National ICCA Legal Reviews

WP2, ICCA Global Support Initiative
2012 Reviews of Legal and Non-legal Recognition

• International law and jurisprudence
• **Africa**: Kenya, Namibia and Senegal
• **Americas**: Bolivia, Canada, Chile, Panama, and Suriname
• **Asia**: India, (Iran), Malaysia, the Philippines and Taiwan
• **Pacific**: Australia and Fiji
The GSI legal reviews

- **Africa**: Benin, Kenya, Madagascar, Morocco, Namibia, Senegal, Tanzania, and Zambia.
- **Americas**: Argentina, Belize, Brazil, Colombia, Ecuador, Guatemala, Paraguay, Peru, and Suriname.
- **Asia**: Georgia, Indonesia, Iran, Jordan, Kyrgyzstan, Malaysia, Maldives, Philippines, and Viet Nam.
WP-2 Strategic Process

1. SGP apprise TAG and NSC of WP2/Legal Review
2. SGP make call for proposals for national level legal review and analysis
3. NSC selects appropriate NGO/CSO to lead the legal review at the national level
4. SGP connects the selected NGO to NJ. The NGO is trained by NJ on the process and methodology of the Legal Review
5. The selected NGO carries out national level review – in line with the methodology and guidance provided by NJ. SGP coordinates and facilitates the process.
6. Legal analysis report – current status and gaps, and recommendations and strategies to implement the finding to improve the recognition and support to ICCAs.

Support to realization of recommendations/finding to improve legal recognition and support to ICCAs.
Contents

• Background on IPLCs and ICCAs

• Laws:
  – Human/IP rights
  – Land, water, marine
  – Natural resources, environment
  – Cultural rights
  – Protected Areas
  – Agriculture, extractives, infrastructure

• Non-legal recognition

• Court decisions

• Implementation and gaps

• Proposals for reform

• Case studies
Main outputs

- National reviews
- Review of international law
- Synthesis report
- Policy briefs
- Policy platforms
- Support to implementation in a few countries
Questions

• What kind of outputs would be most useful (national, regional, international)?
• What kind of guidance / support would you need for legal recognition in your countries?