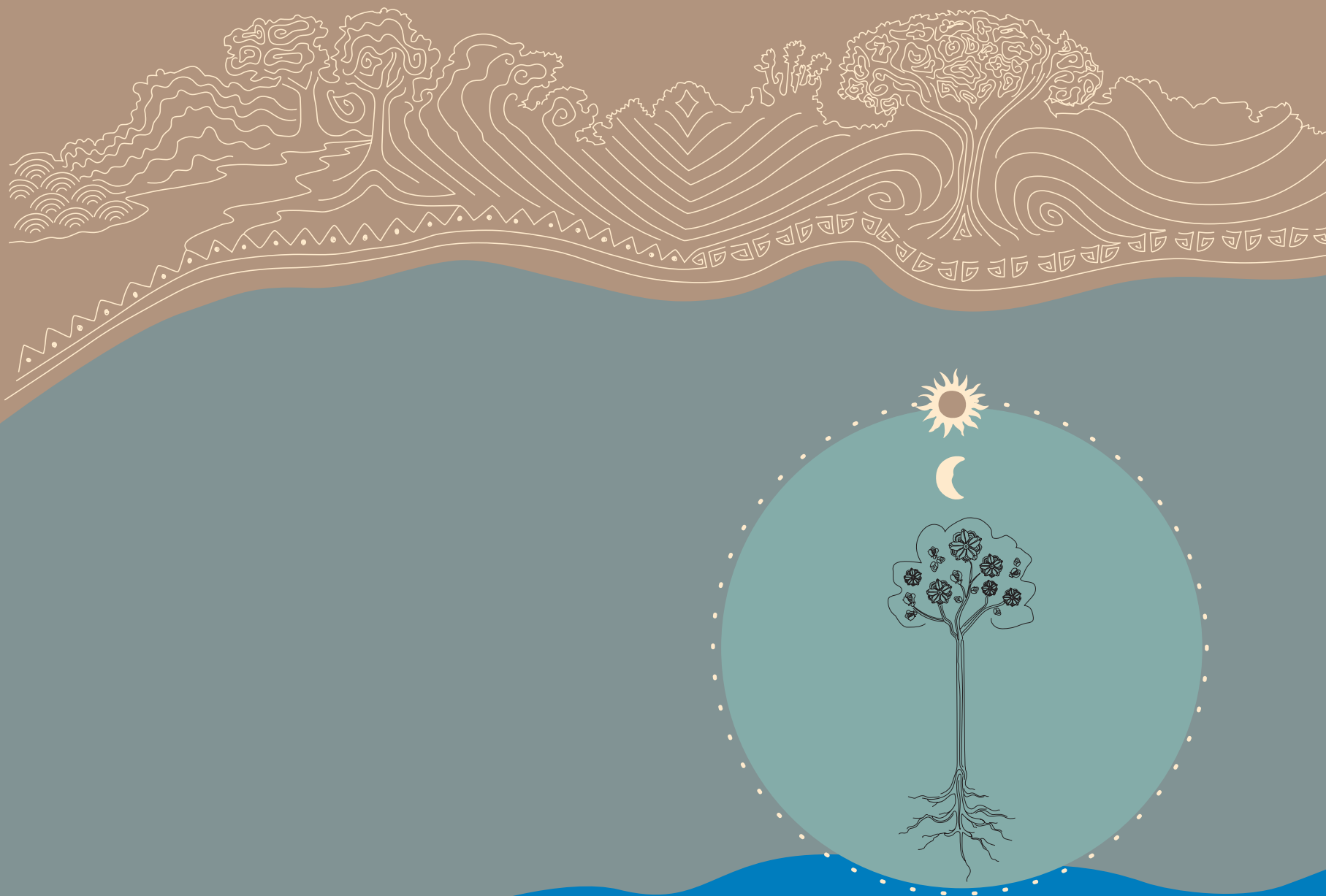




Consultation Process for

FREE, PRIOR, AND INFORMED CONSENT





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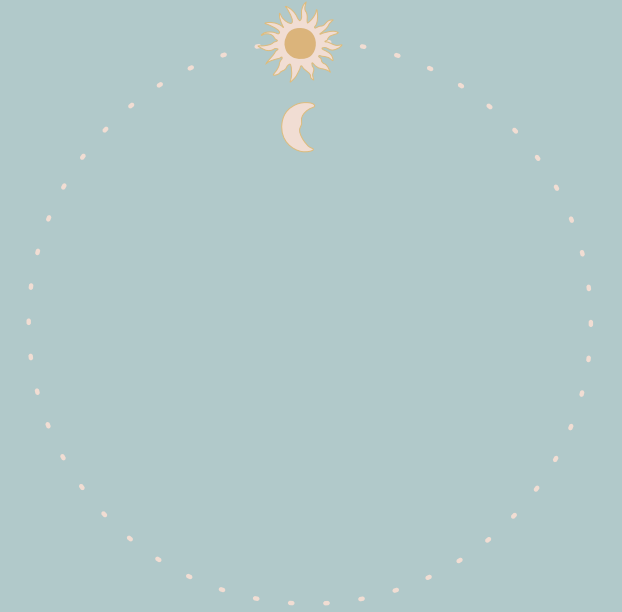
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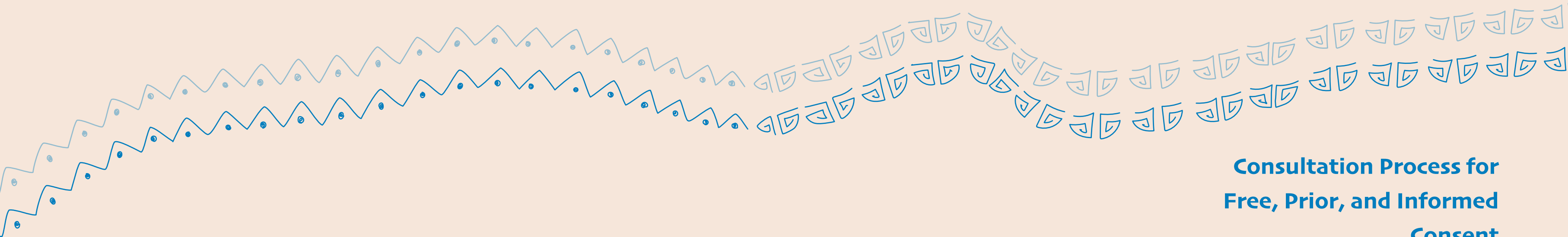
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Consultation Process for

FREE, PRIOR, AND INFORMED CONSENT

2025



Consultation Process for Free, Prior, and Informed Consent

This brochure aims to present the fundamentals, principles, and challenges of Free, Prior, and Informed Consent (FPIC), explaining how this right of Indigenous Peoples and Local Communities can be applied in REDD+ projects, forest conservation, and other initiatives that impact their territories.

This booklet is the sixth volume in the series "Understanding Climate Finance," produced by Forest Trends' Communities and Territorial Governance Initiative in partnership with Greendata and with support from the Walmart Foundation. To access the other chapters, visit the [Forest Trends website](#).

BROCHURE 6



Introduction to Free, Prior, and Informed Consent (FPIC)

In the previous booklet, we learned about the nesting of REDD+ (Reducing Emissions from Deforestation and Forest Degradation) projects in jurisdictional programs. In this one, we explain how FPIC works and why it is essential for **guaranteeing the rights of communities in decisions about projects that affect their livelihoods.**

Free, Prior, and Informed Consent (FPIC) is the right of Indigenous Peoples and Local Communities (IPs & LCs) to be **informed, heard, and involved** in decision-making processes regarding measures that may affect their

territories, natural resources, or ways of life. This right must be exercised through a **consultation process** that includes the possibility of giving or withholding consent, in accordance with the community's decision. FPIC is enshrined in international instruments such as the United Nations Declaration on the Rights of Indigenous Peoples (2007), Convention 169 of the International Labor Organization (ILO), among other instruments, such as the Cancún Safeguards, as seen on Brochure 2, as it guarantees participation, transparency, and respect for collective rights.

CONSULTATION or CONSENT?

The acronym FPIC, usually refers to Free, Prior, and Informed Consent but has become widely used as Free, Prior, and Informed Consultation. This is because consent is only legitimate when it is grounded in a genuine, structured, and culturally appropriate consultation process conducted over a sufficient period of time, in which the community has access to clear, understandable, and transparent information about the possible impacts of a project.

Consultation is the means by which the right to consent can be exercised. At the end of a consultation process, the community has the right to decide

whether or not to consent to a project. Consent is a possible outcome, but never a mandatory prerequisite of the process.

In the context of REDD+ projects, FPIC is an essential element to ensure that climate actions respect collective rights, strengthen territorial governance, and promote the self-determination of the peoples and communities involved. This requires time, listening, respect for their own forms of deliberation, and assurance that the final decision is made by the community on its own terms.





