

**Programme**  
**20 – 21 April 2017**

**Facilitated by Kate Cook, Matrix Chambers, London, UK**

Date	Time	Venue
20 April 2017	14:00pm – 17.30pm	LEBANON Room (D209)
21 April 2017	09:00am – 13.00pm	ETHIOPIA Room (C285/89)
	14.00pm – 16.00pm	LEG Library (A451) – For Legal Office personnel only

Topic	Content / Activities	Objectives
<b>DAY 1</b>		
14.00 – 14.05	WELCOMING REMARKS: Antonio Tavares, Legal Counsel	<ul style="list-style-type: none"> <li>To provide a summary of objectives</li> </ul>
14.05 – 14.20	<b>OVERVIEW OF THE DEVELOPMENT LAW SERVICE:</b> Blaise Kuemlangan, Chief, LEGN <ul style="list-style-type: none"> <li>LEGN's mandate and mission</li> <li>LEGN's approach and methodology on legislative support</li> </ul>	<ul style="list-style-type: none"> <li>To familiarize technical colleagues with LEGN's role and activities</li> </ul>
14.20 – 16.00	<b>CLIMATE CHANGE LAW: INTERNATIONAL FRAMEWORK AND NATIONAL LEVEL IMPLEMENTATION:</b> facilitated by Kate Cook <ul style="list-style-type: none"> <li>International law: setting the framework               <ul style="list-style-type: none"> <li>The UNFCCC, Kyoto Protocol; the Paris Agreement: what changed in climate law and obligations?</li> <li>Key legal principles on climate change that are relevant for sub-sectors under FAO mandate</li> <li>Other Rio Conventions (relationship with CC regime and integrated implementation?) – CBD, UNCCD</li> <li>Soft law (SDGs etc.)</li> </ul> </li> <li>National law and legal context – challenges for implementation and opportunities to mainstream agriculture               <ul style="list-style-type: none"> <li>Framework law and sectorial laws</li> <li>NDCs, NAMAs, NAPs: integration of agriculture related measures</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>To provide an overview of the legal framework for climate change at both international and national levels</li> <li>To relate the climate change legal regime to challenges and opportunities in the agriculture sector</li> </ul>
16.00 – 16.15	Break	
16.15 – 17.15	<b>FAO AND CLIMATE CHANGE:</b> Contributions from the technical units and SPs <ul style="list-style-type: none"> <li>Overview of FAO's Strategy and Work on Climate Change: Mark Davis, CBC.</li> <li>Key livestock strategies in FAO's response to climate change: Anne Mottet, AGA</li> <li>Integrating the principle of gender equality into FAO's response to climate change: Szilvia Lehel, ESP</li> <li>Climate change adaptation and mitigation in forestry: Simone Rose and Serena Fortuna, FO</li> <li>Climate change strategy in fisheries and aquaculture: Tarub Bahri, FI</li> <li>Climate change and poverty nexus from FAO's perspective: Daniela Kalikovska, SP3.</li> </ul> <p>Interventions from other technical colleagues and general discussions.</p>	<ul style="list-style-type: none"> <li>To better understand FAO corporate strategy on climate change and its operationalization</li> <li>To inform legal officers of climate change priorities of technical departments and strategic programmes</li> <li>To collect initial ideas on how the law can be a tool to support achievement of sectoral priorities on climate change</li> </ul>
17.15 – 17.30	Wrap up and introduction of case studies for next day	

