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# State submission

# Argentina

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# Bolivia

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# Bosnia and Herzegovina

Bosnia and Herzegovina has reported being a party to a number of international agreements related to biodiversity, and domestically is in the process of adopting its 2015-2020 Strategy and Action Plan for the protection of biodiversity in accordance with the Strategic Plan of the Convention on Biological Diversity. Additionally, it points to the legal framework of its domestic Nature Protection Law as addressing questions of biodiversity conservation. The Nature Protection Law encompasses the environmentally related rights given to citizens. All natural and legal persons are obligated to cooperate to give effect to environmental protection. Furthermore, environmentalists working on biodiversity issues are said to be protected through their integration into working groups, specifically those that concern fulfilling the obligations of the international agreements to which Boznia and Herzegovina is a party.

Generally speaking, Bosnia and Herzegovina has reported experienced challenges in the integration and protection of human rights obligations in biodiversity-related matters in terms of the creating of strong institutional capacity and competence in terms of coordination, monitoring, and implementation. This country has also included comments on the Human Rights Council Resolution 28/11 respecting human rights obligations relating to the enjoyment of a safe, clean, healthy, and sustainable environment.

# Costa Rica

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# Cuba

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# El Salvador

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# France

*The original submission was made in French. The English summary of the submission will be made available in due course.*

# Georgia

The Constitution of Georgia, as well as a number of instances of domestic legislation and international agreements to which Georgia is a party, specifically protect the human right to a healthy environment and the various ways in which to protect human rights in relation to the environment and biodiversity. In terms of best practices, Georgia reports that its Ministry of Environmental and Natural Resources Protection of Georgia has a special structural unit to facilitate public participation in decision making processes; additionally, it is said to ensure public participation and access to information via domestic legislation and international agreements. Environmental defenders and vulnerable communities are said to be protected by these measures as well, especially in terms of participation in the decision making process. Further, environmental defenders are said to be protected via constitutional guarantees of freedom of expression and public assembly. Challenges Georgia has reported experiencing include considering human rights while harmonizing with EU environmental standards.

# Greece

Article 24 of the Greek Constitution is reported as covering the protection of the natural and cultural environment; additionally, Greece reports a number of domestic laws and a national strategy specifically dealing with biodiversity. This is said to protect both the environment and vulnerable populations as the cultural and natural environment often intersect in these populations. In terms of best practices, Greek citizens are said to have the right to access biodiversity-related information both through the Constitution and the Aarhus Convention. A number of domestic laws have been created to give effect to this right. Additionally, the Greek Ombudsman is an independent body that is said to investigate government actions and omissions, including those in regards to the environment. Greece also reports integrating education regarding the environment and sustainability at all levels of education. In terms of challenges, Greece reports difficulties with implementing the “polluter pays” principle, as well as balancing economic growth with environmental protection.

# Honduras

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# Ireland

Ireland reports three main legal regimes that promote biodiversity: The Birds Directive and The Habitats Directive, under EU law, and The Wildlife Act/Wildlife Amendment Act domestically. These legal regimes are said to enable the government to protect sites where conservation is particularly significant. Best practices in Ireland are said to include the statutory obligations in relation to ensuring the rights of owners and users of land are fully considered when land is being designated as protected. These obligations include a requirement of consultation and notification of affected individuals, the ability to lodge objections and appeal decisions on those objectives, and a requirement of fair compensation.

# Kyrgyzstan

*The original submission was made in Russian. The English summary of the submission will be made available in due course.*

# Lebanon

*The original submission was made in Arabic. The English summary of the submission will be made available in due course.*

# Morocco

*The original submission was made in French. The English summary of the submission will be made available in due course.*

# Mauritius

In Mauritius, the main legal framework for environmental protection is the Environmental Protection Act of 2002, used primarily by the Ministry of Environment. Additionally, biodiversity on the land and in the waters are protected by two different authorities: the Ministry of Agro Industry and Food Security, and the Ministry of Ocean Economy, Marine Resources, Fisheries, and Outer Islands. There are a number of reported best practices, such as the legislative right to a clean and healthy environment, which includes protection of access to safe water and air. These rights are protected via the enforcement of environmental laws by an environmental police, as well as compensation to victims of disaster. Additionally, environmental impact assessments are required for major developments, which are made publicly available; new environmental legislation is also made publicly available prior to proclamation. Mauritius reports facing difficulties with tourism and land based activities putting pressure on the coastal zone, coral bleaching and decreased coral coverage, and backfilling of wetlands due to development. Fishermen, who are a vulnerable population in Mauritius, are protected by policy incentive measures to move from over exploited areas, as well as closed seasons; furthermore, environmentalists are protected via a constitutional right to free expression, as well as a special tribunal where individuals aggrieved by environmental impact assessments may vindicate their rights.

