Combating Desertification in Central Asia: Finding New Ways to Regional Stability through Environmental Sustainability?

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Abstract

This article appraises the Central Asian Countries' Initiative on Land Management (CACILM) as an innovative experience of regional cooperation to implement the Convention on Desertification. Despite high initial expectations, the actual implementation process has suffered drawbacks. The Central Asian countries' commitment and capacity to sustain this process depends heavily on international support. Moreover, the process' low political profile and the weak capacities of the Central Asian authorities to engage in meaningful transnational cooperation are significant hurdles to be tackled. At the same time, national and regional efforts to combat soil degradation and desertification have not yet been properly mainstreamed with other more consolidated processes for the sustainable management of natural resources, such as the IFAS. It is argued that this may be a possible solution for the future of CACILM.

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I. Introduction

1. This article assesses the efforts of cooperation undertaken by the five Central Asian countries, namely, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan, in order to promote patterns of sustainable land management in the region, contributing in this way to implement the 1994 UN Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (hereinafter, UNCCD).[1] As reflected in the introduction to the *Subregional Action Programme for the Central Asian Countries on Combating Desertification with in the UNCCD Context* adopted by all five countries in September 2003, their respective national territories cover an area that is 'a classical example of an arid and sub-arid region characterized by serious cross-border problems of desertification'. Moreover, the development of irrigation in the region has caused one of the most spectacular man-made environmental catastrophes, leading to the progressive dry-out of the Aral Sea. Accordingly, the sustainable management of water resources is a highly sensitive issue in the region in which the Central Asian countries have not quite managed to establish a common ground for effective cooperation and concertation,[2] hence giving rise to potential conflict in the region.[3]

2. Less noticed in academic circles, but intrinsically connected to water management issues in Central Asia, is land management in areas exposed to aridification and/or desertification. However, joint efforts to address and cooperate in this field are still relatively recent. In the following, we will appraise the incipient framework of (sub)regional cooperation that has been established since the early 2000s with significant international support, in order to foster sustainable land management in the framework of the UNCCD. In so doing, we will reflect upon the potential of this particular cooperation process to contribute —either on its own, or in combination with other more consolidated regional processes— to foster capacities among local communities and national

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1 Signed in Paris on 14 October 1994 and entered into force on 26 December 1996.

2 S. Kushkumbayev & A. Kushkumbayeva, *Water and Energy Issues in the Context of International and Political Disputes in Central Asia*, 12 Chinese JIL 211 (2013). See also M. Campins-Eritja, *Los Retos De La Cooperación Regional En Asia Central: Más Sombras Que Luces En La Gestión De Los Recursos Hídricos Compartidos*, Revista Electrónica De Estudios Internacionales 1 (2010).

3 See I. Abdullayev et al., *Water and Geopolitics in Central Asia, in* Water, Environmental Security and Sustainable Rural Development. Conflict and Cooperation in Central Eurasia 125 (M. Arsel & M. Spoor eds., 2010).

authorities and strengthen in this way the weak governance structures in the Central Asian States. In line with what Kushkumbayev and Kushkumbayeva have recently argued,[4] we start from the assumption that different parallel ongoing processes of cooperation need to be bundled and streamlined into meaningful multilateral processes, which include the Central Asian states, as well as international institutions, investors and donors. Arguably, China has a significant role to play in this context.

3. Accordingly, this article is structured as follows. After presenting in section II the challenges that the Central Asian countries are facing —both, individually, and as a region—, section III appraises the legal framework, institutional settings and the actors involved in the implementation of the UNCCD in Central Asia. On this basis, section IV reviews more specifically the Central Asian Countries' Initiative on Land Management (CACILM) as a bottom-up process of capacity-building for local communities and national authorities to foster sustainable rural development practices that are streamlined into larger national and regional development policies. This will lead us to establish some final remarks on the suitability of this process to be streamlined with other processes —such as the International Fund for Saving the Aral Sea (IFAS)— so as to contribute more efficiently to foster regional stability through environmental sustainability.

II. Central Asia in Context: Struggling between Regional Challenges and Internal Decay

4. With the collapse of the USSR in December 1991, five new states gained independence in an area that has since become a new geopolitical reality: the Central Asian region. Yet, more than two decades after their independence, despite the region's relatively clear geographical contours and a common historical and cultural heritage of centuries, Central Asian states, as well as the common cooperation and integration processes so far put in place, remain remarkably feeble.

II.A. Two decades after independence: the ongoing quest for national and regional identity

5. Since their independence, Central Asian countries have had to find their place

4 Kushkumbayev & Kushkumbayeva, at n 2.

in the international community, while coping with rapidly evolving geopolitical constellations. Whereas initially the world seemed to develop towards uni-polarity under the global hegemony of the West, the new millennium brought an increased multi-polarity with a number of rising global powers —such as China, India and a recovered Russian Federation— with strong claims for influence over the Central Asian region.

6. As a matter of fact, after an initial phase of Western or Eurocentric euphoria in their respective approaches towards international law and international relations, by the early 2000s the Central Asian states joined other post-soviet countries in a general move away from Westernization, and towards Eurasianization.[5] In view of the progressive dilution of economic ties within the Commonwealth of Independent States, by the mid-1990s, Kazakhstan and Uzbekistan launched a process of regional economic integration,[6] joined shortly thereafter by Kyrgyzstan.[7] Eventually, in 1998 Tajikistan also acceded to participate in the process, which was renamed as Central Asian Economic Community (CAEC). However, as Kembayev highlights, despite its formal enactment, 'trade within the CAEC declined steadily over the 1990s, and in most areas the members pursued independent policies without regard to intra-CAEC cooperation and at times in contradiction to stated CAEC policies and goals.'[8] Amidst the unrest caused by the United States' intervention in Afghanistan, the rise of Islamic extremism, and the wave of coloured revolutions in a series of post-soviet states, the Central Asian states shifted towards Eurasianism, thus engaging in a deep restructuration of ongoing cooperation and integration processes.[9] In this vein, the Organization for Central Asian Cooperation (CACO) was established in 2002 between

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5 R. Tkatova, *Post-Soviet States and International Law in a Multipolar World, in International Law in* a Multipolar World 242 (M. Happold ed., 2012), at 248. As highlighted by this author in an earlier publication, as an ideology that has is influential among internationalists in the region, Eurasianism vindicates 'the uniqueness of the Eurasian civilization being neither of the West nor the East, but between the two, i.e. between Occidentalism as a form of progress, freedom, personality, and rational organization of life and Orientalism as a symbol of order and stability, high spirituality and mystical illuminations… Eurasianism includes the idea of a third economic and social way: neither East nor West, neither capitalism nor communism and neither democracy nor totalitarianism.' See R. Tkatova, *Central Asian States and International Law: Between Post-Soviet Culture and Eurasian Civilization*, 9 Chinese JIL 205 (2010), at 217.

