

POLICY BRIEF NO. 4

THE OVERLOOKED ENVIRONMENTAL AND HUMAN RIGHTS CRISIS: DESERTIFICATION, LAND DEGRADATION AND DROUGHT

EXECUTIVE SUMMARY

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JUNE 2023



A POLICY BRIEF FROM THE UN
SPECIAL RAPPORTEUR ON HUMAN
RIGHTS AND THE ENVIRONMENT

The Overlooked Rio Convention

At the historic Earth Summit in Rio, in 1992, extraordinary advances were made in international environmental law to address three global threats. States agreed to establish three new treaties: the UN Framework Convention on Climate Change, the UN Convention on Biological Diversity, and the UN Convention to Combat Desertification in those Countries Facing Serious Drought and/or Desertification, Particularly in Africa (CCD). While the focus in 1992 was on the environment, we now understand that these inter-related global environmental crises are also human rights crises.¹

While the climate and biodiversity crises have received massive media, public, academic and political attention, desertification has been largely overlooked and receives far less funding. The low profile and lack of financial support reflect the systemic marginalization of people of colour and low-income States whose people are embroiled in extreme poverty.

Desertification, land degradation and drought

The world's drylands, which are home to three billion people in 169 States and cover almost half of the Earth's land, are under severe threat from drought, land degradation and desertification. Drylands provide fuel, food, building materials and numerous ecosystem services including water filtration and retention and carbon sequestration. They hold 44 percent of the world's croplands, half of the world's livestock and rich biodiversity.

While desertification is not a new phenomenon, due to human actions it is happening at approximately 30 to 35 times the historical rate. Between 2015 and 2019, the world lost at least 100 million hectares of healthy and productive land every year, affecting food and water security globally. If desertification and land degradation continue at a similar rate, more than one billion hectares of productive land will be degraded by 2030. Even more daunting is an estimate that 95 percent of the planet's land area could be degraded by 2050 unless preventive and remedial steps are implemented, beginning immediately.

Desertification is often driven by social, political, economic and industrial forces in wealthy States that benefit from the exploitation of resources in dryland regions. Among the drivers are unsustainable consumption, intensive agricultural practices, population growth, and extractive industries including mining, oil and gas, and forestry.

Desertification, land degradation and drought (DLDD) reduce access to water for agriculture, drinking, cooking and hygiene, increasing the risks of food insecurity, malnutrition, waterborne diseases, conflict and violence. These impacts have profoundly negative consequences for the enjoyment of a wide range of human rights including rights to life, health, water, food, adequate livelihood, cultural rights, the rights of the child and the right to a clean, healthy and sustainable environment. The people most impacted by desertification and land degradation are often the poorest people in the poorest countries, deepening global inequality. Many of the world's poorest countries are in dryland areas. The situation is particularly challenging in Africa, where 70 percent of the continent is comprised of desert and drylands.

¹ The full version of this report, including extensive references, is available at <https://www.ohchr.org/sites/default/files/documents/issues/environment/srenvironment/activities/SR-Environment-PolicyBrief-4.pdf>

States must respect, protect and fulfil the human rights put at risk by desertification, land degradation and drought. The global community has pledged to end land degradation and restore a billion hectares of degraded land by 2030, during the UN Decade on Ecosystem Restoration. To achieve these ambitious goals, States must employ a human rights-based approach and dedicate substantially more resources to implementing the Convention to Combat Desertification, which prioritizes protecting those most vulnerable to the impacts of land degradation, desertification and drought. Unless the pace and scale of responses to date are accelerated and expanded, areas prone to desertification will continue to expand in the future, causing severe impacts on food security, access to water, economies, health, and the right to a healthy environment.

Desertification and the Planetary Environmental Crisis

Climate change, biodiversity loss, pollution, water scarcity and the growing frequency and severity of zoonotic disease outbreaks, all driven and exacerbated by human activities, are wreaking havoc on our planet and our societies. Desertification, land degradation and drought interact with all of these crises. Each of these interlinked issues must be addressed in order to achieve a just and sustainable future.

Climate change exacerbates desertification and land degradation by increasing the frequency and severity of heat-related events including drought, heatwaves, and wildfires. It also accelerates soil erosion on degraded lands. Conversely, desertification and land degradation impact climate change through reductions in vegetation cover, increases in sand and dust aerosols, and greenhouse gas fluctuations. It is profoundly unjust that the climate crisis is making difficult living conditions even more difficult for people who bear no responsibility for creating the problem. The richest 10 percent of the world's population were responsible for more than half of the cumulative carbon dioxide emissions between 1990 and 2015.

Desertification and land degradation affect every continent on Earth, threatening to undermine sustainable development. In 2019, United Nations Environment Programme estimated that the annual cost of land degradation and desertification is approximately \$127 billion. A 2015 study estimated that the value of lost ecosystem services (e.g. water filtration and retention, flood regulation, nutrient cycling, waste decomposition) caused by desertification and land degradation is between \$6 trillion and \$10 trillion annually. Another study put the annual cost far higher, at up to 17 percent of global GDP, or close to \$15 trillion.