# Peru

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# Philippines

The Philippines reports two instances of domestic legislation that address biodiversity and human rights: the National Integrated Protected Areas Systems Act (NIPAS) and the Wildlife Resources Conservation and Protection Act (Wildlife Act). These acts explicitly mention the protection of biodiversity, and require both the dissemination of information to citizens and the consideration of the opinion of citizens by the government. Additionally, they require the informed consent and participation of stakeholders in conservation efforts, which is said to protect particularly vulnerable populations. Finally, the constitution of the Philippines contains a right to a healthy and balanced environment.

# Qatar

Domestically, Qatar reports the protection of biodiversity while incorporating human rights obligations via the environmental protection law of 2002. This law seeks to achieve integrated protection of the environment, and to preserve the quality and natural balance thereof; furthermore, it requires an impact assessment of any potential projects. In terms of best practices, the Qatar National Vision 2030 is offered as a clear roadmap of the steps Qatar plans to take in relation to the environment. It has experienced challenges in these areas in the form of accelerated population and development growth, but seeks to address that via the Qatar National Vision. Qatar reports that vulnerable populations are not an issue within the country, but that individuals in general are protected via the impact assessment requirements for proposed projects. Additionally, environmental defenders are said to be protected via collaboration with NGOs and the government, as well as Qatar’s National Human Rights Committee, which is the legal entity in charge of the protection of human rights.

# Romania

The Law for Protected Areas is reported as being the most applicable Romanian law to the intersection of biodiversity and human rights, and within it citizens are given a right to an ecologically balanced and healthy environment. A number of areas are deemed more important than the establishment of protected areas under this law; however, financial compensation is said to be given to private property owners who follow sustainable management practices. Romania considers its good practices to be giving a right to information to its citizens and integrating them in the administrative process. Furthermore, Romania is said to have established administrative advisory councils formed from a number of areas of society that give opinions on producing management plans and regulations for protected areas. Services provided by protected areas and their ecosystems are said to be kept free for the local population, and Romanian citizens are said to be encouraged to become involved in their local communities. In establishing protected communities, the Law for Protected Areas is said to require the interests of local communities to be considered when establishing the protected area and devising a management plan. Finally, environmentalists are said to be protected by the Romanian Constitutional guarantees of freedom of speech and the right of the people to freely organize, as well as open access to the administrative process.

# Slovak Republic

Internationally, the most significant agreement to which the Slovak Republic is a party to is reported to be the Aarhus Convention. The obligations under this convention, as well as other constitutional rights contained in the Constitution of the Slovak Republic are said to address both biodiversity and the protection of the rights of environmental human rights defenders. Additionally, the Constitution of the Slovak Republic, Section 6, contains a number of environmental rights, both in terms of environmental quality and access to information. The Updated National Strategy for the Protection of Biodiversity by 2020 and its action plan, as a result of the Convention on Biological Diversity, are also said to cover biodiversity and human rights. The Slovak Republic claims an exception to Article 8j, as they report that they do not have any indigenous or local communities. In terms of challenges, the only reported challenge is the creation of an effective monitoring system for how human rights are affected by biodiversity related legislation.

# Serbia

In addition to a constitutional right concerning the environment, Serbia reports being party to a number of international agreements concerning biodiversity such as the UN Convention on Biological Diversity and the Aarhus Convention. Domestically, Serbia has a constitutional right to a healthy environment and to receive information about the status of the environment, as well as a number of laws concerning the environment and implementing international obligations. The Law on Environmental Protection and the Law on Nature Protection are reported as the most relevant domestic law, and all relevant laws in Serbia are reported as including an emphasis on the right to access information.

