



INTERGOVERNMENTAL WORKING GROUP ON DROUGHT

Task Group IV report

POLICY INSTRUMENTS



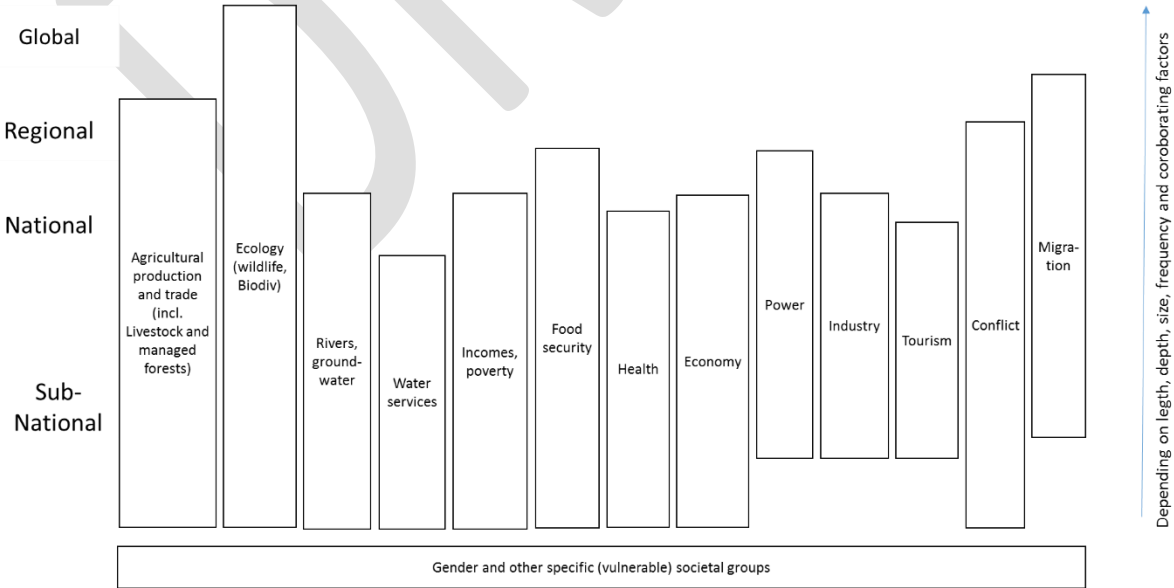
# Task Group IV report

“The broad objective of [this] task group [IV, “policies and governance”] is to review and propose policy, advocacy, legal and other reforms, with a special focus on institutions and governance. This work could also include issues of communication, public awareness, education, capacity development and international cooperation.” (IWG Interim report). This report is an attempt to summarise the deliberations of TG IV and orient the further work of the IWG in this area.

## 1. From drought impacts to policy fields and actors for drought risk management

To approach the task of TG IV, it is useful to start with the impacts areas of drought and look at the sectors, actors and policies affected and required to comprehensively address DRM. The impact areas are manifold (Figure 1), and they can affect levels beyond the direct drought affected area and people (telecoupling, for instance through biodiversity loss, river flows, trade, insecurity, migration). However, the concrete mix of impacts, the seriousness and considered priority will be different from country to country and region to region, depending on political, economic, social, technological, environmental and legal (PESTEL) factors. Human actions, particularly related to water management and the vegetation, importantly modify drought risks, and climate change does and will further modify them.