The Impacts of Desertification and Land Degradation on Human Rights

Desertification, land degradation and drought have negative consequences for the enjoyment of a wide range of human rights including rights to life, health, water, food, adequate livelihood, self-determination, non-discrimination, cultural rights, the rights of the child and the right to a clean, healthy and sustainable environment. DLDD, like most environmental threats, have disproportionate and differentiated impacts on women and girls and negatively impact the cultural identity and rights of Indigenous Peoples, Afro-descendants and local communities that traditionally have a close relationship with, and dependence upon, nature. Finally, migration as a result of desertification and land degradation acts synergistically with climate-induced migration, conflict and violence, leading to an exponential increase in displacement over the next several decades.

Unfortunately, Parties to the Convention have consistently ignored the impacts of desertification, land degradation and drought on human rights, and the potential of human rights-based approaches to turbocharge progress in solving these environmental challenges. The CCD makes no mention of human rights. Nor did the 2008 10-year strategic plan and framework to enhance the implementation of the Convention (2008–2018) or the more recent Strategic Framework 2018-2030.

Combatting Desertification: Integrated Approaches

In the face of today’s interconnected environmental challenges, developing a systemic, integrated and human rights-based approach is imperative. Rights-based approaches impose an obligation to act, are a catalyst for accelerated action, and without a doubt are the most effective, efficient, and equitable way forward. A rights-based approach emphasizes States’ obligation to address the underlying causes of desertification and land degradation, which are the same actions driving the other elements of the planetary environmental crisis. As a result, applying a rights-based approach to DLDD can spur environmental, economic and social progress, creating beneficial spillover effects for human well-being and ecosystem health.

Four promising integrated approaches include: rights-based implementation of State obligations pursuant to the UN Convention to Combat Desertification; the 2030 UN Sustainable Development Goals; empowering women, girls, Indigenous Peoples and local communities; and implementing the right to a clean, healthy, and sustainable environment.

Good practices highlighted in the report include measures taken in Cabo Verde and Ecuador, the Great Green Wall of Africa, Türkiye’s Ankara Initiative, the recovery of degraded areas and reduction of climate vulnerability in the Caatinga drylands of Brazil, and the Great Green Wall of China.

Conclusion: A Human Rights-based Approach

Humanity cannot continue to degrade agricultural lands if we hope to feed ten billion people by 2050. Combatting desertification and restoring degraded land is an urgent priority that must be addressed by States around the world. Desertification, land degradation and drought worsen existing inequalities, increase vulnerabilities and multiply the risk of human rights harms. The rights of women, girls, Indigenous Peoples, and local communities are disproportionately vulnerable. Unfortunately, the failure of States to employ a human rights-based approach is a major reason why efforts to stop and reverse desertification and land degradation have been unsuccessful to date.

Decisive action to prevent and reverse land degradation will increase the full enjoyment of human rights and improve responses to the planetary environmental crises of climate change, biodiversity loss, pollution, zoonotic diseases and water scarcity. As the European Commission has noted, “Avoiding, reducing and reversing land degradation, including desertification, would enhance soil fertility, increase carbon storage in soils and biomass, and increase agricultural productivity and food security.” Additional benefits include enhanced water

security, conservation of healthy biodiversity and ecosystems, and employment opportunities for young people.

Recommendations

To prevent further land degradation, reverse desertification, protect human rights, restore healthy ecosystems, and combat the planetary environmental crisis, States must:

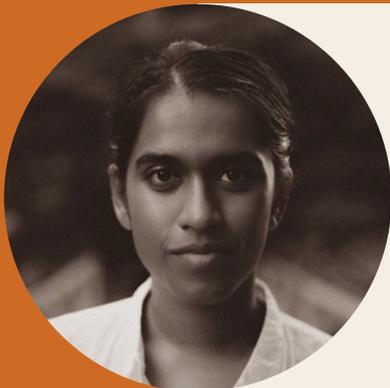
1. Systematically prioritize human rights when implementing their commitments under the CCD, including incorporating land degradation neutrality (LDN) measures into domestic law and policy frameworks. States that already have established LDN targets must accelerate the work of achieving those targets. States that have committed to, but not yet set, LDN targets must do so as soon as possible and then immediately begin efforts to stop land degradation and restore land. Those States that have yet to commit to setting LDN targets must do so immediately, establish targets and then rapidly implement the required actions.
2. Increase financial, human and institutional resources needed to accelerate actions to halt and reverse desertification and land degradation, while restoring vital ecosystems. This includes:
 - a. Immediately dedicating additional financial support to LDN policies, programmes and practices that help to prevent and reverse land degradation. The estimated need of \$300 billion annually is less than the amount environmentally harmful subsidies currently provided to farmers in wealthy States, which should thus be re-allocated. As set forth in the CCD, wealthy countries must take on the majority of the financial responsibility for funding LDN practices, through additional aid, investment, debt relief and innovative proposals such as the Bridgetown Initiative for climate and development finance. States should establish flexible social protection, insurance and financing mechanisms to support economic and social displacement arising from drought (i.e., climate and disaster risk financing and insurance)
 - b. Embedding and facilitating, in all strategies to combat desertification and land degradation, rights such as access to information, public participation in environmental decision-making and access to justice. States in Latin America and the Caribbean should sign, ratify and implement the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), while States in other regions should consider becoming parties to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention) or develop new regional agreements similar to Escazú and Aarhus.
 - c. Making credible, relevant and up-to-date scientific information regarding degraded areas, good practices and sustainable land management accessible to all. This includes monitoring and assessment mechanisms to track and understand desertification and land degradation patterns. Additional effort is