# South Africa

South Africa reports a constitutional right that addresses the environment directly, as well as a number of international and domestic legislation, policies, and programmes. The primary environmental act reported is the National Environmental Management Act, which gives effect to South Africa’s environmental constitutional right. Under this act are a number of acts dealing directly with biodiversity, as well as other environmental concerns. Best practices are said to be contained within the Department of Environmental Affairs, which gives effect to the various environmentally related acts and international environmental agreements. There are three primary challenges reported by South Africa in terms of the integration and protection of human rights in biodiversity-related matters: 1) increase of agriculture to support an increase in population, and a corresponding lack of enforcement of conservation laws; 2) urbanization, and; 3) invasive species. Additionally, seriously degraded ecosystems affect South Africa’s water supply. In order to protect those vulnerable to biodiversity loss, there are a number of reported measures including biodiversity stewardship, prevention of biodiversity loss, and restoration where loss has occurred; furthermore, the rights of environmentalists are said to be protected through a combination of rights like free assembly and programs that encourage public participation in government action concerning the environment.

# Switzerland

*The original submission was made in French. The English summary of the submission will be made available in due course.*

# Uruguay

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# Zambia

Zambia has outlined a number of policies and legislation related to development and sanitation, as well as the analysis environmental considerations in now these policies and legislation are carried out. It reports that environmental and social impact assessments are executed before projects are implemented in order to protect the environment and communities that may be affected by development projects. The greatest challenge Zambia has reported facing in terms of integration and protection of human rights in biodiversity-related matters is rapid urbanization and poverty levels that have created increased numbers of informal settlements. These informal settlements are said to affect governmental capacity to provide basic services, expose the residents to the negative effects of climate change, and lead to encroachment on both urban agricultural land and nearby open spaces. Additionally, water scarcity is reported as an effect of climate change.

# National Institutions submission

# Human Rights Commission of Sierra Leone

The Human Rights Commission of Sierra Leone reports that the country is a party to the Biodiversity Convention, as well as a number of other international instruments, and from that a number of instances of legislation and policy have been enacted, although enforcement is said not to be uniform. These laws address biodiversity in ways that incorporate human rights, such as the Environmental Impact Assessment Strategy that allows affected communities to take part in decision making. Challenges are reported to include resistance from land owners and the Ministry of Mines and Mineral Resources, as well as relocation and resettlement of local peoples and illegal mining. Further reported challenges include attitudes of local communities, control of the borders, and agricultural companies that participate in monoculture. Sierra Leone is said to provide heightened protection for vulnerable communities by involving them in the planning and assessment processes, as well as the establishment of the Human Rights Commission; however, there are still difficulties in providing protection for particular groups of affected communities. In regards to human rights defenders, Sierra Leone is said to have a Human Rights Defender’s Network that assists in their defense; however, some of the state processes responsible to ensure that defenders are protected are said to have been compromised and rendered ineffective.

# Le Commissariat aux Droits de l'Homme et à l'Action Humanitaire (CDHAH), Mauritania

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# National Human Rights Commission, of India

India is reportedly party to a number of international instruments which deal with biodiversity and human rights, and the federal government has established the National Biodiversity Authority (NBA) to serve an advisory function; additionally, at the state level, State Biodiversity Boards are said to have been established by state governments to deal with matters relating to access to bioresources, and are advised by the NBA. At a local level, Bodiversity Management Committees are said to have been established by local governments for the same purposes and are also advised by the NBA. Good practices also are said to include the regulation of business practices via National Voluntary Guidelines. Reported challenges include failure to conserve natural resources and biodiversity, as well as failure to provide information or consult affected persons. However, the rights of the particularly vulnerable are said to be protected by the jurisprudence of the Supreme Court of India connecting Article 21 of the Constitution to a right to a healthy environment; additionally India is said to have a National Green Tribunal to address environmental harms, and a National Human Rights Commission to protect human rights in India. The Commission reports having held a National Conference on Relief and Rehabilitation of Displaced Persons, and is particularly concerned with ensuring the rights of human rights defenders. Complaints by human rights defenders are said to take first priority with the Commission.

# National Human Rights Commission of Mexico

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# Ombudsman's Office, Plurinational State of Bolivia

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# Ombudsman's Office, Republic of Colombia

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# Ombudsman's Office, Republic of Ecuador

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# Ombudsman's Office, Republic of Nicaragua

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# Ombudsman's Office, Spain

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# The Danish Institute for Human Rights

The Danish Institute for Human Rights reports no legislation, programs, or policies currently in Denmark addressing biodiversity that explicitly incorporate human rights; however, there is legislation outline that guarantees procedural rights such as a right to complain and a right to appeal. In terms of human rights defenders, Denmark’s longstanding democratic tradition, freedom of expression and involvement of civil society is said to protect their rights.