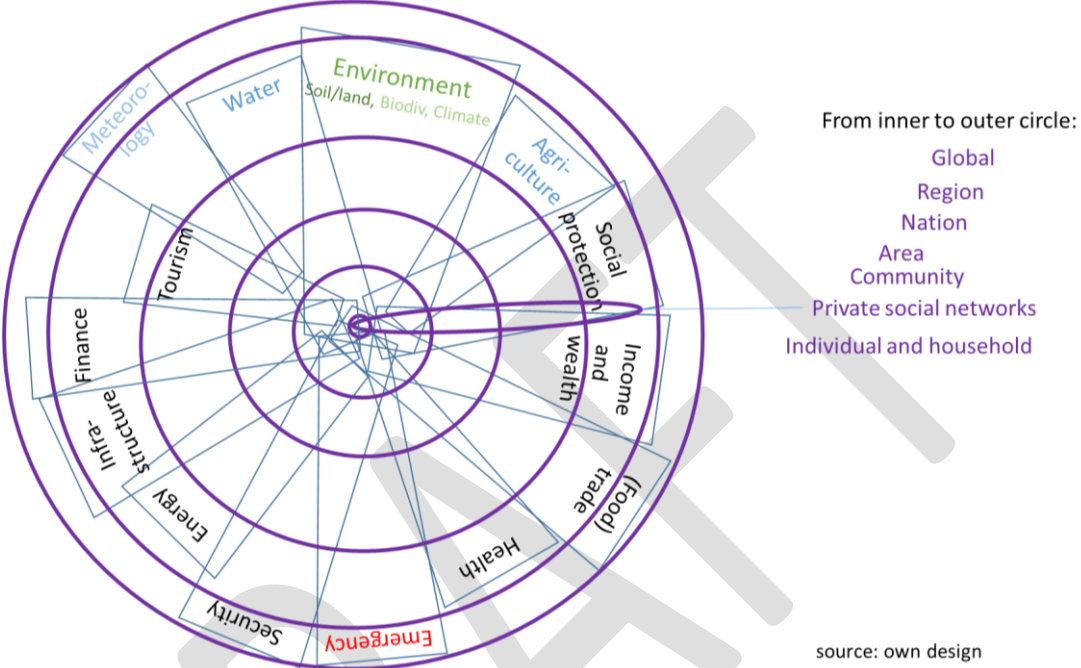
Figure 1: Areas and levels of impact of drought



Source: own design, categories by Blauhut et al. (2016)

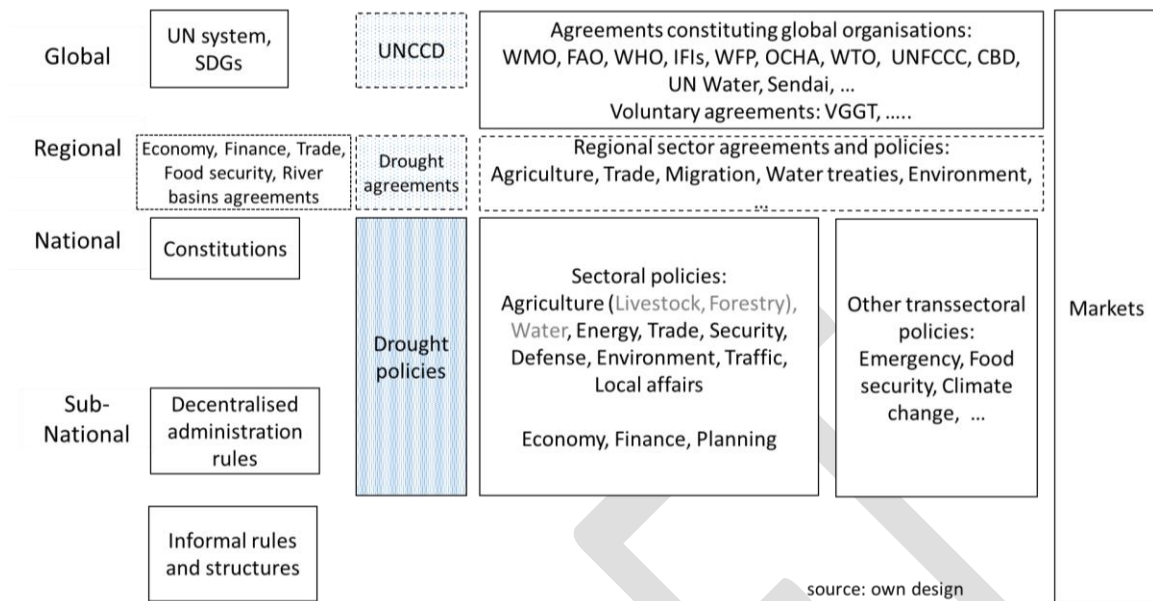
The policies and implementation measures for DRM are also extremely heterogeneous and do not only concern policies of those sectors affected by drought, but also others like social protection or trade (Figure 2). They are interrelated and interplay at different levels which is pointed out by the overlaps of fields.

