

THE INTERNATIONAL LEGAL-POLITICAL INSTRUMENT  
FOR REDUCING EMISSIONS FROM DEFORESTATION AND  
FOREST DEGRADATION (REDD+): IMPLEMENTING  
POSITIVE INCENTIVES IN THE CONTEXT OF  
ENVIRONMENTAL GOVERNANCE IN DEVELOPING  
COUNTRIES' FORESTS FROM THE PERSPECTIVE OF  
INTERNATIONAL LAW PRINCIPLES

O INSTRUMENTO JURÍDICO-POLÍTICO INTERNACIONAL  
DA REDUÇÃO DE EMISSÃO POR DESMATAMENTO E  
DEGRADAÇÃO FLORESTAL (REDD+): A IMPLEMENTAÇÃO  
DO INCENTIVO POSITIVO NO CONTEXTO DA  
GOVERNANÇA AMBIENTAL NAS FLORESTAS DOS PAÍSES  
EM DESENVOLVIMENTO A PARTIR DOS PRINCÍPIOS DE  
DIREITO INTERNACIONAL

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**Abstract**

Global warming is a discussion factor for countries and, therefore, some goals are established to contribute to the reduction and/or stabilization of Greenhouse Gases (GHG). Thus, the legal-political instrument for Reducing Emissions from Deforestation and Forest Degradation (REDD+) comes up, with Christina Voigt as the theoretical framework. Starting from the deductive method of approach, method of monographic procedure and technique of bibliographical research, this article has as general objective to examine the legal-political instrument of REDD+ for the understanding of its meaning and scope and, coming from the principles of International Law, acquire an understanding of how environmental governance can be used to implement this positive incentive in forests in developing countries. Specific goals are settled to understand the meaning and scope of REDD+, to study the principles of International Law that can be applied to REDD+ and to analyze environmental governance for the implementation of REDD+ in forests in developing countries. In this context, it was possible to conclude that the principles of international law provide sustainability, through environmental governance, for the application of the REDD+ instrument in developing countries, contributing to the phenomenon of decreasing deforestation and forest degradation as part of the global

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efforts and actions to achieve the goal of stabilizing and/or reducing carbon emissions. Thus, this research can contribute to future studies for the implementation of REDD+ in developing countries.

**Keywords:** Global Warming, International Cooperation; REDD+; Climate changes; Principles of International Law.

### **Resumo**

O aquecimento global é fator de debate pelos países e, por isso, são estabelecidas metas para que possam contribuir com a redução e/ou estabilização dos Gases do Efeito Estufa (GEE). Assim, surge o instrumento jurídico-político para Redução de Emissão por Desmatamento e Degradação Florestal (REDD+), tendo Christina Voigt como marco teórico. Partindo-se do método de abordagem dedutivo, método de procedimento monográfico e técnica de pesquisa bibliográfica, esse artigo tem como objetivo geral examinar o instrumento jurídico-político da REDD+ para a compreensão de seu sentido e alcance e, a partir dos princípios de Direito Internacional, ter a compreensão sobre a como a governança ambiental pode ser utilizada para a implementação desse incentivo positivo nas Florestas dos países em desenvolvimento. Já os objetivos específicos são compreender o sentido e alcance da REDD+, estudar os princípios do Direito Internacional aplicáveis à REDD+ e analisar a governança ambiental para implementação da REDD+ nas florestas dos países em desenvolvimento. Nessa toada, chegou-se à conclusão que os princípios de direito internacional dão sustentabilidade, por meio da governança ambiental, para a implementação do instrumento da REDD+ nos países em desenvolvimento, contribuindo com o fenômeno da redução do desmatamento e da degradação florestal como parte do esforço global para atingir a meta de estabilização e/ou diminuição das emissões de carbono. Dessa forma, essa pesquisa pode contribuir em estudos futuros para implementação da REDD+ nos países em desenvolvimento.

**Palavras-Chave:** Aquecimento Global, Cooperação Internacional; REDD+; Mudanças Climáticas; Princípios de Direito Internacional.

**Summary:** 1 Intro; 2. The Meaning and Scope of REDD+; 2.1 The Essence of REDD+; The Scope of REDD+; 3. Principles of International Environmental Law Applicable to REDD+; 3.1 Principle of International Cooperation; 3.2 Principles of Common but Differentiated Obligations; 3.3 Principle of State Sovereignty; 3.4. Principle of Sustainable Development; 3.5 Principle of Precaution; 3.6 Principle of Public Participation; 4. Environmental Governance for REDD+ Implementation. 4.1 Concept and Importance of REDD; 4.2 The Environmental Governance Parameter for REDD+ Implementation; 5. Final Considerations; 6. References.

## 1 INTRODUCTION

In the current scene of global warming, it is necessary to use the REDD+ legal-political instrument to contain deforestation and forest fires, including reforestation and sustainable forest management so that there is not only a reduction in greenhouse gas emissions and greenhouse effect, but also an increasement of the carbon absorption capacity of forests.

Environmental governance for Reducing Emissions from Deforestation and Forest Degradation – REDD+ is a set of processes and mechanisms that are used to promote forest conservation and reduce greenhouse gas (GHG) emissions associated with deforestation and forest degradation. Environmental governance for REDD+

includes the participation of local communities in REDD+ decision-making and implementation processes<sup>2</sup>.

Thus, knowing the need of cooperation between the countries to reduce, stabilize and zero the greenhouse gasses emission and, consequently reduce global warming, the starting point is the following research problem: how the international law principles can be used for the application of REDD+, in the context of environmental governance, in developing countries? Seeking to answer the question proposed, deductive approach method, the monographic procedure method and the bibliographical research technique were used.

The hypothesis is that through environmental governance the REDD+ instrument contributes to the phenomenon of the reduction of deforestation and degradation of forests in developing countries, as part of the global effort to achieve the goal of stabilizing and/or reducing carbon emissions.

This article has the general objective of examining the legal-political instrument of REDD+ to understand its meaning and scope, and based on the principles of International Law, get the understanding about the significance of environmental governance for the implementation of this positive incentive in the forests of developing countries. The specific objectives are to understand the meaning and scope of REDD+, study the principles of International Law that can be applied to REDD+ and analyze the environmental governance to implement REDD+ in the forests of developing countries. Throughout this article, the meaning and scope of REDD+ will be discussed initially, to understand the principles of International Law applicable to REDD+ and, subsequently, to analyze environmental governance in the context of REDD+ implementation.

