.

The Protected Areas Law of 1989 (Ley de Areas Protegidas) created CONAP (Art. 59) to coordinate
the Guatemalan System for Protected Areas (Sistema Guatemalteca de Areas Protegidas; SIGAP),
also created by the same law. The SIGAP covers 31% of Guatemala’s surface area and includes 52%
of Guatemala’s forests. Protected Areas are grouped into six different categories, which are often
superimposed on each other. For example the Sierra de la Lacandón and La Laguna Lachúa (where
REDD+ early initiatives are planned) are both National Parks and core areas of the Mayan
Biosphere Reserve (Reserva de la Biosféra Maya; RBM). National Parks, Biological Reserves and
Biosphere Reserves have the most restrictions on use and together make up 50.5% of the total area
of the SIGAP (ITURBIDE 2010). Protected area status in Guatemala is declaratory; as a management
and land-planning instrument it results in restrictions on use but does not affect pre-existing
ownership (Protected Areas Law, Art. 10).

The majority of the 321 Protected Areas in the SIGAP are privately owned and administered reserves
(CONAP 2013) and CONAP has entered into a number of further co-administration agreements over
publically-owned Protected Areas. The administration of each Protected Area is governed by a
Master Plan (Plan Maestro), approved by CONAP and made available on its website. Where
permitted by the relevant Master Plan, CONAP can issue concessions to harvest timber or non-
timber forest products in Protected Areas. CONAP has granted 14 such concessions over the Mayan
Biosphere Reserve (Reserva de la Biosfera Maya; RBM) covering more than 500,000 Ha.

The Forestry Law of 1996 (Ley Forestal de 1996) created INAB as the agricultural public body
responsible for forestry. It is attached administratively to the Ministry of Agriculture, Livestock and
Food (Ministerio de Agricultura, Ganadería y Alimentación; MAGA) and has jurisdiction over all
forests outside of Protected Areas, both private and State-owned.

All owners of forests outside of Protected Areas must prepare Management Plans with the aid of a
forestry expert (Regente Forestal) and submit these to INAB for its approval. Additionally INAB may
grant concessions to extract timber or non-timber products from State-owned forest that are not Protected Areas; in practice these tend to be municipally titled ejidal forests (originating in the titles given by the Spanish to indigenous communities).

The proceeds from licences and concessions are split 50/50 with the relevant Municipality, which must use them for forest conservation. This has allowed over half of all Municipalities to establish Municipal Forestry Offices (ITURBIDE 2010) and has helped INAB build links at the local level. These Municipal Forestry Offices have management responsibility over Municipal ejidal lands for monitoring and vigilance and are often active in other areas like trees nurseries for reforestation. Nevertheless, the requirement to have INAB approve their management plans means they have limited autonomy.

In 2003 INAB created the National Forestry Programme (Programa Nacional Forestal; PFN) The PFN guides National forestry policy and maintains on-going dialogue with different forestry stakeholders, particularly through the multi-stakeholder Roundtables for Agreement and Forestry Policy (Mesas de Concertación y Política Forestal) in each of the nine forested regions of the country (OLIVA et al 2006).

The Forestry Law also mandated INAB to set up and run a Forestry Incentives Programme (Programa de Incentivos Forestales; PINFOR) for reforestation and natural forest management (Art. 71) to be resourced with 1% of the National annual budget (Art. 72) for a period of 20 years (Art. 73). According to INAB, between 1998 and 2012, PINFOR has subsidised the reforestation of 112,342 Ha and the management of 216,135 Ha of natural forest. Subsidies have totalled US$182m and have benefited 760,355 people (INAB 2013).

In order to participate in PINFOR, landowners must have: (i) legal title; (ii) to at least 2 Ha of natural forest or land appropriate for reforestation. These requirements effectively excluded the majority of the poorest peasant smallholders from participating and they effectively pressured for the creating of another scheme, the Incentive Programme for Smallscale Possessors of Forest or Agro-Forest Land (Programa de Incentivos a Pequeños Poseedores de Tierras de Vocación Forestal o Agroforestal; PINPEP).

PINPEP began operating in 2010, initially with the support of the Dutch Embassy. It is open to possessors without land title of land of between 0.1 and 15 Ha (Reglamento del PINPEP 2011). The PINPEP Law of 2010 states that the programme should receive between 0.5 and 1% of the National budget (Art. 10). It did not receive close to that in 2010 or 2011 but in 2012 its budget assignation more than doubled and it received US$5.27m, equivalent to 38% of the budget of PINFOR. PINPEP and the national fertiliser subsidy are the main sources of State financial support for rural smallholders.