Figure 2: DRM-related fields of policies and implementation measures



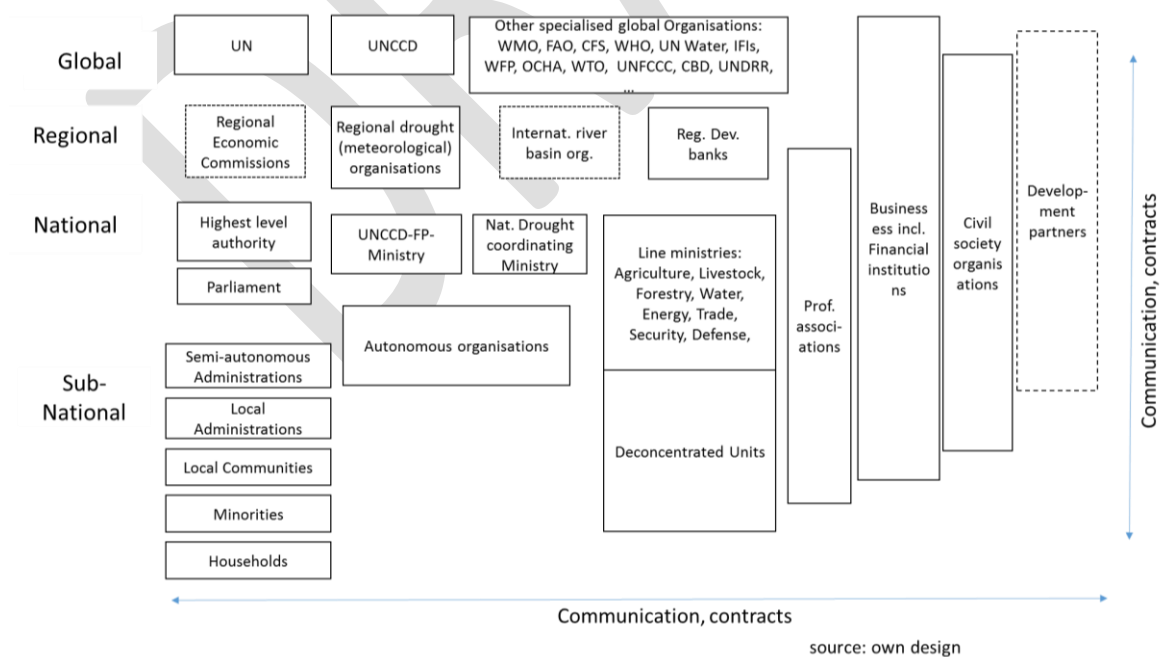
This broad spectrum of fields for policies and implementation measures at various levels is reflected in the broad spectrum of policies and institutions (Figure 3) affected, responsible and needed for comprehensive DRM. Here, “markets” are meant to include a broad spectrum of exchange platforms on which drought-affected people and organisations try to strengthen their private DRM. It is noted that particularly in less developed countries not only formal (policy-based) but also informal (e.g. traditional, oral, customary) institutions matter for DRM. Households, families and private enterprises are the frontier of DRM, while state and external actors support and strengthen those actors and their capacities (precautionary measures such as investing, saving, diversifying, insuring, networking) and establish a second line of defence (social protection, emergency) in case that private actors are overwhelmed by the impacts of a given drought.

Figure 3: Policies and institutions related to DRM



The spectrum of policies and implementation measures for DRM leads to a broad spectrum of stakeholders and actors (Figure 4). These are the potential and often needed cooperation partners, allies and addressees of UNCCD activities on DRM.

Figure 4: Actors involved in comprehensive DRM at various levels



This panorama of DRM related fields and actors indicates a tension for DRM under the UNCCD: strictly speaking, the UNCCD is an environmental convention with a corresponding mandate

for a few of these policy fields only, which is reflected by the fact that focal point ministries are usually those responsible for the environment. However, comprehensive DRM requires a (almost) whole-of-government approach and also a broad range of non-state actors. This leads to important questions as to the range of options for DRM under the UNCCD, since many policy fields are subject to the mandates of other international organisations (compare Figure 4). The orientation towards the environmental core nature of UNCCD partially explains why the following chapters have a certain bias towards nature-based solutions, following also the inventorisation of DRM issues and answers in the survey. However, other areas important for DRM are also briefly mentioned.