The results achieved in the course of this research indicates that this study can contribute to future studies for the implementation of REDD+ in developing countries, so that the international community have the realization that countries will not be able to reach a global goal of stabilization / reduction of carbon emissions if they do not act together through good environmental governance and in compliance with the principles of International Law.

Thus, the analysis of REDD+ is conducted, seeking to understand its origin, meaning, scope, essence, and coverage. Hence, this positive incentive may come in hand to verify the importance of its implementation and the benefits that can come out of it.

## 2 MEANING AND SCOPE OF REDD+

REDD+ was created as a legal-political and economic instrument under the United Nations Framework Convention on Climate Change (UNFCCC) 2009 at COP 15 in Copenhagen, whose requirements and standards were established at COP 16 in 2010 in Cancun, Mexico. It is a response to global warming and climate changes, which are attributed to GHG emissions from burning fossil fuels, energy production, agriculture, and forest degradation. The acronym “REDD+” can accommodate, under the same nomenclature, multifaceted activities such as the

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<sup>2</sup> Hale, Thomas, Roger, Charles, “Orchestration and transnational climate governance”, in *Review of International Organization* 9(1), Spring Science: New York, 2013, pp. 59-82.

Reduction of Emissions from Deforestation and Forest Degradation (“REDD”) as well as the conservation and enhancement of forest carbon stocks and sustainable forests management (“+”).

## 2.1 The Essence of Redd+

REDD+ is an international mechanism created to encourage forest preservation and reduce the GHG levels associated with deforestation and forest degradation. It is a component of the Paris Climate Agreement, an international treaty that sets targets for mitigating climate change. Therefore, REDD+ is a crucial tool to protect the environment and mitigate climate change. In addition, REDD+ can have positive impacts in many areas, such as health, economy, and environment, contributing to social justice and the inclusion of local communities in the decision-making process.

REDD+ is described as “a type of sustainable investment in the forestry sector,” and it is around that the international carbon trading revolves. Its composition comes through policies, economic incentives, and other laws in the internal and external scope of the countries with the purpose of increasing forest protection favoring the climate in a sustainable way. The implementation of REDD+ is only possible if the legal and institutional structure with a focus on environmental governance is observed in view of its polycentric, dynamic, adaptive, and flexible character to deal with deforestation<sup>3</sup>.

When it comes to governance, the functionality of REDD+ needs intersection with many international and national legal instruments in a vertical and horizontal way, respectively. Vertically, there must be compliance with the treaties and express provisions within the framework of the United Nations Framework Convention and horizontally, REDD+ conforms to the normative aspect of the countries that intend to implement this mechanism. Therefore, until REDD+ materializes, it is necessary to assemble a puzzle or mosaic of internal and external legal norms that are shaped in a normative space and adaptively to the national reality of the applicant country<sup>4</sup>.

REDD+ has a pluralist interest in climate mitigation in the forestry sector that englobes the economic path of resource exploitation, land management, agriculture, food production, fuel, ecosystem preservation and biodiversity as a means of subsistence for local communities. So, the plurality of interests becomes clear, especially what speaks to the economic and preservation aspects, but we also cannot forget that forests are the home of biological diversity and communities through a human dimension of forests. The arrangements of REDD+ must include these people in the decision-making and benefitiation process through good environmental governance<sup>5</sup>.

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<sup>3</sup> Voigt, Christina. “Introduction: the kaleidoscopic world of REDD+” in Research Handbook on REDD+ and International law, Christina Voigt, org., UK, Northampton, Massachusetts, USA, 2016, pp. 4-6.

<sup>4</sup> Ibid., p. 2-3.

<sup>5</sup> Voigt, Christina. “Introduction: the kaleidoscopic world of REDD+” in Research Handbook on REDD+ and International law. Christina Voigt, org., UK, Northampton, Massachusetts, USA, 2016, p. 1-3.

## 2.2 SCOPE OF REDD+

REDD+ has three main axes, which are causes of deforestation and forest degradation; impacts of deforestation and increase in forest carbon stocks and the sustainable management of forests and the social dimensions in face of their interaction and integration with a series of human rights instruments. In this sense, even though the main objective is directly connected to deforestation and forest degradation, we cannot fail to consider the variant of human rights. On this basis, politics regarding REDD+ affect people that are directly interested, whether we are talking about Indigenous people that live in the forests or local communities that live in their surroundings and depend on natural resources to survive. These are people who have their rights acknowledged for international human rights agreements within the context of REDD+ safeguards<sup>6</sup>.

It is important to point out that the REDD+ mechanism, once all vertical and horizontal interface requirements are met, that is, the entire structure of the United Nations Framework Convention on Climate Change (UNFCCC) in measuring, reporting and verifying, enables compliance with the safeguards in a transparent manner, all in line with environmental governance. This allows forests to receive positive incentives from the Green Climate Fund. Such incentives will be used not only to combat deforestation and forest environmental degradation, but also to assist people that integrate communities that live off forest resources.

After discussing the meaning and scope of REDD+, we come to analyze the principles of International Law that can be applied to REDD+ to understand the importance of these principles in the implementation of this legal-political instrument.

## 3 PRINCIPLES OF INTERNATIONAL LAW APPLICABLE TO REDD+

REDD+ is a program of mitigation of climate change that concentrates in reducing GHG emissions that come from deforestation and environmental degradation, as well as presenting and helping to increase carbon stocks in forests. The REDD+ program is based on various principles of International Law that are essential for a fair and efficient implementation.

### 3.1 Principle of International Cooperation

International cooperation came into the scene in a positive way for the first time at the Congress of Vienna in 1815<sup>7</sup> and, later, with the end of the Cold War period, when countries established a framework of mutual tolerance and cooperation between the two most economically and militarily developed nations<sup>8</sup>.

The Principle of International Cooperation (*kooperationsprinzipI*) is not restricted to Environmental Law, which is why it is part of the entire structure of the

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<sup>6</sup> Ibid, p. 3.

<sup>7</sup> For the purpose of this study, the establishment of a milestone is marked by the first time the principle was codified. However, history demonstrates numerous instances of cooperation between countries with distinct objectives.

<sup>8</sup> Shaw, Malcolm Nathan, International Law, 5th ed., Cambridge University Press, 2003, p. 33.

Welfare State, offering a guide to other policies that aim at the common good. Cooperation is also seen as a generic expression of the agreement principle<sup>9</sup>.

