

JURISDICTIONAL APPROACHES

An analysis of Brazil's states
and companies contribution

Contents

04	Executive Summary
07	Jurisdictional approaches and the climate action agenda
13	Jurisdictional approach: current enablers
19	Overview of the jurisdictional approaches in Brazilian states of the Legal Amazon
26	Overview of the performance of Brazilian companies in jurisdictional approaches
29	Recommendations for policymakers and jurisdictional approach stakeholders
31	References

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Executive Summary

The objective of this policy brief is to present the most recent developments on jurisdictional approaches, with a focus on jurisdictional initiatives in commodity producing regions. Jurisdictional approach is an umbrella concept with several definitions. Those definitions have at least the following elements in common: jurisdictional approaches (i) bring together all relevant stakeholders from a landscape defined by political boundaries that are usually at the local government level, (ii) co-develop and align objectives aimed at promoting sustainable practices within the jurisdiction, and (iii) exhibit strong subnational government leadership. This policy brief presents a mapping of the status of the implementation of these initiatives in Brazil, based on the analysis of the information submitted by states and corporations to CDP in 2020. The data analyzed shed light on the implementation of jurisdictional approaches in the Brazilian states of the Legal Amazon, including the different governance arrangements for these initiatives, and how they can contribute to reducing deforestation rates.

The concept of a jurisdictional approach is relatively new in the international community. The first case in Brazil dates from the launch of the Produce, Conserve and Include (PCI) Strategy by the state of Mato Grosso in 2015. Data is therefore still limited for a more in-depth analysis

of the medium and long-term results and the impacts of these initiatives. However, the specialized literature has highlighted several benefits in building collaborative partnerships between the public sector, mainly at subnational level, and the private sector on the issues of forestry and land use.

The potential results of jurisdictional approaches can help Brazil to comply with its Nationally Determined Contribution (NDC) submitted to the United Nations Framework Convention on Climate Change (UNFCCC), as well as supporting local authorities and companies to meet their voluntary climate action targets - such as the New York Declaration on Forests (NYDF) or the Rio Branco Declaration of the Governors for Climate and Forests Forum Task Force (GCF Task Force).

In the first section, the report introduces the concept of a jurisdictional approach. An analysis is then made of the different initiatives centred on the concept of a jurisdictional approach. The third section presents the main data related to the subject of forestry that the states within the Brazilian Legal Amazon provided to CDP. The results regarding the implementation of jurisdictional approaches by companies are discussed in the fourth section. Finally, the Policy Brief gives recommendations for the different stakeholders involved in jurisdictional approaches.

Key Takeaways

STATES

- ▶ Of the nine states in the Brazilian Legal Amazon, seven responded that they are aware of, and are implementing, jurisdictional approaches, and one state is still developing its jurisdictional approach.
- ▶ The financial resources coming from international cooperation, such as the Reduced Emissions from Deforestation and Forest Degradation (REDD+) program, are essential to support states in implementing forest policies and jurisdictional approaches. However, there is a need for conceptual clarity to differentiate jurisdictional REDD+ systems and jurisdictional approach initiatives in commodity producing regions.
- ▶ The participation of states in multi-stakeholder initiatives, such as the Governor's Climate and Forest Task Force (GCF), proved to be fundamental both in raising funds from international cooperation and in implementing forest policies.
- ▶ The state of Mato Grosso, through the Produce, Conserve and Include (PCI) Strategy, is one of the world's pioneers in implementing a jurisdictional approach. Leadership on this issue can have a catalytic effect on the development of initiatives in other states in the region.

COMPANIES

- ▶ Jurisdictional initiatives can be part of a company's toolkit for achieving sustainable supply chains. Businesses can expand their sustainable practices by engaging in jurisdictional approaches, allowing them to increase their environmental actions.
- ▶ In 2020, 687 companies voluntarily disclosed their information on impacts, risks and opportunities related to forests, by responding to CDP's forests questionnaire. Of these companies, 47 are Brazilian, approximately 7% of the total CDP forest sample, which at the request of investors or customers shared forest-related information on their performance and commitments on commodities driving global tropical deforestation. Approximately one third of the 47 companies analysed have participated in external initiatives, seeking collaboration to solve issues related to deforestation.
- ▶ The Brazilian companies analysed have participated more widely in forums and multi-stakeholder initiatives than in jurisdictional approaches, highlighting the need for corporate actions, jointly with the government, in the regions where they operate.



JURISDICTIONAL APPROACHES AND THE CLIMATE ACTION AGENDA

Forests play a dual role on the climate agenda. On the one hand, the change in land use, resulting from deforestation among other causes of forest loss, represents the leading cause of greenhouse gas (GHG) emissions in Brazil⁽¹⁾. On the other hand, forests act as natural carbon reservoirs contributing to the mitigation of climate change. In addition to carbon sequestration, conserved natural areas are crucial for other ecosystem services such as food provision and regulation of the hydrological cycle, among others⁽²⁾.

The causes of deforestation are multifaceted, with both direct factors, such as changing land use for agricultural production, and indirect factors, such as the political, legal, social and economic drivers. The involvement of different actors, as well as the implementation of responses according to

the characteristics of each region, are essential requirements for initiatives aimed at reversing forest loss. In this sense, jurisdictional approaches appear to be complementary to voluntary individual and sectorial private sector responses - such as the corporate commitments to eliminate deforestation from commodity supply chains. It is important to emphasize that it is not a question of denying sectorial and voluntary actions or proposing a definitive solution to a complex issue. On the contrary, by placing local authorities at the center of governance, jurisdictional approaches recognize the specifics of each region and promote alternatives in the search for development strategies with low carbon emissions with combined efforts from different sectors of society.

JURISDICTIONAL APPROACH

Jurisdictional approach can be defined as an umbrella concept for several definitions. Those definitions have at least the following features in common: jurisdictional approaches **(i)** bring together all relevant stakeholders from a landscape defined by political boundaries that are usually at the local government level, **(ii)** co-develop objectives aimed at promoting sustainable practices in this landscape, and **(iii)** exhibit strong subnational government leadership.

The forestry sector and land use on the climate change agenda

Despite forestry gaining greater prominence on the climate agenda over the past few years, thanks to multi-stakeholder initiatives such as the New Declaration on Forests (NYDF), the Bonn Challenge, and the advancement of REDD+ within the scope of the UNFCCC, the rate of loss of natural forests increased by 43% between 2014 and 2019⁽³⁾. According to the 5-Year Assessment Report of the NYDF, in the last 3 years the number of companies making commitments to reduce or eliminate deforestation in their supply chains has stalled. The report states that the commitment to zero loss of natural forests by 2030 will require a paradigm shift based on principles such as placing greater value on forests and their benefits, as well as making the protection of remaining forests a priority. Finally, there is a clear need to connect the efforts of public and private actors, who in most cases are isolated, and to make them more ambitious in terms of forest protection.

The 2020 report by the Greenhouse Gas Emission and Removal Estimating System (SEEG)^A on Brazilian GHG emissions indicated a growth trend in the country's emissions since 2010. An increase of 9.6% was identified in gross emissions in 2019 compared to the previous year. This contrasts

with the period from 2004, the year Brazilian emissions peaked at 3.453 billion tons of CO₂ emitted⁽⁴⁾, to 2010, when the country showed a significant trend towards reduction, cutting approximately 38% of its emissions. SEEG data shows that deforestation is the leading cause of the increase in emissions for the year 2019, as the amount of GHG in the land-use sector increased by 23% compared to 2018. In general, the land-use sector represents 44% of Brazilian emissions, followed by agriculture and livestock (28%), energy (19%), industrial processes (5%) and waste (4%).

