Legal Instruments to implement the objective „Land Degradation Neutral World“ in international law, especially under UNCCD

International Legal Expert Workshop

Setting the scene

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8 December 2014
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• Why are we here?
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Why are we here?

- Land: precondition for well-being of mankind
- Land recognized as a global concern
  - Food crisis 2007 – 2008
  - Land acquisition by states and enterprises
- International Year of Soils
- Aim: Sustainable management of land worldwide
- International Governance needed?

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Land Degradation Neutral World

• Outcome Document of Rio+20-Conference, 2012
  – To Strive for a „Land Degradation Neutral World“
• Milestone for sustainable management of land
  – Quantitative Objective
  – Balance between future land degradation and future restoration/rehabilitation must be ZERO
The Land Degradation Neutrality Concept:

Baseline

Degradation -X

Regeneration/Restoration +X

Baseline -X

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Land or Soil?

- Land is inclusive
- Different approaches to governance
- Political momentum of LDNW
  - Awareness
  - Legal study focussed on „land“
Political Context

• Sustainable Development Goals
  – Proposal of UN Open Working Group, September 2014
  – Negotiations until September 2015
  – Indicators and national implementation

• UNCCD: COP 11, Windhoek Namibia
  – Establishment of Intergovernmental Working Group (IWG)
  – Three Tasks of IWG
UNCCD IWG

• Task 1 Definition:
  – Intensive discussions
  – Concept no weakened
  – ... the amount of healthy land resources remains stable or increases
  – No further specific criteria
UNCCD IWG

• Task 2 Implementation Measures:
  – (1.) Reduce and (2) rehabilitate/restore degradation
  – LDNW either in National Action Plans or single LDNW Implementation Plans
  – List of required types of measures

• Task 3 Measures within UNCCD:
  – List of Questions for four categories

• Germany’s Proposal: two more categories
  – Amendments to UNCCD
  – Cooperation with other international bodies

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Legal study

- General objective: Proposals for better regulation on International level
  - Input for UNCCD IWG and other international bodies
- Analysis of three national legislations on appropriate legal instruments
  - Focus on different conceptual approaches
  - EU/Germany, US and Brazil
- Recommendations concerning scaling up appropriate instruments as international obligations
Workshop Agenda

• Part 2: Analysis of national legislations
  – Talks on legislations of Mongolia, China and Namibia

• Part 3: International Perspective
  – Input: General international law perspective
  – Inputs from EU Com and IUCN

• Part 4: Future Cooperation and long-term perspective - governance

• Minutes of the Workshop

• Chatham House Rules