The Principle of Cooperation has a broader usability when it comes to obligations, since the general obligation cooperation also reaches more specific objectives by techniques designed to ensure the information exchange and participation in decision-making<sup>10</sup>.

Thus, “The obligation to cooperate is affirmed in virtually all international environmental aspects, bilateral and regional implementation agreements, and global instruments.” For this reason, the Principle of Cooperation demands joint action by States and Society in choosing priorities and in decisive processes. It aims to increase the flow of information and expand the participation of States in the decision-making process of environmental policy, seeking to bring constancy and balance in the relationship between individual freedom and social need. Cooperation, as a principle of environmental and economic law simultaneously, is the result of the division of functions in the economic order based on market relations, which implies permanent negotiation between the activities of the State and the citizens<sup>11</sup>.

In the same sense, it is known that there is no possibility for climate changes to be solved in an individual way by the countries, it is not possible without cooperation between them. The sore point is “the cooperation of collective action” that involves not only governments, but also the various actors of civil society, non-governmental organizations and the local community directly interested<sup>12</sup>.

The international agreements come from an extensive process of maturing ideas and many discussions. For some decisions and deliberations to be effective the participation of several institutions is needed. This is the great difficulty since this institutional fragmentation makes the possibility of conducting decision-making more complicated. Reversing the negative effects caused by elevated levels of pollution is not an easy task, especially if it is thought of in isolation by the States. In this way, the modern evolution of International Environmental Law points to cooperation between developed and developing countries as a way of taking measures aimed at the equitable and sustainable use of environmental resources, promoting greater transparency and public participation in national decision-making, as well as for the adoption and harmonization of a major national environmental legislation within the scope of each developing country that intends to implement REDD+<sup>13</sup>.

In 1956, the Specialized Inter-American Conference for the Conservation of Natural Resources established that “The cooperation among States is the highest

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<sup>9</sup> Derani, Cristiane, *Direito Ambiental Econômico*, 3ª Ed. São Paulo, Saraiva, 2008, p. 141.

<sup>10</sup> Sands, Philippe, *Principles of International Environmental Law*, 2nd ed., Cambridge University Press, 2003.

<sup>11</sup> Derani, *op. cit.*, p. 142.

<sup>12</sup> Carlos Fco. Molina del Pozo, Pablo Cristobal Molina del Pozo Martin, “The European Union as a major player in the fight against climate change: challenges and opportunities”, in *Revista Internacional Consinter de Direito*, nº III, 2nd semester de 2016, p. 104.

<sup>13</sup> Birnie, Patricia, Boyle, Alan, Redgwell, Catherine, *International Law and the Environment*, Third Edition, Oxford University Press, 2009, p. 68.

means to achieve the best sustainable yield of living resources of the high seas, taking into account the continuity of the reproduction of all species"<sup>14</sup>.

Of course, there was economic supremacy of the developed countries. For this reason, decolonization was seen to integrate developed and developing countries, bringing economic, social, and cultural development to them through cooperation. An example is UN Resolution n° 1.514, from 1960, which establishes in its considerations that "[...] The continuation of colonialism hinders the development of international economic cooperation, makes it difficult to achieve the social, cultural, and economic development of dependent peoples, and runs counter to the United Nations' ideal of universal peace". That Resolution stated that "1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and cooperation"<sup>15</sup>.

As seen so far, cooperation stumbles upon the bonds of economic and social bias, and even though it could have had some impact on environmental protection, all decisions were directed towards the economic point of view, still far from the idea of sustainable development.

The solution to environmental issues is inserted from the perspective of the implantation of a system of effective application of individual states, based on scientific data and economic interests. This dynamic will be possible through multilateral conventions defining standards for solving specific problems with the signing of bilateral agreements to resolve demands that go beyond the territorial limits of a sovereign State<sup>16</sup>.

It is crucial to bear in mind that the suitable instrument for attaining this principle lies in multilateral conventions defining standards, with a focus on a specific type of issue or particular regions. Bilateral agreements pertaining to borders and border relations also play a significant role in this context.

It is to be noted that the appropriate vehicle to achieve this principle are the multilateral standard-setting conventions focusing on a specific type of problem or specific regions. Bilateral agreements related to borders and border relations also have a role to play.

REDD+ is linked to International Law in many ways. The United Nations, through International Conventions, as a mechanism to encourage forest preservation and to reduce GHG emissions related to deforestation and forest degradation, created REDD+. It is a compound of the Paris Climate Agreement, an international treaty that sets goals to mitigate climate changes. Therefore, REDD+ is linked to International Law in the field of climate and forest preservation.

In addition, the implementation of REDD+ involves issues related to international human rights law, such as protecting the rights of local communities and ensuring access to information and participation in decision-making processes. It may also involve issues of international trade law, such as the regulation of economic activities.

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<sup>14</sup> Schrijver, Nico, *The Evolution of Sustainable Development in International Law: Inception, Meaning and Status*. Leiden, Martinus Nijhoff, 2008, p. 220.

<sup>15</sup> UN, United Nations Organization, Resolution n° 1.514, November 26, 1960.

<sup>16</sup> Brownlie, Ian, *Principles of Public International Law*, 6th ed, Oxford University Press, 2008, p. 287.

Although there are regional problems, such as the conservation of fishing stocks or allocation of water resources, or even transboundary atmospheric pollution, there must be international management and cooperation so that there is equitable allocation and conservation of natural resources. In this case, it is precisely the UN, the center of international cooperation<sup>17</sup>.

However, the creation of the legal instrument of REDD+ is only the first step. Making the REDD+ mechanism effective demands a complex architecture at national and international levels through environmental governance, which will be discussed later.

### 3.2 Principle of Common but Differentiated Responsibilities

The principle of Common but Differentiated Responsibilities (CBDR) is a concept in international law that establishes that countries must have common responsibilities in relation to certain issues, such as the environment and climate change, but that these responsibilities can be differentiated by taking based on each country's circumstances and capabilities.

The CBDR principle was developed to reflect the differences between countries in terms of economic development, technological capacity, and other factors, and it aims to balance the need for environmental protection and climate change mitigation with the need for economic and social development of the countries. The CBDR principle is applied in several contexts in international law, including the UNFCCC.

Countries must have different interventions when it comes to environmental issues. Thus, according to Viñuales “[...] The principle of common but differentiated responsibilities is a fundamental principle of international law that recognizes the need to take into account differences among countries and their developmental needs when applying international environmental norms”.