# The Ombudsman for Future Generations, Hungary

The Ombudsman reports being good practices in that it is an organ independent of the government that is entrusted with enforcing the right to a healthy environment and representing the interests of future generations, as provided for by Basic Law. Basic Law includes a right to a healthy environment and protection of natural resources, which has been said to include a non-derogation principle. Specific good practices listed include: 1) safeguarding the land use rights of National Parks over protected areas, as they have a pivotal role in preserving biodiversity; 2) calling upon the Government to create a nationally protected area for the habitat of an endangered, endemic species; 3) proposing legislation enhancing biodiversity, and; 4) training judges on interpreting biodiversity laws of the EU and Hungary. As there are no reported indigenous peoples in Hungary, there are no specific protections provided to them. In terms of human rights defenders, the Ombudsman is said to work with environmental NGOs to raise awareness among stakeholders on various issues concerning the loss of biodiversity.

# International Organizations

# Food and Agriculture Organization of the United Nations (FAO)

The FAO reports working at the intersection of biodiversity and human rights in its promotion of sustainable management of resources for present and future generations and involvement in a number of international instruments involving biodiversity, including the Convention on Biological Diversity. FAO is said to help member countries analyze and improve their laws governing agriculture and natural resources management according to the following principles, while taking into account human rights and procedural rights: 1) each country needs tailored advice; 2) countries can learn a great deal from each other; 3) national law should reflect international obligations and commitments; 4) good law-making requires a multidisciplinary approach, and; 5) law reform should be a participatory process. Reported obstacles include incorporation of human rights into biodiversity legislation in a way that gives heightened attention to the rights of people who derive their livelihoods from the sectors governed by that legislation; however, these obstacles are addressed at least in part by the codification of traditional land use and ensuring local communities have access to information and the ability to participate in creating legislation. FAO also reports incorporating the needs of human rights defenders in creating its strategies.

# Secretariat of the Convention on Biological Diversity

# UNECE secretariat of the Aarhus Convention and the Protocol on PRTRs

Good practices described by the Secretariat include, among others, the right to biodiversity-related information, public participation in biodiversity-related decision making, access to justice regarding biodiversity-related matters, public participation in biodiversity-related international forums, and GMO amendment to the Aarhus Convention. Additionally, the Secretariat includes a chart surveying international instruments through the lens of biodiversity and human rights.

# United Nations Development Programme

UNDP reports good practices as including no-go zones, such as those in the Philippines, where mining is strictly not allowed; however, these practices are sometimes threatened by a need for economic development which induces governments to relax the requirements. Additionally, the UNDP recommends that governments employ good research practices, including interdisciplinary teams, and adhere to principles governing business such as the Equator Principles. The UNDP Equator Initiative is reported as being particularly helpful to human rights defenders as it brings attention and support to their causes; additionally, the UNDP reports good practices in a number of collaborations they are involved in with other organizations.

# Civil Society and other stakeholders

# Association pour la Défense des Droits de la Femme en Mauritanie

*The original submission was made in French. The English summary of the submission will be made available in due course.*

# Castan Centre for Human Rights Law, Monash University, Australia

Good reported practices include the right to a remedy; that is, the ability of environmental groups to obtain “standing” to challenge biodiversity related decisions via merits review and judicial review. Obstacles faced in Australia are said to include some jurisdictions that have amended environmental legislation to make it difficult for challenges to succeed; additionally, some decisions issued are non-binding, and some courts are unable to make merit decisions. Indigenous protection is said to be limited, and advisory committees have a number of practical limitations and are unable to provide services other than strategic advice. There are further obstacles reported including lack of creation of conservation agreements with indigenous peoples and limitations on the Water Act and the Basin Community Committee.

# Center for International Environmental Law (CIEL)

Reported good practices include: 1) adherence to the REDD+ (Reducing Emissions from Deforestation and Forest Degradation) guide and the Cancun Agreement; 2) co-management of protected areas; 3) community protocals for free, prior, and informed consent, access, and benefit sharing; 4) benefit sharing agreements; and 5) terminology that expands the scope of protection.