This Policy Brief focus on the Amazon can be justified by the fact that the deforestation of this biome represents 87% of the gross emissions of the land-use sector in Brazil⁽⁵⁾. In addition, the loss of native vegetation (primary and secondary) in the biome increased by 42% between 2018 and 2019. Emissions from other biomes came from Cerrado (6%), Atlantic Forest (5%) and Pantanal, Pampa and Caatinga (each approximately 1%)⁽⁶⁾.

^A The Greenhouse Gas Emission and Removal Estimating System (SEEG) is an initiative of the Climate Observatory that comprises the production of annual estimates of greenhouse gas (GHG) emissions in Brazil, analytical documents on the evolution of emissions and a portal on the internet for making the system's methods and data simple and clear. Estimates of emissions and removal of greenhouse gases are made according to the guidelines of the Intergovernmental Panel on Climate Change (IPCC), based on the methodology of the Brazilian Inventories of Anthropogenic Emissions and Removal of Greenhouse Gases, prepared by the Ministry of Science, Technology and Innovation (MCTI), and data obtained from government reports, institutes, research centers, sectoral entities and non-governmental organizations. <http://educaclima.mma.gov.br/panorama-das-emissoes-de-gases-de-efeito-estufa-e-acoes-de-mitigacao-no-brasil/>

Origins of the concept of a jurisdictional approach

Over the past decade, the literature^(7 a,b,c) has identified some obstacles that have hindered the effectiveness of climate actions for forest and land use, including:

- ▼ The incompatibility between the potential results of individual forest protection projects with a focus on reducing emissions and improving the quality of life of communities and the scale required for a significant reduction in emissions.
- ▼ The limitation of approaches to sustainable supply chains focused on certification, with limited impact on reducing deforestation in the area.
- ▼ The stagnation of the number of companies that have made commitments to reduce or eliminate deforestation in their supply chains in recent years.
- ▼ Implementation of zero-deforestation commitments in companies' supply chains has been slow, with actions remaining limited in their geographical scope.

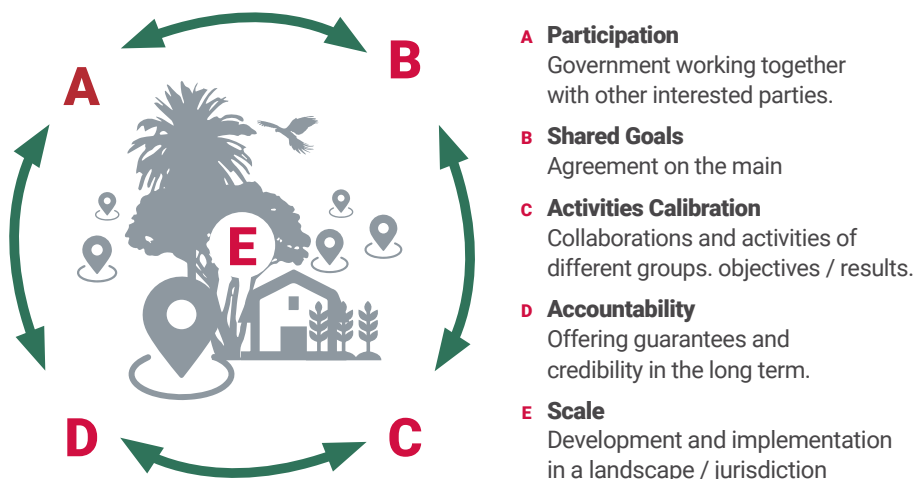
In addition, the role of public policies at different levels has been increasingly recognized as fundamental in ensuring positive results for forests, the climate, communities and indigenous peoples. States and regions, notably in federal countries like Brazil, have the power to take decisions directly related to land use and greater proximity to rural landowners and communities.⁽⁸⁾

It is in this scenario that the concept of a jurisdictional approach emerges. Although there is no consensus on a single definition⁽⁹⁾, the main feature of

a jurisdictional approach is the central role of public authority. In this sense, the jurisdictional approach is a type of landscape approach developed within the administrative boundaries of a government⁽¹⁰⁾. Boyd *et al.* (2018) and Nepstad *et al.* (2013) argue that the main characteristic of a jurisdictional approach is based on the leadership of subnational governments, and not national governments, on forest and land use issues within a legally defined area.

The concept of a jurisdictional approach has gained increasing prominence in academic and international community debates. For example, the NYDF's 5-year assessment report illustrates that jurisdictional approaches can represent a new strategy in the fight against deforestation⁽¹¹⁾. A study conducted by the Earth Innovation Institute⁽¹²⁾ identified 39 jurisdictions in 12 countries, representing 28% of the world's tropical forests, which have made commitments to implement a low emissions development agenda in a jurisdictional approach format. Out of all the initiatives analysed, 19 jurisdictions reduced their deforestation rates compared to the projected subnational forest reference levels. For the authors of the study, this reduction can be attributed to national and local political interventions and the performance of the private sector.

Figure 1: Overview of the jurisdictional approaches



Source: Adapted from Proforest 2016.

CURRENT DEFINITIONS OF JURISDICTIONAL APPROACH

Proforest, 2016	<i>Jurisdictional initiatives bring together the relevant stakeholders in a region, at the scale of jurisdiction, to agree goals, align activities and share monitoring and verification.</i>
Stickler et al., 2018	<i>Jurisdictional approach is a type of integrated landscape management, with an important distinguishing feature: the landscape is defined by policy-relevant boundaries and the underlying strategy is designed to achieve a high level of governmental involvement.</i>
AFi, 2019	<i>Jurisdictional approach: a type of landscape approach that is developed within the administrative boundaries of sub-national or national governments, usually with emphasis on the role of government in public policy, land-use planning, law enforcement, investment, or other functions.</i>
WWF, 2016	<i>Jurisdictional approaches to zero-deforestation commodities (JA-ZDCs) lie at the intersection of three existing strategies to reduce forest loss and deforestation, along with improving the health and sustainability of rural and frontier economies: landscape approaches, jurisdictional approaches, and voluntary corporate sustainability efforts.</i>

Main benefits of implementing jurisdictional approaches

Considering that jurisdictional approaches are relatively nascent, it is still too early to make inferences about their direct contribution to the reduction of deforestation rates⁽¹³⁾. However, despite recognizing the need for more time to gain institutional strength from these initiatives, several authors^(14 a,b,c) have already identified clear contributions, such as:

- ▶ **Greater legitimacy and durability of the actions due to their multi-stakeholder nature.**
- ▶ **The implementation of structures for experimentation and innovation in terms of governance.**
- ▶ **The emergence of new market options, such as the purchase of commodities from preferential jurisdictions.**
- ▶ **Greater clarity of performance targets helping to ensure that actors in all sectors within a jurisdiction are working towards the same objectives through strategic policies, programs and initiatives.**
- ▶ **Establishment of public-private partnerships to address issues that could undermine supply chain efforts aimed at combating the occurrence of**