## **2. Drought Risk management at different levels**

TG IV addressed the complexity of policies and implementation measures for DRM by looking at different levels – sub-national, national, regional (here meant to encompass several countries) and global. The TG looked at generic tasks at different levels and considered the role of UNCCD for supporting these, taking note that different countries and regions face often very different situations (compare the analysis of national and regional experiences and assessments provided through several surveys, selected literature and the expertise of the IWG members). For this analysis, it suffices to state (IWG interim report): “Community and ecosystem-level institutions are often mentioned, and in some cases, policy and implementation processes for reaching and including them are outlined. Gender-responsive approaches are sometimes considered, but inclusion and mobilization of youth receive less attention. Early reviews identify a number of national challenges such as inadequate inter-sectoral and inter-ministerial coordination mechanisms; insufficient data; challenges of communicating DEWS information; and inconsistent application of the three-pillar approach, among others. At the international level, there are limitations to inter-agency coordination, including among UN agencies.”

According to the principle of subsidiarity which holds that political issues should be dealt with at the most immediate (or local) level that is consistent with their resolution, we start with the sub-national level where individuals, households, local communities and local administrations use their existing resources, capacities and knowledge to tackle DRM. The next, national level is to support these local endeavours in the framework of national policies, drought-specific and other. It is the key level for support by UNCCD where usually nation states

are members. The next, regional level may provide further drought related services in areas indispensable or important for effective implementation of DRM, and for services which are cheaper or qualitatively better clustered there than at the national level. At that level, also important coordination for international agendas including the UNCCD takes place, and mutual learning is facilitated to the extent that often (but not always) national conditions are more similar within regions than across the globe. At global level, UNCCD is the most legitimised institution to comprehensively deal with drought issues, but is surrounded by many other global players

### **A) Sub-national level**

Adaptation of drought resilient practices most often are implemented at the household and community levels. This is also true for many national policies that need local implementation. Examples for successful DRM are:

- Many indicators of **drought early warning** such as groundwater, crop status, (grain) reserves etc. need local grounding and verification. Communication of early warning is partially useful to execute with and through local actors, particularly in developing countries with low education levels and poor formalised communication infrastructure and tools.
- Solid **vulnerability assessments** need understanding of local resource uses and capacities with regards to ecological, economic and social factors modifying more general (national or regional) assessments based on remote and statistical data.
- **Drought resilient and climate-adaptive land-use practices in agriculture (including livestock) and forestry** and other land uses must be adapted to local (agro-)ecological, economic and social conditions and practiced by farmers and communities.
- **Land tenure** systems providing tenure security which encourage to implement such practices (particularly longer-term investments) need local implementation such as land surveying, registration of ownership, user rights and their transfers, and dispute litigation.
- **Secure water tenure and fair distribution of water** for agriculture and other uses need local user rights including restriction of rights in severe droughts, and administration. Most of the water infrastructure is also in local and regional, private and public ownership and needs locally adapted investment and maintenance regulation.

- **Capital and asset building as well as diversification** – two important drivers of resilience to drought - are to a large extent based on household and individual decisions according to their individual and local situation. However, the state has an important roles to play to enable and facilitate this, e.g. by investing in and support of the development of adapted technologies, providing information and education, infrastructure, security, rule of law etc. much of which must be provided or secured locally.
- **Financial services** important for credits, savings, insurance, and transfers are - despite advances in telebanking – still to a large extent dependent on local presence of financial organisations. The demand for and use of these services depends - beyond supply and transaction aspects - on decisions of firm/households which often require support, particularly the more vulnerable.
- **Determination of households in need of social protection and relief** under drought conditions (and else) is usually done at community level and with participation of local community and administrations, and often support is channelled via these. Avoiding negative impacts of such support e.g. on food markets needs local surveying.
- **Learning and continuous knowledge development on DRM** must be organised at local level, for instance for farmers, local enterprises, communities, extension agents, while exchanging with external actors and places.
- **Advocacy** (stakeholders influencing policy makers and policies) for DRM must be strongly rooted in locally grounded participatory processes
- For effective DRM, **coordination** of many of the issues has to be organised both horizontally (at the same level), and vertically (between levels). There are many horizontally coordination issues at sub-national level. However, often this has to take place between decentralised structures of national authorities, and vertical coordination in general depends mainly on national level institutions since it is difficult to be organised or even enforced by sub-national players.