It is precisely what is presented in the established Agreements. It is impossible to establish the same responsibility for developed and developing countries. It is not possible for developing countries to have to finance funds or projects aimed at the environmental initiative, even because, historically the developed countries were the ones that majorly made use of the natural resources. The responsibility to preserve the environment is common to all nations, however, the way and means of implementing this environmental protection must be differentiated between such countries, based on their historical aspects of aggression to the environment.

REDD+ can be linked to the principle of Common but Differentiated Responsibilities in many ways. REDD+ is an international mechanism created to encourage forest preservation and reduce GHG emissions related to deforestation and forest degradation. It is a component of the Paris Climate Agreement, an international treaty that establishes goals to mitigate climate changes. That reads, REDD+ is linked to the common goal to preserve the environment and mitigate global warming and climate changes.

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<sup>17</sup> Birnie, Patricia, Boyle, Alan, Redgwell, Catherine, *International Law and the Environment*, Third Edition, Oxford University Press, 2009, p. 85.



### 3.3 Principle of State Sovereignty

The principle of State sovereignty in International Law stems from the Treaty of Westphalia signed in 1648, which ended the Thirty Years' War in Europe. From that moment on, the sovereignty of States became a key principle of the international system, meaning that each State is considered the only legitimate power in its territory. However, in practice, this principle is often violated due to power relations between States and the international community often is in accord with this violation<sup>18</sup>.

This is a theory called “organized hypocrisy” by author Stephen David Krasner, where states pretend they are respecting each other's sovereignty, but are constantly violating this principle. Hypocrisy is a way of maintaining the stability of the international system, allowing states to maintain their interests and pursue their political goals. The author mentions as an example the situation of humanitarian intervention, in which a State or a group of States intervenes in another State to protect the population against violations of human rights. Thus, although some as a violation of the sovereignty of States see humanitarian intervention, the international community as a legitimate way to protect human rights often accepts it<sup>19</sup>.

The principle of State sovereignty includes the capacity to define its own environmental policies, including those related to the conservation and use of its forests. Thus, in the context of the REDD+ legal-political instrument, this principle has been the subject of international debates and negotiations since the implementation of the mechanism can directly affect the environmental policies of each State.

On one hand, REDD+ is an international initiative to reduce GHG emissions through sustainable preservation and management of forests. That means that States that adhere to REDD+ are compromised to implement means and politics to reduce deforestation and forest degradation, which may result in positive implications in its environmental politics.

On the other hand, the States sovereignty also means that they do have the right to define their own politics and strategies to preserve their forests. Therefore, the implementation of REDD+ must respect each State sovereignty and ensure that the politics and proposed policies are consistent with the national needs and politics.

In this context, the principle of the sovereignty of the States might become an obstacle to international cooperation and global climate action. States might argue that they have the right to make their own decisions regarding climate changes and that other nations do not have any right to intervene in their sovereignty.

However, this perspective may bring us to an impasse regarding global warming and climate changes once global action is essential to deal with these questions. International cooperation is crucial to ensure that all countries work together to reduce greenhouse gas emissions and protect the environment, which is why states should not invoke sovereignty to evade environmental responsibilities.

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<sup>18</sup> Krasner, Stephen David, *Sovereignty: organized hypocrisy*, Princeton: Princeton, University Press, 1999, p. 232. Available at: <http://www.maihold.org/mediapool/113/1132142/data/Krasner.pdf>. Access on July 15th 2023.

<sup>19</sup> *Ibid.*, p. 239-245.

It can be seen that “[...] above the notion of sovereignty for the State comes its responsibility”<sup>20</sup>. Thus, the implementation of REDD+ requires a balance between the principle of state sovereignty and the need for international cooperation to reduce greenhouse gas emissions and combat deforestation and forest degradation. Dialogue and international cooperation are key to ensure that REDD+ objectives are achieved in a consistent manner with each State’s policies and needs. States sovereignty must not disrupt international cooperation and joint decision-making to deal with global issues that affect everyone. Thus, to preserve natural resources associated with climate policies, the study of the principle of sustainable development must also be observed.

### 3.4 Principle of Sustainable Development

“The origin of sustainable development cannot be exactly dated”<sup>21</sup>, however, one cannot fail to consider relevant historical aspects that led to the understanding of this expression through a process of maturation until the present day. Some historical events in the 1960s are mentioned, which allowed reflections on global actions, among them: the publication of the book *Silent Spring*, written by Rachel Carson; the Conference at the University of Keele in 1965 in England that coined the term Environmental Education; the founding of the Club of Rome in 1968 and, in the same year, the Biosphere Conference organized by UNESCO in Paris, France<sup>22</sup>.

The emergence of the principles of Environmental Law in positive law comes from Stockholm. Evaluating the historical sequence of events, the moment of institutional confirmation that sustainable development is a legal principle of positive international law is observed. In this sense, it is important to highlight what is stated in the final part of proclamation 6 of the Stockholm Declaration:

*6 [...] There are broad vistas for the enhancement of environmental quality and the creation of a good life. What is needed is an enthusiastic but calm state of mind and intense but orderly work. For the purpose of attaining freedom in the world of nature, man must use knowledge to build, in collaboration with nature, a better environment. To defend and improve the human environment for present and future generations has become an imperative goal for mankind—a goal to be pursued together with, and in harmony with, the established and fundamental goals of peace and of worldwide economic and social development<sup>23</sup>.*

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<sup>20</sup> Carmen Luiza Dias de Azambuja, “Soberania versus fraternidade”, in *Revista Internacional Consinter de Direito*, n° XII, 1º semestre of 2021, p. 261.

<sup>21</sup> Ferrari, Alexandre Harlei, *De Estocolmo, 1972 a Rio + 20, 2012: O discurso ambiental e as orientações para a Educação Ambiental nas recomendações internacionais*, Tese de Doutorado, Universidade Estadual Paulista – UNESP, Orientadora Dra. Maria Cristina de Senzi Zancul, 2014, p. 607. Also check: Voigt, Christina, *Sustainable Development as a Principle of International Law: Resolving Conflicts between Climate Measures and WTO Law*, Edward Elgar Publishing, 2009, p. 11.

<sup>22</sup> Ferrari, Alexandre Harlei, *De Estocolmo, 1972 a Rio + 20, 2012: O discurso ambiental e as orientações para a Educação Ambiental nas recomendações internacionais*, Tese de Doutorado, Univesidade Estadual Paulista – UNESP, Orientadora Dra. Maria Cristina de Senzi Zancul, 2014, p. 60.

