



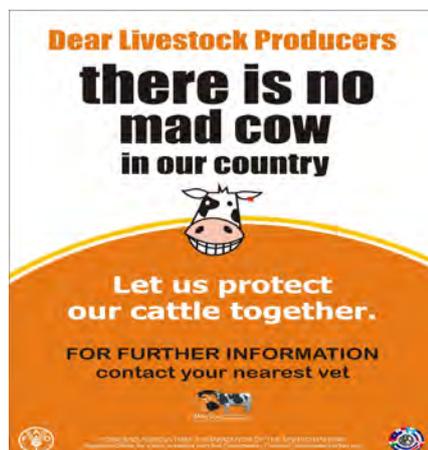
Legal Office

Animal health

Veterinary legislation refers to the various legal instruments by which countries regulate animal health and production as well as the use of veterinary inputs such as feeds, veterinary biologicals and veterinary drugs. With agricultural commodities playing an increasingly important role in the trade agenda of developing countries, WTO member states are required to align their regulatory frameworks for sanitary measures to the SPS Agreement, avoiding sanitary measures more strict than necessary to preserve the sanitary status. The Legal Office provides legal assistance to countries in the development of veterinary legislation in line with the international standards issued by the OIE and the Codex Alimentarius Commission. Other international obligations assumed by countries on animal health, pathogenic organisms custodianship, or conservation of biological diversity (i.e., dual-purpose research, biological weaponry, or protection of endangered species) should also be incorporated into national legislation. The FAO has a multi-disciplinary team of lawyers with expertise spanning the full range of veterinary-related areas. Its work in assessment and drafting legislation is effected through projects as diversified in scope and subject matter as they are in geographic distribution. The work of the Development Law Service is buttressed by in-house technical experts of the Animal Production and Protection Division (AGA).

Regulating animal health and production

In the project TCP/RLA/3113 "Strengthening systems for the prevention and control of BSE and good animal feeding practices" (2008-2009) FAO worked alongside experts from the OIRSA and OIE to strengthen the legal and institutional frameworks in eight Central American countries with regards to BSE prevention and control programmes. Assisted by a national lawyer in each country, legal assessments were conducted on the framework for epidemiological surveillance, feed, slaughterhouses, waste treatment, and the sale and marketing of animals and animal products. As a result of this project, each country produced a draft regulation on BSE prevention and control consistent with relevant primary national legislation and in compliance with the OIE standards contained in the Health Code for Terrestrial Animals.



Organizational Result B02
Reduced animal disease and associated human health risks



Legal Office

Fisheries and aquaculture

The Legal Office advises on the development of international legal and non-binding instruments for fisheries and aquaculture, and assists in their subsequent implementation at national level.

One of the most important international instruments is the FAO **Code of Conduct for Responsible Fisheries**. The Code is the reference instrument for sustainable use and conservation of aquatic resources and sets globally accepted standards for capture fisheries and aquaculture. The Legal Office provided legal advice in the development of the Code and continue to do so in the development of related instruments. The Legal Office assists FAO members in the implementation of the Code in national legislation and policies, where the Code serves as a checklist to ensure that national legislation is comprehensive. Through consultation of stakeholders and capacity-building, the Legal Office ensures that national legislation for fisheries and aquaculture responds to the needs of our member states.

Other legal instruments on fisheries and aquaculture in which the Legal Office has been involved:



Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (2009)

Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (1993)

International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (2001)

International Guidelines on Bycatch Management and reduction of Discards contained therein (2011)

Technical Guidelines on Aquaculture Certification (2010)

International Guidelines for the Management of Deep-sea Fisheries in the High Seas (2008)

Organizational Result C01

Members and other stakeholders have improved formulation of policies and standards that facilitate the implementation of the Code of Conduct for Responsible Fisheries (CCRF) and other international instruments, as well as response to emerging issues



Legal Office

Food safety

Food safety and quality legislation provides the basis to ensure the safety of food throughout the whole production chain, “from farm to fork.” This involves the incorporation of the food safety and quality standards approved by the Codex Alimentarius Commission. The Codex Alimentarius Commission was established by FAO and WHO in the 1960s. It has been recognized by the WTO SPS Agreement as the single international reference point for developments associated with food safety and quality standards and is the global reference point for consumers, food producers and processors, national food control agencies and the international food trade.

