

THE IMPACT OF CLIMATE CHANGE MITIGATION ON INDIGENOUS AND FOREST COMMUNITIES

The international legal framework for valuing the carbon stored in forests, known as Reducing Emissions from Deforestation and Forest Degradation (REDD+), will have a major impact on indigenous peoples and forest communities. The REDD+ regime contains many assumptions about the identity, tenure and rights of indigenous and local communities who inhabit, use or claim rights to forested lands. The authors bring together expert analysis of public international law, climate change treaties, property law, human rights and indigenous customary land tenure to provide a systemic account of the laws governing forest carbon sequestration and their interaction. Their work covers recent developments in climate change law, including the Agreement from the Conference of the Parties in Paris that came into force in 2016. *The Impact of Climate Change Mitigation on Indigenous and Forest Communities* is a rich and much-needed new contribution to contemporary understanding of this topic.

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THE IMPACT OF CLIMATE CHANGE MITIGATION ON INDIGENOUS AND FOREST COMMUNITIES

International, National and Local Law
Perspectives on REDD+

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Throughout the life of the project the chief investigators have been engaged in an ongoing scholarly exchange, each bringing their specific knowledge and research expertise to lively debates about the fundamental issues addressed in the project. The book is a result of this enterprise and it has extended this scholarly engagement and exchange in its intellectual framing and in the detail of its completion. The methodology used to write the book is a direct result of the general and specific critical engagement of each author in the research and writing of their co-authors. In the book we have each written in our selected area of expertise and should be considered the sole author of the chapters as described here, while recognising the inputs from the other authors and the research team across the project as a whole. In addition, each of the authors has benefitted from the critical commentary and editing of the other authors. Thus, the book is the result of the collective research, intellectual engagement and integration of the authors' specific expertise in relation to the operation of REDD+ and its implications for indigenous peoples and local communities. In the context of this methodology, Chapters 2, 3 and 10 are the work of Margaret Young; Chapters 4 and 5

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ABBREVIATIONS

| | |
|-----------|--|
| CANZUS | Canada, Australia, New Zealand and the United States |
| CBD | Convention on Biological Diversity |
| CDM | Clean Development Mechanism |
| CEDAW | Convention on the Elimination of All Forms of Discrimination Against Women |
| CERD | Convention on the Elimination of All Forms of Racial Discrimination |
| CFM | community forest management |
| CIFOR | Center for International Forestry Research |
| CIFOR-GCS | CIFOR's Global Comparative Study on REDD+ |
| CITES | Convention on the International Trade in Endangered Species of Wild Flora and Fauna |
| COP | Conference of the Parties |
| FAO | Food and Agriculture Organization |
| FCPF | Forest Carbon Partnership Facility |
| FPIC | free, prior and informed consent |
| FSC | Forest Stewardship Council |
| GHG | greenhouse gas |
| HRC | Human Rights Council |
| ILO | International Labour Organization |
| MRV | measurement, reporting and verification |
| NCMC | National Carbon Monitoring Centre |
| NGO | nongovernmental organization |
| PDD | project design document |
| PES | payment for environmental (or ecosystem) services |
| PFM | participatory forest management |
| REDD+ | [policy approaches and positive incentives for] reducing emissions from deforestation and forest degradation, and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks |
| R-PP | Readiness Preparation Proposal |
| SBSTA | Subsidiary Body for Scientific and Technological Advice |

ABBREVIATIONS

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| | |
|-------------------|--|
| SEPC | Social and Environmental Principles and Criteria |
| SIS | Safeguards Information System |
| SFM | sustainable forest management |
| UNDP | United Nations Development Programme |
| UNEP | United Nations Environment Programme |
| UNFCCC | United Nations Framework Convention on Climate Change |
| UNDG | United Nations Development Group |
| UNDRIP | United Nations Declaration on the Rights of Indigenous Peoples |
| UN-REDD Programme | United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries |

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AND DECISIONS OF CONFERENCES
OF THE PARTIES

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