PINFOR began operating in 1997 so is due to expire in 2016. INAB has prepared a draft law for a programme to replace it called “Probosques”. INAB proposes that Probosques will be similar to PINFOR, receiving 1% of the National budget over a 30-year period. Key differences include a wider range of eligible activities and eligible groups, a minimum project size of 0.5 Ha and the removal of earmarking between plantation and natural forest subsidies. Both PINFOR and Probosques recognise the climate mitigation services that forests provide. This facilitates their eventual incorporation into REDD+ in Guatemala and the R-PP explicitly mentions them.

The Ministry of Environment and Natural Resources (Ministerio de Ambiente y Recursos Naturales; MARN) emphasises the transferability of the experiences of PINFOR and PINPEP in forest monitoring and benefit sharing to a future national REDD+ programme (MARN 2013).
Illegal logging is a criminal offence punishable by a fine and by prison for quantities greater than 100m³ (Forestry Law Arts. 89 & 92). Enforcement is the responsibility of CONAP in protected areas, of Municipalities in municipally titled forests and of INAB elsewhere. In practice, however, there is little enforcement and illegal logging is a serious problem. According to INAB between 30% and 50% of all harvested timber is illegal, though more detailed studies of certain departments in 2005 showed rates of between 80% and 90%. Approximately 80% of this is used for firewood and 5% for manufacture (INAB 2010).

Guatemala has expressed an interest in EU Forest Law Enforcement, Governance and Trade (FLEGT) but is not at the time of writing (September 2013) in the process of negotiating a Voluntary Partnership Agreement (VPA).

Reference levels

Guatemala is adopting a stepped subnational approach to developing reference levels (MARN 2013). It is not yet in a position to prepare a National reference level for REDD+ but does have a subnational reference level for Petén Department in the North. This Northern Lowlands (Tierras Bajas del Norte; TBN) reference level was prepared by the Guatecarbon early REDD+ project in association with the National Council for Protected Areas (Consejo Nacional de Áreas Protegidas; CONAP).

Between different donors and multilateral institutions there are several large REDD+ projects being implemented or in the pipeline. Guatemala plans to leverage these to prepare the four other subnational reference levels while simultaneously building its internal capacity. These are: 1. Sarstún Motagua; 2. Central-Eastern; 3. Western; and 4. South Coast.

The national framework for establishing Reference Levels has developed in parallel to the TBN. The Forest Mapping Group (Grupo de Mapeo Forestal; GMF) predates REDD+ as an ad-hoc grouping of Government and academic institutions but has been institutionalised by the REDD+ process. The GMF is responsible for preparing national forest cover maps and is now formally constituted as a working group of the Forests, Biodiversity and Climate Change Group (Grupo de Bosques, Biodiversidad y Cambio Climático; GBBCC).

The GMF published the most recent forest cover map for Guatemala in 2012 showing coverage in 2010 and the change since 2006. It also standardised previous studies from 2001 and 2006 meaning that Guatemala has comparable figures for 2001, 2006 and 2010 (all using Landsat) as well as other maps for 1988 and 1999 (INAB et al 2012). The GMF is currently (at September 2013) working on forest cover maps for 2012 using Rapid Eye images provided by the BMZ-funded Selva Maya Project. The GMF is aiming to produce maps by early 2014 with a scale of 1:25 (or failing that 1:50). Guatemala intends that with time the GMF will become the MRV Group (MARN 2013).

Work on the TBN was led by CONAP primarily using CONAP’s data and with technical advice provided by the consultancy Carbon Decisions International. The TBN uses VCS VM0015 for avoided unplanned deforestation and combines ten-year historical deforestation information with dynamic land use models. Work was funded by Danida through AGEXPORT, the Dutch Embassy through CONAP, USAID and the IDB’s Multilateral Investment Fund.

Those involved in the TBN decided to expand the area it covers to approximately 4m Ha (40% of the
area of Guatemala) to kickstart the process nationally and to lower the barrier to entry for two additional planned REDD+ projects in Petén: Lacandón – Forests for Life and the Lachua Carbon Project. Though Guatemala’s R-PP states that the TBN will be the first of five subnational baselines, it has not yet been officially accepted by the Governmental Interinstitutional Coordination Group (Grupo Interinstitucional de Coordinación; GCI). In July 2013, the Ministry of Environment and Natural Resources (Ministerio de Ambiente y Recursos Naturales; MARN), together with Rainforest Alliance and the Inter American Development Bank (IDB), hosted a visit from VCS to consider reformulating the TBN using VCS’ emerging Jurisdictional and Nested REDD+ (JNR) standard.