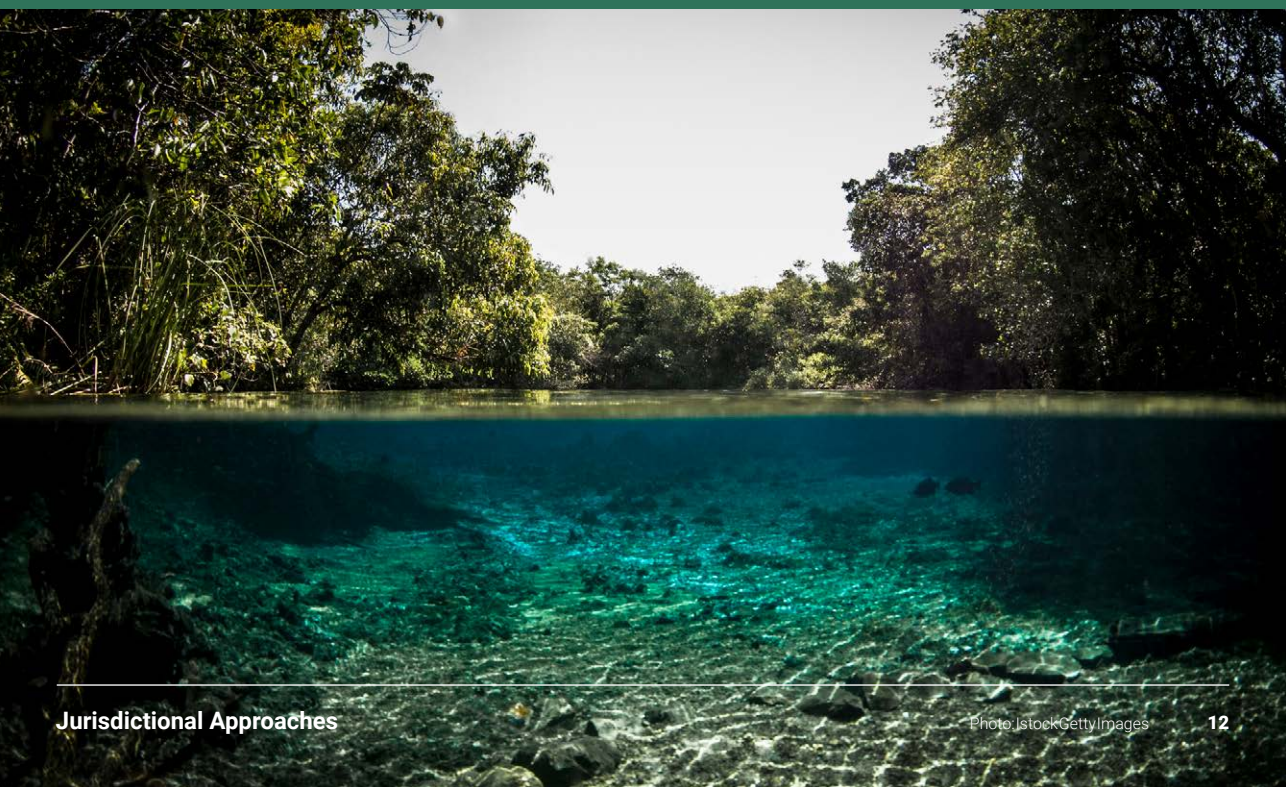
leakage, in other words, when deforestation is transferred to another location.

- ▶ **Possibility of attracting resources for local initiatives and local authorities, through pay-for-results programs such as REDD+.**

It should be acknowledged that the implementation of jurisdictional approaches can present some challenges, such as (i) the lack of conceptual clarity which prevents a comparative performance evaluation, (ii) political turnover that might halt long term action prioritizing the forestry and land use sector, (iii) little understanding in the private and public sectors of the potential for collaborative action, and finally, (iv) the lack of definition on how to promote the recognition and accountability of the actors in relation to the objectives of the jurisdictional approaches^(16 a,b).

THE CASE OF THE PRODUCE, CONSERVE AND INCLUDE STRATEGY, LED BY THE STATE OF MATO GROSSO⁽¹⁵⁾

Mato Grosso has shown itself to be a jurisdiction ready for the engagement of stakeholders thanks to the Produce, Conserve, Include (PCI) strategy launched in 2015. PCI brings together government agencies, civil society organizations, rural producer organizations and companies to strive towards actions aimed at reducing deforestation and increasing the production of commodities in a key Brazilian state for agricultural production. In 2019, the Mato Grosso government created the PCI Institute, an independent non-profit institution which acts as the “official vehicle to enable multi-stakeholder coordination, advise on public policies and measures, lead fundraising efforts and manage and monitor PCI programs.” Alongside the benefits of reducing deforestation – including the avoidance of GHG emissions - the implementation of the jurisdictional approach has allowed the Mato Grosso government to: (i) gain more legitimacy for implementing its environmental actions due to a permanent and structured dialogue with producers in the PCI, (ii) establish public-private partnerships, e.g. for the transformation of regions into deforestation-free sourcing areas; (iii) raise funds for projects related to technical assistance for producers on-the-ground, (iv) be positioned as an international jurisdiction which in the long-term aims to be a low-risk sourcing region.; (v) better understand how the state can support each of its regions thanks to a map that classifies each municipality based on past deforestation rates and remaining native vegetation; among other factors.



JURISDICTIONAL APPROACH: CURRENT ENABLERS

In order to respond to the challenges of implementing jurisdictional approaches, the international community, with a special focus on civil society organizations, has developed different methodologies and initiatives to encourage implementation and to measure the impact of the actions based on jurisdictional approaches.

Companies have engaged in precompetitive industry forums/initiatives like the Consumer Goods Forum's Forest Positive Coalition of Action, the Soft Commodities Forum and the Cocoa & Forests Initiative, in order to incorporate and better align corporate strategies and actions when engaging with landscape and jurisdictional initiatives.

Further fostering dialogue among different stakeholders is a dynamic online platform focused on jurisdictional approaches, Jurisdictional Approaches Resource Hub⁽¹⁷⁾, recently launched by the Tropical Forest Alliance (TFA), gathering relevant information on the topic, such as publications and webinars. The website also guides companies on possible modalities of engagement with JAs, focusing on concrete case studies (worldwide) developed through private and public sector engagement processes and actions. It describes the business cases, estimates the resources necessary and provides insights for companies to adopt jurisdictional approaches.



An overview of the ‘ecosystem’ of jurisdictional frameworks

The ‘ecosystem’ of jurisdictional approaches brings together different initiatives and guidelines in development, such as LandScale, SourceUp (former Verified Sourcing Areas), Commodities Jurisdiction Approach (CJA) and the ISEAL Alliance Practical Guide.

In addition, CDP and the ISEAL Alliance have pledged to work collaboratively to achieve the mutual goal of providing companies with a clear path to support and invest in credible jurisdictional approach initiatives with measurable progress to address key sustainability issues. By working together, the two organizations aim to ensure that jurisdictions (states) and companies that buy goods from these locations are able to report their

progress using a consistent, reliable and clear reporting structure. This will be possible thanks to a broad alignment on metrics and the methodology to measure and communicate the progress of the initiatives of jurisdictional approaches, and by incorporating such results in the reporting by companies and states.



Table 1: Enablers and guidelines based on the concept of jurisdictional approaches^B