The Legal Office provides assistance to FAO Member countries and regional organizations to strengthen their legal frameworks for food safety and quality in support of an integrated food chain approach. It reviews national legislation in accordance with international standards and provides legal assistance in a manner that is tailored to the specific needs and legal system of member states. Through direct work with national lawyers, it also contributes to strengthening national legal capacities and facilitates an understanding of international food safety legislation among national stakeholders.



A multi-disciplinary team of lawyers from the Legal Office is buttressed by in-house FAO technical experts in each respective sub-area of agriculture, including on food safety and quality management.

Find out more from our publications available at www.fao.org/legal

Building in safety and quality

Organizational Result D2
Institutional, policy and legal frameworks
for food safety/quality management that
support an integrated food chain approach.



Legal Office

Food Security

The Legal Office provided technical legal advice on the drafting of the Voluntary Guidelines for the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (Right to Food Guidelines), which were adopted by the Council in 2004 and their subsequent implementation at the national level.

A groundbreaking instrument for food security governance, the Right to Food Guidelines recommend the strengthening of constitutional and legal frameworks for the realization of the right to food, including through framework law approaches.

the Right to Food



The Legal Office provides technical legal advice to countries for constitutional amendments, framework law on food security and subsequent amendments to sectoral legislation to ensure that it furthers the food security objectives of the country and contribute to the realization of the right to food.

Organizational Result H02

Member countries and other stakeholders strengthen food security governance through the implementation of the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security and a reformed Committee on World Food Security



Legal Office

Forestry

The Legal Office provides technical assistance to FAO Members in the assessment and improvement of their forestry legislation. Strengthened legal frameworks within the forestry sector enable the sustainable use and management of forest resources.

The Legal Office assists countries in updating their forestry legal framework by (i) providing good practice guidelines on forest management and fostering an integrated approach to natural resource management; and (ii) incorporating management tools and principles into national laws and regulations.

Finding ways to accommodate relevant community based management and participatory approaches in forest-sector legislation; assessment and legislative drafting, in cooperation with national counterparts; building support and building capacity for better laws and implementation.



Combining community based management and capacity development for integrated approaches

Organizational Result E02
Policy and practice affecting forests and forestry are reinforced by international cooperation and debate



Legal Office

Land

The Legal Office advises on the drafting of Voluntary Guidelines on the Responsible Governance of Tenure of Land and other Natural Resources, which are expected to be adopted by the Committee on World Food Security in 2011. The Voluntary Guidelines draw on best practices and experience of working with countries on improving their legal, policy and institutional environment for tenure. The Legal Office provides technical legal advice to member countries to strengthen legal frameworks for sustainable land use and management, underpinned by the key principles of equity and sustainability, in ways that contribute to poverty alleviation and food security. A sound legal framework establishes an efficient and transparent land administrative system and sets up a land regime conducive to investment, economic growth and poverty reduction. Improved legal frameworks for land resources therefore promote sustainable land management practices, and where applicable, can address customary practices and laws applicable to land. Participatory methodologies for assessment and legislative drafting contribute towards building support for, and achieving consensus on, legislative amendments. Cooperation with national counterparts contributes to capacity development in sustainable land management. In some cases the Legal Office participates in further follow-up to legislative implementation through training of the judiciary, local officials and paralegals. The Legal Office will assist member countries to implement the Voluntary Guidelines and to integrate the principles contained therein in relevant technical activities.

Voluntary Guidelines on the Responsible Governance of Tenure of Land and other Natural Resources

expected to be adopted by the
Committee on World Food
Security in 2011



Organizational Result F04

An international framework is developed and countries' capacities are reinforced for responsible governance of access to, and secure and equitable tenure of land and its interface with other natural resources, with particular emphasis on its contribution to rural development



Legal Office

Pesticides management

Pesticides can contribute to food production, but can also pose serious threats to the health of users and food consumers, the environment and to commercial trade in agricultural produce. The International Code of Conduct on the Distribution and Use of Pesticides provides a broad package of tools, guidelines and methodologies to assist countries in the reduction of risks from pesticides, including pesticides quality, registration and management throughout the entire pesticide life cycle. FAO hosts the Rotterdam Convention that helps countries to make informed decisions about the import of particularly hazardous pesticides and other chemicals.