## **B) National level**

The national level has to provide the bulk of the policies and institutions for DRM, providing an overarching framework for national (including local branches) authorities, assigning general and specialised responsibilities to (sectoral) ministries and national authorities, create

decentralised authorities and establish their responsibilities and resources including for (drought) emergencies, establish vertical and horizontal coordination mechanisms at different levels (including with regional and global levels), assigning state funding for different uses and users, etc. Key issues are:

**(i) Policy and legal options**

- a. Development and implementation of special national laws (legal acts) like the following:
  - Hydro-meteorological services
  - Water management and irrigation
  - Emergency situations
  
- b. Development and implementation of special national plans/programs/strategies including:
  - National action plans to combat desertification, land degradation and drought
  - National DRM plans
  - National Land Degradation Neutrality (LDN) plans
  - National water management and irrigation plans
  
- c. Integration of drought issues in a national SDGs agenda and other relevant national plans/programs/strategies relating to climate change adaptation, agriculture, forestry etc.

**(ii) Institutional approaches**

Establishment of a competent national authority like the following:

- State service of emergency situation
- State hydro-meteorological service
- National drought authority

**(iii) Implementation measures:**

Leverage and share modern, traditional and local technologies, best practices, experiences and lessons learned from relevant projects/plans/programs relating to drought resilience, preparedness and mitigation

- Integrate drought issues in SLM and LDN target setting and implementation processes



- Integrate drought issues in the processes of development and implementation of river basin management plans
- Develop and implement appropriate monitoring and early warning systems
- Develop public-private partnerships
- Develop and implement a national integrated financial strategy relating to drought (including issues pertaining to insurance)
- Develop comprehensive public awareness and education strategies/plans to effectively promote and communicate drought issues with all stakeholders

#### **(iv) Coordination frameworks**

Establishment of national coordination bodies like the following:

- Coordination council to combat desertification, land degradation and drought
- Commissions on technological and ecological safety
- Coordination council on water management and irrigation
- National Climate Change Adaptation Committee

#### **(v) Advocacy**

Since most DRM policies are governed at the national level, advocacy by private and civil society must also be concentrated there. This requires functioning bottom-up structures and decision making processes of associations and stakeholder groups. Local administrations may also need to develop and use such structures, e.g. national federations of cities or municipalities.

An important overall component of national level policies is its ability to learn from past experiences and adapt. This is strongly related to a good monitoring and evaluation system and an effective way of participatory learning (see also vertical coordination with sub-national level). Generally, the success of national level DRM does not only depend on the quality of the policies and institutions (and on hazards, exposure and vulnerability) but also on capacities and funding to implement them. The poorer and less developed a country and the more drought affected, the more challenging it is to implement DRM measures, and more there is need for cooperation and external assistance.

### **C) Regional level**

For many functions of DRM, there exist useful or even indispensable aspects at regional level. These have to be assigned to regional bodies and their funding assured by the corresponding nation states.

**(i) Earth system observation**

Earth system observation is often costly and require specialised staff and knowledge which is particularly scarce in developing countries and for small nations. Thus, it very often makes sense to organise investments, services and data exchange regionally. In addition, common uses may increase trust in such systems and in national drought decision making, having experienced that too often drought emergencies are (not) declared due to political considerations. Such observation tools include:

- Satellite and other remote sensing investments and data use
- Meteorological and drought observation units
- Drought emergency declaration rules
- Harvest estimations

**(ii) Emergency (food) trade rules, other regulations and regional investments**

Other regional aspects can influence regional DRM:

- Regions may coordinate food trade regulation measures under drought emergencies, in order to avoid/mitigate negative overall effects of individual nations' decisions such as export bans or transit restrictions ("beggar-they-neighbour" policies).
- Trans-boundary movement of people and their livestock
- Cross-border conflict resolution cross-border
- Also, regional infrastructure (train, roads) can play a role in improving regional effectiveness of food trade in response to drought related food shortages. Generally, regional integration also fosters economic growth, diversity and stabilisation against national variability, though may increase regional specialisation (and thus dependency).

