

## Land use politics

# A non-land policy for global sustainable land use?

What are new ways and future options for the international governance of sustainable land use? Effective policies towards more sustainable land use should not only deal with land and soil. These policies need to address various drivers and different contexts in an integrated manner.  
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In many parts of the world, current agricultural practices are unsustainable. Land and soil degradation has become a significant problem of our time, with an estimated quarter of all soils already being degraded globally (UNEP 2014). Thus, the international debate on the issue of land use and soil degradation has gained momentum in recent years.

In consideration of the global needs for a more sustainable land use, the Federal Ministry of Environment in Germany (BMUB) together with the Federal Environmental Agency (UBA) launched the research project “Global Land Use and Sustainability” (GLOBALANDS) in 2011. This project, finalized in July 2015, aimed to explore ways of how sustainable land use can be effectively promoted at the international level.

One of the major tasks of GLOBALANDS was a governance screening of international and multilateral policies. This screening identified a broad range of policies and processes that can be potentially utilized to further strengthen sustainable land use. Among others, it revealed that despite the lack of internationally agreed targets on sustainable land use as a whole, there are many points of departure in other policy areas that can serve as a leverage to improve sustainable land use (Wunder et al. 2013).

## Global governance for sustainable land use

An analysis of the current opportunities for improving the global governance for sustainable land use requires a closer look at the status quo. The key findings of the screening can be summarized as follows:

- A large number of international policies with relevance for the sustainable use of global land resources already exists to date.
- Yet, there is no overarching and coherent sustainable land use policy at the international level.

- Sector-specific policies still predominate, e.g. biofuel policies often fail to consider the sector’s interaction with the food and feed sector.
- International policies that aim to promote sustainable land use such as the Rio Conventions, the UN Non-Legally Binding Instrument on All Types of Forests from 2007 and other initiatives tend to be weak: they often lack appropriate financial resources, suffer from a low level of implementation, or they are restricted to specific regions.
- Other policies such as on trade and investment do not explicitly address land use but have substantial (often negative) side-effects on the sustainability of land use.

However, there are also windows of opportunity to improve sustainable land use through trade and investment policies. This includes the revision of the World Bank’s Environmental and Social Framework. The development of a new framework could be aligned much more strongly with the Voluntary Guidelines on Land Tenure. The current draft of the Framework, though, is still characterized by omissions with regard to land rights, the treatment of indigenous peoples and environmental impacts (Kaphengst 2015).

## Blind spots in land use governance

Despite various policies and processes dealing with land use (aspects), current international policies do not or only ineffectively address the most significant drivers of unsustainable land use. These include, most importantly (Wunder et al. 2013):

- Population growth. It is expected that by 2050, about 9.7 billion people will inhabit the earth (UNDESA 2015).
- Related to this, urbanization will be the defining trend over the next decades, especially in Asia and sub-Saharan Africa. Between 2010 and 2050, the urban population share will grow to more than two-thirds of the world’s population, with different shares in major world regions (UNDESA 2014). The doubling of urban populations in developing countries is likely to triple the extent of built-up areas (Fragkias et al. 2013).
- Future changes in diets – in particular in emerging economies – towards more animal products such as dairy products and meat. By 2050, 70% more food production will be needed globally, with up to 100% more in developing countries relative to 2009 levels. Depending on the type of meat, land requirements are roughly ten times larger for meat protein than for soybean production, for example (Reijnders/Soret 2003). The expansion of livestock production is also a key driver of deforestation.

■ Further consumption-related land demands resulting from renewable energy projects (above all, dedicated energy crop production) are expected due to the projected increase of bio-material markets (UNEP 2014).

Another significant impact of the global food system on land is food waste: According to data from Gustavsson et al., about one-third of all food produced worldwide is lost or wasted in food production and consumption systems (Gustavsson et al. 2011). This means that huge amounts of land and other resources used in food production could be avoided.

In sum, addressing these drivers would provide the key leverage for sustainable land use by reducing the pressures on land (e. g. agricultural intensification or conversion of other land uses to arable land). However, they are hardly addressed in international land policy and are not even a major issue on the land policy agenda. Quite the contrary: instead of reducing the demand for land and addressing the drivers, international policies have often rather incentivized investments with negative impacts on land (e. g. support programs for green growth, the bio economy, bioenergy or renewable resources often still neglect that the further growth and substitution of fossil resources with renewable resources will lead to additional pressure on land).

Against this backdrop, it needs to be noted that land is distributed in a highly unequal way globally, which has already led to numerous land conflicts (land grabbing). The number of such conflicts is likely to increase in the future if political strategies leading to higher demands for biomass continue neglecting the unequal consumption rates between industrialized and developing countries.