<sup>23</sup> Stockholm Declaration, *Environmental Law Guideline and Principles*, Stockholm, 1972, p. 04.

According to Voigt:

*The 1972 Stockholm Declaration marked the beginning of a new conception of development: not in an environmental context, but with regard to its socio-political implications. The necessity of development was expressed in Article 8 of the Stockholm declaration as follows: [e]conomic and social development is essential for ensuring a favorable living and working environment for man and for creating conditions on earth that is necessary for the improvement of the quality of life. Development was no longer regarded in terms of gross national product but as a policy aimed at 'better living conditions for all'. However, the ideal of unlimited development remained, with Article 11 of the Declaration calling the States not to take any steps to promote environmental protection without duly taking into account the effects on development policy<sup>24</sup>.*

Regarding the most significant Declaration on the subject, Birnie, Boyle and Redgwell categorically state that:

*The Rio Declaration on Environment and Development, adopted by consensus at the UN Conference on Environment and Development in 1992, constitutes at the present the most significant universally endorsed statement of general rights and obligations of states affecting the environment. The Declaration is in part a restatement of existing customary law on transboundary matters, partly an endorsement of new or developing principles of law concerned with protection of the global environment, and partly a statement of policies and ideals set out more fully in Agenda 21<sup>25</sup>.*

With the Sustainable Development Goals (SDGs), the principle of sustainable development ceases to be just a principle of environmental law to become a principle of international law. The SDG, the basic principle of action of the United Nations, together with the principle of cooperation and sovereignty form the tripod of action of the United Nations.

The Principle of Sustainable Development states that economic development must be conducted in a sustainable way, considering environmental, social, and economic aspects. REDD+ can be seen as a tool to promote sustainable development, as it can contribute to protecting the environment, reducing greenhouse gas emissions, and generating social and economic benefits.

One of the main contributions of the REDD+ legal-political instrument is the possibility of generating economic benefits for local communities and developing countries, while reducing greenhouse gas emissions. This is possible thanks to the appreciation of ecosystem services provided by forests, such as oxygen production, maintenance of biodiversity, regulation of climate and water regime, among others. This appreciation can be translated into payments for conservation results, which encourage the maintenance of forests still grounded and growing, instead of their predatory exploitation.

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<sup>24</sup> Voigt, Christina, *Sustainable Development as a Principle of International Law: Resolving Conflicts between Climate Measures and WTO Law*, Edward Elgar Publishing, 2009, p. 13.

<sup>25</sup> Birnie, Patricia, Boyle, Alan, Redgwell, Catherine, *International Law and the Environment*, Third Edition, Oxford University Press, 2009, p. 112.

### 3.5 Principle of Precaution

The precautionary principle is applicable when there are scientific uncertainties about the impacts of an action or activity on the environment. It requires that decisions be made considering potential environmental risks and damage, even when there is not full scientific consensus on the extent of these risks. This principle is enshrined in several international agreements and conventions on the environment, including the UNFCCC.

This principle stems from principle 15 of the Rio Declaration, which states that:

*In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation<sup>26</sup>.*

The Precautionary Principle establishes that when there is scientific uncertainty about the environmental risks of a certain activity, preventive measures must be taken to avoid serious and irreversible damage to the environment. Implementing REDD+ is a preventive measure to avoid serious and irreversible damage to forests and the environment that can be caused by deforestation and forest degradation.

In this way, “precaution is related, therefore, with damage control that can be generated for the human identity by the lack of scientific certainty. The precautionary principle is an important guideline for the sustainable use of natural resources and its relationship with the legal-political instrument of REDD+ is essential to implement preventive and corrective measures to avoid irreparable environmental damage.

This principle means that, where there is risk of severe or irreversible environmental damage, measures shall be taken to avoid these damages in response to the scientific uncertainty. In integration terms, applying the principle of precaution means that even when there is scientific certainty about the interference of social and economic systems in ecological functions is insufficient, the thresholds of ecological resilience must be anticipated<sup>27</sup>.

In the REDD+ context, the Principle of Precaution is important because the mechanism might have significant impacts on the use of the land and in the local communities’ rights, including Indigenous and traditional peoples. Implementing REDD+ requires actions to reduce the emission of greenhouse gasses, but it also must consider the preservation and sustainable use of biodiversity, as well as the protection of human and local communities’ rights.

Therefore, the incorporation of the Principle of Precaution in the legal-political instrument of REDD+ is essential to ensure the environmental sustainability and social implementation of the mechanism, allowing a cautious and responsible approach in relation to the potential risks and associated negative impacts.

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<sup>26</sup> Report of The United Nations Conference on Environment and Development. Rio Declaration On Environment And Development, 1992, p. 03.

<sup>27</sup> Voigt, Christina, Sustainable Development as a Principle of International Law: Resolving Conflicts between Climate Measures and WTO Law, Leiden, Martinus Nijhoff Publishers, 2009, p. 47.

### 3.6 Principle of Public Participation

The Principle of Public Participation is a fundamental element of environmental law, it is based on the idea that the participation of society is essential to the decision-making when it comes to environmental matters that affect people's lives and the planet. This principle is intricately linked to democratic development, in the sense that society must have the opportunity to get involved with decision-making processes that affect the environment.

The Principle of Public Participation comes from the 1998 Aarhus Convention, as Sands explains:<sup>28</sup>

*Principle 10 has inspired the adoption of the first international convention – the 1998 Aarhus Convention – to require parties to guarantee the rights of access to information, public participation in decision-making and access to justice in environmental matters, and to promote the Convention's principles in international environmental decision-making and within international organizations.*

When you have the participation of directly interested citizens, environmental issues are better managed and, consequently, there is a collective benefit. In this sense, access to information that is under the guardianship of the Public Power is also relevant, because, often when dealing with dangerous materials and activities, communities can make their choices in the decision-making processes<sup>29</sup>.

Public participation might bring benefits to local communities and Non-Governmental Organizations (NGOs), because it can directly influence the paths to be followed by projects. The specific knowledge of the conditions, as well as the appreciation of the real needs of the locals, facilitate the process of accommodation and project development, making it more effective<sup>30</sup>.

