



The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.

IDLO works along the spectrum from peace and institution-building to economic recovery in countries emerging from conflict and striving towards democracy. It supports emerging economies and middle-income countries to strengthen their legal capacity and rule of law framework for sustainable development and economic opportunity.

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Improving Legal Frameworks for Low-Carbon Investment in Sustainable Land Use in Sub-Saharan Africa

WHAT'S THE PROBLEM?

We owe our land and natural resources more protection than they are currently afforded. To take forests as an example, at two-and-a-half billion tons each year, forests absorb as much as a third of the carbon dioxide emissions generated by fossil fuels. Furthermore, forests are vital to many areas of human life and activity, from agriculture to energy, from resources to physical infrastructure. To think about forests, therefore, is to think more broadly about land use.

We all rely on land and natural resources to satisfy our basic needs such as food, water and energy. When it comes to such precious assets, efficiency and fairness must go hand in hand. All too often, investments that impact upon our natural resources restrict the activities of communities dependent upon them, without providing them with alternative sources of energy, food or income. Meanwhile, cumbersome regulatory systems may also inhibit critical investments in forests.



90%

In Africa, over ninety percent of people rely on forests and trees for their household energy needs

It should be the responsibility of all – governments, communities and the private sector – to use land and natural resources sustainably and equitably. However, law – both formal and informal – does not always favor investments that respect human rights and are sensitive to gender and the environment .



CIFOR/IDLO Joint Project

The Centre for International Forestry Research (CIFOR) and the International Development Law Organization (IDLO) are working together in **Zambia, Mozambique** and **Tanzania** to improve the effectiveness of these countries' investment laws to attract low-carbon investments that use land sustainably, such as REDD+.



WHAT IS THE AIM OF THE CIFOR-IDLO PROJECT?

The project targets national laws and policies, with a view to encouraging investments that use land and natural resources sustainably. Laws enacted simply to maximize investment, with no regard to social and environmental concerns, are as bad as those which deter development through reams of red tape. But by promoting low-carbon and sustainable land use projects, legal systems can be made to offer win-win solutions to both investors and land-use rights-holders.

HOW WILL THE PROJECT HELP?

CIFOR and IDLO will identify how the laws of Mozambique, Tanzania and Zambia currently balance investment needs, the interests of local communities, and the protection of forests. Land-use laws and policies in the sectors of forestry, minerals and mining, agriculture and energy will be reviewed. The project will also look at the social and environmental safeguards contained in international law and policies, to determine how best to ensure affected local communities are represented. Recommendations will be made to in-country officials and experts on how laws can be amended to encourage rights-sensitive, low-carbon investments. It is anticipated that stakeholders in the three nations will channel the information compiled by CIFOR-IDLO into strengthening legal systems to promote responsible, forest-positive development.

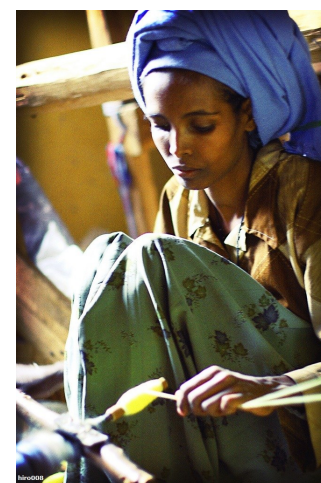


Case Studies



A Case Study from Zambia: How can countries become attractive to investors?

The **Zambia Development Agency (ZDA)** is beginning to eliminate laws that investors find difficult to navigate, such as those relating to the acquisition of land. For example, the ZDA has established "Land Banks", in which pre-approved expanses of land are made available for investors. In addition, land is set aside for particular key purposes, such as agriculture for domestic consumption, which provides forest-dependent communities with other means of getting food than subsistence farming in forests.



A Case Study from Mozambique: How can communities be consulted?

In Mozambique, communities that depend upon land for their livelihoods and basic energy and food needs have frequently been excluded from major development decisions. This has led to their eviction without notice or restrictions on their traditional uses of the land. In the cutting-edge *Land Law* of 1997, the Mozambican Government introduced a requirement for any investor seeking to acquire rural land to consult with the community which has rights to that land. Challenges remain in the effective implementation and enforcement of this law, with many rural communities unaware of their rights, and land use rights granted to investors without the required community consultations. This is one area where IDLO will seek to provide recommendations for improvement.