

TABLE 9: Regimes lacking implementing regulations, 2012

Country	Regime	Pending Regulations
Cambodia	Community Protected Areas	The Ministry of Environment needs to approve guidelines on the procedure for and process of establishing Community Protected Areas. Drafts have been presented, but Ministry has not yet approved guidelines.
Democratic Republic of the Congo	Local Community Forest Concession (LCFC)	The Forest Code states that "the process for granting concessions to local communities will be addressed in future presidential decrees" (Art. 22, Forest Code, 2002). Drafts of the scheduled decrees that would provide the method for creating an LCFC have been presented but are yet to be approved.
Gabon	Contract for the Management of National Park Land	Law No. 003/2007 on National Parks created this regime in general terms without determining how the Contract for the Management of National Park Land should be implemented. No reference to the drafting of implementing regulations was found.
Guyana	Community Forest Management Agreement	Part 2 of the Guyanese Forest Act of 2009 states that future regulations will address matters such as: the form and content of applications, qualifications, restrictions, criteria, and conditions regarding CFMAs (Section 81, Forest Act, 2009). No reference to the drafting of implementing regulations was found.
Indonesia	<i>Adat</i> Forest (Customary Forest)	Both the Indonesian Constitution of 2002 and the Forest Law of 1999 recognize <i>Adat</i> Forest. However establishment of this type of forest is difficult due to a lack of specific policies and regulations. No reference to the drafting of specific policies or regulations was found.
Kenya	Community Land	The Kenyan Constitution of 2010 recognizes Community Land. There is no law that sets up the mechanisms by which communities can secure ownership over Community Lands. As a consequence, the rights under this tenure regime are not yet clearly defined and cannot be implemented in practice. No reference to the drafting of implementing regulations was found.
	Community Permission	Additional regulations regarding the implementation of the Forest Act of 2005 are scheduled to be enacted, including measures that enhance community participation in the conservation of forests at the local level (Section 59(2)(h), Forest Act, 2005). Although rules concerning other areas regulated by the Forest Act were approved, no reference to the drafting of rules concerning the implementation of Community Permission was found.
Tanzania	Joint Forest Management (JFM)	The possibility of establishing Joint Forest Management Agreements (JFMA) was created by the Forest Act of 2002. However, the government has not yet approved JFMA Guidelines mainly due a lack of consensus about the cost and benefits sharing mechanism. As a consequence, it is very difficult to implement a JFMA in practice. ⁶² No reference to the drafting of guidelines was found.
Zambia	Joint Forest Management Area (JFMA)	Zambia approved the new Forest Act No. 7 in 1999. This act regulated JFMAs and mandated the creation of a Forest Commission. The implementation of this act has been very contentious, and because the Forest Commission was never created the law is not operational. Despite this legal confusion, the JFMA Approach was piloted in Zambia under Statutory Instrument No. 47 of 2006. However, this instrument does not address cost-benefit mechanisms and therefore presents challenges for local communities looking to benefit from a JFMA.