INITIATIVE	OBJECTIVES	COMPONENTS	GOALS
<p>LandScale^{C(18)}</p> <p>Rainforest Alliance, Verra and Conservation International (members of the LandScale Secretariat)</p>	<p>LandScale is a system to generate trusted landscape-level insights that can align and incentivize local and global action to deliver sustainability at scale.</p>	<p>Through an online platform, LandScale provides a framework and guidelines for assessing status and trends in critical indicators of sustainability at a landscape scale.</p>	<p>A verification and claims mechanism enables results to be credibly communicated to key stakeholders, including investors, commodity buyers, and policymakers.</p>
<p>SourceUp (former VSA)¹⁹⁾</p> <p>IDH – the Sustainable Trade Initiative Global steering committee: World Bank, WRI PepsiCo, JDE Mars, Conservation International, Proforest, among others.</p>	<p>SourceUp is a collaborative platform that connects global companies and investors with multi-stakeholder coalitions in producing regions (Compacts) to engage and align in common sustainability challenges.</p>	<p>Its methodology is composed of three main elements:</p> <ol style="list-style-type: none"> 1. Compact; 2. Committed end buyer; and 3. Transparent platform. <p>It is founded on global impact themes (respectively forest protection, land tenure, labor, and transparency), that are measured with a short-list of core and local indicators (prioritised by the local coalitions).</p>	<p>A compact can be evaluated by the SourceUp panel and being recognized as a Verified Sourcing Area based on certain design and performance criteria.</p>
<p>Commodities/ Jurisdictions Approach⁽²⁰⁾ (CJA)</p> <p>WWF US, Climate Focus and Meridian Institute</p>	<p>The CJA initiative aims to link companies committed to reducing deforestation in their supply chains with government-led forest and climate jurisdictional initiatives. The approach seeks to increase incentives for national and sub-national governments to scale their forest and climate programs by increasing purchases from preferential sourcing.</p>	<p>The CJA evaluates national and sub-national jurisdictional initiatives against a detailed assessment framework covering social, environmental, and governance criteria and indicators to identify jurisdictions that are successfully reducing forest degradation and deforestation and showcases these programs in an online database.</p>	<p>The program also aims to facilitate matchmaking between performing jurisdictions and committed supply chain companies, resulting in overall enhanced protection of natural resources and reduced GHG emissions.</p>
<p>Jurisdictional Monitoring and Claims Good Practice Guide⁽²¹⁾</p> <p>ISEAL Alliance.</p>	<p>The Good Practice Guide aims to build awareness and alignment of credible practices for monitoring and verifying jurisdictional progress and the actions companies take to support JAs.</p>	<p>The Good Practice Guide describes good practices for the structures that a JA should put in place and expectations around monitoring of performance. It also describes the types of claims that jurisdictions can make about operational progress and performance improvements, and the claims that companies can make about the actions they have taken.</p>	<p>The Guide is an overarching framework that supports and is consistent with the other more detailed implementation frameworks described before.</p>

^B This an overview of the most prominent frameworks and it is not intended to include all initiatives in the jurisdictional approach's arena. Therefore, the framework described was chosen by the writers based on the relevance for this study.

^C LandScale is a landscape level approach meaning it is not limited by jurisdictional boundaries nor does it require the involvement of governments.

The relationship between jurisdictional approaches and REDD+ programs

Some of the most important jurisdictional initiatives have emerged thanks to financial instruments, such as REDD+ and other payment programs for environmental services, which allow the transfer of resources based on results in reducing deforestation within a given jurisdiction⁽²²⁾.

In other words, the implementation of jurisdictional approaches by sub-national governments encourages the attraction of financial resources for international cooperation. In this sense, the case of the Mato Grosso PCI is a pioneer in using the first fund-raising (REDD+ Early Movers Program in Germany) of the state REDD+ system for actions directly linked to the PCI goals⁽²³⁾.

GOVERNOR'S CLIMATE AND FOREST TASK FORCE

The GCF, launched in 2008, brings together 38 states and provinces from 10 countries with the objective of empowering local authorities and their partners to implement jurisdictional approaches to low-emission sustainable development trajectories, as well as promoting forest governance, encouraging new technical and financial mechanisms and increasing opportunities for local communities and indigenous populations. The 9 Brazilian states of the Legal Amazon are part of the initiative and have been receiving support from GCF to implement their jurisdictional REDD+ programs. In 2014, states and provinces launched the Rio Branco Declaration formalizing the commitment of GCF members to “reduce deforestation, develop partnerships with private sector initiatives that leverage the opportunities available through jurisdictional programs that can channel, in a rapid and effective manner, performance-based funds to promote forest-based economic development that respects forests for producers, foresters, farmers, ranchers, indigenous peoples, local communities and other forest stakeholders”.

For a better understanding of how different initiatives to combat deforestation interact in a given scenario, Umunay *et al.* (2018) coined the term ‘trifecta’ to designate cases of overlap between jurisdictional approaches, REDD+ and private sector commitments such as certifications and zero deforestation initiatives for commodities (soy, cattle, cocoa, palm oil or wood and cellulose). In addition to identifying the different cases, the authors argue that trifecta strategies are part of complementary initiatives and provide several benefits, such as:

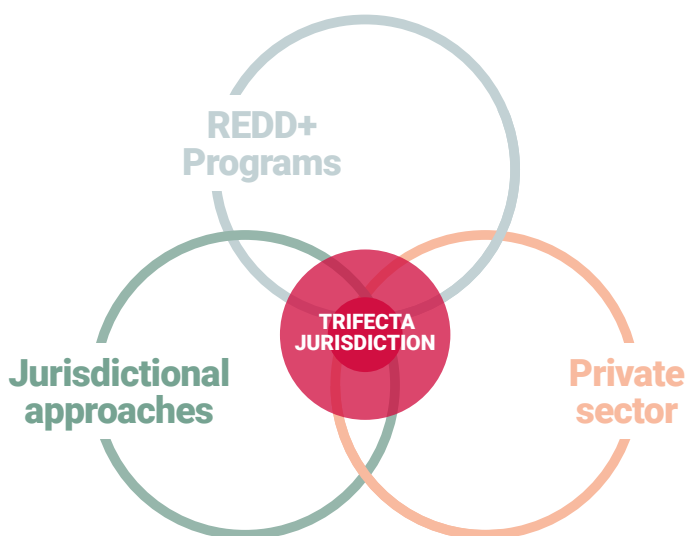
- ▼ Coordinated and integrated strategies for deforestation-free commodity demands.
- ▼ Public-private partnership platforms.
- ▼ Cooperation at the jurisdictional level.
- ▼ Involvement of local actors and private sector entities that

strengthen governance and efforts to find long-term solutions.

- ▼ Potential alignment of the benefits and objectives of the different stakeholders.

The study developed by Umunay *et al.* (2018) takes into account that jurisdictional approaches can also be implemented at the national level, which led them to identify 13 cases of trifecta and 6 more cases of bifecta around the world. Surprisingly, only two cases of trifecta and bifecta led by local authorities were identified in the study. The first case is from the state of Acre, which was characterized as a bifecta for the overlapping of a jurisdictional approach and the REDD+ program, and the second case is the trifecta of the state of Mato Grosso, when aggregating the three initiatives within its boundaries.

Figure 2: Elements of a trifecta jurisdiction



Source: Adapted.

Finally, there is a newly launched initiative connecting jurisdictional REDD+ programs to the carbon market. The Architecture for REDD+ Transactions (ART)⁽²⁴⁾, and its associated jurisdictional TREES standard, aims to facilitate transactions between corporate buyers and governments regarding the purchase of jurisdictional-scale credits. ART will provide a standard process to transparently register, verify and issue REDD+ emission reductions credits.

Once issued, these serialized credits can be sold in voluntary or compliance markets. Although ART is focused on national-level REDD+, it also allows direct subnational participation according to certain criteria such as national government approval.

BENEFITS OF STATES DISCLOSURE TO CDP PLATFORM

CDP provides a platform for states and regions to report their environmental actions. The annual report allows states to disclose their information in the world's most comprehensive platform gathering data not only from states and regions but also from cities and companies. For states and regions:

- ▼ The CDP platform is free of charge.
- ▼ The disclosure can be one of the tools to manage their environmental information in a standardized approach.
- ▼ There is the opportunity to showcase their actions in the Open Data Portal.

The CDP questionnaire for states and regions already encompasses questions regarding jurisdictional approaches which are being expanded within the context of CDP's current strategy to reflect progress and key actions. States and regions are able to:

- ▼ Make a comparative analysis with other jurisdictional initiatives.
- ▼ Disclose information on a platform also widely used by companies and investors operating around the globe, fostering public-private engagement on their jurisdictional initiatives.
- ▼ Showcase the jurisdiction's progress on meeting deforestation and other environmental commitments, as well as the states and regions collaboration and engagement with stakeholders in reaching the shared goals of the jurisdictional initiative.