The USAID CNCG project will fund the elaboration of the Sarstún Motagua reference level. The REDD+ component of CNCG is being implemented by Rainforest Alliance and they have engaged Winrock International and the Universidad del Valle de Guatemala to elaborate the reference level and build national capacities on MRV. This baseline will benefit two planned early REDD+ initiatives, REDD+ Caribe and Sierra de Las Minas.

UNDP has two large GEF 5 projects in the pipeline, each of which will be implemented by consortia of MARN with NGOs. One of these, the Sustainable Forest Management with Multiple Environmental Benefits project, implemented by MARN with CONAP and the NGO FUNDAECO, will include two early REDD+ initiatives and the elaboration of the Western subnational reference level. It is planned that the KfW-funded Dry Forest Project will finance the Central-Eastern subnational reference level.

Guatemala does not yet have a plan in place to establish social or environmental reference levels and the R-PP highlights the need for geo-referenced socio-economic indicators (MARN 2013).

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**MRV**

Guatemala plans to develop an MRV system by using international cooperation to build on the advances it has already made on forest measurements and forest monitoring. This MRV system will respond to the needs of National Strategy to Reduce Deforestation (Estrategía Nacional para Reducir la Deforestación; ENRD) and will not only focus on REDD+ (MARN 2013).

The main existing forestry monitoring system is the Guatemalan Forestry Information System (Sistema de Información Forestal de Guatemala; SIFGUA). The SIFGUA is managed by the National Forestry Institute (Instituto Nacional de Bosques; INAB) and collates information relating to forestry from a range of institutions. Guatemala also has a forest-fire monitoring system (SIGMA-I) that uses remote sensor data to gather historical information on forest fires for 1998-2010.

The Forest Mapping Group (Grupo de Mapeo Forestal; GMF) prepares the national forest cover maps and Guatemala intends that with time the GMF will become the MRV Group (MARN 2013). The R-PP Refers to an MRV Operative Unit but at the time of writing (September 2013) this is not operational. Meanwhile, since July 2013, the Universidad Valle de Guatemala and Winrock International have been developing an MRV system under the USAID-financed Climate, Nature and Communities in Guatemala (CNCG) project. This work has three elements (i) propose a governance framework for MRV. Since this will include community monitoring the proposal will need a comprehensive process of consultation; (ii) carry out a gap analysis of national capacity on MRV including legal frameworks and human and financial resources; and (iii) propose remedial action and train key actors on aspects of MRV including GIS and carbon measurement.
Guatemala and FAO carried out a national forest inventory in 2002, which included establishing 850 forest parcels. Since this inventory was carried from the perspective of identifying timber resources Guatemala is looking for resources to carry out a new national forest inventory focused on carbon.

Guatemala recognises that it does not currently (at September 2013) have the capacity needed to monitor forest degradation. In the medium term it will therefore concentrate on monitoring deforestation only.

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Safeguards

At the time of writing (September 2013) Guatemala has not formally begun its REDD+ readiness process. It has not begun large-scale consultations and therefore does not have a system in place to track REDD+ safeguards. Nevertheless, it has begun some early activities on safeguards and the existing legal framework also provides some social safeguards.

Guatemala began analysing safeguards in 2012 and decided to use the REDD+ SES framework. Work to mainstream REDD+ SES into the national safeguards framework is supported by a consortium made up of MARN, the Rainforest Alliance, CARE Guatemala, the indigenous NGO Sotz’íl and the Inter-American Development Bank. In July 2102 the Ministry of Environment and Natural Resources (Ministerio de Ambiente y Recursos Naturales; MARN) held a first national workshop on safeguards. There it was agreed to form a Safeguards Committee (Comité de Salvaguardas), which would be a working group of the Forests, Biodiversity and Climate Change Group (Grupo Grupo de Bosques, Biodiversidad y Cambio Climático; GBBCC).

The Safeguards Committee was convened by MARN and met for the first time in October 2012. It is made up of 11 representatives from diverse sectors including indigenous, local communities, women’s organisations, private sector, Government and environmental NGOs. It will be responsible for the development of a roadmap for safeguards and the management of the FCPF’s Strategic Environmental and Social Assessment (SESA), the Environmental and Social Management Framework (ESMF), the safeguards information system and indicators.

