ForestDefender

A Tool For Understanding Your Rights
By the Center For International Environmental Law

www.forestdefender.org

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• CIEL was founded 25 years ago to use the power of the law to protect the environment, promote human rights, and ensure a just and sustainable society.

• Focus on safeguarding communities and ecosystems in the development of REDD+ activities

• One approach: Develop legal tools, such as ForestDefender, and build capacity
Climate Change, Forests and Rights

• Forests play a role in climate change, protecting biodiversity and in supporting the lives and livelihoods of indigenous peoples and local communities
• But, forests are threatened
• Opportunity in people and in governance
  – Enabling laws and standards to protect the rights of affected communities and avoid illegal deforestation are strong and well-enforced
What is REDD+?

• A mechanism that includes forest protection in tackling climate change.
• Reducing emissions from deforestation and forest degradation
• Also includes conservation, sustainable management of forests, and enhancement of forest carbon stocks
ForestDefender’s Added Value

- Communities and partners in REDD+ countries are provided with tools to evaluate national REDD+ policies against international standards and best practices
- Supports greater consistency between domestic laws and relevant international laws and standards,
- Empowers forest dependent communities to better defend their own rights and their own forests
History of ForestDefender

• Ongoing requests to understand if X country has ratified X international legal instrument
  – If so, what rights must be respected
  – If rights are violated, what redress mechanisms are available

• What was once a chart...
|-------------------------|-------------------------------|-------------------------------|------------------------------------------|----------------------------------|-----------------------------------------------|--------------|---------------------------------------------|---------------------------------|--------------------------------------------|---------------------------------|--------------------------------------------|---------------------------------------------|-------------------------------|--------------------------|
Is now an interactive webtool!
OVERVIEW

• *ForestDefender* is a legal database that provides a snapshot of international human rights and obligations relevant to forest governance.

• It captures the large amount of information found from various sources.

• It presents it in a way that is easily accessible to and usable by lawyers, activists and community members alike.
Your Go-To-Place

– To find information about a specific country’s involvement in REDD+
– To discover what international obligations your country has to its people or extraterritorially
– To build a stronger command of a particular right
– To gain a better understanding of the rights implicated by a specific legal instrument
ForestDefender’s Audience

• Generally developed for an audience that is already familiar with international legal instruments, such as in-country lawyers and certain activists and community members.

• We are often asked: How do you envision indigenous people and their advocates using this site?
  – To recognize, defend, advocate and enforce internationally-protected rights.
  – Used as a guide to understand how to hold violators of these rights accountable through the various human rights and international financial institution mechanisms.
• A community resource guide designed for community leaders that provides an overview of REDD+ relevant rights. It acts as a complement to ForestDefender.
  – Based on a community needs assessment of three indigenous communities in Honduras.

• Moving forward, we will use these tools as part of our advocacy and we expect further dissemination to occur through our partners and networks.
Disclaimer!

• The information provided here is intended as a guide to inform you of the rights and obligations that may apply in a forest governance context.
• It does not constitute legal advice and is not a replacement for consulting appropriate international or national lawyers after you have conducted your research.
• When an instrument makes reference to another instrument, the rights from that reference instrument are not included in your search results.
ForestDefender is a Database

• Guided Searches
  – By country
  – By instrument

• Custom search
  – By a combination of key terms, countries and instruments of your choosing

• You get to choose how you want to engage with the information as we provide different ways of searching the website.
What kind of information?

- Information contained in international legal instruments relevant for forest governance, what rights are implicated by them, and to which major REDD+ countries those instruments apply.

- The countries were chosen based on their participation in key international REDD+ processes.
Where did we get the information?

