



ART-TREES Safeguards

FAO Indigenous Peoples Unit Response to the Public Consultation Period on the REDD+ Environmental Excellency Standard (TREES 2.0) and the Architecture for REDD+ Transactions (ART) Program, Section 12 Environmental, Social and Governance Safeguards

March 2021

The FAO Indigenous Peoples Unit welcomes the opportunity to provide comments on ART/TREES 2.0 and to work with the ART secretariat to develop a robust ESG safeguards standard for the ART Program and would like to add to the FAO general response specific inputs regarding the involvement of Indigenous Peoples.

The participation of Indigenous Peoples in the ART /TREES 2.0 initiative should follow as a core and immutable principle the respect to the UN Declaration of Indigenous Peoples (UNDRIP) to ensure the full respect to Indigenous Peoples' rights and particularly to avoid the misuse of this initiative to displace or harm Indigenous Peoples or to violate their individual and collective rights.

The competition for natural resources intensifies other actors' pressure and interest in indigenous peoples' territories, resulting in indigenous peoples seen threatened their lives, communities and territories, many of them suffering forced displacement and migration.

FAO Indigenous Peoples Unit encourage ART/TREES 2.0 to ensure this initiative, the participants involved, and any action implemented within the program's framework does not harm or negatively impact Indigenous Peoples' communities.

Besides, FAO Indigenous Peoples Unit highly encourage ART/TREES 2.0 to incorporate an **Indigenous Peoples' Advisory Board** to provide constant consultation that ensures that the design, planning, implementation and monitoring activities of the ART/TREES 2.0 takes into consideration the views of indigenous peoples.

In addition, FAO Indigenous Peoples Unit suggest the implementation of particular measures in the public consultation:

1. According to the UNDRIP, there is no single definition of Indigenous Peoples at the international level that can be applied to all indigenous communities due to this group's rich diversity between regions and countries. In this case, the recognition of Indigenous People should follow the criteria established in the UNDRIP, being the most important the self-identification, not the governmental recognition.
2. Any submission related to a territory inhabited or used by Indigenous Peoples (legally recognized or not) should include an agreement/ validation by the corresponding Indigenous Peoples' Authority, resulted from the appropriate implementation of a Free, Prior and Informed Consent.



3. Any subnational accounting areas registered under this initiative, including areas or natural resources used by indigenous peoples' communities or that could impact indigenous peoples' communities (including lagoons, mountains, rivers, mangroves, etc.) should not be allowed to go ahead without the agreement/ validation by the corresponding Indigenous Peoples' Authority. This agreement should result from the appropriate implementation of a Free, Prior and Informed Consent process.
4. Indigenous Peoples' sacred areas should be respected in any submission or activity implemented by any participant, including national authorities, private sector or any other stakeholder.
5. Free, Prior and Informed Consent is a right protected by international human rights standards. In this regard, the process to obtain the FPIC should be implemented following the principles of good faith, no harm, and inclusion, ensuring all community members are appropriately represented, including indigenous women, elders and youth.
6. The National Reporting Requirements must demonstrate conformance with the UNDRIP and have a mechanism for indigenous peoples to monitor and express their complaints and observations.
7. When Indigenous Peoples' communities submit activities, it should be important to recognize and promote traditional knowledge, and ancestral territorial management practices have proven to be sustainable and align with indigenous peoples' cosmogonies, food systems, and social structure.

The FAO Indigenous Peoples Unit reinforces the message sent in the general FAO response, requesting further guidance/clarification on how and why the area limit for Indigenous Peoples' territories was determined and requests further clarification on the terminology used regarding "recognized Indigenous Territories".

Finally, the FAO Indigenous Peoples reiterate its availability to provide further orientation and facilitate dialogues with Indigenous Peoples' bodies and representatives to ensure their vision and perspective are appropriately included in the ART/TREES 2.0 initiative.

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