## Increasing the sustainability of land use

How can these blind spots potentially be addressed by policy making, and how can this be aligned effectively with existing policy processes? First and foremost, a coherent land use policy at international level would need to substantially expand its policy scope. It might even touch policy issues which have been tabooed in the past (see e. g. blind spots highlighted above) but could not longer be done so in the future if further degradation of land resources is to be avoided.

A possible way forward to strengthen sustainable land use in the future is an integrated approach. The core idea of this approach is to embrace the various processes with direct or indirect effect on global land use and to come up with a coherent framework to strengthen sustainable land use. This requires a broad but flexible policy approach at different levels combining instruments of varying degrees of political intervention.

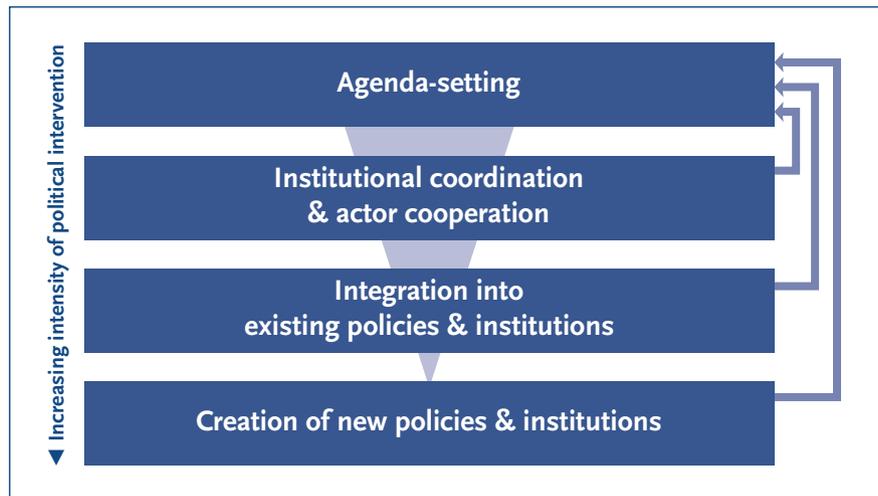


Figure 1: Pathways towards global sustainable land use

It should build on ongoing initiatives and processes to build bridges and synergies between objectives and sectors.

The potential pathways towards an integrated approach to a more sustainable land use, which was developed in the GLOBALANDS project, can be differentiated into four partly overlapping categories (Fritsche et al. 2015):

- Agenda-setting,
- Promoting institutional coordination and actor cooperation,
- Integrating sustainable land use concerns into existing policies and institutions,
- Creating new policies and institutions.

Generally, the intensity of political intervention associated with the pathways will increase along the order in which they are listed. However, the outlined steps do not need to be taken in this order but pathways can be pursued independently from one another.

The four pathways can be pursued by governments as well as non-governmental actors and public-private networks. The international policies or institutions in which they result can be voluntary or mandatory, legally non-binding or binding.

In the following, we understand policies and institutions in a broad sense as more or less institutionalized sets of rules. These may range from legally binding multilateral environmental agreements on the one end of the spectrum to voluntary codes of conduct adopted by the private sector on the other. In the following, the pathways are presented in more detail, referring to already existing cases and policy options for which no empirical examples yet exist.

## Agenda-setting

Among the four pathways, agenda-setting is the one with the lowest intensity of intervention. However, it is not necessarily a soft option, in particular when it comes to issues that are not yet properly recognized by policy makers. Agenda-setting is the feeding-in of an issue (here: sustainable land use)

into policy processes (here: at the international level). The aim is to prepare policy formulation with regard to the issue at stake. Agenda-setting has a strong discursive component. It typically involves the initial definition of the problem among a broad range of actors, e. g.: What is sustainable land use? Is it about tackling environmental degradation, food security or environmental security, global equity, competing land use demands, inefficiency of land use?

Agenda-setting also involves the demarcation of who is legitimized to address the problem and the framing of potential solutions to the problem: regulation, planning, markets, participation; land sharing versus land sparing; extensification versus intensification; narrow focus on soil protection versus broad nexus approach.

Such definitions and frames create the basis for the subsequent political debate, the selection of actors to be involved in the process and the range and content of policy alternatives. Pro-active agenda-setting requires and at the same time creates discursive power, access to political processes and to financial resources.

Agenda-setting is the fundamental step for addressing the blind spots identified above. Without the promotion of an international debate about the land effects of diets, for example, no policies or measures, whether international or domestic, internalizing the external costs of meat and dairy product consumption or reducing food losses and food waste are likely to be adopted. Once started, such an international debate could even encourage a cultural shift away from consumerism and towards sufficiency, which is needed to reduce the global land demand but very far from being implemented to date.

