

# HOW TO COP: desertification

## Convention to Combat Desertification and the multilateral negotiation process

28.12.2024

The United Nations Convention to Combat Desertification in those countries experiencing serious drought and/or desertification, particularly in Africa (**UNCCD**), is a key international treaty that connects the environment and development with sustainable land management and aims to prevent land degradation and restore the fertility of soils affected by drought and desertification. The Convention also aims to mitigate the effects of drought and combat the root causes of desertification.<sup>1</sup>

The decision of the United Nations Conference on Environment and Development in Rio de Janeiro (1992) initiated the development of the Convention, which later became one of the three "Rio Conventions" aimed at addressing interrelated issues: climate change,<sup>2</sup> desertification, and loss of biodiversity.<sup>3</sup> The Convention entered into force in 1996 and currently has universal participation, covering 196 countries and the European Union.<sup>4</sup>

The main instrument for implementation of the Convention is action programmes at the national, subregional, and regional levels. <sup>5</sup> These programmes are designed to translate the principles and objectives of the Convention into practical strategies, considering the specific environmental, socioeconomic, and institutional conditions of the affected countries.

The specifics of the implementation of the UNCCD provisions are defined through the five annexes to the Convention, which reflect the characteristics of regions affected by land degradation and desertification. The regional annexes serve as a guideline for developing action programmes and provide a basis for international cooperation that responds to the unique challenges and needs of a country or region.

The obligations of a country under the Convention vary depending on its status as either affected or developed. Whereas, unlike the approach in the United Nations Framework Convention on Climate Change (UNFCCC), the UNCCD does not contain a specific list of such countries. The structure of obligations is designed in such a way that, while general obligations apply to all Parties, affected and developed countries also have distinct additional obligations tailored to their roles in achieving the Convention's objectives.

General obligations are aimed at promoting the adoption of measures to combat desertification and establishing international cooperation. The obligations of affected countries include developing

For citing, please refer to: Khlebnova, A., Ivanova E. (2024). How to COP: Desertification. The Convention to Combat Desertification and the Multilateral Negotiation Process. International and Comparative Law Research Center. URL

<sup>&</sup>lt;sup>1</sup> Land degradation in non-desert drylands (i.e., arid, semi-arid and dry subhumid areas) resulting from many factors, including human activities and climate change. Over the past few decades, the scale and intensity of desertification in some arid regions have increased. According to the UNCCD report, over the past thirty years, the climate has become drier on more than 3/4 of the Earth's land surface compared to the previous period. Today, drylands cover about 41% of the world's land (excluding Antarctica). Much of aridity's recent rise can be attributed to human-caused climate change. About half of the population living in drylands worldwide resides in Asia and Africa. The most densely populated areas of these lands are located in California (USA), Egypt, eastern and northern Pakistan, large parts of India, and northeastern China. URL

<sup>&</sup>lt;sup>2</sup> Read more about the UN Framework Convention on Climate Change and the multilateral negotiation process in the Center's note (in Russian). <u>URL</u>

<sup>&</sup>lt;sup>3</sup> Read more about the UN Convention on Biological Diversity and the multilateral negotiation process in the Center's note. URL

<sup>&</sup>lt;sup>4</sup> All UN member states participate in the Convention. The Holy See is not a Party to the Convention, but participates in two other Rio Conventions – the UNFCCC and the CBD. The Russian Federation ratified the Convention in 2003.

<sup>&</sup>lt;sup>5</sup> Regional and subregional cooperation can also include joint programmes for the sustainable management of transboundary natural resources.

<sup>&</sup>lt;sup>6</sup> In 2024, the Convention contains five annexes: 1) Africa; 2) Asia; 3) Latin America and the Caribbean; 4) Northern Mediterranean; 5) Central and Eastern Europe.

strategies and national action plans, strengthening national legislation, and engaging local communities in implementing measures to combat desertification. The additional obligations of developed countries consist of providing financial and technical support to affected countries.

#### Land Degradation Neutrality

One of the supporting tools for implementing the UNCCD is the voluntary targets aimed at achieving the Land Degradation Neutrality (**LDN**). This initiative has integrated the UN Sustainable Development Agenda into the process of implementing the UNCCD. Achieving LDN is focused on preserving and/or expanding the base of land resources — that is, the stocks of natural capital associated with land resources and the ecosystem services they provide.