6 Treaty for the establishment of an Integrated Economic Zone (10 Jan. 1994).

7 Treaty for the establishment of a Single Economic Space (30 April 1994).

8 Z. Kembayev, *Legal Aspects of Regional Integration in Central Asia*, 66 ZaöRV 967 (2006), at 974.

9 Tkatova at n 5.

Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan.[10] Only three years later, after the accession of Russia in 2004, the CACO was merged with the Eurasian Economic Community (EurAsEC). So far, the latest development in this evolution is the Russian initiative to establish an Eurasian Union. Nevertheless, this gradual shift did not lead to convergent foreign policies either: whereas Kazakhstan has sought (and arguably achieved) multi-vectoral leadership in the region,[11] Kyrgystan and Tajikistan have followed a neutral cooperation approach. For their part, Uzbekistan and especially Turkmenistan have taken an isolationist approach, albeit with different intensities.[12]

7. The main factors that underlie to the weak degree of regional integration and convergence have been found in the 'similarity of the members' economic specialization in a fairly limited range of resources' (cotton, oil, gas and minerals), as well as in political rivalries for regional leadership, ethnic tensions, and security concerns related to Islamism.[13] At the same time, a range of foreign powers have been pursuing their own agendas with respect to the Central Asian countries, seeking to increase their influence over this strategic region, arguably with a hampering effect for integration. With the decline of Russian influence in the 1990s, the United States and the European Union were among the strongest players on the ground. However, once the Western euphoria declined and the Russian Federation re-emerged, the aforementioned tilt towards Eurasianization led to a relative decrease of their influence, especially that of the EU.[14] But also China has sought to contribute to the establishment of sound economic and security ties with the Central Asian countries, so as to gain access to their natural resources and ensure the development of its western provinces. As a matter of fact, China is presently about to surpass the United States as the biggest international investor in the region.[15] The increasing competition between China and Russia to preserve or expand their influence in the region has seemingly reached its climax with the Russian bid for an Eurasian Union. Yet, this situation puts the Central Asian states before the fatal choice between Russia or China, a

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10 Treaty on the establishment of the Central Asian Cooperation Organization (28 February 2002).

11 The proposal forwarded in 2007 by the Kazakh President Nursultan Nazarbayev to establish a Central Asian Union may be seen in this context.

12 Tkatova at n 5, at 213-6. Equally, see Kembayev at n 8, at 976.

13 Kembayev at n 8, at 976.

14 J. Boonstra, *EU Central Asia Policy: Steady as She Goes*, 4 Central Asia Policy Brief (2012), available at <www.centralasiaprogram.org/images/Policy_Brief_4,_August_2012.pdf> (accessed 30 Sept. 2013).

15 M. Laruelle and S. Peyrouse, The Chinese Question in Central Asia. Domestic Order, Social Change, and the Chinese Factor (2012).

dilemma with significant implications for their respective development options.[16]
8. Last but not least, shifting geopolitical constellations, foreign powers competing for influence and enduring rivalries between Central Asian states are not the sole reasons for the weak degree of regional integration attained so far. Due to their relatively recent independence, the Central Asian countries remain involved in a still unsettled process of national self-identification. As a matter of fact, one needs to remind that these peoples 'had previously existed as tribal entities or as part of an empire,'[17] but had never reached statehood before. Yet, while these processes may have led to attitudes or policies of national reaffirmation and inwardness in the Central Asian elites, they have certainly not contributed to strengthen these countries' actual statehood. Quite to the contrary, the state infrastructure itself remains dramatically weak at present, as all five states —including Kazakhstan, as the most developed among them— have significant structural deficiencies that may lead to internal decay in a near future. The situation is particularly severe in the two poorest countries —Kyrgyzstan and Tajikistan— who are actually looking into the abyss of state failure.[18] As it seems, however, this decline has not so much to do with the aforementioned challenges arising from the Soviet legacy that all Central Asian countries share. Rather, corruption and bad governance by the ruling elites are to blame, as they have dramatically failed to maintain and replace over the years the once existing human capital and physical infrastructure inherited from the USSR.[19]

II.B. Shared sustainability challenges: the dilemma between competition or cooperation

9. One of the most critical issues that Central Asian states had to face following the collapse of the USSR was coordinating the common use of the transboundary water resources of the Syr-Darya and Amu-Darya rivers and, by extension, the entire Aral Sea basin. In a way, as Abdullayev, Manthrithilake and Kazbekov have pointed out, the region's countries suffer from a 'big brother

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16 L. Lifan and R. Pantucci, *Decision Time for Central Asia: Russia Or China?* (London: Foreign & Commonwealth Office,[2013]) (accessed 30 Sept. 2013). See also International Crisis Group, *China's Central Asia Problem*, 244 Crisis Group Asia Report (2013).

17 Tkatova at n 5, at 216.

18 International Crisis Group, *Central Asia: Decay and Decline*, 201 Crisis Group Asia Report (2011).

19 Ibid. See also J. Engvall, *Flirting with State Failure. Power and Politics in Kyrgyzstan since Independence* (Stockholm: Central Asia-Caucasus Institute Silk Road Studies Program,[2011]) (accessed 30 Sept. 2013).

syndrome:' The break away from Moscow, from where resources were once allocated through centrally planned economy, has left a sensitive power vacuum that incentivises competition and individualistic approaches, over cooperation among the Central Asian states.[20] According to Kembayev,

> a fundamental problem in Central Asia is that despite a common historical heritage and a legacy of tightly interwoven economies from the Soviet era, the five countries' economies never constituted a single self-sufficient system being for many years just a part of a highly integrated Soviet economy and their resource endowements are more competing than complementary.[21]

10. Needless to say, this situation spurs significant transboundary tensions. As a matter of fact, according to recent socio-economic indicators, the water resources of the Aral Sea basin are of continuing strategic importance for the development of national economies in the region.[22] Whereas Kazakhstan has achieved steady economic growth on the basis of its remarkable wealth in mineral and oil resources, Turkmenistan and Uzbekistan have pursued a strategy of economic self-sufficiency and are largely dependent on irrigated agriculture. For their part, Kyrgyzstan and Tajikistan, the poorest countries in the region, share the handicap of lacking fossil energy resources and are struggling for the satisfaction of their basic energy needs.[23]

11. In view of their respective national economic interests, Central Asian countries have followed differentiated approaches towards the ratification of global and regional treaties establishing general rules on the protection and use of international watercourses. With the accession of Turkmenistan in August 2012, all three downstream countries of the Amu-Darya and Syr-Darya rivers are parties in the 1992 UNECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes.[24] As upstream countries,

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20 Ibid, at 136.

21 Kembayev at n 8, at 976.

22 See Socio-economic indicators of the Aral Sea basin states in 2010 at <www.cawater-info.net/analysis/water/socio-economic_ca_en.pdf> (accessed 30 Sept. 2013).

23 Abdullayev, Manthrithilake & Kazbekov at n 3, at 127.

24 Signed in Helsinki on 17 March 1992 and entered into force on 6 October 1996. Nevertheless, none of these three countries —Kazakhstan, Turkmenistan and Uzbekistan— have acceded to the Protocol on Water and Health (1999) or the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters (2003). Uzbekistan, for its part, is the only Central Asian country having so far ratified the UN Convention on the Law of the Non-Navigational Uses of International Watercourses (1997), which is not yet in force.

however, Kyrgyzstan and Tajikistan have shown no interest so far in its ratification. This is not to say, however, that Central Asian states have not been able to agree to any sort of cooperation and coordination in this area. Admittedly, the Central Asian states were able to enact quite rapidly a regional framework for the management of the shared water resources of the Aral Sea basin[25] that has been praised as one of several examples of a global trend towards 'a community-of-interests approach to shared water resources management and development' in international law.[26] Nevertheless, in practice the existing formal framework of cooperation does not seem to change the very fact that '[t]he central tenet of each country's water policy is to get as much water as possible for its needs: upstream countries for energy production and downstream countries for irrigation and other livelihood needs.'[27]

12. Whilst the common management of the shared water resources among the Central Asia has attracted much attention in academic circles, particularly with respect to energy and security issues,[28] desertification and aridification of lands is an additional, less noticed sustainability challenge for this region, which is expected to be among those hardest hit by climate change.[29] Indeed, desertification and aridification of land as a consequence of intensive agricultural exploitation already poses a major threat to a region whose GDP depends heavily on agriculture. As a matter of fact, in 2007 the percentage of the added value of the agricultural sector to the GDP in these countries ranged from 6% in Kazakhstan, to 34% in Kyrgyzstan, with an average of 22% in the remaining

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25 This framework comprises particularly the Agreement between the Republic of Kazakhstan, the Republic of Kyrgyzstan, the Republic of Uzbekistan, the Republic of Tajikistan and Turkmenistan on Cooperation in the Field of Joint Water Resources Management and Conservation of Interstate Sources (1992); the Statute of the Interstate Commission for Water Coordination of Central Asia (ICWC) (1992); the Agreement between Republic of Kazakhstan, Kyrgyz Republic, Republic of Tajikistan, Turkmenistan, and Republic of Uzbekistan on joint activities in addressing the Aral Sea and the zone around the Sea crisis, improving the environment, and enduring the social and economic development of the Aral Sea region (1993); the Agreement about the status of the International Fund of the Aral Sea (IFAS) and its organizations (1997); and the Framework Convention on Environmental Protection for Sustainable Development in Central Asia (2006). For a comprehensive list of binding and non-binding instruments of international water law in the Central Asian region, see <www.cawater-info.net/bk/water_law/part3_e.htm> (accessed 25 Aug. 2013).