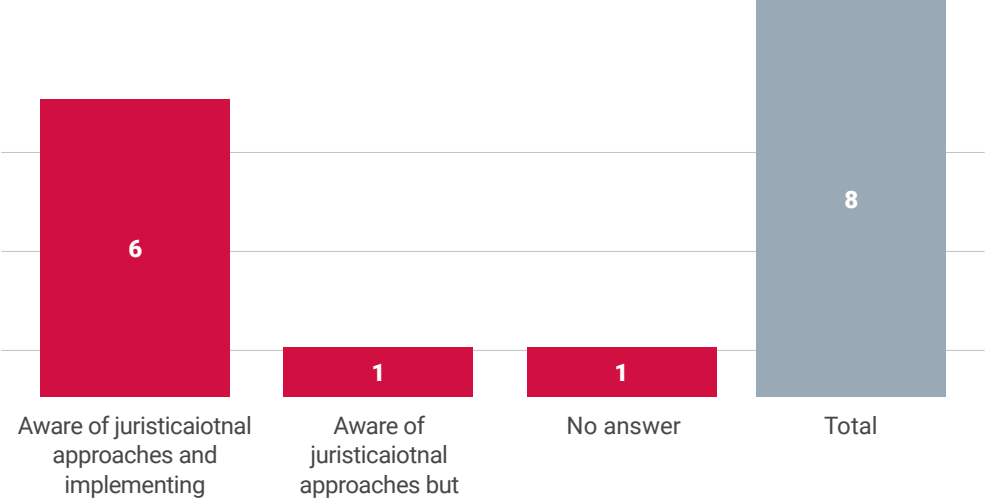
OVERVIEW OF THE JURISDICTIONAL APPROACHES IN THE BRAZILIAN STATES OF THE LEGAL AMAZON

In 2020, 26 Brazilian states disclosed their environmental performance through CDP’s States and Regions questionnaire. Of these, 9 states - selected for being in the Legal Amazon region^D - were analysed, taking into account the range of jurisdictional approaches.

As shown in graph 1 below, 6 states responded that they are aware of, and are implementing, jurisdictional initiatives, while one state is aware of, but not yet implementing, such initiatives. The state of Pará did not respond to questions regarding the jurisdictional

approach. These questions were not available for the state of Amapá, as the question about jurisdictional approach is dependent on a positive answer about deforestation being a problem for the state (graph 1). In this sense, all the following graphs will only provide an analysis for 8 states. It is noteworthy that the state of Amapá answered in another section of the questionnaire regarding the implementation of jurisdictional approach as a practice to ensure forest protection.

Graph 1: Is your region aware of jurisdictional approaches and are you implementing any address deforestation, forest degradation and /or forest restoration?



^D According to Complementary Law No. 124 of January 3rd, 2007, it covers the States of Acre, Amapá, Amazonas, Mato Grosso, Rondônia, Roraima, Tocantins, Pará and Maranhão (in its portion to the west of the 44th Meridian). The Legal Amazon represents 59% of Brazilian territory and includes the entire Amazon biome plus a percentage of the Cerrado and Pantanal.

When asked about the type of jurisdictional approach implemented, some states highlighted the local development of REDD+ programs. The use of financial resources coming from programs such as REDD+ can act as leverage for jurisdictional approaches. This is because some REDD+ programs have activities for aligning common objectives with/of different sectors of society and local authority leaders, which overlap with characteristics of jurisdictional approaches. Finally, it should be noted that the title of the support offered to the states of the Amazon to implement REDD+ programs through the GCF Task Force, called the REDD+ jurisdictional system, may also be a factor that led the states (Acre, Maranhão, Roraima and Tocantins) to include the activities of these programs as a jurisdictional approach.

The state of Roraima, for example, pointed out that the REDD+ project, developed and implemented in partnership with IPAM, was the result of support from the GCF Task Force.

The state of Acre mentions the Carbon Program, in partnership with the ISA organization, which can also be categorized as a jurisdictional REDD+ system. Another example is the state of Maranhão, which mentioned the support of the GCF Task Force in developing its REDD+ jurisdictional system. The Maranhão project comprises the following elements: (1) an institutional management system, (2) procedures and criteria for decision-making, (3) financial management structure and processes, (4) means of social control, transparency and monitoring

of its performance; and (5) socio-environmental safeguards that include everything from gender equality to benefit sharing.

The state of Rondônia describes the implementation of two jurisdictional approaches in the state. The first refers to the formalization of policies, notably the State Policy for Climate Governance and Environmental Services (PGSA), and instruments within the legal framework of the State System for Climate Governance and Environmental Services (SGSA). PGSA's objectives are to: guarantee the reduction of GHG emissions; mitigate and adapt the impacts of climate change; ensure food production, the maintenance of biodiversity and the rights of indigenous peoples or traditional communities; and promote sustainable economic development with low GHG emissions. The second description focuses on the Plan of Prevention, Control and Sustainable Alternatives to Deforestation in the state of Rondônia (PPCASD/RO), which aims to gradually reduce deforestation rates in the state while guaranteeing the protection and management of special areas (Indigenous Lands and Conservation Units), and the sustainable management of rural properties.

As highlighted in the previous sections, the state of Mato Grosso, with its "Produce, Conserve and Include" (PCI) strategy, represents one of the most advanced examples of jurisdictional approaches in the world. The PCI aims to raise funds for the state of Mato Grosso to expand and increase the efficiency of agricultural and forestry production, to conserve

the remaining native vegetation, to re-compose environmental liabilities and the socio-economic inclusion of family farming, as well as to achieve a reduction in carbon emissions and increase carbon sequestration by up to 6 GtCO₂ by 2030, by controlling deforestation and developing a low carbon economy⁽²⁵⁾. The PCI strategy evolved from a collective and participatory project involving different state departments, representatives of non-governmental organizations, private companies and entities representing sectors of the state economy. PCI is a set of goals to help achieve its objectives. For the implementation of this strategy, the State Strategy Committee: Produce, Conserve and Include (CEEPCI) and its organizational structure were created,