The main social safeguards in Guatemalan legislation can be found in the Constitution of 1985, the Peace Accords (Acuerdos de Paz) of 1996, the Municipal Code (Código Municipal) of 2002, and the Cadastre Information Registration Law of 2005 (Ley de Registro de Información Catastral; RIC).

The 1985 Constitution recognises indigenous and collective rights (Art 67) and says that the State will develop legislation and mechanisms to protect these rights (Constitution Art. 68 and 70). This further legislation has never been passed. Two of the Peace Accords, the Agreement on Indigenous Peoples’ Identity and Rights (Acuerdo de Identidad y Derechos de los Pueblos Indígenas) (Section F) and the Agreement on Socio-economic Aspects and the Agrarian Situation (Acuerdo Sobre Aspectos Socioeconomics y Situación Agraria) (Chapter 3, Section E) also refer to indigenous communities’ right to land.

At the international level, Guatemala has ratified ILO Convention 169 (as part of the peace process in 1996) and voted in favour of the UN Declaration on the Rights of Indigenous Peoples at the General Assembly in 2007. Nevertheless, in practice the right of indigenous peoples to FPIC over projects that will affect them is not respected. In 2011, the UN Special Rapporteur on the Rights of Indigenous Peoples reported that Guatemala’s 1997 Mining Law does not adequately incorporate the
country’s FPIC obligations under ILO169 (ANAYA 2011). That same year, the Government tried to pass a law regulating the consultation procedure under ILO 169, which was itself declared unconstitutional by the Constitutional Court on the basis that due consultations on the measure had not been carried out. An attempt in 2013 to have the Constitutional Court declare the controversial Mining Law of 1997 unconstitutional for the same reason did not succeed and the Mayan Organisation CPO has referred the case to the Inter-American Commission of Human Rights (MINING WATCH CANADA 2013).

**Gender Equality**

Guatemala’s 2013 R-PP mentions that gender mainstreaming and safeguards must be taken into consideration during consultations (Section 1c). Under the definition of free prior and informed consent (FPIC), opinions of women must be included (Ibid). In terms of land and forest management, it is mentioned that ASOCUCH, a grassroots initiative that represents, among others, 10 groups of entrepreneurial women, and that has been consulted for the creation of the R-PP, has gained experience managing conifer forests with the participation of women (Section 2a.4.2). Moreover, REDD+ implementing bodies will see to it that substitutes for firewood will be developed to produce alternative energy in order to reduce health risks to women (Section 2a.5.2). The R-PP further makes provisions on requirements for women representatives and their involvement in the Group on Forests, Biodiversity and Climate Change (GBBCC) (Section 1a.2.3 and Table 1-3).

The 2014 ER-PIN reinforces that the GBBCC which supports consultation processes will partially be composed of women’s organisations (Section 3.1). Sotz’il and Utz’ Che’, two organisations supporting indigenous peoples and forest communities, will also promote REDD+ among women’s organisations that are not yet part of the process (Section 6.2). Lastly, employment for women is envisaged as a non-carbon benefit (Section 16.1).

More broadly, Guatemala adopted a National Biodiversity Strategy and Action Plan (2012-2022) which envisages fair and equitable benefit-sharing mechanisms for women and men (Section III). Furthermore, the National Climate Change Policy mentions the need to take a gender perspective on all climate change related programs as a main principle (Principios Rectoral de la Política Nacional de Cambio Climático). Gender is also mentioned as an integral cross-sectoral aspect to be considered in all climate change related matters in the Strategic Climate Change Plan of the Ministry of Agriculture, Livestock and Food 2012-2016 (Figura 1).

In 2012, Guatemala started work with the international REDD+ Social and Environmental Standards Initiative (REDD+ SES) to develop principles, criteria and indicators which recognise gender aspects of REDD+ for the development of their Safeguard Information System (Quesada-Aguilar 2013). Women are, furthermore, represented on the board of the national REDD+ safeguards committee.

Women’s ownership of land is not inhibited by law as land is usually registered by both spouses, however, in practice, women only constitute a small share of landowners. Access to loans is consequently arduous. However, the majority of microcredit beneficiaries are women (SIGI 2014). In 2010 the PINPEP law entered into force to support smallholders without legal title to land. The PINPEP law encourages gender equality by promoting the participation of women’s groups in forest management.

**References**


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Contributors

Content researched and written by Joe Kuper
GCP Consultant

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