26 P. Wouters, S. Vinogradov & B. O. Magsig, Water Security, *Hydrosolidarity, and International Law: A River Runs through it...* 19 YIEL 97 (2009), at 130.

27 Abdullayev, Manthrithilake & Kazbekov at n 3, at 127.

28 See most recently Kushkumbayev & Kushkumbayeva at n 2.

29 IPCC, Climate Change 2007. *Impacts, Adaptation and Vulnerability* (Geneva: WMO, UNEP,[2007]) (accessed 30 Sept. 2013), 475.

three countries.[30] In this setting, since 1991 agricultural output has reportedly declined by 20 to 30% due to the degradation of the soil through desertification.[31]
13. In view of their vulnerability *vis-à-vis* the economic, social and environmental impacts of climate change, all five Central Asian states are Parties to the three global environmental treaties stemming directly or indirectly from the UN Conference on Environment and Development, held in Rio de Janeiro in June 1992.[32] These are the 1992 UN Framework Convention on the Climate Change and the 1992 Convention on Biological Diversity, as well as the 1994 UNCCD. Also here, supported by donor countries, Central Asian states have made significant efforts to implement these treaties at regional or subregional level, as we shall see in the following with respect to the UNCCD.
14. In a way, then, the differential treatment enshrined in the Rio Conventions to the benefit of less developed countries has offered the Central Asian states promising tools for attracting foreign investments in order to finance their national development, while enhancing social and environmental sustainability. In what follows, we shall appraise whether this strategy has been successful in the specific context of the implementation of the UNCCD in Central Asia, given the particular mix of security and sustainability challenges that this region is presently facing.

III. The implementation of the UNCCD in Central Asia: legal framework, institutional settings and actors involved

15. Based on a very delicate compromise reached in the preliminary stages of the 1992 Rio Summit between developing states themselves, on the one hand, and developing and developed states, on the other hand,[33] this latter treaty gives rise to an international regime for the protection of a component of the global

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30 Asian Development Bank, *Central Asia Atlas of Natural Resources. Facts and Figures about the Countries of Central Asia*, 2010, at <www.caatlas.org/index.php?option=com_content&view=article&id=119%3Afacts-and-figures-about-the-countries-of-central-asia&catid=27&Itemid=15> (accessed 30 Sept. 2013).

31 IPCC, Climate Change 2007. Impacts, Adaptation and Vulnerability, , at 481.

32 A/CONF.151/26/Rev.1/Vol. I-III.

33 B. Kjellén, *Justice in Global Environmental Negotiations: The Case of Desertification, in* Environmental Law and Justice in Context 333 (J. Ebbesson & P. Okowa eds., 2009). See also A. Konate, *L'Afrique Et La Convention Des Nations Unies Sur La Lutte Contre La Désertification*, 12 African JICL 718 (2000), at 730-1.

ecosystem —the soil— which is a natural resource under the jurisdiction of states. From a legal perspective, the UNCCD builds upon obligations stemming from general international law, such as the obligation to prevent activities conducted in its territory from causing damage to the territory of another country.[34] To this end it sets up a global framework of inter-state and transnational cooperation to address the causes leading to aridification and desertification, by promoting the sustainable use of land,[35] in what has been qualified as an example of post-modern global governance.[36] It starts from the assumption that economic and social factors cause desertification just as much as physical factors do and that desertification is thus to be regarded both as cause, as well as result, of socio-economic disorder. For this reason, the UNCCD focuses not only on the environmental dimension of the issue, but inspires from a bottom-up approach that addresses the socio-economic conditions of rural developing country people as an integral part of the strategy to tackle desertification.[37] This specific feature of the UNCCD has led authors like Bo Kjellén to brand it as an instrument which is half way between an environmental and a developmental treaty.[38] Accordingly, the UNCCD relies significantly on differential treatment between developed and developing states,[39] given also the fact that there is a 'high concentration of developing countries, notably the least developed countries, among those experiencing serious drought and/or desertification'.[40] In so doing, countries affected by drought or desertification, on the one hand, and developed countries, on the other hand, undertake each different sets of obligations: whereas the former undertake to give due priority to the issue and to adopt measures to prevent and mitigate desertification to the extent of their available resources,[41] developed states —either individually or jointly— undertake for their part to support those efforts by providing financial and technological means.[42]

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34 UNCCD, Preamble, para. 15. On this issue, see generally X. Hanqin, Transboundary Damage in International Law (2003), 80.

35 Art. 4.

36 A. Rechkemmer, Postmodern Global Governance. the United Nations Convention to Combat Desertification (2004).

37 Ibid, at 83-4.

38 Kjellén, above at n 33.

39 See L. Rajamani, Differential Treatment in International Environmental Law (2006), 124. See also J. R. Pérez-Salom, *Les Nations Unies Et La Lutte Contre La Désertification Avec Examen Particulier Du Cas De La Région De La Mediterranée Septentrionale,* 50 Revue Hellénique De Droit International 89 (1997), at 97.

40 Preamble, para. 5.

41 Art. 5.

42 Art. 6. The intertwined nature of these commitments is made particularly evident in art. 20 (7), one of the UNCCD's central provisions concerning financial resources, according to which '[t]he full implementation by affected developing

16. Furthermore, despite its global scope, the UNCCD was designed in order to rely on regional, and even subregional, institutions for its implementation.[43] The Convention is actually complemented with five additional regional implementation annexes for Africa (Annex I), Asia (Annex II), Latin America and the Caribbean (Annex III), the Northern Mediterranean (Annex IV), and for Central and Eastern Europe (Annex V), all of which form an integral part of the Convention.[44] As pointed out in the literature on the negotiation of the Convention's text, initially only a specific regional implementation annex was foreseen for Africa, in order to cope with the UN General Assembly's mandate, in which it was implicit to put particular emphasis on the situation in the African continent.[45] However, fearing a disproportionate allocation of financial and technological resources to African states, to the detriment of other developing countries, Asian and Latin American states also requested their own, specific regional implementation annexes.[46] However, the various regional annexes are quite divergent from each other. As Burns points out, in contrast to other regional annexes, the Asian annex is fairly brief and its provisions strikingly general in content, thereby 'reflecting the belief of Asian nations that detailed provisions were not appropriate on a continent marked by great geographical diversity'.[47]

17. The aforementioned features of the UNCCD's regional implementation annex for Asia (RIAA) may be regarded as symptomatic not only for geographical, but even more so, for remarkable political heterogeneity and the

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country Parties (...) of their obligations under the Convention will be greatly assisted by the fulfilment by developed country Parties of their obligations under the Convention, including in particular those regarding financial resources and transfer of technology. In fulfilling their obligations, developed country Parties should take fully into account that economic and social development and poverty eradication are the first priorities of affected developing country Parties, (...).'