**(iii) International river commissions**

- Assure information and data exchange
- Organise river commissions
- Establish joint water management plans particularly for drought

- Coordinate with regards to water uses, large infrastructure (dam, abstraction) construction
- Coordinate river transport rules

#### **(iv) Knowledge exchange**

Regional organisations can foster the systematic monitoring and evaluation of experiences of their members and the exchange and learning of lessons learned.

#### **(v) UNCCD**

Five world regions – Africa, Asia, Latin America and the Caribbean (LAC), Northern Mediterranean, Central and Eastern Europe - have the important job of deciding how to implement the United Nations Convention to Combat Desertification (UNCCD). The Convention Text includes five annexes, which each concern one of these world regions.

The implementation of the UNCCD is organized around these five regional implementation annexes. The annexes specify how the Convention will be implemented for each region and set the focus and content of regional and subregional action programmes. These action programmes provide a framework for regional coordination and collaboration. Though the country Parties of the regions define together how the UNCCD will be implemented, most action takes place at the national level.

### **D) Global level**

#### **(i) Policy and legal options**

Up to now, there exist a range of partial aspects of DRM at international level, including the UNCCD itself (see Figure 3). UNCCD's status and more recent developments include a general mandate for DRM, the drought initiative with the drought toolbox and a couple of activities in support of DRM of member states, a first step towards a global drought monitoring, and several other other decisions concerning drought.

However, this is deemed insufficient by its members and hence "decision 23/COP.14 established an Intergovernmental Working Group (IWG) on effective policy and implementation measures for addressing drought under the UNCCD" (IWG Interim report)." Options how to design policies and legal instruments for a strengthened mandate of UNCCD are discussed below, after first discussing **what implementation measures** (including

**coordination frameworks**) are to be mandated, and which **level of ambition** UNCCD members can agree upon.

## **(ii) Functions of support of DRM**

The functions of UNCCD do primarily address the national (and with it the sub-national) level but may also touch the regional level:

- Improve the **knowledge base** for DRM (drought hazards, exposure, vulnerability and mitigation options and effects)
- Assist member states (and regional bodies) in **designing** drought policies
- Assist member states (and regional bodies) in **implementing** drought policies
- Assist member states (and regional bodies) in **monitoring and evaluating** drought policies
- Assist member states (and regional bodies) in **funding** drought policies
- Improve **coordination** with other actors, particularly IOs (see next point iii) for more detailed options)
- **Advocate and educate** stakeholders at various levels (see over next point iv) for more detailed options)

## **(iii) Coordination frameworks**

- a. Development of generic DRM understanding (Droughts from flash to mega droughts, DRM pillars, principles of (combining) mitigation and response, integration of DRM into general disaster mitigation frameworks (Sendai) while highlighting its particularities.
- b. International coordination embracing international organisations (IO) of different spheres, including:
  - Comparable and cost-effective EWS including meteorological status and prediction (from short to long term), soil, water and vegetation status (agricultural production and prices, agricultural trade, water availability). WMO, FAO, UNFCCC, UN Water, UN Spider, etc.
  - Systematic integration of drought into risk and vulnerability assessments. Existing frameworks must be taken into account and built upon (river system networks, price

information systems, etc.). Above IOs plus WFP, Sendai/DRR, WFP, OCHA, Red Cross, other UN emergency organisations, conflicts, economic losses and damage, CBD.

- Develop concept of comprehensive DRM strategies and entry points for other IOs, design interfaces (communication, strategy development, systematic assessments, etc.) for different stages in a drought cycle, from preventive to reactive.

c. Systematic assessment of DRM issues in relevant strategies of IOs.

