

Participatory Governance Assessments

Exchange Meeting

17-18 April 2012, Bogor Indonesia

Legislative Support for REDD+

FAO Development Law Service (LEGN)

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LEG-REDD+

Objective: To assist countries in strengthening their legal capacity for REDD+ implementation

- > The Development Law Service of FAO has the experience to assist REDD+ countries in developing robust and coherent legal frameworks and in drafting REDD+ provisions for incorporation in relevant national laws.

Websites:

www.fao.org/legal

www.fao.org/faolex

UN-REDD
PROGRAMME



LEG-REDD+

Activities for 2012

- Produce a document on lessons learned on the legal and regulatory aspects of REDD+ implementation at country level
- Organize an expert consultation meeting to share experiences and identify lessons learnt
(September in Rome FAO Hqs)
- Develop a comparative review of climate change laws

Proposed activities for 2013

- Upon governments' requests, offer direct legislative support for REDD+ in response to national priorities, including options to reform sectoral laws.



Legal challenges posed by REDD+

- Definition of land and carbon rights and other REDD+ terminology to be included in national laws
- Formal recognition of customary and indigenous rights in statutory laws
- Identify major drivers of deforestation and degradation and harmonize legal inconsistencies across sectors
- Consolidate legal infrastructures ensuring REDD+ institutional coordination



Legal challenges posed by REDD+*

- Ensure that laws include public participation processes and free prior and informed consent mechanisms for REDD+
- Regulate decentralized mechanisms supporting REDD+ implementation at local level
- Develop and regulate benefit sharing distribution mechanisms
- Review and reform if necessary investment laws



Methodology to enact legal reforms for REDD+ implementation

- **Collaborative:** suggestions for law reform provided alongside advice from technical experts
- **Participatory:** genuine involvement of all stakeholders concerned to accommodate multiple interests at stake
- **Independent:** disinterested advice drawing on international experience and based on objective analysis
- **Tailor-made:** laws drafted to meet particular needs and concerns of individual countries or specific regions



Participatory law development





Link to PGA

- LEG-REDD+ helps to address legal issues identified through the PGA
- Example of Vietnam – LEG-REDD+ activities so far:
 - FAO-IDLO review of existing laws relevant to REDD+
 - National consultation workshop to validate the study (Hanoi, November 2011)
 - Ongoing process to identify lessons learnt, with a view to provide legislative support for REDD+ implementation

**Thank you for
listening!**