43 In pursuing the UNCCD's objective, states shall inter alia '... (d) promote cooperation among affected country Parties in the fields of environmental protection and the conservation of land and water resources, as they relate to desertification and drought; (e) strengthen subregional, regional and international cooperation; (f) cooperate within relevant intergovernmental organizations; (g) determine institutional mechanisms, if appropriate, keeping in mind the need to avoid duplication; and (h) promote the use of existing bilateral and multilateral financial mechanisms and arrangements that mobilize and channel substantial financial resources to affected developing country Parties in combating desertification and mitigating the effects of drought.' See art. 4 (2).

44 Art. 29 (1).

45 UNGA Res 47/188 (22 Dec. 1992) UN Doc A/RES/47/188.

46 See W. C. Burns, *The International Convention to Combat Desertification: Drawing a Line in the Sand?* 16 Michigan JIL 831 (1995).

47 Ibid., at 862.

absence of a strong and homogeneous regional identity in the continent, as the only obvious motivation for the request for such an annex was not to lag behind Africa in financial and technological transfers from developed countries. In this particular context, moreover, Central Asian countries did not appear as a (sub)regional actor. It may be assumed that the five Central Asian Republics did not yet adopt an own subregional profile in this specific setting, due to their still very recent independence and their initial priority to underscore national sovereignty over regional alliances and integrative efforts.

18. Be that as it may, article 11 of the Convention allows countries affected by serious drought and/or desertification 'to prepare, as appropriate, in accordance with relevant regional implementation annexes, subregional and/or regional action programs to harmonize, complement and increase the efficiency of national programs', further stating that '[s]uch cooperation may include agreed joint programs for the sustainable management of transboundary natural resources, scientific and technical cooperation, and strengthening of relevant institutions'. Moreover, article 5 RIAA allows relevant countries 'to entrust subregional, including bilateral or national organizations, or specialized institutions, with responsibilities relating to the preparation, coordination and implementation of programs. Such organizations or institutions may also act as focal points for the promotion and coordination of [implementing] actions'.[48] Therefore, building upon national action plans (NAP) as the ultimate instrument of the UNCCD's implementation, these may be streamlined and complemented through subregional, and even regional, action plans (SRAP, and RAP, respectively) in view of an enhanced effectiveness of the implementation measures.[49] After several preparatory meetings held in the middle 90s, Asian countries established a RAP based on six Thematic Program Networks (TPN).[50]

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48 RIAA, Art. 5 (1).

49 Pérez-Salom, at n 39, at 98.

50 Each TPN has its seat in different countries, and their action is coordinated through a steering committee. These networks deal respectively with 'Desertification Monitoring and Assessment' (TPN1), 'Agroforestry and Soil Conservation in Arid, Semi-Arid, and Dry Sub-Humid Areas' (TPN2), 'Rangeland Management an in Arid Areas Including the Fixation of Sand Dunes' (TPN3), 'Water Resources Management for Agriculture in Arid, Semi-Arid, and Dry Sub-Humid Areas' (TPN4), 'Strengthening Capacities for Drought Impact Mitigating and Desertification Combating' (TPN5), and 'Assistance for the Implementation of the Integrated Local Area Development Programs (LAPDs) Initiatives' (TPN6). All five Central Asian countries participate in TPN1 and TPN4, and some of them are also participating in other TPN. See the 'Framework Paper for the Beijing Ministerial Conference on Regional Cooperation to implement the CCD'. See 'Synthesis and Preliminary Analysis of Information Contained in Reports Submitted by Affected Asian Country Parties, And Progress Made in the Formulation and Implementation of Subregional and

19. In addition to the RAP and its TPN, SRAP have also been adopted for South Asia, South-East Asia, North-East Asia, West Asia, Central Asia, and South Pacific. However, these mechanisms of regional and subregional cooperation do not seem to have been functioning properly. As highlighted in a workshop held by representatives of the UNCCD national focal points of Asian countries participating in the aforementioned SRAP, despite the initial momentum that led to their constitution, the activity of the TPN under the RAP rapidly decreased to a point of stagnation, mainly due to the lack of financial resources. And even though the different SRAP seem to have been more effective than TPN in fostering (sub)regional cooperation, affected countries are complaining also here about a structural lack of financial resources to enhance the operation of these mechanisms.[51]

20. The five Central Asian countries adopted their SRAP in September 2003, during the 6th session of the Conference of the Parties to the Convention,[52] thereby concluding a process that had been set in motion in July 2000,[53] and had benefitted from technical and financial support through the *Strategic Partnership Agreement for UNCCD Implementation in the Central Asian Countries* adopted at COP5, involving initially the Convention's Global Mechanism (GM), the Asian Development Bank (ADB), the German Agency for Technical Cooperation (GTZ), and the Canadian International Development Agency (CIDA).[54] This initiative quickly gained momentum. During the 2002 World Summit on Sustainable Development, moreover, the Strategic Partnership Agreement was presented as a Type II Partnership, aiming to support not only the implementation of the UNCCD in Central Asia, but more generally, to provide financial and technical assistance to a substantially broadened *Central Asian Initiative on Preparation and Implementation of Sub-Regional Agenda 21 as a Model for Sub-*

Regional Action Programs in Asia. Note by the Secretariat', UN Doc ICCD/CRIC(1)/3/Add.1 (10 June 2002).

51 See 'Report on Asia-Pacific NAPs/SRAPs Alignment Workshop, Sept. 12th - 13th, 2011, Bali, Indonesia', 10. Available at <www.unccd.int/Lists/SiteDocumentLibrary/actionProgrammes/130911-Riv-Report-of-Asia-Pacific-NAP-SRAP-Wkshp-%28ATV%29-lop.pdf> (last access: 30 Sept. 2013).

52 Subregional Action Programme for the Central Asian Countries on Combating Desertification within the UNCCD Context, Havana, 3 September 2003. At <www.unccd.int/ActionProgrammes/srapcd-eng2003.pdf> (last access: 30 Sept. 2013).

53 See the 'Decision of the Ministerial Meeting on the Preparation of a Sub-Regional Action Program to Combat Desertification in the Aral Sea Basin in the context of the UNCCD, 18 July 2000, Bishkek, Kyrgyzstan', at <http://www.unccd.int/Lists/SiteDocumentLibrary/Regions/Asia/meetings/subregional/aralSea2000/decision-eng.pdf> (last access: 30 Sept. 2013).

54 UN Doc ICCD/COP(5)/4 (11 Sept. 2001), 50.

Regions, led by the Central Asian Interstate Commission on Sustainable Development (ICSD-CA) and the Regional Environmental Centre for Central Asia (CAREC).[55] There after the Partnership Agreement was joined in 2003 by the International Fund for Agricultural Development (IFAD), the Swiss Agency for Development Cooperation (SADC), and the International Centre for Agricultural Research in Dry Areas (ICARDA). In 2005, the United Nations Development Program (UNDP) also stepped in.[56]

21. The SRAP's objectives are focused on the coordination of national implementation efforts, the enhancement of information and experience exchanges, the development and implementation of joint programs, and the mobilization of bilateral and multilateral donors to support their coordinated action. Further, it identifies a series of thematic areas —such as monitoring and evaluation of desertification processes, the management of water resources in agriculture, the management of pastures and forest resources, the conservation of biological diversity, or economic capacity building of local communities— in which common endeavors under the SRAP enjoy priority. The main instruments for such cooperation comprise the implementation of national and subregional pilot projects, the furtherance of scientific cooperation, and the establishment of an information sharing system on desertification and land degradation in Central Asia.

22. The implementation of the SRAP ought to be coordinated and monitored at the national level through a national coordinating body (NCB), generally the competent Ministry or Agency. At the international level, monitoring and coordination takes place ordinarily through the meetings of national focal points for the UNCCD —convening at least once a year—, and through the Conference of Ministers responsible for their countries' participation in the UNCCD. This latter meeting is defined as 'the highest governing body for the monitoring and coordination of the SRAP/CD implementation', and should meet at least once every three years.[57] Moreover, the different donors participating in the Strategic Partnership Agreement are to be involved in the consultative process, particularly with the government officials responsible for the implementation of the SRAP. Finally, the important role of NGOs, public organizations, and local authorities

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55 UN Docs A/CONF.199/CRP.4 (25 August 2002) and A/CONF.199/CRP.5 (28 August 2002).

