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Progress on soil legislation related activities – Legal guide on soil protection and sustainable soil management

Giacomo Rocchegiani, GSP Secretariat

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Progress on soil legislation related activities

The GSP is working on the **elaboration** of several documents related to **soil governance** and its management and protection from a **regulatory** point of view:

- an **ITPS Letter** about **soil governance**;
- a **legal guide on soil protection and sustainable soil management**;
- a **comparative legal analysis** on sustainable soil management and soil protection.

Additionally, the GSP Secretariat is providing **technical advice** to Members to develop new or revise existing soil legislations.



Legal guide on soil protection and sustainable soil management: Why is the legal guide necessary?

- Soil degradation threatens global sustainability, driven by agriculture, deforestation, urbanization, and climate change.
- **Soil** provides 95% of the food we consume and essential ecosystem services yet **lacks adequate normative protection**.
- **Achieving SDGs** on hunger, clean water, climate action, and ecosystems **requires addressing and protecting soil health from a legal perspective**.
- Few comprehensive soil protection laws exist, leaving a **gap for coordinated, effective normative tools**.



Legal guide on soil protection and sustainable soil management: The opportunity

- The **objective** of this legal guide is to **stimulate reflection** and to introduce considerations regarding the regulatory activity of the soil alongside its sustainable management. Some **elements** that **should be present** in soil protection **laws** are examined, along with illustrative examples. Additionally, **new points** developed by the Global Soil Partnership (GSP) **are presented**.



Legal guide on soil protection and sustainable soil management: The opportunity

- Provides a framework adaptable to various legal systems.
- Encourages a holistic approach linking environment, economy, and society.
- Supports policymakers with clear principles and actionable recommendations.
- Promotes stakeholder collaboration, including governments, NGOs and farmers.
- Advances SDGs by fostering sustainable soil and land use practices.



Legal guide on soil protection and sustainable soil management:

Key components

- Conceptual framework: definitions, principles, and importance of soil management.
- Global and regional context: policies and agreements shaping soil governance.
- Stakeholder roles: recognizing contributions of women, Indigenous Peoples, and others.
- Instruments: legal, economic, and incentive-based tools for sustainable soil management

Legal guide on soil protection and sustainable soil management: Key components

3. Key elements of soil protection and management law

3.1. Definitions

3.2. Guiding principles to be considered when regulating soil protection and management

3.2.1. Opening provisions and objectives

3.2.2. Liability – Degradation-restores principle as an evolution of the polluter-pays principle

3.2.3. Participation through a multidisciplinary expertise approach

3.2.4. Linkages with sector-specific legislations

3.2.5. Recognition of ecosystem services as a public good

3.2.7. Circular soil use

3.3. Other aspects to consider

3.3.1. Land tenure management as a tool for soil protection and management

3.3.2. Role of women and Indigenous Peoples in soil protection

3.3.2. Institutional setting

3.3.3. Formulating a basic plan for soil monitoring and conservation

3.3.4. Monitoring and evaluating law enforcement

3.3.5. Financial coverage

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A number of fundamental aspects are emphasized, which should serve as a lens through which to view the entire regulatory system

To be effective, a soil regulation must be "chronologically all-encompassing", considering the state of the soil and the impact of past human activities and future challenges.

Establishing awareness-raising in civil society to supplement the enforcement of legislation.

A multitude of actors are involved in soil management. These actors often hold disparate views and interests, a holistic approach may be the only one capable of delivering tangible benefits.

Soil legislation related activities - Updating SoiLEX



- SoiLEX is a **global database** that aims to **facilitate access** to **information** on existing **legal instruments** on **soil protection** and prevention of soil degradation.
- SoiLEX is a **living platform** and as such we have now shared a questionnaire with national focal points to **enhance and update** the information currently contained in the database.
- In addition to updating and expanding the information currently catalogued, one of the objectives of this second round of questionnaires is to delve into **soil pollution** regulations and also update the **SIMPLE** database on import and export of soil samples for research purposes.

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Thank you

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