- The country-related information comes from the Voluntary REDD+ Database.
- The information on international legal instruments comes directly from the sources: the treaties, declarations and decisions themselves.
- Similarly, the information related to accountability mechanisms and treaty bodies come from each of the official websites for those processes.
- *ForestDefender* also provide users with the opportunity to search the information using key terms that CIEL has interpreted and tagged.
  - In developing these key terms, we used a “rights-based approach
Countries included

- Argentina
- Bangladesh
- Benin
- Bhutan
- Bolivia
- Brazil
- Burkina Faso
- Cambodia
- Cameroon
- Central African Republic
- Chile
- Colombia
- Congo Brazzaville
- Costa Rica
- Cote d’Ivoire
- DRC
- Ecuador
- El Salvador
- Equatorial Guinea
- Ethiopia
- Gabon
- Ghana
- Guatemala
- Guyana
- Honduras
- Indonesia
- Kenya
- Lao PDR
- Liberia
- Madagascar
- Mexico
- Mongolia
- Mozambique
- Myanmar
- Nepal
- Nicaragua
- Nigeria
- Pakistan
- Panama
- Papua New Guinea
- Paraguay
- Peru
- Philippines
- Solomon Islands
- South Sudan
- Sri Lanka
- Sudan
- Surname
- Tanzania
- Thailand
- Uganda
- Vanuatu
- Vietnam
- Zambia
Instruments Included

- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- Convention on the Elimination of Discrimination Against Women (CEDAW)
- Convention on the Rights of the Child (CRC)
- International Labour Organization’s Convention # 169 (ILO 169)
- American Convention on Human Rights (ACHR)
- African Charter on Human and People’s Rights (AfCHPR)
- Convention on the Protection and Promotion of Diversity of Cultural Expressions (CPPCDE)
- Convention for the Safeguarding of Intangible Cultural Heritage (CSICH)
- World Heritage Convention (WHC)
- Convention on Biological Diversity (CBD)
- Universal Declaration of Human Rights (UDHR)
- UN Declaration on the Rights of Indigenous Peoples
- UNFCCC Decision
- CBD Decision XI/19
<table>
<thead>
<tr>
<th>Key Term</th>
<th>Brief Description</th>
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<tbody>
<tr>
<td>Access to/Right to Information</td>
<td>tagged when provisions deal with education and training, freedom of information, and in situations where the government has to ensure individuals or communities can understand and interpret process. Both passive and active access to information are tagged</td>
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<tr>
<td>Right to Participate</td>
<td>tagged in provisions that deal with consultation requirements and participation/inclusion in decision-making that affect individuals and/or groups of people.</td>
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<tr>
<td>Right to Self-Determination</td>
<td>tagged for provisions related to a collective peoples' ability to exert control over their land and livelihood, to autonomy and sovereignty related to political status and social, cultural and economic development</td>
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</table>
How to Search

• What are the different ways of searching on this website?
• How can I find out which international legal instruments apply to a specific country?
• How can I find information about specific legal obligations for a specific country?
• Let’s go!

www.forestdefender.org
Accountability

• The page itself: There is a description of the accountability mechanism as well as a web link where you can find additional information directly from the source.
  – Additional links to guides or materials
Tips!

• FAQ page answers questions such as:
  – What are the differences between a treaty, declaration, and a decision? And what does it mean for an instrument to apply to a country?

• Helpful tips by page

• Reminder that you can share and print your search results
Don’t just take my word for it!

• “ForestDefender seems to be, at my point of view, a very useful tools. Not only for people involving in REDD+ process, but for every one who need to know about international lows, those signed by his country”
• “The website is incredibly intuitive and extremely handy to use, it has been of great use form my studies”
• “The great thing about the website is that one can find all the applicable instruments related to the listed countries in one place”
• “The guided search questions relating to specific elements of the legal instruments, informed by a human rights based approach are thoughtfully crafted, very comprehensive and extremely relevant especially to Indigenous Peoples”
• “very useful for our work and lives of indigenous peoples in”
• “This is AMAZING!!! Congratulations. I would very much like to use this tool to support”
Next Steps...
’Cause the work never ends!

• Continued dissemination and trainings
• Translation into other languages
• Flesh out the accountability page
  – In collaboration with partner organizations
• Further explanation about the decisions of governing bodies (COP decisions)
• Add additional information to country pages
• Additional international instruments
• Add regional instruments
• Additional platform for sharing experience with applying legal instruments and lessons learned (brief case studies)
• Link to other tools/resources focusing on domestic laws
Thank YOU!

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- YOU!!!