In the context of the legal-political REDD+ instrument, public participation is essential to ensure that the decisions made are fair, transparent, and democratic. One of REDD+ characteristics is its complexity, which involves a fair number of actors and interests, from governments to local communities and Indigenous. Public participation is, therefore, a way to ensure that all voices are heard, and the decisions made take into consideration the needs and perspectives of all involved to guarantee an effective implementation of REDD+.

Thus, in addition to the internal discussion process regarding the public participation of the community directly interested, there is another aspect for the implementation of REDD+ actions, which consists of good environmental governance, which is the subject of discussion that comes next.

## 4 ENVIRONMENTAL GOVERNANCE FOR REDD+ IMPLEMENTATION

Conflicts that come from specialized regimes, as well as the block conflicts about the environmental theme are resolved through governance. So, it is imperative

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<sup>28</sup> Sands, Philippe, *Principles of International Environmental Law*, 2nd ed., Cambridge University Press, 2003, p. 118.

<sup>29</sup> *Ibid.*, p. 15.

<sup>30</sup> Voigt, Christina, *Sustainable Development as a Principle of International Law: Resolving Conflicts between Climate Measures and WTO Law*, Edward Elgar Publishing, 2009, p. 356.

to understand the range and meaning of environmental governance as a continuous, broad, and dynamic process of decision-making, through institutions and regimes with power enough to complete and form international agreements, with the goal to resolve various or conflicted interests through cooperative actions<sup>31</sup>.

#### 4.1 Concept and Importance of Environmental Governance

It is important to point out, from the outset, that there is no concept or uniqueness regarding the definition of environmental governance. However, a very didactic definition for the purposes of this research states that environmental governance is an orchestration of international actors, with the purpose of joining multilateral efforts through transnational climate governance initiatives to mitigate the reduction of greenhouse gases and, consequently, mitigate climate change<sup>32</sup>. In this sense, "Governance refers to who makes decisions and how decisions are made, from national to local scale, including formal and informal institutions and rules, power relations and practices of decision making"<sup>33</sup>.

The proposals to reduce greenhouse gasses emissions that come from deforestation and forest degradation find shelter in REDD+. The preservation of the ecosystem is a way to contribute with global emissions, ensuring protection to biodiversity and livelihoods to people who depend on forest resources. This is possible by assigning an economic value to carbon for the trees that remain standing, seeking to reduce or reverse deforestation and forest destruction. In this regard, the reversal of deforestation is a worrying scenario, since a combination of economic, institutional, political and other factors coexist and that contributes to illegal and uncontrolled deforestation, major causes of forest loss and degradation, such as: changes in land use for agriculture or infrastructure, use of forest resources for commercial or subsistence purposes, contesting forest land ownership, corruption, among others. Thus, if such questions are not noted with the consequent improvement of the environmental governance capacity, just obtaining economic incentives will not bring effectiveness to forest preservation<sup>34</sup>.

It is in this scenario described above, with an elevated level of deforestation, illegal activities such as logging and conversion of land for agricultural purposes, that is, more significant causes that drive deforestation and forest degradation, that the best potential for exploring REDD+ is found. Therefore, environmental engineering called environmental governance is essential.

Environmental governance is of fundamental importance for the acquisition of REDD+ resources, and, despite the multiplicity of intergovernmental actors, developing countries have played a greater role in this process. Uncoordinated actions at the internal or external level and the lack of clarity about the functions to

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<sup>31</sup> Birnie, Patricia, Boyle, Alan, Redgwell, Catherine, *International Law and the Environment*, Third Edition, Oxford University Press, 2009, p. 43.

<sup>32</sup> Hale, Thomas, Roger, Charles, "Orchestration and transnational climate governance" in *Review of International Organizations* 9(1), Spring Science, New York, 2013, p. 67.

<sup>33</sup> Larson, A.M., Petkova, E, "An introduction to forest governance, people and REDD+ in Latin America: obstacles and opportunities", in *Forests*, 2011, p. 87.

<sup>34</sup> Saundes, Jade, Ebeling, Hohannes, Nussbaum, Ruth, "Reduced Emissions from Deforestation and Forest Degradation (REDD): Lessons from a forest governance perspective", in *ProForest: United Kingdom*, 2008, p. 03.

be exercised by each actor in the context of environmental governance make it difficult to implement REDD+ in forests. The absence of specific and delimited attributions extends to the secretariats of the Convention, the secretariat of the GEF and the developing countries for the access and application of resources of the Global Environmental Facility – GEF<sup>35</sup>.

#### 4.2 The Environmental Governance Parameter for Redd+ Implementation

The environmental structure for governance demonstrates that there are four situations that must be observed to have better results in international negotiations: voice, responsibility, effectiveness, and efficiency. This means that developing countries must improve governance and policies designed to increase economic growth and reduce poverty. The environmental structure for governance demonstrates that there are four situations that must be observed to have better results in international negotiations: voice, responsibility, effectiveness, and efficiency. This means that developing countries must improve governance and policies designed to increase economic growth and reduce poverty<sup>36</sup>.

For REDD+ activities to be effective, it is essential to have a national architecture or governance structure focusing on implementing strategies or a national action plan, seeking effective, efficient, and equitable results in relation to the results of mitigating greenhouse gasses<sup>37</sup>.

However, despite the rule to implement REDD+, based on a national structure, it has a collective understanding that such activities might be implemented through subnational or shared competency entities with national and subnational governance entities, even prioritizing certain geographic areas that have bigger issues regarding deforestation or some impact<sup>38</sup>.

Regarding environmental policies, a greater number of international initiatives have emerged with the participation of civil society, including in the definition of global agendas. REDD+ has been an alternative for uniting different actors interested in defending the distinct functions of the forest<sup>39</sup>.

The Warsaw Framework for REDD+, arising from the Convention of the Parties (COP 19), held in Warsaw, Poland, established a structure with governance implications in terms of intersectoral and interagency coordination, based on previous decisions. Decisions involving issues such as results-based financing, coordination to support and implement REDD+ in developing countries, national monitoring system, safeguards, guidelines, and procedures for technical evaluation

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<sup>35</sup> Ibid., p. 03.

<sup>36</sup> Ibid., p. 03-05.

<sup>37</sup> Segger, Marie-Claire Cordonier, Wardell, Gehring, Markus, Wardell, Andrew, “REDD+ instruments, international investment rules and sustainable landscapes” in *Research Handbook on REDD+ and International Law*, Edward Elgar. Cheltenham, UK, Northampton, Massachusetts, USA, 2016, p. 354.