56 See also ADB, GM, GEF, Canadian International Development Agency, GTZ-CCD, Swiss Agency for Development Cooperation, ICARDA, IFAD, UNDP, 'A Partnership Approach for Financing UNCCD Implementation. The Central Asian Experience', October 2005, 6. Available at <www.global-mechanism.org/en/gm-publications/gm-publications/the-central-asian-experience-a-partnership-approach-for-financing-unccd-implementation/download> (last access: 30 Sept. 2013).

57 See n 52 above, at 14.

in the implementation process is also acknowledged. However, as it will be seen in the following sections, the subregional institutional arrangements set up to channel inter-state and transnational cooperation for the implementation of the UNCCD have grown and become more complex.

IV. Getting the Subregional Action Program in operation: the Central Asian Countries' Initiative on Land Management

23. After the initiative was launched in the 2000 Bishkek Conference of Ministers, and the Strategic Partnership Agreement (SPA) signed in 2001, the development and implementation of the UNCCD's SRAP for Central Asia may be divided, broadly speaking, in three periods. In a first period, comprising the years 2000-2005, a series of pilot projects were put in place in order to create the institutional arrangements and start up the process. Moreover, in addition to community-based development projects financed and supported by the GTZ-CCD Project and the CIDA, several capacity building projects were financed and put in place by the international agencies participating in the SPA (see table 1). The second period began in 2006, with the adoption and implementation of the Central Asian Countries Initiative for Land Management Program, supported by national and international agencies participating in the Strategic Partnership Agreement with estimated $ 1.4 billion over a ten year period (2006-2016).[58] However, the withdrawal in 2010 of the ADB —the executing agency that had so far supported CACILM's multicountry framework project (CMFP) and its institutional arrangements— opens up a third, less promising phase. This setback obliged to restructure the process under the aegis of the UNDP, and, more generally, casts shadow over the initiative's future.

IV.A. The Tashkent Forum and the preparatory work leading to the CACILM

24. Shortly before the SRAP was officially signed, and little after the GEF Governing Council had launched its *Operational Program on Sustainable Land*

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58 Global Environmental Facility, Country Pilot Partnerships on Sustainable Land Management: CACILM Multicountry Partnership Framework - Executive Summary,[2006])

Management,[59] a forum was held in Tashkent in end June, beginning of July 2003 under the aegis of the UNCCD's Global Mechanism, and with the support of the SPA. This meeting was attended by high-level governmental representatives and NGOs from the Central Asian republics, as well as international partners beyond those already participating in the SPA.[60] Its most significant result was the adoption of the so-called 'Tashkent Joint Platform of Action for UNCCD Implementation', in which all participants reaffirmed their shared commitment i.a. to initiate a high level policy dialogue on issues related to desertification and land degradation, to enhance sub-regional cooperation in the field of sustainable natural resource management, and to integrate the UNCCD's objectives into ongoing subregional initiatives on sustainable development in Central Asia.[61] According to the Forum's final report, the underlying rationale to the Joint Platform was the evidence that 'resource mobilization for the UNCCD can neither be a one time nor a stand-alone activity but needs to be anchored in processes that seek to fulfill long term objectives', and that therefore, there was a need to establish a participatory and effective institutional setting 'in order to ensure ownership and commitment to seeing identified priorities translated into concrete activities'.[62] To that end, it was agreed to establish a *Working Group on Partnership Development for UNCCD Implementation* in each one of the five Central Asian countries, which ought be composed not only of high level governmental representatives, but should also integrate more broadly national[63] and

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59 GEF Council, 'Draft Operational Program on Sustainable Land Management' (8 April 2003) GEF/C.21/6 . Formally adopted during its 21st meeting; see GEF Council, 'Joint Summary of the Chairs, GEF Council Meeting, 14-16 May 2003' (20 May 2003) GEF/C.21/Joint Summary.

60 See The Global Mechanism, 'Report of the Subregional Partnership-Building Forum for Central Asian Republics: Confronting Land Degradation and Poverty through Enhanced UNCCD Implementation, Convened under the Aegis of the Strategic Partnership to Combat Desertification in CentralAsia (SPA), Tashkent, Republic of Uzbekistan, 30 June – 4 July 2003' (http://global-mechanism.org/en/Workshop-Reports/Workshop-Reports/Workshop-report-Tashkent-Uzbekistan-30-June-4-July-2003-Final-Report/Download, 2003).

61 Ibid, at 5-6.

62 Ibid, at 7.

63 In particular, national partners of each country's Working Group should include '[r]epresentatives of Parliament, and Ministries and agencies dealing with Environment, Finance, Economy, Agriculture, Hydrometeorology, Water, Forests and Land Resource Management, Planning, Foreign Affairs, Education and Science and other relevant governmental agencies, the National Focal Point for the UNCCD, as well as, representatives from local governance bodies, civil society and the private sector. The Focal Point Institution for the UNCCD and a relevant Ministry will function as coordinators to facilitate the functioning of the Working Group and for information sharing. Attempts should be made to

international partners.[64] The Working Groups' main functions were to provide a standing platform for dialogue, thereby promoting coordination between national actors and international development partners. In this way partnerships were to be fostered between the Central Asian countries and the donors, leading eventually to the implementation of pilot projects.[65]

25. After the GEF had been appointed to perform the functions of the UNCCD's financial mechanism,[66] its Governing Council instructed the implementing and executing agencies to increase their efforts to establish projects under the operational program on sustainable land management.[67] Accordingly, under the initiative of the ADB, the SPA members intensified consultations in the context of the Tashkent process in order to formulate a long-term resource mobilization strategy. In February 2004 a further workshop was convened at Almaty, in which the fundamental cornerstones of a new ten year project for the period 2006-2015 were set up under the common denomination of 'Central Asian Countries Initiative for Land Management' (CACILM). A so-called Multicountry CACILM Task Force was established, chaired by the ADB, with the mandate to develop fully the project and submit it to GEF approval.[68] Funds were granted for the initiative's development in February 2005.[69] Hence, a broad

include a representative from the Cabinet and/or from the Presidential Office'; see ibid, at 8.

64 These should include 'both key bilateral and multilateral donors such as Germany, Canada, Switzerland, USA, Japan, ADB, World Bank, UNDP/DDC, EU, [Islamic Development Bank], ICARDA, GM, etc. A single, or group of donors should function as coordinator(s) to facilitate the functioning of the Working Group and for information sharing among partners'. Moreover, the UNCCD's Global Mechanism is a standing member of the Working Group. See ibid, at 8.

65 These should aim particularly at the development of technical packages to combat desertification/land degradation using a participatory and integrated approach for promoting sustainable natural resource management; designing models of broad participation in planning and implementation; establishing institutional linkages for policy harmonization; exploring innovative funding sources; providing services at the community level through private sector and other structures geared for improving the living conditions of local communities; the improvement of desertification monitoring and assessment systems; and/or the collection and sharing of information on desertification/land degradation related issues. See ibid, at 8-9.

66 Dec 6/COP6 (3 September 2003) UN Doc ICCD/COP(6)/11/Add.1.

67 GEF Council, 'Joint Summary of the Chairs, GEF Council Meeting, 19-21 November 2003' (25 November 2003) GEF/C.22/Misc/6, para. 37.