# [Centro Mexicano de Derecho Ambiental A.C. (CEMDA)](https://www.ohchr.org/Documents/Issues/Environment/Biodiversity/CEMDA.doc)

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# Coalition of NGOs [Environmental Justice Foundation; Fairfood International; Greenpeace; Human Rights at Sea; International Labor Rights Forum; International Transport Workers’ Federation; International Union of Food and Allied Workers; National Guestworker Alliance; and Walk Free]

This response focuses on the intersection between biodiversity and human rights in the fishing industry; the NGOs report that widespread failure to exercise proper control over the operations of fishing vessels together with a demand for cheap seafood has led to a failure both to protect marine biodiversity and to protect human rights. Human rights are said to be violated by labor abuses, and biodiversity is affected by overfishing and illegal, unreported, and unregulated fishing. Good practices in this area are said to be a coordinated effort to more closely examine the linkages between these areas, and address them through laws, programs, and policies. The response explores human rights and biodiversity impacts in the fishing industry, and includes a thorough list of sector-specific policy recommendations and best practices.

# David Boyd, Frasier University

Good practices reported include those from a number of countries. In New Zealand, a series of agreements between the Maori people and the government have been said to recognize that nature itself has the rights of a legal person, which improves protection legislation. In Ecuador, the Constitution reportedly provides a comprehensive blueprint for the integrated protection of human rights and nature’s rights; similarly, in the Bolivian Constitution, as well as a number of instances of domestic legislation, nature is given a number of rights that affect human rights. In the United States, a number of ordinances passed by local government emphasize both human rights and the rights. In Canada, aboriginal rights are said to have been added to the Constitution, and a governmental duty to consult aboriginal peoples prior to exploiting lands to which they have claims established; additionally, indigenous protected areas were established.

# France Nature Environment

*The original submission was made in French. The English summary of the submission will be made available in due course.*

# East Amman Society for Environmental Protection

Jordan is currently experiencing reported difficulty with creating a strong legal framework implementing international commitments to protect the environment, as well as encouraging and supporting the non profit sector in protecting the environment. Additionally, the judiciary is said to be unable to handle environmental cases effectively, and there is an absence of training programs or special environmental courts. Environmental human rights defenders report threats and warnings from governmental officials.

# Edmund Rice International

Edmund Rice International’s response focuses on how children are vulnerable to the loss of biodiversity and how they can be provided with heightened protection against this loss, mainly through a systemic attempt to influence education systems. Children are said to be particularly vulnerable to biodiversity loss due to loss of ability to experience a biodiverse ecosystem, as well as the possibility of harm through adherence to religious traditions that assume children will have access to and direct experience of local ecosystems and their biodiversity. Over 30 countries linked to Edmund Rice International have reportedly provided children with heightened protection with regards to biodiversity. This is significant, because a systemic attempt at education regarding biodiversity is said to be an important way to positively affect biodiversity, as children need to be active partners in its regeneration and restoration.

# Grupo de Acciones Puìblicas – GAP, Universidad del Rosario Bogotaì, Colombia

*The original submission was made in Spanish. The English summary of the submission will be made available in due course.*

# Heta Heiskanen and Jukka Viljanen, University of Tampere

Good reported practices include Section 20 of the Finnish Constitution, which includes a shared responsibility to protect nature as well as human rights, as well as various legislation that protects biodiversity and the native Sami peoples. Emphasis is said to be placed on inclusion and participation in processes related to conserving biodiversity, specifically between the government and the Sami people. Reported challenges include environmental human rights defenders experiencing difficulty while opposing the mining industry and nuclear development, including particularly long detention. Additionally, indigenous rights have reportedly not de facto been taken into account in granting mineral prospecting permits; furthermore, it is said that indigenous peoples have not been allowed to use certain portions. land in their traditional manner due to unclear law about protected areas. Finally, the government is reportedly on the verge of limiting the right of the public authority to appeal in environmental matters.

# Human Rights Watch

On a general level, the Human Rights Watch reports that governments have not done enough to implement legislation, policies, and practices to combat environmental degradation, which in turn affects a number of human rights. Additionally, environmental conservation measures are said to often threaten the human rights of communities residing on or close to protected lands. There are a number of problems reported as standing in the way of heightened protection for indigenous peoples, including exclusion from consultation, discrimination, and barriers to information. Protection of human rights defenders is said to be best achieved through fulfilling UN obligations, including the full consultation and participation of marginalized groups. Good practices are reported to include ensuring access to information and oversight of third parties.