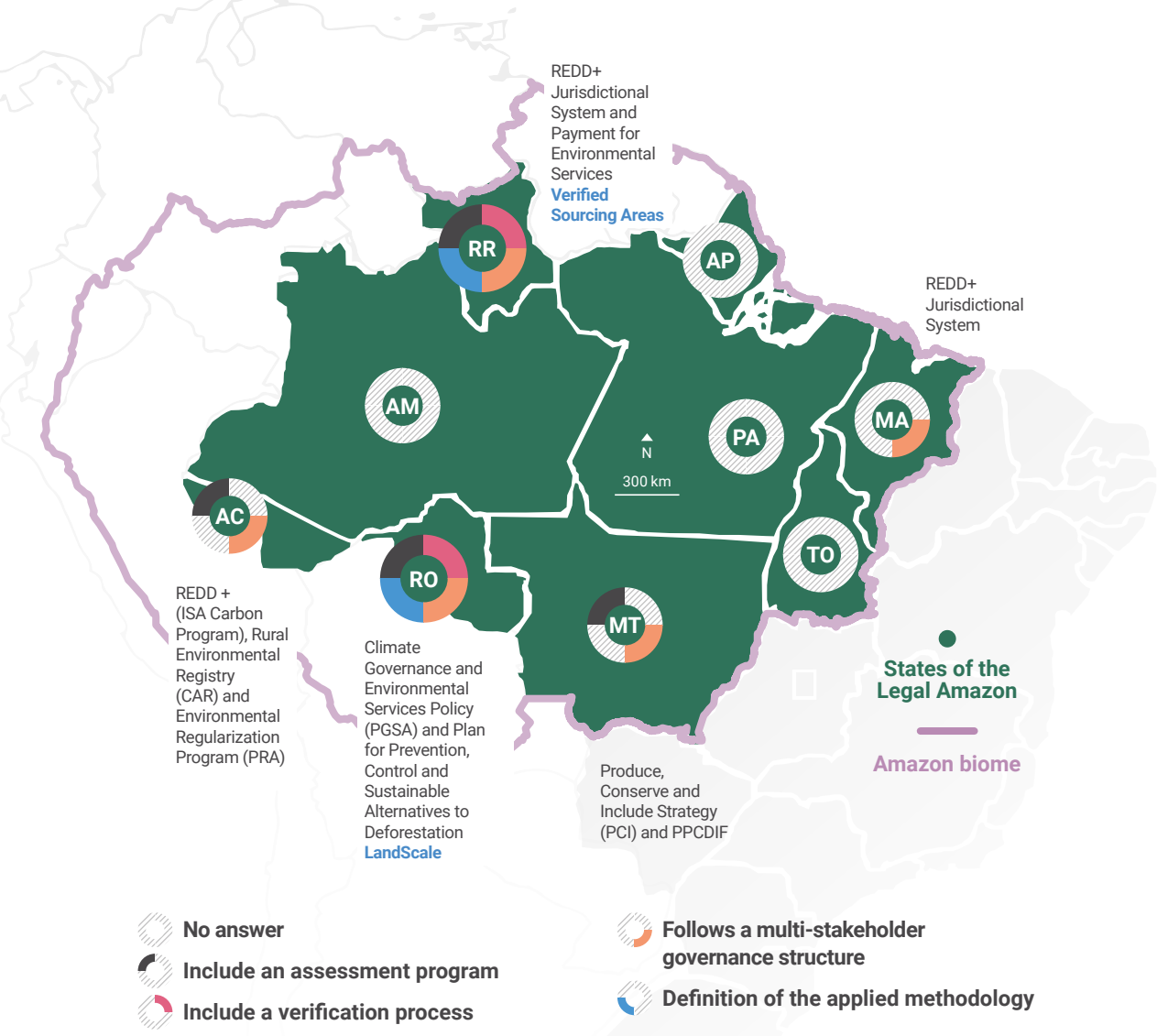
by Decree No. 468 on March 31st, 2016. The Committee is responsible for approving the planning of actions prepared by the secretariats coordinating the thematic areas, monitoring the implementation of the strategy and the achievement of goals, as well as the definition of its governance structure and fundraising mechanisms.



Analysis of the responses to the CDP questionnaire by Brazilian states of the Legal Amazon

All 6 states in the Legal Amazon that answered that they had implemented a jurisdictional approach affirmed they have a multi-stakeholder governance structure. Interestingly, Rondônia replied that LandScale methodology is applied, while Roraima mentioned

the adoption of a Verified Sourcing Areas methodology. A summary of the states' answers to the CDP 2020 questionnaire regarding the jurisdictional approaches' governance structure is displayed below.

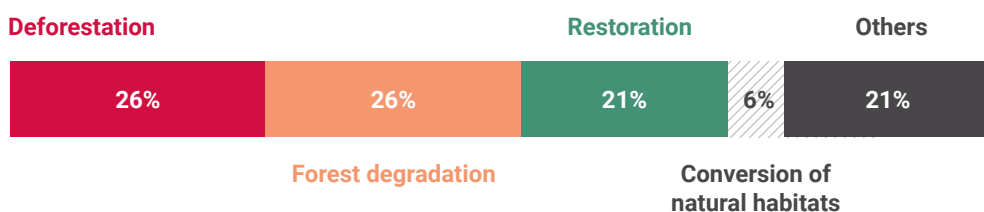


⁹ Despite having responded that it is aware of and implementing a jurisdictional approach, Amazonas has not provided any information about the initiative in the state.

The main areas on which the Brazilian states in the Legal Amazon are focusing their jurisdictional approaches are deforestation and forest degradation, followed by forest restoration (see Graph 2). Maranhão was the only state to show the conversion

of natural habitats as a focus area. In the other category, the states mentioned forest fires, low carbon agriculture and reduced emissions from deforestation and forest degradation.

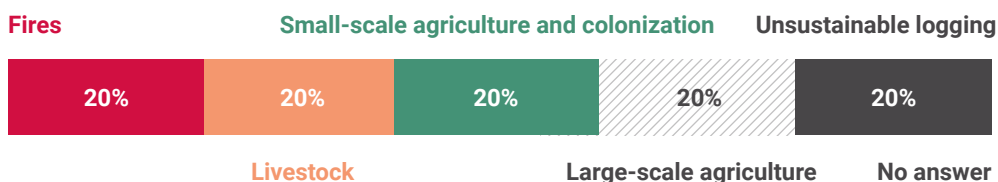
Graph 2: Focus areas of the jurisdictional approaches



For the drivers that jurisdictional approaches address, the CDP questionnaire selects the pre-filled options in the questionnaire on deforestation. Maranhão and Mato Grosso did not report any drivers, while Acre and Roraima reported small-scale

agriculture. Roraima and Rondônia also reported fires, livestock, large-scale agriculture and unsustainable logging (see graph 3).

Graph 3: Drivers addressed by the JA implemented by Brazilian States in the Legal Amazon



TOCANTINS PREPARES TO LAUNCH REDD+ JURISDICTIONAL PROGRAM

In its response to the 2020 CDP questionnaire, the state of Tocantins highlighted the Integrated and Sustainable Regional Development Project (PDRIS), which includes the development of the Tocantins REDD+ Jurisdictional Program. This is the first REDD+ program in Brazil to focus on the Cerrado biome. The REDD+ Jurisdictional Program will have the following objectives: to outline REDD+ socio-environmental safeguards, taking into account the characteristics of the state; provide security and subsidize low-carbon economy programs, which reduce the pressures of deforestation and degradation and benefit local communities. It will include REDD+ activities in a state/national emission reduction program, in line with state policies and action plans, with biome plans and the National Policy on Climate Change (PNMC). It will also have a Benefit Distribution Plan, and the distribution should benefit equally all the actors involved, including indigenous peoples, traditional and *quilombola* populations, as well as the communities in the areas impacted by the program and projects. Finally, the state stressed that a marketing and dissemination plan will be designed in order to attract investment to the state and to identify partners and supporters.