68 CACILM, 'CACILM Multicountry Partnership Framework Project Document' Asian Development Bank (April 2006), at 10.

69 Ibid. See also table 1.

consultative process was launched in each Central Asian country within the CCD national working groups established after the Tashkent forum. Coordinated through the CACILM Taskforce, the different national working groups met several times during 2005 and early 2006, in order to draw up the so-called National Programming Frameworks (NPF), taking as a starting point the NAP that each one of those countries had previously established under article 9 UNCCD. The CACILM Multicountry Partnership Framework Project was finally submitted to the GEF Secretariat on 24 March 2006,[70] and approved by the Governing Council in late August.[71]

IV.B. The early operation of the CACILM: an assessment

26. The CACILM was officially launched on 16 November 2006.[72] The project was set up for a ten year period (2006-2016), structured in three phases: phase I (inception) to be implemented by end 2008, phase II (full implementation) by end 2013, and phase III (consolidation) finalizing on 30 June 2016.[73] Its core element are the NPF, through which the objective of sustainable land management is streamlined and integrated into the policy, budgeting, investment and monitoring mainstream in each one of the Central Asian countries, with the technical and financial support from the SPA.[74] To that end, CACILM's institutional arrangements rely significantly on those that had previously been drawn up in the context of the Tashkent process, and had so far performed effectively. Thus, the various national working groups established after the Tashkent forum were formalized into standing National Coordination Councils (NCC), and enacted in each Central Asian republic under national law.[75] The five NCC are assisted, respectively, by their national secretariats, and coordinated through the CACILM Steering Committee, that takes over from the previous CACILM Task Force. In turn, the Steering Committee is assisted by the CACILM Secretariat (see table 2).

27. Notwithstanding specificities in each country, NCC are broadly composed of representatives of key government ministries, the SPA partners and the UNCCD

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70 See <www.caatlas.org/index.php?option=com_content&view=article&id=158:milestones&catid=29&Itemid=8 > (last access: 30 Sept. 2013).

71 GEF Council, 'Joint Summary of the Chairs, Special GEF Council Meeting, 28 August 2006' (30 August 2006) GEF/C.29/JointSummary, para. 9.

72 See n 68 above.

73 Ibid, at 31.

74 Ibid, at 61.

75 Ibid, at 66.

Focal Point. According to its terms of reference, NCC should also include representatives of NGOs, the private sector, and the civil society.[76] The NCCs' main functions are to coordinate and supervise the implementation of the NPF, monitor the performance of all projects and activities, and report to the CACILM Steering Committee.[77] The Steering Committee, for its part, is composed of governmental representatives of the five Central Asian countries, the various GEF implementing and executing agencies (World Bank, UNDP, UNEP, ADB, FAO, and IFAD), the GM, as well as bilateral agencies (GTZ, CIDA and SADC), and other international organizations participating in CACILM projects. Within this context, initially, the ADB took over the Steering Committee's chair and provided the CACLIM Secretariat.[78] The Steering Committee is responsible for the overall direction of CACILM. Further, it monitors the performance of the multicountry projects implemented within the CACILM and reports to the GEF.[79] Finally, a Public Participation Plan devises current and potential roles for stakeholders in the different program areas, according to their respective interests and capabilities (see table 3).[80]

28. Still, despite the promising outline of the CACILM and its institutional and financial arrangements, its early operation demonstrated the sheer difficulty to implement its quite ambitious objectives.[81] Several factors may explain it. However, the most important one seemingly lies in a somewhat unequal commitment by the different Central Asian countries to uphold the process' momentum. Admittedly, the Multicountry Secretariat's first performance report for the year 2007 did sound quite optimistic. Even though few specific results could be shown at that moment, the Multicountry Secretariat considered that

> much of the foundation necessary for CMPF progress was laid during 2007. In each CAC, the National Coordination Councils and National Secretariats

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76 For an excellent appraisal of the civil society in Central Asia and its evolution under the Central Asian regimes' shift towards Eurasianism, see C. Buxton, The Struggle for Civil Society in Central Asia: Crisis and Transformation (2011).

77 See n 75.

78 Asian Development Bank, 'Central Asian Countries Initiative for Land Management Multicountry Partnership FrameworkSupport Project (Cofinanced by the Global Environment Facility and International Fund for Agricultural Development)' (Technical Assistance Report, November 2006), Appendix 3.

79 CACILM, at n 68, at 65-6.

80 Ibid, Annex E.

81 For an excellent appraisal of the initial performance of CACILM, see O. Simonett and V. Novikov, Land Degradation and Desertification in Central Asia: Central Asian Countries Initiative for Land Management. Analysis of the Current State and Recommendation for the Future. A Final Report for the Swiss GEF Council Member (Geneva: Zoï Environment Network,[2010]).

> were formed, and progress was made to establish the NPFs as the basis for improving land management in their country. The CACILM Multicountry Secretariat was established, the First CACILM Steering Committee Meeting held, and a number of procedures developed for CACILM operations. Progress Reports on NPF Implementation in each Central Asian Country for 2007 were prepared by their National Secretariats and are provided as annexes to this report. The SLM-Research and the SLM-Knowledge Management multicountry component projects of the CMPF-SP are mobilized and reported results for 2007. The design of the SLM-Information System was revised. In parallel, progress was made to mobilize the medium and full size sustainable land management projects in all CACs and in mobilizing the parallel funding of GTZ during 2007.[82]

29. However, in its following performance report for 2008, the tone already became a little more skeptical. With respect to national implementation projects for sustainable land management, Kazakhstan was reported to be lagging behind, as none of the projects that had qualified for UNDP/GEF funding had been started. Also ADB/GEF investment projects were found to have a slow start in Tajikistan and Uzbekistan. In contrast thereto, multicountry projects scored 'good progress', and 'certain progress' was considered to have been achieved towards the realization of the CACILM's general outcomes. Nevertheless, in its recommendations for future action, the assessment report also highlights a general situation of lacking coordination and cooperation, and stresses the urgent need for some sort of platform for the Multicountry Secretariat to meet regularly with the various National Secretariats to discuss technical matters, share experience, and coordinate their actions, particularly in large investment projects destined to capacity building. Uncoordinated reporting was also thought to hamper effective monitoring of the ongoing projects.[83]

30. Even though an initial joint workshop between the Multicountry Secretariat and its national counterparts was held in Byshkek in February 2009 in response to the aforementioned situation, the ADB decided to end its participation in CACILM after phase I during that year. Its participation was definitively completed by 30 June 2010. In its technical assistance completion report, the responsible ADB officer made an overall positive assessment of the CACILM project, but highlighted some crucial shortcomings and difficulties.[84]

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82 See CACILM Multicountry Secretariat, 'CACILM Multicountry Partnership Framework - Performance Monitoring Report' Asian Development Bank (April 2008), at 3.

83 CACILM Multicountry Secretariat, 'Performance Monitoring Report for 2008' Asian Development Bank (March 2009), at 22-3.

84 Asian Development Bank, 'TA 6357-REG: Central Asian Countries Initiative for Land Management Multicountry Partnership Framework Support Project - Technical Assistance Completion Report' Asian Development Bank (18 May

31. CACILM's institutional arrangements were reported to have worked efficiently throughout phase I, even though the National Secretariat of Tajikistan was found to have performed poorly, due to under qualified leading staff. This notwithstanding, it was said that a favorable environment for effective coordination and implementation of the NPFs, and for the attraction of land management investment had been created in the Central Asian countries. Further, the information system set up was assessed as one of the projects most successful components, as hitherto inaccessible key data had been collected and made available to the National Secretariats through the Multicountry Secretariat. ICARDA had also initiated research activities on sustainable land management in all five countries, the results of which could only be properly appraised in the longer run.