# ICCA Consortium

The ICCA Consortium reports good practices as including: 1) recognizing, respecting and appropriately supporting positive connections between collective rights and conservation, including ICCAs; 2) supporting more inclusive rights-based and community-centered conservation regimes, policies, and programs; 3) expanding and strengthening supportive policy and guidance; 4) addressing violations of collective and individual human rights by biodiversity loss and environmental destruction, and; 5) moving from policy to accountable action. Challenges and obstacles are reported as addressing violations of collective and individual human rights, and of local worldviews and practices, by conventional conservation practice, and clarifying and strengthening the rights of non-indigenous local and traditional communities. In terms of vulnerable peoples, the ICCA Consortium reports a need for the use of international and other mechanisms to support ICCAs, as well as more tailored approaches with greater guidance and understanding of the peoples they are intended to help. Good practices involving human rights defenders include engagement of civil society in the resolution of conflicts, and general civil society support of human rights defenders.

# Law Council of Australia

In their response, the Law Council of Australia focuses on two issues: challenges and obstacles to the integration and protection of human rights in biodiversity related matters, and heightened protection for vulnerable groups. Obstacles reportedly faced by Australia include no federal human rights act or sufficient human rights protections in environmental legislation, and no state legislation specifically protecting human rights as they relate to environmental rights, which causes gaps in biodiversity related matters. Additionally, the Law Council reports being concerned at an attempt to create a heightened standing requirement for judicial review in biodiversity related matters, as well as the lack of climate change integration in environmental legislation. These difficulties are also said to affect indigenous peoples and local communities, as well as a narrow interpretation of indigenous heritage values.

# [Msc. Ir. ESAIE waya, assistant, Université de Sarh, Tchad](https://www.ohchr.org/Documents/Issues/Environment/Biodiversity/UniversiteSarh.doc)

*The original submission was made in French. The English summary of the submission will be made available in due course.*

# New Wind Association

New Wind Association advocates a reduction in consumption and promotion of lifestyles which facilitate biodiversity. In particular, they advocate the respect of indigenous peoples and local communities in regards to land via the principles of free, prior, and informed consent, and respect for the local content of traditional rights. Reported challenges include modern homes, cultivations, modes of production, life, and society, as well as the insecurity of indigenous peoples and local communities who live in ways that promote biodiversity. In order to protect the communities most vulnerable to the loss of biodiversity, the New Wind Association recommends: 1) commitment to free, prior, and informed consent principles; 2) ensuring indigenous peoples have a right to traditional lands; 3) protecting the customary use of biological resources in accordance with cultural practices; 4) protecting equal rights to indigenous peoples’ occupations, and; 5) securing access to land and natural resources in order to allow indigenous populations to engage in their traditional occupations if they so choose.

# Rainforest Foundation Norway

Rainforest Foundation Norway reports best practices as including framework regarding management of indigenous territories, like in Brazil, that guarantee and promote the human rights of indigenous peoples, including betterment of their lives and respect for their heritage and practices. This includes full participation of indigenous communities in forming a sustainability plan, and full respect of their autonomy and use of environmental resources. Specific identified challenges include formalization of territorial processes in order to protect both human rights and biodiversity; additionally, it is said that there tends to be a tension between the establishment of natural protected areas for conservation and indigenous and traditional peoples’ right to land. In Brazil specifically, Rainforest Foundation Norway reports difficulty with the demarcation processes and capacity to implement legislation and manage indigenous territories, as well as suspension of the requirement to consult indigenous peoples. In terms of the protections of human rights defenders, Rainforest Foundation Norway reports favorably of a ruling of the Peruvian Supreme Court of the Amazon stating that indigenous peoples have a constitutional right to defend their territories and natural resources against destruction.

# The Nature Conservancy

The Nature Conservancy reports a number of good practices focused on assuring that all work respects international conventions related to the rights of indigenous peoples and local communities with traditional ties to a geography or natural resources, as well as on human rights as they relate to conservation work with vulnerable communities in cities and elsewhere. The organization reports creating, educating, and participating in a number of strategies to realize these goals, such as the Global Strategy for Partnerships with Indigenous Peoples and Local Communities. Specific best practices recommendations include organized calls for rights and effective local alliances, government transparency and role clarity, and capacity building programs with long-term funding commitments. In terms of challenges, The Nature Conservancy reports challenges in two areas: with governments, and for the organization. In terms of challenges with governments, the organization reports entrenched power imbalances, a perception held by some sectors of government that honoring human rights hinders national development, lack of government capacity, lack of alignment among levels of government, market pressures, bias and discrimination, fluctuating policy, lack of bi-partisan agreement, and laws denying the rights of indigenous peoples and local communities. Challenges said to be faced by the organization include building broader understanding and urgency, as well as funding and culturally-aligned economic development. The Nature Conservancy reports paying special attention to marginalized groups, such as women and indigenous peoples, when forming programs and policies, as well as commitment to the realization of human rights and condemnation of the use of violence, forcible removal, relocation, or dispossession.