<sup>38</sup> Voigt, Christina, Ferreira, Felipe, “The Warsaw Framework for REDD+: implications for national implementation and results-based finance” in *Research Handbook on REDD+ and International Law*, Christina Voigt Org., Edward Elgar, Cheltenham, UK, Northampton, Massachusetts, USA, 2016, p. 37.

<sup>39</sup> Saunders, Jade, Ebeling, Hohannes, Nussbaum, Ruth, “Reduced Emissions from Deforestation and Forest Degradation (REDD): Lessons from a forest governance perspective”, in *ProForest: United Kingdom*, 2008, p. 05.

of parties' submissions, and aspects related to measurement, reporting and verification of anthropogenic emissions related to forests. At the domestic level, national authorities' accountability for REDD+ results require an increased level of coordination between national agencies, including those responsible for other responsibilities under the UNFCCC, and the multiple stakeholders involved in the implementation of REDD+ activities at all levels<sup>40</sup>.

Several challenges must be faced to maximize the potential benefits of REDD+ for forest governance, such as:

*Establishing clarity of coverage and application of national forest laws; Building capacity for law enforcement; Establishing clear and equitable land tenure and use rights; Establishing a national consensus on forest policy aims and implications through comprehensive stakeholder participation; Monitoring performance through national verification systems; Developing accountability at the national and local level*<sup>41</sup>.

Just to make sense of the importance of successful environmental governance in forests, it is enough to understand that deforestation in the tropics is responsible for between 20% and 25% of global carbon dioxide emissions, which is why it becomes the largest source of greenhouse gas emissions in the world<sup>42</sup>.

On the other hand, it cannot be forgotten to integrate the local community and Indigenous people who surround or live within the forests. Society's participation is extremely important for sustainable environmental management.

*Local people face global demands for climate change mitigation, which must be implemented through existing and emerging national and subnational institutions and structures. REDD+ requires an integrated approach involving both international and local levels of governance, with challenges at every stage. External organizations and structures are also needed to ensure independent and credible reporting and verification and to ensure accountability*<sup>43</sup>.

The complexity and multiple layers involved in the implementation of the legal-political instrument of REDD+ can be verified. Although the problem of climate change has a global origin, the solutions need to be implemented locally, which implies major challenges in coordinating efforts and integrating policies at distinct levels of governance, from the international to the local scale.

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<sup>40</sup> UNFCCC, United Nations Framework Convention on Climate Change, Warsaw Framework for Redd-Plus, 2013.

<sup>41</sup> Saunderes, Jade, Ebeling, Hohannes, Nussbaum, Ruth, "Reduced Emissions from Deforestation and Forest Degradation (REDD): Lessons from a forest governance perspective", in ProForest: United Kingdom, 2008, p. 03.

<sup>42</sup> Houghton, Richard A, "Tropical Deforestation as a Source of Greenhouse Gas Emissions", In Tropical deforestation and climate change (ed. P Moutinho & S Schwartzman), p. 13-22, Belém, Pará Brazil: Amazon Institute for Environmental Research, 2005.

<sup>43</sup> Korhonen-Kurki, Kaisa, Brockhaus, Maria, Duchelle, Amy E., Atmadja, Stibniati, Thuy, Pham Thu. "Múltiplos desafios e múltiplos níveis para REDD+" In Análise de REDD+: desafios e escolhas. Editores: Arild Angelsen. Coeditores: Maria Brockhaus, William D. Sunderlin e Louis V. Verchot. Trad. de Green Ink. Editora Cifor. Bogor, Indonésia, 2013, p. 102.



Implementing REDD+ requires an integrated strategy that considers factors such as environmental, social, economic, and political issues at all stages, from formulation to implementation and evaluation. This requires an interdisciplinary approach and the involvement of multiple actors and institutions, from governments, civil society organizations, local communities, private companies, and international agencies.

Besides, the existence of organizations and external structures are essential, such as regulatory institutions and reliable and independent verifiers, to ensure transparency and responsabilization in the implementation of REDD+. It is important to avoid the risk of frauds, corruption or violation of local communities and Indigenous rights, who many times are the guardians of the forest and have traditional knowledge about handling and preserving these ecosystems.

In short, the need to approach REDD+ as a complex and integrated challenge must be noted, it requires the involvement of multiple actors and institutions at all levels of governance, and it must be implemented in a responsible and transparent manner, respecting local communities and Indigenous people's right, validating, and acknowledging their existence.

One of the biggest problems to be faced about REDD+ is in relation to the design of benefit sharing mechanisms in a current context in which public policies are not well defined. There are previous issues to be resolved, such as competence to make decisions about benefit sharing. Clarity is imperative in making such decisions about who should benefit from REDD+ as well as the right to withhold revenues by the State from private and national assets<sup>44</sup>.

REDD+ is a mechanism created under the UNFCCC and is of extreme relevance to a number of other international legal regimes, including those for human rights, biological diversity, and trade. REDD+ is directly and indirectly related to all these legal regimes through the various causes and impacts of deforestation. The origin of this REDD+ legal-political instrument must be seen within a historical and evolutionary context of environmental legislation and international forest governance. Thus, the tangle of national and international public and legal institutions that historically take unilateral decisions and develop their own programs dissociated from other institutions, a striking feature of public institutions, now has, through environmental governance, a link with new public, public-private transnational governance arrangements that, together, finance and help put the REDD+ instrument into practice<sup>45</sup>.

At last, there is a complex institutional arrangement with many international and national legal regimes and other environmental governance arrangements for REDD+ to be viable. Therefore, it is essential to join efforts and a higher level of

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<sup>44</sup> Luttrell, Cecília, Loft, Lasse, Gebara, Maria Fernanda, Kweka, Demetrius, "Quem deve se beneficiar e por quê?" In *Análise de REDD+: desafios e escolhas*, Editores: Arild Angelsen, Coeditores, Maria Brockhaus, William D. Sunderlin e Louis V. Verchot, Tradução de Green Ink, Editora Cifor, Bogor, Indonésia, 2013, p. 155.

<sup>45</sup> Asselt, Harro van, McDermott, Constance L., "The institutional complex for REDD+: a benevolent jigsaw", in *Research Handbook on REDD+ and International Law*, Christina Voigt, org., Edward Elgar, Cheltenham, UK, Northampton, Massachusetts, USA, 2016, p. 81.

coordination, albeit with certain limitations (trade-offs), indicating that the international legal system for REDD+ will remain pluralistic in the future<sup>46</sup>.