32. Despite this overall positive assessment, the completion report also highlights remarkable deficits. Whereas CACILM's phase I had been successful in creating and gathering knowledge about sustainable land management in Central Asia, the report complains about a lacking culture of knowledge-sharing between and within the countries in the region. In this context, it implies resistance to make the gathered knowledge easily available to the general public and regrets that no mechanisms for the transfer of knowledge and research results to farmers in the rural areas were put in place. And last, but not least, the completion report also highlights an unsatisfactory cooperation with bilateral and multilateral donors, 'as the co-funding agencies (GTZ and UNDP) were not performing as well as would have been expected as a result of a lack of an accountability mechanism'.[85]

IV.C. The remains of CACILM under the aegis of UNDP

33. As an immediate consequence, the withdrawal of the ADB meant the end of the CACILM Multicountry Framework Project and the logistical and financial support to the institutional arrangements that had been set up for subregional cooperation to implement the UNCCD. Nevertheless, even if seriously hit in the very center of its operational structure, the cancellation of the ADB's involvement does not mean the end of CACILM, which has entered in the meantime into its implementation phase (phase II). Despite their slow start and notorious delay, several national and multicountry sustainable land management projects funded by bilateral and multilateral donors —particularly the UNDP— were on their way (see table 3). One of the most significant ones, due to its strategic importance to the CACILM, was the Multicountry Capacity Building

2011).

85 Ibid, at 2. See also Simonett and Novikov at n 81 above, at 11.

Project, led by the UNDP, which underwent its mid-term evaluation in 2011.
34. As highlighted in the conclusions of the aforementioned Mid Term Report, the ADB's withdrawal meant almost immediately the collapse of the National Coordination Councils and the National Secretariats in all Central Asian republics, except for Uzbekistan, due to the lack of budgetary resources to sustain their operation. National Secretariats and consultative structures similar to the NCCs were reestablished in the second half of 2010 with the support from the German *Gesellschaft für Internationale Zusammenarbeit* (GIZ, formerly GTZ). In this sense, the report signals that

> the CACILM structure through which the Project was to act and was to strengthen has been weakened by the withdrawal of ADB but not fatally. The CACILM Framework is still highly valued in each country and the [Multicountry Capacity Building Project] MCB needs to better focus its efforts to strengthening this in a few directions so it can play its intended role in building a sustainable SLM structure.[86]

35. However, UNDP's present management arrangements for the Multicountry Capacity Building Project are called into question and correcting actions are recommended in this regard.[87] Moreover, it suggests initiating a process to review and enhance CACILM's institutional arrangements, in order to make them more stable and ensure their long-term survival. In particular, the reviewers consider it necessary to enhance and stabilize the National Coordination Centers and Secretariats (or equivalent structures) in each country. At the same time, they propose to investigate more durable forms of institutionalization for multicountry regional cooperation within CACILM, which are acceptable to the UNCCD Focal Points, the relevant high level authorities in the Central Asian countries, as well as to likely donors. More specifically, the reviewers clearly suggest embedding or associating the CACILM framework to the IFAS, an idea that would have —at least in principle— the official support of all five Central Asian countries. In this way, regional cooperation in the field of sustainable land management would be upgraded and integrated into policy structures and international institutions, which are dealt with at presidential level within each country. At the same time, such an association is thought contributing to coordinate and streamline two intimately related policy areas such as the sustainable management of land and water resources, as IFAS is 'an institution that has water policy and sustainable development objectives, both highly

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86 J. Leake and K. Nurymgereyev, CACILM Multi-Country Capacity Building Project Mid Term Evaluation Report, UNDP (2011).

87 Ibid, at 46-7.

relevant to [sustainable land management] and vice versa'.[88]

V. Concluding remarks

36. It may be concluded that the CACILM process neither is a success, nor a complete failure. The present case-study shows that the five Central Asian countries have identified shared problems and common interests in the field of sustainable land management and the prevention of land degradation and/or desertification for technical cooperation in the region, probably due to its technical and relatively de-politicized nature. Hence, all five Central Asian countries have established structures for cooperation in the process of implementation of their respective international obligations undertaken in the UNCCD. However, the analysis of the preparations for the adoption of the SRAP-CA and the CACILM, as well as the latter's implementation process clearly demonstrate that the Central Asian countries commitment and capacity to sustain a subregional framework of cooperation for sustainable land management is dependent on international technical and financial support. Yet, the low political profile of the CACILM process, and the lacking will or capacity of the relevant national administrative bodies to engage in a meaningful exchange of information and knowledge also hampers the effectiveness of the initiative and does not contribute to create an attractive environment for foreign investors and international donors.

37. Equally, national and regional efforts to combat soil degradation and desertification have not yet been properly mainstreamed with other more consolidated processes of regional cooperation for the sustainable management of natural resources, such as those concerning the transboundary river basins. At present, the idea of embedding or, at least, associating the CACILM process to the IFAS seems to be on the political agenda. If such an initiative were to be successful, a huge step forward would be made towards the integration and more rational management of two deeply related policy areas relevant for the sustainable use of natural resources. Moreover, it would contribute to politically upgrade the CACILM process and stabilize its institutional arrangements. Nevertheless, whether the CACILM will effectively be linked to IFAS, and if so, under what conditions, still remains to be seen.

38. At the same time, despite well-intentioned public participation plans, in practice, the CACILM process has not been congruent with the original bottom-up approach of postnational governance that allegedly underlies to the UNCCD and Agenda 21. Indeed, conditions for the effective participation and influence

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88 Ibid, at 47.

of communities need to be created also in the field of land management, beyond externally imposed organizational formulas.[89] The use of the term 'local communities' is deliberate, since those of 'civil society' or 'NGO' seem inappropriate in the present political context of the Central Asian regimes.[90] In order to be effective, consultation and participation patterns need to emerge from the idiosyncrasy and cultural tradition of Eurasianism. The previous assessment of the CACILM process reveals an almost complete absence of meaningful interaction between international and domestic authorities with the local communities, despite the formally impeccable provisions of its Public Participation Plan. Yet, as Asel and Spoor have so accurately written with respect to the water management policies in the region,

> [w]hat the logic of development obscures by equating poverty with helplessness is that communities are often quite resilient and that social bonds they have developed over long periods are adaptable to both changing environmental and political economic conditions. It is this resilience that ensures the sustainability of traditional approaches to water use, distribution and management which in turn are cognizant of the dynamic nature of ecosystems. When outside interventions upset the resilience of ecosystems and adaptability of communities, however, unsustainability becomes inevitable.[91]

39. If it were successful in fostering synergies between national authorities and local rural communities (either by its own or in coordination with other processes), the CACILM could make a contribution, albeit a modest one, to strengthen social cohesion, economic development and political stability in the Central Asian states. In this way, this process of subregional cooperation against desertification, even if in a very narrow and specific field, might signal new ways towards regional stability in Central Asia by enhancing social and environmental sustainability.

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89 M. Arsel & M. Spoor, *Securing the Future, Democratizing Development. The Role of Water, in* Water, Environmental Security and Sustainable Rural Development. Conflict and Cooperation in Central Eurasia 269 (M. Arsel & M. Spoor eds., 2010), at 272.

90 See Buxton, at n 76.

91 Arsel & Spoor, at n 89, at 274.

VI. Annexes

Table 1. Achievements of the SPA prior to the establishment of the CACILM (2001-2005)

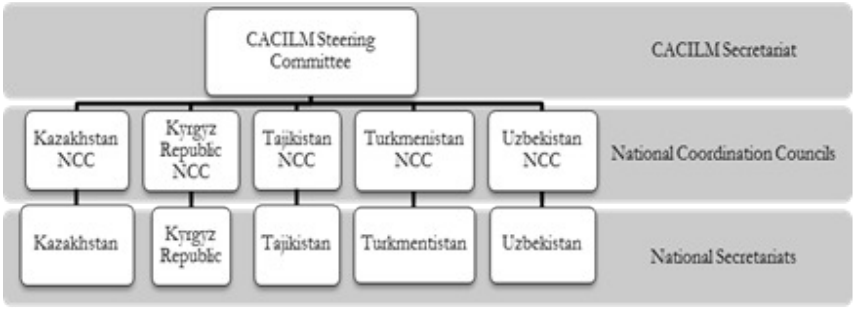
Initiative	SPA Members & Costs	Summary Information
Regional Technical Assistance Programme for Combatting Desertification in Asia (RETA 5941)	ADB: $ 250,000; GM: $ 200,000	• Analytical studies on issues and approaches to combat desertification in each country and a regional synthesis report were prepared under this assistance programme. It also provided the factual basis for orienting SPA responses. • The studies contributed to the integration of the UNCCD into the ADB's Central Asia country environmental analysis reports, country strategies and programme; IFAD's subregional strategy and issues paper for Central Asia and CIDA's programme for Central Asia.
Capacity Building of UNCCD Focal Point Offices	GM: $ 26,000	• The initiative facilitated inter-sectoral coordination, broadened stakeholder participation and launched mainstreaming activities.
Regional Environmental Officer (3 years)	GM: $ 130,000; IFAD $ 70,000	• A Regional Environment Officer, to coordinate SPA and country activities is hosted by ICARDA's Tashkent Office.