Principles of the process of FPIC

FPIC builds on international human rights principles and seeks to ensure that IPs & LCs have control over decisions that affect their territories, livelihoods, and natural resources. The main principles are:

- **Free:** the process must take place without threats, pressure, or manipulation.
- **Prior:** it must take place before any authorization, license, or activity.
- **Informed:** communities must receive all relevant information in an accessible and clear manner and in their native language.

FPIC should be more than a formal consultation; it is a **participatory, respectful, and continuous dialogue**, where communities have the right to accept, reject, or propose conditions for the implementation of a project. The process must respect each peoples' own decision-making methods, such as general assemblies, councils, or traditional leadership.

Projects that value FPIC, go beyond what is mandatory and invest in **building relationships of trust, using cultural mediators, and adapted educational materials**. FPIC should also be continuous, accompanying all stages of the project, with ongoing reviews and evaluations.

PRINCIPLES OF FPIC

FREE, PRIOR AND INFORMED CONSENT



FREE

The process must take place without threats, pressure, or manipulation



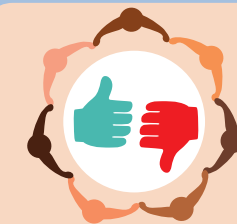
PRIOR

The consultation must occur before any activity, authorization, or contract



INFORMED

Communities must receive all relevant information in an accessible, clear manner and in their own language



COMMUNITY DECISION

Communities have the right to accept, refuse, or propose conditions, respecting their own decision-making processes



Implementation of FPIC

The implementation of Free, Prior, and Informed Consent (FPIC) involves a series of practical steps to ensure that IPs & LCs have an active voice in projects that affect their livelihoods.

The first step is to **identify all communities that will be affected by the project**, and understand their own forms of organization, languages, and cultural practices. Next, **information sessions** should be held, respecting each community's own organization processes, languages and cultural practices, using materials appropriate to the local context, such as videos, posters, and brochures translated into indigenous languages. The goal is to ensure that everyone clearly understands the proposed project, its objectives, possible risks, impacts, and benefits. This phase should be conducted in an accessible and respectful manner.



The **consultation** itself should take place through face-to-face meetings, conducted with the support of cultural mediators, translators, or impartial facilitators. During these meetings, the community can express doubts, ask questions, propose changes, and negotiate conditions. **Consent may be granted, refused, or be subjected to conditions in accordance with the collective decisions of the community.**

FPIC should be a continuous process that accompanies all phases of the project, from planning to implementation and monitoring. It is therefore essential to record the entire process, ensuring that agreements are respected. This requires financial resources, qualified staff, and monitoring mechanisms to follow up on the implementation of commitments.



STEPS FOR IMPLEMENTING FPIC



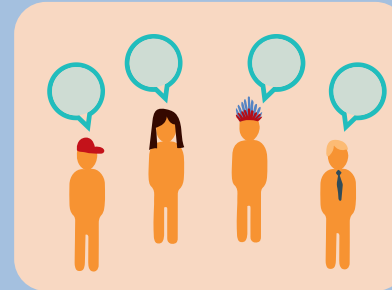
COMMUNITY MAPPING

Identification of the impacted communities, respecting their forms of organization, languages, and cultural practices



ACCESSIBLE INFORMATION

Presentation of clear, translated, and locally adapted materials (booklets, videos, multiple explanatory meetings)



NEGOTIATION

Open discussion about conditions, risks, and benefits, ensuring adequate time for collective decision making



CONSENT

Community decision to accept, reject, or condition the project, according to their own forms of deliberation



MONITORING

Continuous monitoring of agreements, with periodic reviews and community participation

What is a CONSULTATION PROTOCOL in FPIC processes?

A consultation protocol is an instrument created to guide how the process of Free, Prior and Informed Consent (FPIC) should be carried out in the territories of Indigenous Peoples and Local Communities (IPs and LCs). It functions as a guide developed by the communities themselves, according to their livelihoods, cultural values, governance practices, and decision-making processes.

This protocol establishes clear rules and guidelines so that governments, companies, organizations, or any external actors understand how the community wishes to be consulted before the implementation of projects, public policies, or activities that may affect their rights, territories, or natural resources.

The main elements that usually make up a consultation protocol include:

- **Who should be consulted:** identification of the communities, peoples, or representative organizations involved, as well as specific groups such as women, youth, and elders.
- **Who should conduct the consultation:** definition of the leaders or legitimate institutions that represent the community.
- **When and under what conditions the consultation should take place:** appropriate timeframes, suitable moments, and respect for the time required for internal reflection and deliberation.

