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Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forestry (VGGT)



In May 2012 the Committee on World Food Security (CFS) officially endorsed the [Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forestry](#). The guidelines were prepared through a global consultation between FAO and its partners, including UN-Habitat, the World Bank, IFAD, individual countries, and civil society through a series of regional conferences and workshops, as well as formal negotiation sessions in Rome by the CFS Open Ended Working Group tasked with the finalization. As part of the core group in the FAO Secretariat, LEGN actively supported the adoption of this historic and far reaching set of internationally agreed guidelines, by providing technical legal support and contributing to mainstreaming a human rights based approach and gender equality at every stage of the process. **LEGN is now looking at the implementation stage** and will be part of the interdisciplinary group for the development of technical implementation guidelines on individual topics. The VGGT will serve as a basis for the development of national laws and the Development Law Service will make sure that they are correctly and appropriately reflected in its work. Click here for the [VGGT](#) in English or browse www.fao.org/nr/tenure/voluntary-guidelines/en/ for more information.



Publications

2012 has been a busy year for Development Law Service publications: Recently out in print, a legislative study on *Organic agriculture* (English), and a legislative study on the *Formulation of national regulations for the management of water resources* (Spanish), the latter being the result of a project spanning four countries in Central America for almost three years.



LEGN's popular study on *Designing national pesticide legislation*, already in English and Spanish has just been re-printed as the Service's first translation into Arabic.



Are you interested

in volunteering with us? Do you have a paper you think we should know about? Would you like to make use of our legal technical expertise? Can you contribute to our databases? We would like to hear from you. For more information on who, what and how, please write to devlaw@fao.org or visit us online at www.fao.org/legal.

Coming soon:

Two legislative studies have been translated and are due for release later this year. the *Right to food in emergencies*, in Spanish, and a Russian translation of the study *Forest fires and the law, a guide for national drafters based on the Fire Management Voluntary Guidelines*.

Pro-poor legal and institutional frameworks for urban and peri-urban agriculture is the title of the latest legislative study which examines case studies to better understand the policies needed to address a wide range of issues that link urbanization, food and nutrition security and livelihoods. **In addition** to the above, a comparative analysis on forest carbon tenure in Asia-Pacific has recently been added to the legal papers online series.



A comprehensive fisheries legislative framework for

Sierra Leone In early 2009, the Government of Sierra Leone asked FAO for assistance to develop a comprehensive legislative framework for the fisheries of Sierra Leone. Between July 2010 and 31 December 2011, LEGN, the Fisheries and Aquaculture Department together with international and national lawyers, successfully reviewed the Fisheries (Management and Development) Act 1994 and the Fishery Products Regulations 2007 of Sierra Leone.

The result of this successful project was a **draft Fisheries and Aquaculture Bill and Regulations** for the government to sponsor through the national law-making procedures. The draft law brings changes for fisheries management in Sierra Leone by introducing aquaculture management, collective decision-making for fisheries management and co-management involving fishing communities. Other important features include a transparent licensing system, strengthened provisions for equitable access agreements with other countries and increased penalties for non-compliance. Drafting processes were participatory, transparent, and were complemented by a capacity building workshop on access agreements to train government officers about more equitable arrangements with the EU and other countries.

School feeding legislation in Latin

America LEGN is providing legal assistance to El Salvador, Guatemala, Honduras, Nicaragua and Peru in support of a regional project funded by Brazil that aims at strengthening national school feeding programs in Latin America.



School feeding programs can contribute to the realization of a wide variety of human rights including the right to adequate food, the right to education and the right to health. Also, the design of such programs can help increase small farmers participation in local procurement and food purchases.



Visit of Michigan State University International Food Law study program to FAO HQ

In cooperation with the FAO's Food Safety Division, LEGN contributed to a learning opportunity for 25 students and 2

professors from the International Food Law course of the Department of Agriculture of the Michigan State University. Students from varying disciplines in nutrition, food science, agricultural business and food policy participated. Part of a 20 day visit that took them to 13 organisations, businesses and food lawyers, including the EU, WTO, EFSA, Vita foods, USDA FAS, fresh food markets in Paris and Rome, the group received expert presentations from FAO on food safety, food labeling and food composition in addition to capacity building for safer food supply. LEGN held a seminar that discussed an international perspective with regard to food law and regulation, the work of the Service on food safety and quality with member countries, international frameworks as well as the expected content and effect of national food safety laws.

The reinforcement of school feeding programs implies the development of national legislation in compliance with administrative and constitutional law, as well as with food safety and food security legislation. Particular emphasis is given to the principles of participation, transparency, accountability and empowerment. The project is currently developing a regional comparative study for Central America and is also providing law drafting assistance upon request.

FAOLEX

Statistical checks on hits to FAOLEX, both within FAO and external, show an increasing interest for the database. **Figures are impressive.**

The average number of visits per month is now about 90 000.

The top ten countries accessing FAOLEX are USA, the RUSSIAN FEDERATION, CHINA, MEXICO, PERU, COLOMBIA, FRANCE, ITALY, GERMANY and SPAIN, closely followed by other European countries. The FAOLEX database is a principal tool for the dissemination of legislative information. Member states of FAO and other stakeholders are directly enabled by the database to research legislative instruments in support of comparative legal analysis and tools for lawmaking.

