# Contents

<table>
<thead>
<tr>
<th>Acknowledgments</th>
<th>page viii</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disclosures</td>
<td>xii</td>
</tr>
<tr>
<td>List of Abbreviations and Acronyms</td>
<td>xiii</td>
</tr>
</tbody>
</table>

## Introduction: Grappling with the REDD+ Paradox
- Background and Context 1
- Existing Knowledge 4
- Analytical Framework 13
- Research Design 25
- Originality and Significance 28
- Overview 31

1. **The Transnational Legal Process for REDD+** 34
   - 1.1 The Origins of the Transnational Legal Process for REDD+ 34
   - 1.2 Levels, Sites, and Forms of Law in the Transnational Legal Process for REDD+ 39
   - 1.3 The Complexity of the Transnational Legal Process for REDD+ 46

2. **Rights and REDD+ in International and Transnational Law** 54
   - 2.1 The Emergence of Rights in the Field of REDD+ 54
   - 2.2 Indigenous and Community Rights in UNFCCC Decision-Making on REDD+ 57
   - 2.3 Indigenous and Community Rights in the World Bank FCPF 63
   - 2.4 Indigenous and Community Rights in the UN-REDD Programme 68
## Contents

2.5 Indigenous and Community Rights in the CCBA 74
2.6 Indigenous and Community Rights in the REDD+ SES 79
2.7 Heterogeneity in the Recognition of Indigenous and Community Rights in International and Transnational Sites of Law for REDD+ 83

3 Rights and Jurisdictional REDD+ in Indonesia 87
3.1 Forests, Governance, and Rights in Indonesia 87
3.2 The Pursuit and Governance of Jurisdictional REDD+ in Indonesia 92
3.3 The Rights of Indigenous Peoples and Local Communities in Jurisdictional REDD+ Readiness Activities in Indonesia 94
3.4 Explaining the Conveyance and Construction of Rights through Jurisdictional REDD+ Activities in Indonesia 109
3.5 REDD+ and the Future of Indigenous and Community Rights in Indonesia 114

4 Rights and Jurisdictional REDD+ in Tanzania 117
4.1 Forests, Governance, and Rights in Tanzania 117
4.2 The Pursuit and Governance of Jurisdictional REDD+ in Tanzania 125
4.3 The Rights of Indigenous Peoples and Local Communities in Jurisdictional REDD+ Readiness Activities in Tanzania 129
4.4 Explaining the Conveyance and Construction of Rights through Jurisdictional REDD+ Activities in Tanzania 143
4.5 REDD+ and the Future of Indigenous and Community Rights in Tanzania 148

5 Rights and Project-Based REDD+ in Indonesia and Tanzania 151
5.1 The Transnational Market for Project-Based REDD+ Activities 151
5.2 Rights and Project-Based REDD+ Activities in Indonesia 153
5.3 Rights and Project-Based REDD+ Activities in Tanzania 159
5.4 Explaining the Conveyance and Construction of Rights in Project-Based REDD+ Activities in Indonesia and Tanzania 165
5.5 The Future of Indigenous and Community Rights in the Transnational Market for REDD+ 170

6 Comparing Rights and REDD+ in Indonesia and Tanzania 177
6.1 Rights and Jurisdictional REDD+ in Indonesia and Tanzania 177
## Contents

6.2 Rights and Project-Based REDD+ in Indonesia and Tanzania 183
6.3 Rights and REDD+ at Multiple Levels in Indonesia and Tanzania 186

**Conclusion: REDD+, Rights, and Law in a Transnational Perspective** 189
Significant Findings on REDD+ and Rights 189
Limitations 198
Future Research on REDD+ and Rights 200
Implications for the Study of Transnational Legal Processes 204
REDD+ and the Intersections of Human Rights and Environmental Governance 208

**Annex I: Overview of REDD+ Activities in the Developing World** 212

**Bibliography** 215

**Index** 249