### Promoting institutional coordination and actor cooperation

A second pathway to improve international governance with regard to sustainable land use is to promote governance and actor linkages. That is, to improve the coordination of policies and institutions with relevance for sustainable land use as well as the cooperation between the relevant actors. The aim is to create awareness of potential synergies and conflicts, to promote learning, reduce duplication of work and ultimately increase the coherence between rules and activities.

Institutional coordination between two or more international institutions (e. g. treaties) and their bodies (e. g. treaty secretariats) is advisable when one institution affects the effectiveness of the other (Oberthür/Gehring 2006). In our case, there are several binding and non-binding policies. These policies comprise the Convention on Biological Diversity (CBD), the Convention to Combat Desertification, the Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) or the United Nations Declaration on the Rights of Indigenous Peoples. These policies govern individual aspects of sustainable land use and their greater coherence would be desirable. Concrete mechanisms for institutional coordination range from the exchange of informa-

tion between treaty secretariats via joint activities and working groups to formal Memorandums of Cooperation between the secretariats, which specify joint work plans. At present, channels of institutional coordination exist between different multilateral environmental agreements, e. g., the Rio Conventions and other biodiversity-related conventions (Böhringer 2014; Morgera 2011). However, the intensity of coordination could certainly be increased. Future challenges include introducing sustainable land use to the agenda of joint meetings and activities, and the extending coordination of the interplay of environmental and non-environmental treaties such as trade-, investment- or human rights-related ones.

Actor-cooperation can have different functions such as information exchange and joint problem analysis, joint strategy development, coordination of activities, sharing of resources, and the pooling of distributed governance capacities. A diversity of cooperation forms already exists in the land use field but not necessarily in an integrated way. They cover specific facets of sustainable land use such as food security, soil management and protection, access to land, land tenure and governance, land use efficiency or environmental sustainability in individual sectors. None of these networks is comprehensive in terms of the issues they cover or their membership. This implies that currently none of the existing networks has the legitimacy to tackle sustainable land use in its entirety.

### Integrating land use concerns into existing policies

As stated above, there is no single treaty mandated with sustainable land use. Rather, there is a fragmented landscape of policies and institutions that promote individual aspects of sustainable land use. In addition, there are numerous standards that have the potential to positively or negatively affect the sustainability of land use. Better integrating, that is mainstreaming sustainable land use concerns into such other policies and institutions is a further pathway to improve the governance of sustainable land use. The aim is to reduce incoherence and foster synergies among policies relevant for land use, similar to the previous pathway. In addition, this pathway builds so-called bridgeheads for sustainable land use by including the issue in an increasing number of pre-existing policies and institutions.

On the one hand, the consideration of sustainable land use concerns is required within existing policies and institutions that have the potential to negatively affect land use sustainability. Examples of such a safeguarding strategy already exist, such as the Responsible Agricultural Investment Principles (RAI) reacting to the harms resulting from large-scale land acquisitions or land grabbing. Another potentially harmful policy is the emerging REDD+ scheme under the UN Framework Convention on Climate Change which is feared by some to set perverse incentives for replacing natural forests by plantations (Pistorius et al. 2011). With regard to project finance, sustainable land use concerns also need to be strengthened within the Environmental

and Social Framework of the World Bank, for instance by making it more coherent with the VGGT (Kaphengst 2015).

Sustainable land use provisions should also be better integrated into existing standards, which have the potential to positively affect sustainable land use. The Sustainable Development Goals (SDGs) can be seen as a first step forward, but also the CBD offers different anchor points to further mainstream sustainable land use within the biodiversity agenda (Wolff/Kaphengst 2015).

## Creating new policies and institutions

A fourth pathway for strengthening the international governance of sustainable land use is to develop new policies and institutions explicitly aimed at promoting sustainable land use beyond integrating the issue into pre-existing policies and institutions. The aim is to create a central authority either for policy development or policy preparation, with sufficient political clout to assert itself.

Different types of new policies and institutions are conceivable, with varying objectives (regulation versus knowledge production), ownership arrangements (public, private and hybrid), institutional settings, degrees of bindingness and voluntariness, geographic, sectoral and issue scope, and levels of specificity. The last decade has seen the adoption of various new policies on sustainable land use (e. g. numerous sectoral certification schemes and codes, the UN Global Compact “Food and Agriculture Business Principles”, SDG-15 and others). Under the UN Convention to Combat Desertification, however, introducing a new protocol on Zero Net Land Degradation was ultimately rejected. Most of the policies address quite specific aspects of land use with a narrow thematic scope.