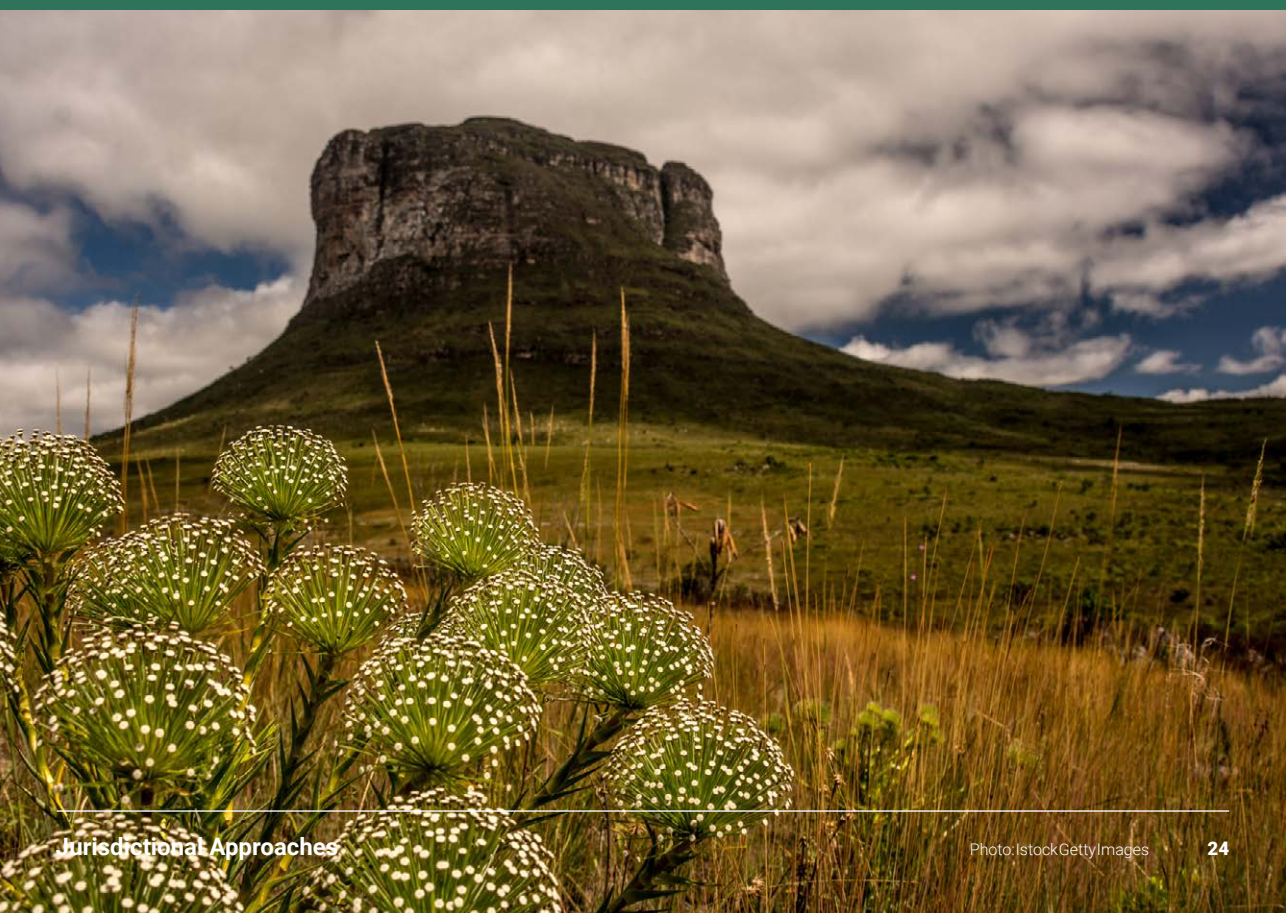
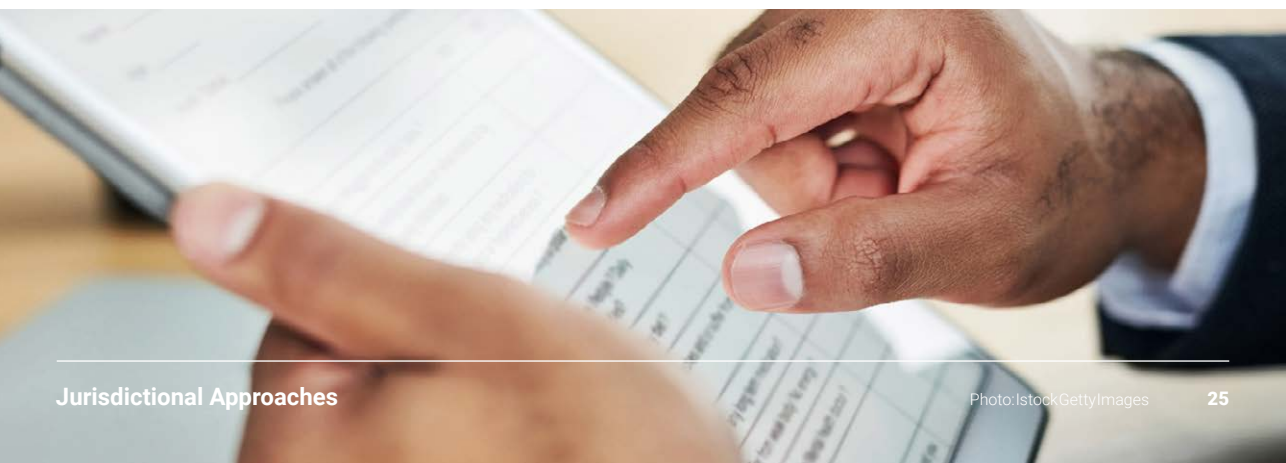


Table 3: Examples of initiatives implemented by subnational governments

STATE	EXEMPLOS DE INICIATIVAS DE GOVERNANÇA FLORESTAL
Acre ⁽²⁶⁾	The State Program of Incentive System for Environmental Services (SISA) creates incentives for the conservation of ecosystem services for indigenous peoples (PI), local communities (CL), smallholders and others. In addition, the ISA-Carbon Program promotes zero-deforestation beef production.
Amazonas ⁽²⁷⁾	The State Environmental Services Policy (PESA) describes the creation of a jurisdictional REDD+ plan.
Maranhão ⁽²⁸⁾	The Maranhão Verde Program - aimed at families living in Conservation Units - and the establishment of SEMA's Green Economy Superintendence are initial efforts towards the transition to a low carbon economy.
Mato Grosso ⁽²⁹⁾	Mato Grosso is the leading global testing-ground for large-scale Jurisdictional Supply Agreements, with ongoing negotiations with the Federation of European Animal Feed Manufacturers (FEFAC) and the China Soy Industry Association for sustainable soy cultivation.
Pará ⁽³⁰⁾	The Pará Livestock Agreement consists of a sustainable supply structure that has been instrumental in reducing deforestation and promoting the regularization of land tenure. However, the main challenges include monitoring indirect suppliers and expanding the number of signatory slaughterhouses.
Rondônia ⁽³¹⁾	Rondônia is a pioneer in updating its state Ecological-Economic Zoning in order to align with the Forest Code, through the use of a multi-stakeholder approach with workshops held in 7 municipalities in the state (which are considered state micro-regions), in addition to a public consultation.

Source: State profiles were published by the Earth Innovation Institute. It should be noted that they were not prepared for the following states of the Legal Amazon: Amapá, Roraima and Tocantins.



OVERVIEW OF THE PERFORMANCE OF BRAZILIAN COMPANIES IN JURISDICTIONAL APPROACHES

In 2020, more than 650 companies around the world voluntarily disclosed their information on impacts, risks and opportunities related to forests, by responding to CDP’s forests questionnaire.

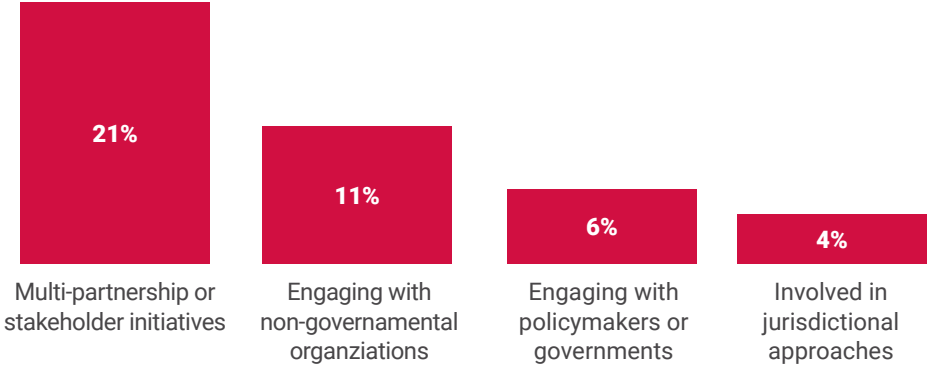
Of these companies, 47 are Brazilian, which at the request of investors or customers shared forests-related information on their performance and commitments on commodities driving tropical deforestation globally⁽³⁶⁾. In this sample, the commodities used and/or traded by Brazilian companies are timber products (43%), followed by soy (23%), cattle products (17%) and palm oil (13%)⁶.