#### **(iv) Advocacy and education**

The mandate for TG 4 was not only advocacy but also education. While advocacy was defined above as lobbying towards policy makers, education is much broader. For UNCCD, both can be oriented towards various stakeholder communities at international, national and sub-national levels and may include:

- Alert donors and policy makers to the potential impacts not only at national level but for regional and global levels (food markets and prices, migration, large-scale conflicts due to drought impacts and mitigation impacts e.g. through trade bans or hydrological stress in international river basins)
- Conceptually mainstream drought issues into SDGs, and advocate/sensitize globally
- Demonstrate costs and benefits of inaction vs. action, foster research, disseminate results
- Recall/spread information on international major drought events to support keeping preventive “spirit” high
- Help disseminate experiences, good practices and lessons learned
- Foster exchange of experiences, good practices and lessons learned
- Use international day of desertification (or other global events) for highly visible events

It is to be noted that certain functions do not work well together at all levels of ambition and need special attention if combined. For instance, UNCCD as an environmental convention is less well positioned to advise on infrastructural, economic or social issues of DRM and would need strong capacity development itself or strong coalitions with appropriate other players, notably IOs. If UNCCD receives a strong mandate for designing DRM policies and for implementing certain measures, care must be taken that evaluation is done in an impartial

way so that evaluators are not biased by its contribution to the issues to be evaluated. Also, policy design and loan-based funding would partially weaken each other since the function of a bank to impartially assess the quality of a bankable investment plan would be levered out.

### **3. Conclusions for policies and institutions of a strengthened UNCCD drought mandate**

The previous sections have elaborated on the “what” is included in DRM and can be potentially supported by UNCCD. When assessing which options to consider in a new, enlarged mandate, most likely a selection has to be made, not at least due to the original mandate of the convention but also due to existing capacities. Also other aspects need to be taken into account.

#### **(i) Scope**

DRM englobe a large range of policies, institutions, implementation measures, monitoring and evaluation objects, knowledge areas and advocacy and education constellations. Funding is not only a government but also a private / business and household task, and for poorer actors at all levels assistance is important. For UNCCD, the following aspects are important in this selecting appropriate scope:

- It is in first line an environmental convention, with developmental components. Drought policies must be comprehensive and include many sectors, and UNCCD must be able to guide processes to in an adequately comprehensive sense, but in most other aspects (knowledge and training, monitoring, advocacy and education, etc.) is well advised to focus on environmental issues and nature-based solutions. More narrowly, DRM which can be easily combined with its second mandate, land degradation, seem to be most appropriate (at least to start with).
- Geographical and political focus on arid and semi-arid lands and developing countries is enshrined in its original mandate. While the LDN agenda has shown that it is possible and beneficial (for political visibility and relevance) to enlarge the scope of the mandate, it is advisable to keep these priorities, and it is also likely that many members want to maintain such focus.
- It is unlikely that the convention will develop into a full-fledged organisation which is able to accumulate all the knowledge, technical and educational capacities in all or even most fields of DRM, and in most cases there are already international

organisations mandated for special aspects or at least to include them in their agendas (compare Figures 2 to 4). Most important is UNCCD's unique position to discuss and conclude concepts and directions for general DRM. In many policy fields, the best and most likely option is to give UNCCD a key voice in assuring that DRM is taken into account.

- It is unlikely and not the way that an international convention is working (consensus-oriented while having to balance many divergent views of members, slow) that funding will become a major activity of the UNCCD. At best, it is able to act as a counsellor and a rule-maker for funding implementation of DRM measures by other organisations and (development) banks (typically in conjunction with other objectives and priorities of the relevant policy field and specific investment) and provide seed money for certain initiatives in poorer countries.

#### **(ii) New level of ambition**

The level of ambition will determine which institutional and legal options are available and most appropriate for a strengthened UNCCD mandate. The ambitions can extend to:

- Mix and degree of implementation of measures
- Degree of binding own and other governments and the international community
- Financing

#### **(iii) New institutional approaches**

Depending of the new selected scope and the level of ambition within each of the fields of DRM, existing institutional approaches to DRM under the UNCCD can and must be strengthened or new ones created. Some of the options are:

- Enlargement of UNCCD's existing drought initiative
- Creation of a Competence center under UNCCD
- Strengthening of UN Environmental Management Group (EMG) on Drought
- Seeking key or lead role for UNCCD in EMG
- Creation of (regional) Competence center(s) under EMG
- Expanding drought toolbox
- Converting drought toolbox into an interactive exchange/communication tool
- Creating of one or several Competence center(s) under UNCCD