To date, 131 countries<sup>8</sup> have established or expressed readiness to establish targets for LDN. To attract financial resources, a special Land Degradation Neutrality Fund has been established. This investment fund mobilizes resources from the public, private, and philanthropic sectors to support the achievement of LDN through the implementation of land restoration projects and sustainable land management practices.

## Institutional framework and governance

The main decision-making body under the Convention is the **Conference of the Parties (COP)**, which meets biennially<sup>9</sup>. The COP convenes to make decisions for the implementation of the Convention, review reports from the Parties and make recommendations on them, assess the progress of the Convention's implementation, and exchange best practices.

Preparatory work for the COP meetings is carried out during sessions of two subsidiary bodies: the Committee on Science and Technology, and the Committee for the Review of the Implementation of the Convention.

The **Committee on Science and Technology (CST)** was established in accordance with Article 24 of the Convention as a subsidiary body to provide information and advice on scientific and technological matters for the COP. The Committee meets jointly with the regular COP sessions (biennially) and is open to all Parties to the Convention. By the decision of the COP, *ad hoc* groups<sup>10</sup> may also be established within the Committee.

The Committee for the Review of the Implementation of the Convention (CRIC)<sup>11</sup> was established to assist the COP in conducting regular reviews of the implementation of the Convention: it examines reports from the Parties, as well as other materials submitted to it by other mechanisms of the Convention, identifies new challenges and issues arising during the implementation of the Convention, and prepares a final report based on these findings. The Committee meets annually, both in conjunction with the regular sessions of the COP and in between.

Each of the aforementioned bodies has its own Bureau. For example, the **COP Bureau**, whose main functions are to coordinate preparations for meetings, conduct them, and oversee the work between sessions. At the beginning of the first meeting of each regular session, the COP elects a new Bureau consisting of a chairperson and nine vice-chairpersons from among the representatives of the Parties,

<sup>&</sup>lt;sup>7</sup> Land degradation neutrality is a state whereby the amount and quality of land resources necessary to support ecosystem functions and services and enhance food security remain stable or increase within specified temporal and spatial scales and ecosystems. <u>URL</u>

<sup>&</sup>lt;sup>8</sup> The Russian Federation also announced the establishment of a goal to achieve LDN. <u>URL</u>

<sup>&</sup>lt;sup>9</sup> During the period from 1997 to 2001, the COP session was held annually. Starting from 2001, it was decided to convene sessions biennially.

<sup>&</sup>lt;sup>10</sup> For example, in 2011, by the decision of the COP 19/COP.10, an Ad hoc advisory group of technical experts was established with the aim of reviewing the progress in achieving strategic objectives 1, 2, and 3 of the 10-year strategic plan and framework to enhance the implementation of the Convention (2008–2018) <u>URL</u>; developing scientific approaches to identify areas affected by desertification/land degradation and/or drought or at risk of these issues, improving the living conditions of the affected populations residing in such areas, and proposing the establishment of coordination mechanisms.

<sup>&</sup>lt;sup>11</sup> Committee was established by ICCD/COP(5)/11 Decision in 2001. URL

considering the principle of geographical representation: each region must be represented by at least two members.

The **CRIC Bureau** is formed by electing a chairperson and four vice-chairpersons, one of whom will serve as a rapporteur. Each member's term is limited to a maximum of two years. The **CST Bureau** is responsible for the work of the Committee between meetings of the COP. The Bureau consists of a chairperson and four vice-chairpersons, one of whom is a rapporteur. The chairperson of the Bureau is elected at the end of each regular session of the COP, while the vice-chairpersons are elected at the closing meeting of the Committee held alongside the COP session.

The **Permanent Secretariat**, established in accordance with Article 23 of the Convention, is located in Bonn (Germany) and provides organizational support for meetings, assists in providing help to affected developing countries upon their request, especially in Africa, in collecting and transmitting information required under the Convention.

In accordance with Article 21 of the Convention, an operational tool for the Convention — the **Global Mechanism** $^{12}$  — was also established to assist in mobilizing financial resources, including technology transfer on a grant basis and/or on concessional terms to affected developing countries. The Mechanism advises countries on setting targets for achieving land degradation neutrality, developing national drought plans, and designing large-scale projects to improve living standards in affected regions.