# Transformasi untuk Keadilan Indonesia (TuK Indonesia)

Indonesia is party to a number of international instruments that concern biodiversity, such as the Convention on Biological Diversity and CITES. Tuk Indonesia reports good practices within the country as including: 1) a Constitutional Court that takes human rights into account when making interpretations; 2) a moratorium on licensing for new palm oil plantation operations while a better oversight system is developed; 3) recognition of community land rights; 4) a collaborative effort to increase oversight of permits and management that concern the environment, and; 5) a newly established Peatland Restoration Agency. Furthermore, it is reported that efforts have been taken to realize the human rights of indigenous peoples and local communities through increased participation. The current biggest biodiversity issue in Indonesia as reported by TuK Indonesia in the effort to curb rapid biodiversity loss is existing regulatory frameworks that accommodate large scale concession based conservation schemes rather than local communities and indigenous peoples. Current strategy is said to lack effective framework to integrate sustainable development goals and environmental human rights; the solution is a more effective and meaningful community engagement, and a commitment to the principle of free, prior, and informed consent. TuK Indonesia reports that Indonesia needs to improve its treatment of indigenous peoples and local communities, as well as provide transparent and unbiased systems in which to vindicate the rights of human rights defenders.

# Union for Ethical BioTrade (UEBT)

The Union for Ethical Biotrade (UEBT) promotes the use of the Ethical Biotrade standard as good practices, as it covers the sourcing of natural products and is based on the objectives of a number of international agreements. It requires sustainable sourcing that respects the rights of vulnerable groups and considers such factors as food security and working conditions in multiple phases of the supply chain. Companies that join the UEBT are required to develop work plans for implementing the Ethical BioTrade standard.

# Yuezhou Yang

Yang stresses the importance of the intersection of environmental rights and human rights in the area of biofuel product sourcing, specifically concerning food security and land tenure access right abuse. Namely, Yang argues that most international and national instruments do not sufficiently address the social sustainability. Monitoring systems are said to be too weak, and international certifications for biofuel products are helpful but do not provide enough information to the consumer. Additionally, there is a difficult tension between increasing economic development in poorer countries at the expense of land for food cultivation in poorer and indigenous communities. In order to address this, monitoring systems must be strengthened, international certifications for biofuel products should include information on the social sustainability of biofuel products (specifically food security and land rights), and the concept of free, prior, and informed consent should be universally respected in regards to granting land access rights.

# WWF

The World Wildlife Foundation (WWF) reports good practices at a global and domestic level. Globally, WWF reports advocating for the recognition of the link between ecosystem services and human rights in international fora and conventions like the Sustainable Development goals and the Convention on Biological Diversity, as well as developing policy and participating in the emerging discourse around the issue of Fisheries Crime. Nationally, WWF reports supporting and influencing effective implementation of biodiversity-related legislation and policies that contribute to human well-being and the fulfillment of substantive and procedural rights, such as communal areas conservancies and Responsible Business initiatives. WWF efforts are said to specifically focus on procedural rights, like access to information and participation of local communities. Challenges the WWF reports facing include human-wildlife conflict and achieving effective appropriation of conservation benefits. Focus on procedural rights and integration of vulnerable populations are how the WWF reports securing the rights of the particularly vulnerable, as well as providing a complaints resolution process within the organization for grievances concerning WWF action. Additionally, WWF reports working to strengthen its internal monitoring of human rights related issues and include gender policies in sustainability standards. Challenges are said to arise with various aspects of communication and collaboration between governments and indigenous peoples, and these are being addressed in attempts to form collaborative partnerships between multiple actors.

1. This short summary version of the submissions is provided for the convenience of the users only. All submissions in its original form are available here: [www.ohchr.org/EN/Issues/Environment/SREnvironment/Pages/SubmissionsBiodiversity.aspx](https://www.ohchr.org/EN/Issues/Environment/SREnvironment/Pages/SubmissionsBiodiversity.aspx). [↑](#footnote-ref-1)