FAOLEX is maintained by LEGN and is a free service available from our web site or directly at faolex.fao.org. It is a globally recognized source of national laws and legislative instruments on food, agriculture and renewable natural resources that are regularly collected, categorized and updated. An analytical abstract is provided in the official languages with the original full text of each legislative document.



Legal assistance for water resources management

Strengthening the legal framework for water resources management in El Salvador, Guatemala, Honduras & Nicaragua was a project sponsored by the Government of Spain aimed at reinforcing the legal and institutional framework for water resources management by drafting adequate, modern, consistent legislation and preparing appropriate implementation strategies. A participatory approach involving national counterparts, FAO representatives, inter-institutional working groups, international cooperation, governments, civil societies, rural communities as well as the private sector was used with different results at the implementation stage. People are key to any implementation and even if same objectives and methodologies are used, the results can be different as they are influenced by local realities and practices. The legislative study entitled *Manual para la formulación de reglamentos nacionales para la gestión de recursos hídricos* (106), was produced as a result of this project.

Whatever protective and enabling legal and policy frameworks exist, their effectiveness will depend on the knowledge and capacities of those responsible for their interpretation and implementation. FAO's experience at the country level indicates that **paralegal training programmes** are a viable approach to improving respect for and ensuring protection of people's rights to land and other resources.



Supporting legal empowerment of rural poor in Mozambique

In Mozambique the Development Law Service supported the process of drafting and adopting a land policy and a land law, followed by other laws on natural resource management. More recently, FAO has been working with the Centre for Legal and Judicial Training (CFJJ) to foster a wider understanding of these new laws. The training programmes for judges, senior officials, district officials and local authorities are complemented by paralegal training for NGOs working with communities. We pay special attention to gender equality and work in support of changing attitudes and local practices wherever possible to empower the equal treatment of women when it comes to land and resources access. A video clip called: **The right to land - Rights of men and women: experiences with paralegals in Mozambique** presents an overview of the gender issues in Mozambique and the major challenges faced by rural women when it comes to access land and natural resources. Watch it on the DLS land page at www.fao.org/legal. **Legal empowerment makes a solid contribution to people's awareness and confidence** when engaging and acting with what are still often more powerful social and economic forces. FAO has found that a bottom-up approach involving two-track training of both rights holders and duty bearers together with follow up and legal support can play a holistic and significant role in changing attitudes.

Strengthening SANITARY AND PHYTOSANITARY (SPS) legislation in LAO PDR

Designed and administered by the World Bank with funding from the Australian and EU governments, a project to provide legal technical support in development of suitable legislation is currently under way in Lao PDR. Since December of 2011, an outposted LEGN officer with backstopping from HQ technical expertise is engaging stakeholders in a consultative approach to develop national legislation that will be compliant with **international standards in food safety, plant and animal health**. Four laws have already been completed and enacted with more expected over the next six months.



National workshop on animal identification legislation in India

Legal assistance was provided to the Department of Animal Husbandry and Health at the Ministry of Agriculture, India, to set up a national system for bovine animal identification and traceability (AIT). LEGN is supporting the development of an Animal Identification and Traceability Act and bovine animal identification and traceability regulations that will provide a uniform strategy for AIT, facilitating trade and enabling traceability of bovine animals and their products between states. The workshop served to discuss the elements of this regulatory system with representatives from Indian states, producers, and private stakeholders.



One Health

LEGN is an active member of different inter-departmental working groups in the realm of animal health and animal production, including the One Health Initiative on animal welfare, sustainable livestock production and antimicrobial resistance (AMR). The One Health approach recognizes the linkages between animal, plant and food production and health. With this strategy, the environmental impact of agricultural production and protection and the sustainable use of natural resources are also considered so that health risks originating from existing, emerging or re-emerging diseases will be prevented, detected, contained and eliminated in a comprehensive and effective manner. Recently, LEGN joined the 3rd meeting of FAO, WHO and OIE on AMR. AMR hampers the control of infectious diseases, jeopardizes health-care gains to society and threatens health security. AMR meetings promote cooperation between FAO/OIE/WHO in the fight against antimicrobial resistance.

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Latin America food security laws

In the framework of an FAO project funded by Spain in support of the Hunger Free Latin America and the Caribbean Initiative, LEGN is providing technical assistance to Latin American countries in order to strengthen their food security legislation. A regional comparative study including El Salvador, Guatemala, Honduras and Nicaragua is underway to develop a regional analysis of the contents and the processes which can guide the drafting of new food security framework laws and improve existing ones. Capacity building and drafting of national laws and regulations is also part of the technical assistance provided by this project that also includes Ecuador and Peru.

Pesticides Management & Regulatory Frameworks in West Africa

Representatives from the Permanent Interstate Committee for Drought Control in the Sahel (CILSS), the Economic and Monetary Union of West Africa (UEMOA); and the Economic Community Of West African States (ECOWAS) met in Ouagadougou (Burkina Faso) this summer in a regional workshop for the preparation of a program on capacity building for Integrated Pest Management in West Africa. LEGN joined the Pesticides Risk Reduction Group (AGP) in a meeting that produced three action plans for joint CILSS, ECOWAS and UEMOA activities, respectively for the harmonization of pesticide registration; post-registration; and one for the revision of national pesticides legislation.