- Continuing/expanding drought initiative
- Reviewing national DRM policies (elaboration and policy cycle management)
- Coordinating review of sectoral DRM initiatives at national level
- Support EWS and DRV assessments at [various] international level[s] (with other IOs)
- Support (advise or organise advice) for integrated funding strategies of parties
- Providing non-financial capacities for applying for (national and) international funding for initiatives emanating from DRM policies
- Providing (seed) funding for DRM policies (elaboration and policy cycle management)
- Monitoring droughts and drought impacts (implementing related decisions COP 15 and expanding)
- Evaluation of DRM policies and strategies at IO [, regional and national level
- Evaluation of DRM policy impacts
- Devise, underpin, coordinate data provision to and other cooperation with private sector

#### **(iv) New policy and legal options**

The policy and legal options concern the nature and level of binding authority of the UNCCD's role and the parties' rights and obligations. They follow from the commonly desired scope, level of ambition and intended institutional setting. In addition, they follow from the level of binding that members jointly want to ascribe and commit themselves to. The following list of options is drawn from UNEP's information note "Legal and institutional options for addressing drought under the UNCCD" of September 3, 2020.

##### **a. Legally binding options within UNCCD**

- Adoption of an Amendment to the Convention
- Adoption of an Annex under the Convention
- Adoption of a Protocol or Agreement under the auspices of the Convention
- Adoption of Decisions

##### **b. Non-legally binding options within UNCCD**

- Adoption of a non-legally binding instrument
- Adoption of a Political Declaration or Decision



- Global Framework

c. Negotiation of an instrument outside the UNCCD framework

- Through mandate from the General Assembly and have the Assembly adopt a resolution that will set in motion a process to negotiate a legal instrument (i.e. UNFCCC, UNCCD)
- Through the mandate from the General Assembly and have the Assembly adopt a resolution that will set in motion a process to negotiate a legal instrument (i.e. CBD)

It is noted that scope, selected measures and levels of ambition to a certain extent have to be reflected in the chosen legal options, though there is also some flexibility. The further discussion and development of possible and appropriate combinations of these dimensions must be subject to further deliberations of the IWG.

**Annex I:**

**Possible options to suggest to COP**

Least ambitious

- [advocacy] Foster and disseminate experiences, good practices and lessons learned by expanding the Drought Toolbox
- [policy] enlarging the UNCCD's drought initiative
- [institutional/legal] encourage the development of national drought laws (for example water management and emergency response)
- [policy/institutional] pursuing a leading role for the UNCCD in the UN Environmental Management Group on Drought
- [policy] encourage integration of drought issues in SDGs
- [advocacy] lead the development of international processes that raise the profile of drought issues
- [institutional] encourage the establishment of national authorities for coordinating drought response

### Slightly ambitious

- [policy/advocacy] Converting the drought toolbox into an interactive exchange/communication tool.
- [institutional] develop and disseminate comprehensive DRM strategies for other international organisations
- [policy/institutional] Reviewing national DRM policies
- [policy/advocacy] Creating a competence centre under the UNCCD

### Moderately ambitious

- [policy] Support or organise advice for integrated funding strategies of parties (for example public-private partnerships or national financial strategies)
- [legal/institutional] support the development/expansion of regional agreements that impact drought preparedness and response
- [policy/advocacy] Evaluating DRM policy impacts
- [policy] devise, underpin, coordinate data provision and other cooperation with the private sector
- [institutional] Establishing a leading and accepted role for UNCCD in coordinating international organisation drought policies

### Highly ambitious

- [institutional] establishing acceptance of UNCCD evaluation international organisation drought policies
- [legal/policy] establishing a binding agreement (amendment, annex or protocol) for parties to develop national drought plans
- [policy/governance] Provide/arrange seed funding to develop national DRM policies
- [institutional] establishing a binding protocol providing an integrated strategy guiding investment in multi-hazard protection, risk reduction and climate change adaptation; and directing parties' and UNCCD Secretariat action in addressing drought