The number of local users must be considered in REDD+ projects so that they can improve their income and do not have a negative effect on their livelihoods, especially regarding the practice of agriculture. For this, there must be projects to integrate the local community and Indigenous people to demonstrate the functionality and importance of REDD+, revealing opportunities and risks to involve local inhabitants in the implementation of the REDD+ project. The purpose is to integrate the balance that is intended for the forest, reducing deforestation and forest degradation, with the well-being of the natives, without threatening their means of subsistence.

## 5 FINAL CONSIDERATIONS

The current climate crisis is one of the greater global challenges of humanity, it requires urgent and coordinated action to avoid irreversible impacts on the life of the planet. Climate change results from human activities that emit greenhouse gasses into the atmosphere, such as the burning of fossil fuels, deforestation, agriculture, and industrialization.

The effects of climate changes can already be seen all over the globe, with extreme climate events becoming more frequent and intense, such as droughts, floods, storms, and heat waves. These events bring severe social, economic, and environmental consequences, directly affecting the most vulnerable communities.

Therefore, it is fundamental for the international community to work together to face the climate change issues and ensure a sustainable future for all of us. Concrete actions and ambitious compromises are needed to achieve the established goals at the Paris Agreement and mitigate the effects of climate changes on life across the planet.

REDD+ is an international mechanism created to encourage forest conservation and reduction of GHG levels associated with deforestation and forest degradation. It comes from The Paris Agreement on climate, which established targets for mitigating climate change, being an important tool for environmental protection. REDD+ contains three main fundamentals: causes of deforestation and forest degradation; impacts of deforestation and increase in forest carbon stocks; and sustainable forest management and social dimensions in addition to their interaction and integration with a series of human rights instruments. However, the implementation of REDD+ is only possible if the legal and institutional structure focused on environmental governance is taken into consideration due to its polycentric, dynamic, adaptive, and flexible character to deal with deforestation.

In this sense, the present paper sought to answer the following problem: how the international law principles can be used for the application of REDD+, in the context of environmental governance, in developing countries?

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<sup>46</sup> Asselt, Harro van, McDermott, Constance L., “The institutional complex for REDD+: a benevolent jigsaw”, in Research Handbook on REDD+ and International Law, Christina Voigt, org., Edward Elgar, Cheltenham, UK, Northampton, Massachusetts, USA, 2016, p. 64.

Therefore, the international law principles applicable to REDD+ are highlighted, especially because they are fundamental to a fair and effective application. Faced with the complexity of the challenges faced by the international community in relation to the conservation of forests and the fight against global warming, international cooperation is becoming increasingly indispensable. In the specific case of the legal-political instrument of REDD+, collaboration between developed and developing countries is necessary for the effective implementation of the mechanism and for the achievement of its objectives. Thus, the implementation of REDD+ is an example of the need for effective and solidary international cooperation to face global environmental challenges, because it requires combined actions of Government and Society on the decision and priority setting processes.

The principle of common but differentiated obligations establishes that countries must have common obligations in relation to certain topics, such as the environment and climate change, but these obligations must be differentiated based on the circumstances and capabilities of each country. This means that, historically, developed countries have caused the greatest damage to the environment and, from the perspective of this principle, should have greater responsibilities in environmental preservation when compared to developing countries.

On the other hand, the Principle of Sovereignty, one of the fundamentals in the international system, demonstrates that each State is the only legitimate power in its territory, defining its own environmental policies, and that is why the application of this principle by a least developed country can stop the implementation of REDD+. One possible solution is the debate through International Cooperation in favor of general and common interests to all countries regarding climate policies.

Nevertheless, sustainable development establishes that economic development must be carried out in a sustainable way, considering environmental, social, and economic aspects. Thus, one of the main contributions of the REDD+ as a legal-political instrument is the possibility of generating economic benefits for local communities and developing countries, while reducing greenhouse gas emissions.

The Precautionary Principle, however, is applicable when there is scientific uncertainty about the impacts of an action or activity on the environment. It requires that decisions must be made taking into account potential environmental risks and damages, even when there is no complete scientific consensus on the extent of these risks. In the context of REDD+, the Precautionary Principle is important because this mechanism can have significant impacts on land use and the rights of local communities, including indigenous and traditional ones. Therefore, this principle is fundamental to guarantee the environmental and social sustainability of the implementation of this mechanism, allowing a responsible approach in relation to the potential risks and negative impacts associated to it.

Finally, the principle of public participation is based on the idea that society's participation is essential for environmental decision-making that affect people's lives and the planet as a whole. In the context of the REDD+ as a legal-political instrument, public participation is essential to ensure that decisions taken are fair, transparent, and democratic.

The conflicts from specialized regimes, as well as bloc conflicts on environmental issues, are resolved through governance. Environmental governance is an orchestration of international actors, with the purpose of combining multilateral efforts through transnational climate governance initiatives to reduce greenhouse gases and, consequently, mitigate climate change.

Environmental governance is of fundamental importance for the acquisition of REDD+ resources, and, despite the multiplicities of intergovernmental actors, developing countries have played a greater role in this process. At this point, the importance of the international law principles applicable to REDD+ for implementing this legal-political instrument in least developed countries is justified as a way of collaborating with climate mitigation policy, integrating the forest balance with the reduction/mitigation of GHGs.

Intercultural dialogue and building partnerships between different actors, including governments, civil society organizations and the private sector, are key to implementing participatory and inclusive environmental governance. The implementation of REDD+ therefore requires a joint and coordinated effort by the international community, with the aim of promoting the conservation and enhancement of forests as a common heritage of humanity and as an integral part of the fight against climate change.

Thus, this paper demonstrated that the legal-political instrument of REDD+ is a crucial tool for the analysis of environmental governance in different contexts, once considered the international law principles.

Considering the results of this study, it is possible to conclude that REDD+ instrument contributes to the phenomenon of reducing deforestation and forest degradation in developing countries, through environmental governance, and as part of the global effort to achieve the goal of stabilization and/or reduction of carbon emissions.

Implementing REDD+ in forests in developing countries presents significant challenges, especially in relation to forest governance. Issues of property rights, territorial conflicts, participation of local communities, and the effectiveness of public policies still need to be addressed in a more consistent way. However, despite the challenges, REDD+ is an effective instrument for forest conservation and sustainable development of the region in which the forest is located, once there is strong political commitment and effective engagement of all interested parties.

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