- required to ensure that relevant information is accessible to Indigenous Peoples and rural populations, including publication in other languages.
- d. Immediately incorporating the right to a clean, healthy and sustainable environment in their constitutional, legal and policy frameworks—with explicit recognition of women as rightsholders—and prioritizing the implementation of State obligations related to both the substantive and procedural aspects of this right.
3. Integrate Indigenous Peoples’ and local communities’ rights, customary practices, knowledge and full and effective participation in all decision-making related to desertification and land degradation, especially regarding sustainable agricultural practices and land use management. This includes:
 - a. Prioritizing legal recognition of title, tenure, and rights of Indigenous Peoples, Afro-descendants, peasants and local communities over all territories and resources that they customarily or otherwise own, manage, or use, with explicit recognition for the tenure rights of women within these communities.
 - b. Where relevant, adopting and implementing legislation that operationalizes the United Nations Declaration on the Rights of Indigenous Peoples, ensuring full consultation with, and the free, prior and informed consent of Indigenous communities before projects or activities are commenced in their traditional territories, and throughout the duration of all approved projects or activities.
 - c. Where relevant, adopting and implementing legislation that operationalizes the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas.
 - d. Ensuring equitable benefit sharing in land management systems so that Indigenous Peoples and local communities—including Indigenous and rural women—are empowered to participate in LDN and ecosystem restoration initiatives.
 - e. Guaranteeing the availability of legal information and advice to Indigenous Peoples and local communities, in their own languages and according to their culture.
 4. Empower women, girls and youth as key rights-holders and partners in efforts to prevent land degradation and desertification. This includes:
 - a. Recognizing, upholding and enforcing women’s land ownership and tenure rights and their role as stewards of the land. States must act in a gender-transformative manner to address and dismantle discriminatory and gender-blind laws and practices that limit women’s access to and control over land and natural resources, and provide targeted financial support as well as access to education, credit, extension services, other needed resources, and access to justice. This is particularly important for Indigenous, Afro-descendant, peasant and local community women, who often have weaker legal protections and social status.

- b. Accelerating implementation of the CCD Gender Action Plan by: working with women’s organizations; developing strategic partnerships with experts, development partners, government and the private sector; mobilizing the financial resources needed to achieve gender equality in context of the CCD; and regular reporting on State interventions to assess progress, gaps and challenges to ensure that they deliver meaningful results for women or are strengthened on an urgent basis.
 - c. Building the capacity of i) national women’s institutions (i.e., Ministry of Women Affairs) so that they can engage in CCD consultation processes in a substantive and informed manner; ii) government ministries and departments to address topics related to gender and desertification, land degradation and drought, including gender-transformative budgeting; and iii) grassroots organizations led by women.
 - d. Promoting the equal participation and leadership of women and men in CCD processes and structures as well as land, water and environmental governance at the national and local levels
 - e. Ensuring that all laws, regulations, policies, projects and programmes addressing desertification, land degradation, drought and restoration are gender-transformative
 - f. Closing the gender data gap to enable evidence-based interventions and responses by:
 - i. Disaggregating data, gender targets and baselines by sex, age, race/ethnicity, geography, class, livelihood source, migrant status and gender identity.
 - ii. Regularly collecting and publishing this disaggregated data.
 - iii. Tracking the land rights and tenures held by women and men.
 - g. Prioritizing the involvement of youth in designing, implementing and monitoring land restoration activities as well as ensuring access to education and training programs focused on sustainable land management
5. Review and update domestic migration laws and policies to extend immigration, refugee and asylum protection rights to those migrating for ecological and environmental reasons. States should implement the Global Compact for Migration, especially objective 5(h) which requires States to “cooperate to identify, develop and strengthen solutions for migrants compelled to leave their countries of origin due to slow-onset natural disasters, the adverse effects of climate change, and environmental degradation, such as desertification, land degradation, drought and sea level rise, including by devising planned relocation and visa options, in cases where adaptation in or return to their country of origin is not possible”. There is also a desperate need for substantially increased and targeted humanitarian assistance for both migrants and refugees.



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