Community-based Dryland Development Activities	CCD Project of GTZ: over $ 1 million	• Local-level pilot projects to facilitate participatory and sustainable forms of land use. • Actively supported the elaboration of a subrigional action programme to combat desertification that promotes subregional collaboration.
Community Mobilization in Central Asia	GM: $ 100,000; UNDP: $ 100,000	• An ongoing initiative to establish a cadre of community mobilizers and trainers to work in collaboration with the UNCCD focal point offices to institutionalize participatory approaches for sustainable land management.
Community-based Rangeland Management in Temir Village (Kyrgyzstan)	CIDA: $ 200,000; GM: $ 22,000	• This project was developed by the Global Mechanism and explores the linkages between climate change and land degradation. • This project is being implemented by UNDP in Kyrgyzstan under the guidance of the Kyrgyz irrigation Research Institute.
Subregional Training Programme under the SRAP-CD	GM: $ 77,000	• The training programme seeks to improve human and institutional capacity for implementing sustainable land management in the Central Asian countries. • Collaborators include the National institute of Deserts, Flora and Fauna of the Ministry of Nature Protection of Turkmenistan and the CCD Project of GTZ.

Central Asian Countries Initiative on Land Management (CACILM)(Programme Development Facility Design)	GEF: $ 700,000; ADB: $ 500,000; GM: $ 50,000	• The Global Environment Facility (GEF) committed to financially support the development of a comprehensive response for UNCCD implementation at the Tashkent Forum (in Uzbekistan).

Source: ADB, GM, GEF, Canadian International Development Agency, GTZ-CCD, Swiss Agency for Development Cooperation, ICARDA, IFAD, UNDP, 'A Partnership Approach for Financing UNCCD Implementation. The Central Asian Experience', October 2005, 7. Available at <http://www.global-mechanism.org/en/gm-publications/gm-publications/the-central-asian-experience-a-partnership-approach-for-financing-unccd-implementation/download> (last access: July 25, 2013).

Table 2. CACILM institutional arrangements



Source: CACILM, 'CACILM Multicountry Partnership Framework Project Document' in (Asian Development Bank, 2006), at 65.

Table 3. Public Participation Plan

ANNEX E: PUBLIC PARTICIPATION PLAN

Program Areas	Stakeholders	Capabilities / Current Role	Interest in CMPF	Possible Conflicts / Mitigation Strategy
B. Mulicountry Level				
	1. Knowledge Management and Dissemination			
	Primary Stakeholders			
	Land managers in CACs	They can adopt SLM if sufficiently supported	A road to improved livelihoods	
	National technical agencies dealing with land management	Actual or potential conduits for useful SLM-related knowledge	To see the performance of land-based sectors improved and environment less threatened	
	Civil society	Active participants in the flow of knowledge	To learn more from lessons of SLM implementation and research	
	Secondary Stakeholders			
	SPA members	Bring own funding and experience to knowledge management	CMPF considered an effective means of disseminating lessons	
	2. Sustainable Land Management Research			
	Primary Stakeholders			
	Land managers in CACs	Potential users of research results	To derive maximum livelihood benefits from research and its dissemination in CACs	

	Participating research institutions and groups in CACs	Research practitioners	Chance to be involved in new things, earn a living, gain in self-esteem, contribute to society's improvement
	The research organization coordinating multicountry research program	Bring wide-ranging international research experience and help make national research more purposeful	Opportunity to contribute global experience and add to it through interaction with local researchers; wages for own staff
	Secondary Stakeholders		
	SPA members	Funding of targeted research, facilitation of contacts with own research bodies, sharing of experience	To be informed about the progress of land-related research in CACs to better calibrate assistance
	International land research organizations	Can add to new body of insights on SLM and positively affect the direction of SLM research in CACs	To learn from the research achievements of the CMPF
	3. SLM Information System		
	Primary Stakeholders		
	National technical agencies dealing with land management	Contribute and interpret information relevant to SLM	CMPF can make up for serious weaknesses of current database and information systems

	SPA members	Funding SLM information activities and share own technical and administrative knowledge in this domain	To obtain a more reliable information about the conditions of land resources and the factors influencing them as a basis for targeting own assistance to countries
	Secondary Stakeholders		
	Global environmental monitoring bodies	Provide a synthesis of land-related information and act as validating and dissemination bodies	To obtain a more accurate picture of land degradation trends and gain better understanding of causal factors
	CACILM steering committee	To coordinate activities of CMPF	To have a handy management tool that facilitates recalibration of the CMPF, if necessary
	4. Program Coordination		
	Primary Stakeholders		
	CACILM steering committee	To coordinate activities of CMPF	To be able to discharge coordination and administrative activities efficiently
	National coordination councils	To coordinate NPF-related activities	as above

	National secretariats	To assist NCCs to discharge their responsibilities	To be able to perform assistance, facilitation, and other tasks efficiently
	Secondary Stakeholders		
	GEF	Provides a vital grant funding to overcome a variety of barriers standing in the way of SLM	CMPF seen as an efficient way of discharging GEF mandate under OP 15

CAC = Central Asian countries; CACILM = Central Asian Countries Initiative for Land Management; CMPF = CACILM Multicounty Partnership Framework; GEF = Global Environmental Facility; NCC = national coordination council; NPF = national programming framework; OP = Operational Program; PIP = public investment plan; SLM = sustainable land management; SPA = Strategic Partnership Agreement for UNCCD Implementation in the CACs.

Source: CACILM, 'CACILM Multicountry Partnership Framework Project Document' Asian Development Bank (April 2006). Annex E.

Table 4. Ongoing country and multicountry sustainable land management projects under UNDP

Area of Work	Country	Project Title	Project Start Date	Expected Closing Date	GEF Funding	Country Investment
Land Degradation	Uzbekistan	CACILM CPP: Achieving Ecosystem Stability on degraded land in Karakalpakstan and the Kyzylkum	17/12/2007	March 2013	$ 950,359	$ 2,267,250
Land Degradation	Turkmenistan	CACILM CPP: Capacity building and on-the-ground investments for sustainable land management	12/10/2007	June 2011	$ 975,000	$ 1,074,000
Land Degradation	Kyrgyzstan	CACILM CPP: Demonstrating sustainable mountain pasture management in the Susamyr Valley	03/12/2007	30/11/2012	$ 950,000	$ 989,216
Land Degradation	Kazakhstan, Kyrgyzstan, Tajikistan, Turmenistan, Uzbekistan	CACILM CPP: Multicountry Capacity Building Project	10/12/2009	01/12/2012	$ 2,865,000	$ 3,311,500
Land Degradation	Kazakhstan	CACILM CPP: Sustainable rangeland management for rural livelihood and environmental integrity	21/11/2008	March 2012	$ 950,000	$ 2,899,201

Source: http://www.undp.org/gef/document/project_by_region/Europe_CIS_project%20list.pdf (last access: July 25, 2013)