In reaction to this, proposals have been made to develop binding and broader institutions in future. For instance, private sector representatives have called for a platform to develop a certification standard on “Good Land Governance” (Myers 2015), to better operationalize the VGGT and RAI Principles. The Scientific Advisory Council on Global Change (WBGU) has proposed a “Global Commission on Sustainable Land Use” to review the scientific state of the art and assess options for global land management (WBGU 2011). Developing, in the medium-term future, a CBD Protocol on sustainable land use could provide binding obligations within an integrative (not merely sectoral) but issue-specific policy on sustainable land use (Wolff/Kaphengst 2015).

Despite the ambitious framework for an integrated policy approach outlined above, the question remains whether the enormous challenges concerning future land demand and the various competing policy goals can be tackled effectively. For example, the framework only provides a conceptual starting point for addressing the blind spots in policy-making for sustainable land use (see the paragraph about agenda-setting). Addressing all drivers of unsustainable land use at the same time and reducing the global pressure on land resources globally might

require even more ambitious strategies. Even for the implementation of the framework a new mentality in policy-making might be needed.

Land use is a cross-sectoral issue similar to climate change, biodiversity protection or food security. In all these fields current policy-making is particularly confronted with an enormous thematic complexity, diverging interests and a high level of uncertainty about policy outcomes. At the same time, policy-making is mostly organized in sectors often leading to a so-called silo mentality, which is adverse to the challenges posed by these cross-sectoral problems.

Consequently, we conclude that policy-making needs to be changed fundamentally, in order to effectively achieve sustainable land use. As highlighted above, these thoughts could also apply to complex and cross-sectoral policy problems other than sustainable land use. It must be noted that the three following points still need further thinking and research in order to provide for a solid alternative to actual political practice. We therefore see them as stimulation for further discussion.

A first important shift in policy making is the way how policy makers and political institutions deal with problems. Instead of segmenting problem solving into different administrative responsibilities, decision-making processes and political institutions need to provide an adequate infrastructure and working environment to address problems in an integrated and holistic manner. The starting point for such an initiative should not be a restricted and isolated task for which short-term results and success is guaranteed; an activity should rather contribute to a long-term strategy. Obviously, this would question the common practice in politics fundamentally, but could contribute to public acceptance of politics at the same time. Disenchantment with politics is often caused by a lacking understanding of the whole, meaning that voters often do not conceive why political decisions are made and to what overall and long-term strategy these might contribute.

However, pre-requisites for such a shift are professional communication skills about complex problems and their possible solutions by policy-makers and executing institutions like ministries. Another pre-requisite is a general openness to other policy sectors and their institutions. In other words, policy-makers have to capture the value of intensive dialogues across administration/ministries and joint solutions. A positive example for such an approach within land policy in Germany is the inter-ministerial working group on city development – another could be on sustainable land use. Further research would be needed, among others on new ways and formats for finding joint solutions.

## Supporting bottom-up initiatives

Land use practices, which adhere to a definition of sustainable land use by combining resource protection with social inclusion, are applied every day across the globe (Kaphengst 2014). Because of the various social and environmental condi-

tions under which land use takes place, sustainable land use has a genuine local dimension and cannot easily be generalized across the globe. However, many policy initiatives at international scale are aiming at exactly this. They are aiming at finding general approaches for actually strongly diverging national and regional conditions.

At the same time, providing information on good and best practices for giving guidance in implementation of a broad strategy is often neglected. In some cases, in which land use can be a good field of experimenting, it might be more effective to support specific regional actors like innovative farmers, entrepreneurs or community leaders who have established sustainable practices financially and politically, in order to enable them to spread the knowledge across their region, to build alliances with other communities or actors and to become a champion of sustainable land use. Such an approach would also enhance the possibilities for effectively communicating the aim, background and progress of a land use policy, when practical examples of its achievements can be presented.

### Policy-making and societal change

Since the WBGU published its report on a new societal contract leading to the necessary “great transformation” of our industrialized society, a new paradigm called “transformation” or “transition” has entered the academic debate about future social and environmental challenges and German policies (WBGU 2011). However, while the term transformation is already widely misused as a buzzword similar to its predecessor sustainability, it is still quite unclear, how policy-making can significantly contribute to a transformation towards a more sustainable society.

In our understanding, a transformative policy in the context of land use can no longer ignore the obvious link between unsustainable consumption patterns and the increasing pressure on land and natural resources worldwide. Neither can it close its eyes on the question which actors are currently practicing more sustainable land use than others and how these can be supported and privileged. Consequently, a transformative policy towards sustainable land use must embrace inconvenient topics such as the reduction of meat consumption in the population or inhibiting large-scale land investments leading to unsustainable practices or speculation. Tackling such issues requires courage, proactivism, probably new instruments as well as new alliances with societal actors. And it requires frontrunners – both in policy and in society.

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