## DAY 2

09.00 – 10.45	<b>PRACTICAL EXERCISE: CASE STUDIES</b> <ul style="list-style-type: none"> <li>Interactive exercise with case studies (in smaller break out groups) <ul style="list-style-type: none"> <li>If FAO is asked to support climate law review or making (according to descriptions provided): <ul style="list-style-type: none"> <li>which elements relevant to FAO's mandate should be incorporated and how?</li> <li>how would you integrate climate legal principles in your planned response?</li> <li>How should the institutional elements be addressed?</li> <li>How should substantive elements be incorporated (GHG etc.)?</li> </ul> </li> <li>If you are preparing a project proposal relating to climate change, how would you incorporate the law/legislation as a tool or a component?</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>To practice incorporating legal considerations in addressing challenges related to climate change and agriculture</li> <li>To enhance common understanding of the role of law to implement climate change objectives</li> </ul>
10.45 – 11.00	Break	
11.00 – 13.00	<b>OUTCOMES: LEGAL OPTIONS FOR CLIMATE MAINSTREAMING: facilitated by Kate Cook</b> <ul style="list-style-type: none"> <li>Based on discussions and input from practical exercise, undertake a guided discussion addressing: <ul style="list-style-type: none"> <li>What elements/principles/mechanisms need to be considered to mainstream climate change obligations/principles into agriculture sectoral legislation?</li> <li>How to mainstream agriculture considerations into climate change specific legal frameworks?</li> <li>What is the role and good practices/lessons learned in institutional frameworks for climate change at national level?</li> </ul> </li> <li>Identification of knowledge gaps and research priorities</li> <li>Brainstorm ideas for future collaboration between LEGN and technical divisions in integrating of legal aspects on project design and implementation</li> </ul>	<ul style="list-style-type: none"> <li>To inform and promote collaboration on climate change between LEGN and technical departments/programmes</li> <li>To provide input into LEGN's work on climate change</li> <li>To inform the inception of Legislative Study on Climate Change</li> </ul>
13.00 – 14.00	Break	
14.00 – 16.00	<b>LEGAL TOOLS AND OPTIONS TO LINK CLIMATE CHANGE AND AGRICULTURE: Interactive discussion facilitated by Kate Cook (Legal Office only)</b> <ul style="list-style-type: none"> <li>How to 'climate-proof' and mainstream climate legal principles into sectoral legislation, and how to mainstream agriculture considerations in climate change frameworks? <ul style="list-style-type: none"> <li>Legal Assessment Tools (LAT) and checklists: what already exists and where can FAO/LEGN add value</li> <li>Legal options to set and implement sectoral targets and prioritize sector-specific mitigation and adaptation measures, and to integrate more agriculture considerations into climate specific frameworks</li> <li>Legal options to mainstream climate vulnerability and resilience <ul style="list-style-type: none"> <li>Link with DRR and social protection laws</li> <li>Requirement for climate vulnerability and impact assessment</li> </ul> </li> <li>Legal options to strengthen sectoral institution and governance on climate change <ul style="list-style-type: none"> <li>Measures for participatory decision-making on <ul style="list-style-type: none"> <li>target/priority setting</li> <li>strategies/policies development</li> <li>initiatives formulation and implementation</li> <li>accountability</li> </ul> </li> <li>Measures for strengthened transparency for <ul style="list-style-type: none"> <li>GHG inventory</li> <li>monitoring, reporting and verification (MRV)</li> </ul> </li> </ul> </li> </ul> </li> <li>Examples of experiences by front-running countries</li> </ul>	<ul style="list-style-type: none"> <li>To provide examples of practical ways to mainstream the climate legal principles into sectoral legislation</li> <li>To be familiarized with diverse array of potential legal options and tools</li> <li>To understand how legal principles on climate change can be translated into proposed legislations and provisions</li> </ul>

## Kate Cook

Kate has specialist and wide-ranging expertise in environmental law. She also practises generally in public international, European Union, human rights, and domestic public law. She has appeared as counsel before the International Court of Justice in cases relating to environmental issues and genocide. Her recent work includes advising a state in the context of its Presidency of an international negotiating forum, advising on a range of issues arising at various Regional Fisheries Management Organisations including ICCAT and the WCPFC, and on the Aarhus Convention. She has also advised on climate change issues including in the context of agriculture, and in relation to ongoing proceedings in another jurisdiction. She currently chairs the Legal Response Initiative, supporting Least Developed Countries and NGOs at the climate change negotiations. She regularly writes and lectures on international and environmental issues.

### Notable public international law cases include:

- ICJ *Croatia v Serbia* (2014)
- ICJ *Australia v Japan* ("Antarctic Whaling", 2013)
- ICJ *Argentina v Uruguay* (2009)

Before joining Matrix, Kate worked for six years as a lawyer in the former Department of the Environment (International & EC Division), where she gained extensive experience of European litigation and international negotiations.

She lectures and publishes widely on environmental law, the international law of development and human rights law. She is the sole author of *Wildlife Law: Conservation and Biodiversity* (Cameron May, 2004). Kate is a contributor to *Human Rights Practice*, ed. Simor (Sweet & Maxwell).

In 2009 Kate was involved in setting up the Legal Response Initiative (LRI) with a number of law firms and NGOs. The LRI provides pro bono support to Least Developed Countries at the UN Climate Change negotiations. Kate was appointed as Chair of the LRI in March 2015.

### Professional Training and other experience:

Legal Advisor, Department of Environment, Transport and the Regions, International & EC Legal Division (1993 – 2000)

1999/2000 LLM, New York University Law School (International Legal Studies)

Stage (Middle Temple: Bristow Award) with the Legal Service of the EC Commission and at the European Court of Justice (1991 – 1992)

Research officer with Industrial Relations Law Bulletin (IRS) (1993)