- **How the information should be presented:** translated materials, clear language, accessible formats, and, when necessary, in the community's own language.
- **How the decision will be made:** assemblies, councils, traditional meetings, or other customary mechanisms of collective deliberation.
- **What consent means:** forms of acceptance, rejection, or conditional approval of the proposal, always respecting the community's autonomy.

The consultation protocol strengthens the exercise of the right to FPIC, ensuring that the consultation process is genuine, transparent, and culturally appropriate, preventing it from becoming merely a formal or bureaucratic procedure. It guarantees that communities are able to participate fully, with adequate information and sufficient time to make collective decisions.

More than a technical document, the consultation protocol is also an expression of self-determination and territorial governance, reaffirming that peoples and communities have the right to decide on the paths that affect their lives and territories.



Challenges of FPIC

Despite its fundamental value, the implementation of FPIC faces several challenges, including **potential disrespect for the communities' own forms of organization and decision making**. When project leaders fail to understand or respect how each community makes decisions, this can create mistrust and undermine the entire process.

Language barriers are another frequent problem. When information is provided only in English or deeply technical language, communities may not fully understand what is being proposed, hindering informed decision-making. It is therefore essential to provide materials in native and accessible language.

There can also be a significant **power imbalance between communities and external actors**. Communities may be pressured to accept projects without sufficient time for reflection or without a full understanding of potential

consequences. Promises of benefits are sometimes used as a means of persuasion, which violates the principle of freedom of consultation.

There are also practical difficulties, such as a **lack of resources to carry out a continuous, high-quality process**. Holding meetings in remote locations, translating documents, and ensuring sufficient time for decision-making requires financial and logistical investments.

In addition, **internal community conflicts**—such as disputes between leaders or disagreements about the project—can make it difficult to obtain representative consent. In such cases, the role of external facilitators should be to support rather than accelerate the process.



**Benefits of
FPIC**

The correct application of FPIC brings several benefits to communities and to projects themselves, such as:

- **Strengthening:** by actively participating in decisions, communities strengthen their autonomy and governance capacity.
- **Respect for rights:** FPIC ensures that IPs & LCs can exercise their rights over their territories and ways of life.
- **Greater legitimacy:** projects that go through FPIC tend to have greater social acceptance and lower risk of conflict.
- **Support to benefit sharing processes:** negotiation allows communities to receive adequate compensation, such as investments in education, health, infrastructure, territorial monitoring and protection, and income generation.



- **Cultural preservation:** by respecting traditional practices and knowledge, FPIC contributes to the strengthening and appreciation of local cultures.
- **Sustainability:** well-conducted FPIC processes are more likely to generate lasting and positive results for both communities and the environment.