Companies reported working with other actors to coordinate and achieve sectoral and global commitments

to curb deforestation in their operations or supply chains. In 2020, 34% of Brazilian companies participated in external initiatives for at least one of the reported commodities. The external participation comes mostly from multi-stakeholder initiatives (21%), followed by involvement with non-governmental organizations (11%), governments and policymakers (6%), and jurisdictional approaches (4%), as shown in Graph 4.

Among the multi-stakeholder initiatives and/or partnerships (e.g. Forest Stewardship Council) highlighted by companies (respectively 21% of the total), there are initiatives involving NGOs and specific forums for commodities such as the Global Round-table for Sustainable Beef and the Round-table on Responsible Soy.

Graph 4: Types of initiatives/activities adopted by companies



⁶ CDP data is stratified by commodity and companies can report information for more than one commodity, which is why the percentages exceed 100 percent.

Corporate performance in jurisdictional approaches

In view of the increasing rates of deforestation and the difficulties in fulfilling global commitments to eliminate deforestation in value chains (for example the New York Declaration on Forests - NYDF), new proposals have been sought to combine efforts of different stakeholders (such as the government and private initiatives), and to strengthen regional actions to

achieve common goals. In these approaches, companies start to look not only at their supply chain, but also at opportunities to actively collaborate with other local stakeholders to improve the region's socio-environmental performance, initiatives in which some Brazilian companies are already participating.



AMAGGI

AMAGGI has been part of the PCI Institute since 2015, founded with the main mission of supporting actions by the State of Mato Grosso, Brazil, to achieve its goals of production, conservation and inclusion. With a vision of social and economic development for by 2030 through the sustainable use of natural resources, government, the private sector and civil society are working together to reconcile the agricultural potential with the environmental assets of Mato Grosso, in line with AMAGGI's Global Sustainability Program Positioning, in addition to the company commitment to a zero-deforestation supply chain and native vegetation conversion.

In addition, as a founding member AMAGGI is currently a member of the PCI Institute Board of Directors, as well as a representative of the private sector. The company's main role is to represent the private sector in the PCI Institute's strategic and operational plans. This allows AMAGGI to implement joint actions and projects in partnership with other stakeholders. Consequently, it also delivers better results for the Mato Grosso State in PCI's core areas: Produce, Conserve and Include.

Main benefits for companies

▼ **Increase knowledge of local dynamics in the regions in which they operate:**

Companies have the opportunity to learn about the challenges of the regions in which they operate (e.g. small producers' lack of adequate tools), engage in dialogue with other stakeholders, and therefore continuously refine and improve their approach. This information can help companies to assess and monitor local risks and, through their actions on the ground, support local efforts to mitigate them.

▼ **Facilitate the achievement of corporate goals:**

Through action in jurisdictional initiatives, companies can make joint efforts with other organizations, as well as governments, to achieve shared socio-environmental goals, such as reducing deforestation in the region to zero or improving standards of living and human rights.

▼ **Scale supply chain traceability, monitoring and verification efforts:**

By engaging at the level of a jurisdiction with other key partners, companies can potentially increase their current supply chain efforts to ensure larger scale compliance within their sourcing areas and

therefore support their efforts at achieving zero deforestation targets and traceability. With scale, there is potential for more flexibility and transparency.

▼ **Foster more sustainable supply chains:**

Organizations can choose to purchase products from committed jurisdictions that are working to improve performance on economic and socio-environmental issues.

▼ **Combining performance with social improvement in the regions:**

In addition to the objectives related to environmental issues, some initiatives have sought to improve the livelihood of the region's residents, which can be promoted by, for example, sharing the best production practices and land tenure regularization.

RECOMMENDATIONS FOR POLICYMAKERS AND JURISDICTIONAL APPROACH STAKEHOLDERS

Deforestation remains a central issue for most states in the Legal Amazon and for companies operating in this area. Both consumers and investors increasingly exert pressure on those companies to adopt more sustainable production practices on a large scale. Jurisdictional approaches are a tool to support subnational governments and companies to align objectives aiming at environmental, social and economic outcomes. Even if jurisdictional approaches can be classified as a recent concept, one of the pioneering examples has come from Brazil: the Produce, Conserve and Include (PCI) strategy in the state of Mato Grosso. Other states from the Brazilian Legal Amazon are also implementing jurisdictional initiatives. Data from CDP's 2020 forests questionnaire shows that approximately one third of Brazilian companies reporting for at least one commodity - cattle, soy, timber or palm oil - participated in external initiatives. However, only 4% of those companies engage in jurisdictional approaches. Based on the analysis conducted, three top-tier policy recommendations were made to increase and accelerate the uptake of these approaches by Brazilian companies.

1 Promote greater clarity in the definition of the concept of a jurisdictional approach:

The absence of a clear definition makes it more difficult for states and companies to incorporate the concept. Therefore, the various initiatives under development can establish foundations and conceptual boundaries to encourage the engagement of stakeholders in the initiatives, and particularly to allow the monitoring of the implemented actions and the definition of criteria for purposes of comparison. All this would ensure that actors in all sectors within a jurisdiction are working towards the same objectives through strategic policies, programs and initiatives. There is also a need, especially for the states of the Brazilian Legal Amazon, to identify separately jurisdictional REDD+ Programs and jurisdictional approaches implemented in areas with high levels of commodity production. For companies, the rich ecosystem of jurisdictional approach initiatives, such as LandScale, SourceUp, CJA and the ISEAL Alliance Jurisdictional Monitoring and Claims Good Practice Guide, can support their engagement.

2 Foster structured collaboration between public and private sectors to establish shared environmental goals:

Partnerships between the public and private sector, with robust leadership from subnational governments, can be an effective approach to halting / deforestation. Jurisdictional approaches can act as a complementary tool to voluntary individual and sectoral private sector responses, such as the corporate commitments to eliminate deforestation from commodity supply chains. The main focus of the jurisdictional approaches of the Brazilian states in the Legal Amazon is deforestation and forest degradation. However, structured collaborations between public and private actors aiming at actions to halt deforestation can be reinforced. For instance, the establishment of insulated multi-stakeholder governance structures can achieve medium and long-term goals. The adoption of state-level policies, such as specific laws regarding jurisdictional approaches, is critical to ensure the collaboration between public and private sector representatives. Additionally, mainstreaming clear governance structures for all stakeholders, as well as monitoring systems and transparency mechanisms for agreed shared goals, can be beneficial for all jurisdictional initiatives.

3 Strengthen tools to share experiences among jurisdictional initiatives:

Despite the specificities of each region, the exchange of knowledge gained can encourage states to develop their jurisdictional approaches. The experimentation allowed by the novelty of these approaches can be an obstacle for states that have limited human and financial resources and extensive environmental agendas to be followed. Initiatives for knowledge sharing at the international level, such as the Jurisdictional Approach Hub, and at the national level, led by the Brazilian Secretariat of the GCF Task Force, can play a crucial role in disseminating the jurisdictional experiences and facilitating the dialogue among the stakeholders of each initiative.

4 Enhance corporate and states transparency on jurisdictional approaches through disclosure:

Considering that jurisdictional initiatives are still new in the international community, stakeholders and beneficiaries of these initiatives can increase the demands for corporate and state transparency. The CDP questionnaire is an important tool allowing both public and private sector representatives to measure and report their progress on the implementation of jurisdictional approaches against comparable, robust and consistent criteria.

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GRAPHS

- 1 Elaborated by the authors based on the CDP database.
- 2 Elaborated by the authors based on the CDP database.
- 3 Elaborated by the authors based on the CDP database.
- 4 Elaborated by the authors based on the CDP database.

TABLES

- 1 Elaborated by the leading organizations of the initiatives.
- 2 Elaborated by the authors based on the CDP database.
- 3 Elaborated by the authors based on references 30, 31, 32, 33, 34, 35.

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