The Legal Office provides assistance to FAO member countries and regional organizations to implement the Code of Conduct, the technical Guidelines and other international standards and recommendations on pesticides management in their national or regional legislation. This work includes the revision of legal frameworks to ensure the comprehensive management of pesticides in accordance with the 'cradle-to-grave' regulatory approach, accounting for each stage in the life-cycle of pesticides. Through direct work with national lawyers, the Legal Office also contributes to strengthening national legal capacities and facilitates an understanding of pesticides management among national stakeholders. The work of the Legal Office is buttressed by in-house FAO technical experts on pesticides management and therefore contributes to the FAO strategic objectives of sustainable crop production, increased food safety and sustainable land management.

Risk reduction and informed decision making



The Africa Stockpiles Programme (ASP) is a regional initiative with a number of partners such as the World Bank and GEF implemented in Africa. The objective of the Africa Stockpiles Programme is to clean up and safely dispose of all obsolete pesticide stocks from Africa and establish preventive measures to avoid future accumulation. The Legal Office has supported the strengthening of legislative frameworks through the revision of pesticides legislation in Ethiopia, Nigeria and Swaziland.

Organizational Result A03
Risks from pesticides
are sustainably reduced
at national, regional
and global levels



Legal Office

International treaty on plant genetic resources for food and agriculture

The FAO Legal Office leads a Joint Capacity Building Programme for Developing Countries on Implementation of the International Treaty on Plant Genetic Resources for Food and Agriculture.

In the context of the Programme, the Legal Office delivers technical assistance at regional and national levels, including implementation of the Multilateral System of Access and Benefit-sharing, which is one of the core components of the International Treaty.

Capacity building is provided through a programmatic approach and based on the priorities established by Contracting Parties. The Secretariat of the International Treaty manages the Programme, in order to create and maintain a close link between technical assistance to Contracting Parties and the guidance by the Governing Body of the International Treaty.

Building,
managing,
creating



Organizational Result A4
Effective policies and enabled capacities for a better
management of plant genetic resources for food and
agriculture (PGRFA) including seed systems at the
national and regional levels.



Legal Office

plant health protection

The Legal Office provides technical assistance to FAO Members as they set up or enhance the legal foundations for the protection of plant resources from pests, diseases and invasive alien species that could threaten fragile ecosystems and food production systems and livelihoods that rely on them

The creation and the implementation of modern national regulatory frameworks pertaining to plant health protection bring member states in compliance with their international commitments



Technical assistance and capacity building aligned with the development priorities of each member state provided in harmony with the principles of the Paris Declaration on Aid Effectiveness.

International Plant Protection **Convention Agreement** on the Application of Sanitary and Phytosanitary Measures of the World Trade Organization **Protocol** on Biosafety **Convention** on Biological Diversity



Organizational Result A2
Risks from outbreaks of transboundary plant pests and diseases are sustainably reduced at national, regional and global levels



Legal Office

Seed quality and plant biotechnology

The food price crises, the need to adapt to climate change and the increasing international awareness of the importance of agriculture in economic development have triggered a stronger interest in investing in the development of the seed sector.

In this context, the Legal Office provides technical assistance to FAO members at the national and regional levels, helping to set up effective legal and institutional mechanisms to ensure that seeds, as a critical asset for increasing agriculture production and productivity, be of high quality, available and accessible to farmers. Tailored regulatory frameworks are also designed and implemented to structure the development of a competitive seed industry and market and the promotion of innovation in plant biotechnology while at the same time protecting the interest of local farmers and preserving traditional seed systems.



Access to and availability of high quality seeds

A seed law proposal prepared with the assistance of the Legal Office was passed by the Parliament of Afghanistan, the Wolesi Jirga (in June 2009). As a result, a new National Seed Secretariat moved into full operation and currently accommodates the apex institutions for coordinating seed management functions in Afghanistan, comprising the National Seed Board and its affiliated bodies: the Variety Release Committee, the Seed and Plant Health Inspectorate, the Seed Certification Agency and the Afghanistan National Seed Association.

Organizational Result A4
Effective policies and enabled capacities for a better management of plant genetic resources for food and agriculture (PGRFA) including seed systems at the national and regional levels