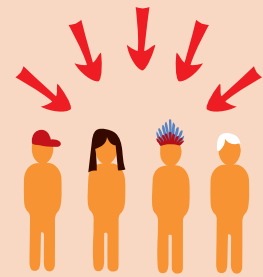


CHALLENGES AND BENEFITS OF FPIC

CHALLENGES



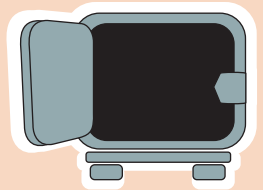
**DISRESPECT FOR
TRADITIONAL
FORMS OF
ORGANIZATION**



**EXTERNAL
PRESSURES**



**LANGUAGE
BARRIERS**



**LACK OF
FINANCIAL
RESOURCES**

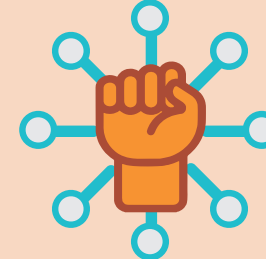


**POWER
IMBALANCE**



**INTERNAL
CONFLICTS**

BENEFITS



**STRENGTHENING
OF GOVERNANCE
AND AUTONOMY**



**SUPPORT FOR
BENEFIT SHARING**



**RESPECT FOR
RIGHTS**



**CULTURAL
PRESERVATION**



**GREATER
LEGITIMACY**



SUSTAINABILITY



**Future
prospects**

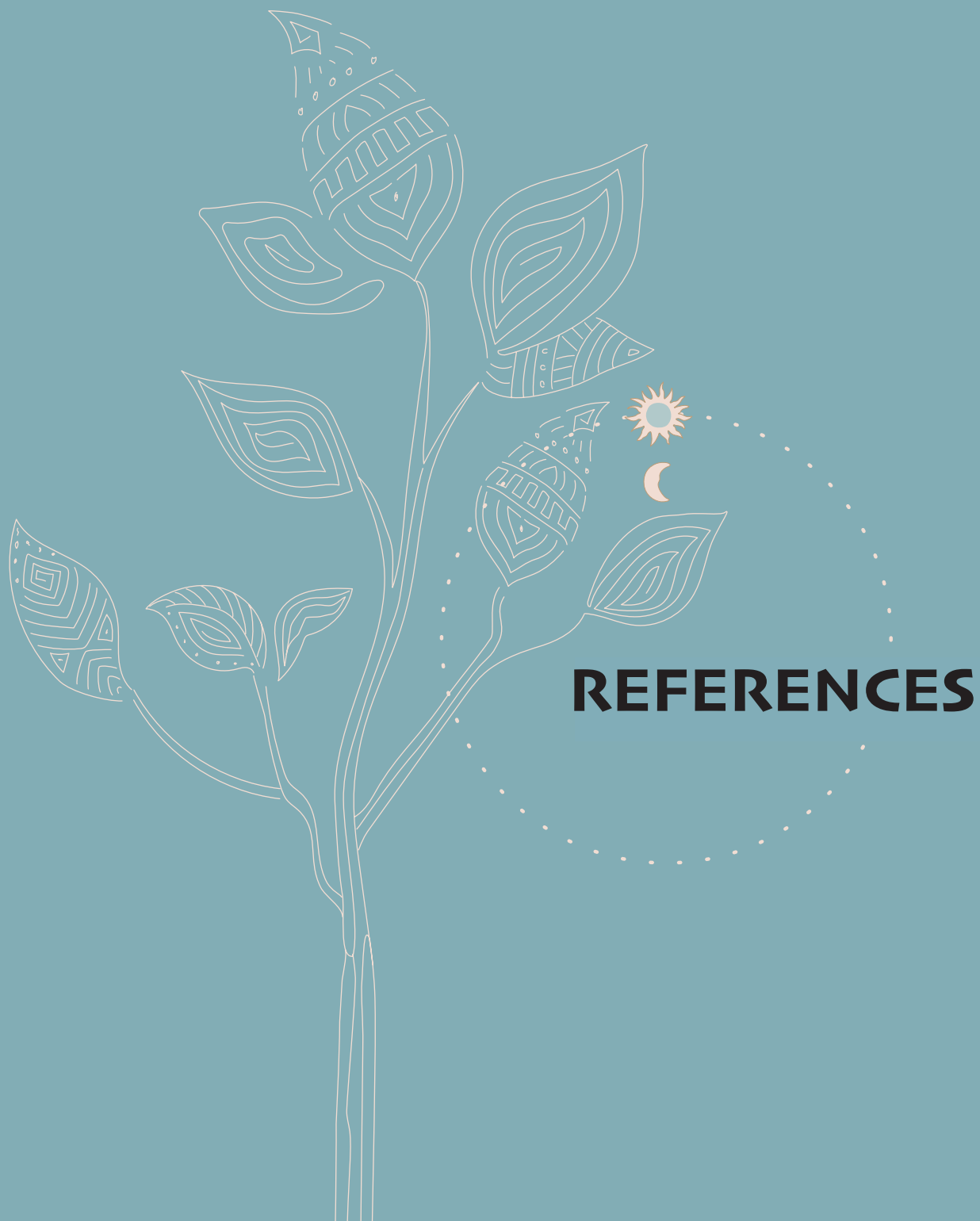
Strengthening FPIC will be essential to ensure that the rights of IPs & LCs continue to be respected in the face of environmental challenges and the advancement of large infrastructure, conservation, and carbon market projects.

Future prospects include:

- **Integration with global policies**, such as the Paris Agreement and the UN climate safeguards, which should increase the demand for FPIC processes in international initiatives.
- **Use of technologies** such as digital platforms, consultation apps, and electronic records, which can facilitate dialogue with communities in remote areas.

- **Training of local leaders** through capacity-building programs so that communities themselves can lead consultation processes.
- **International cooperation**, including the exchange of experiences and financial support for FPIC processes led by the communities themselves, in a fair and effective manner.

For FPIC to evolve as an instrument of justice, inclusion, and sustainability, the **ongoing commitment** of governments, companies, organizations, and, most importantly, the active participation of local communities is necessary.



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