The COP also conducts its work through other bodies, including **intergovernmental working groups** that are established by the decision of the COP for a specific period (usually for the intersessional period between COP meetings). As of 2024, two groups are active:

- The Intergovernmental Working Group on Mid-term Evaluation of the 2018–2030 Strategic Framework (IWG-MTE),<sup>13</sup> created for an independent evaluation of the implementation of the Strategy and making recommendations for its further implementation at COP16; and
- Intergovernmental Working Group on Drought (IWG Drought)<sup>14</sup> was established to assess global
  policies and regional programmes for combating drought and to develop recommendations for
  consideration at COP16.

#### Scientific Basis

In 2013, the COP established the **Science-Policy Interface (SPI)** mechanism. This mechanism is designed to unite political and scientific efforts to synthesize and share scientific information and knowledge in order to produce relevant recommendations for combating desertification and land degradation. The SPI prepares technical reports, science-policy briefs, and conducts expert reviews of other related scientific issues. The work programme and the composition of the mechanism are determined by the CST and its Bureau accordingly and are reviewed at each subsequent session of the COP.<sup>15</sup>

<sup>&</sup>lt;sup>12</sup> The Global Mechanism is an independent structure, the operational arm of the Convention, accountable to the Executive Secretary. Initially, it was established as a separate entity managed by the International Fund for Agricultural Development. In accordance with the decision of the COP adopted in 2011, the accountability and legal representation of the Global Mechanism were transferred to the Secretariat, and the two became one consolidated entity with two parts (the Secretariat and the Global Mechanism). <u>URL</u>

<sup>&</sup>lt;sup>13</sup> The working group consists of three representatives per region, nominated by each region. The group is supported by seven observers: two members of the Science-Policy Interface, one representative each from three major international organizations and two representatives from civil society. <u>URL</u>

<sup>&</sup>lt;sup>14</sup> The working group consists of 27 members: three representatives from each of the seven groups (five regional groups in accordance with the annexes to the Convention, the EU, and JUSCANZ), appointed by national governments (21 members), two representatives (as observers) from civil society organizations, two representatives from international organizations, that work on drought, and two independent experts. URL

<sup>&</sup>lt;sup>15</sup> For example, by Decision ICCD/COP(15)/CST/5 <u>URL</u> the following composition of the SPI was approved for the period of 2022 and 2023: i) five members of the CST Bureau; ii) five scientists, one nominated by each region; iii) ten independent scientists selected by the CST Bureau; and iv) five observers.

The SPI interacts with other expert platforms, such as the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and the Intergovernmental Panel on Climate Change (IPCC). <sup>16</sup>

### **Negotiation Process**

Each Party to the Convention is represented at negotiations by national delegations consisting of officials authorized to represent the interests of their country.

The negotiation process under the UNCCD is open to a wide range of observers. Any UN member state that is not a Party to the UNCCD, specialized UN agencies, as well as any other organizations, governmental or non-governmental, with experience in areas related to combating desertification, drought, and sustainable land management, can obtain observer status. The procedure for obtaining this status includes submitting of an application, its review, and, if approved, receiving an invitation from the Chairperson to participate in meetings<sup>17</sup> (without voting rights).

Parties to the UNCCD can also express their positions through informal negotiating coalitions or participate as part of regional groups in accordance with the five annexes to the UNCCD. Similarly, to the process under the UNFCCC, developing countries represent their common interests through G77 and China, African and Arab groups, and others.

## **Negotiation Directions**

Multilateral negotiations include thematic tracks, each dedicated to various aspects of desertification and drought. Key issues are primarily grouped around the following tracks: achieving land degradation neutrality, developing a series of innovative thematic policy frameworks aimed at combating drought, sand and dust storms, as well as desertification, land degradation, and drought as a primary driver of migration and ensuring equal land tenure.

The agenda for 2024 includes, in addition to conducting a mid-term evaluation of the 2018–2030 Strategic Framework, tracks such as: job creation and poverty reduction in conjunction with land resilience, sustainable agricultural practices, and inclusive land resource management.

<sup>&</sup>lt;sup>16</sup> The interaction between SPI, IPCC, and IPBES is particularly evident within the framework of the recent COP: the SPI work programme for the period 2016-2017 included collaboration with the aforementioned organizations on issues related to achieving LDN, sustainable land management, and the development and implementation of measures for the rehabilitation, restoration, and reclamation of degraded land <u>URL</u>, taking into account their reports; similar interactions were also observed in the work of the SPI during the period 2018–2019. <u>URL</u>

<sup>&</sup>lt;sup>17</sup> If only one third of the Parties does not object to the presence of this observer.