**Call for Inputs**

**Healthy Ecosystems and Human Rights: Sustaining the Foundations of Life**

“Goals for conserving and sustainably using nature and achieving sustainability cannot be met by current trajectories, and goals for 2030 and beyond may only be achieved through transformative changes across economic, social, political and technological factors.”

*Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. 2019. “Summary for policymakers of the global assessment report on biodiversity and ecosystem services.”*

There is now global agreement that human rights norms apply to a broad spectrum of environmental issues, including biological diversity (the full range of life on Earth) and healthy ecosystems (the foundation upon which all life depends). The Special Rapporteur on human rights and the environment, Dr. David Boyd, is working to provide additional clarity regarding the substantive rights and obligations that are essential to the enjoyment of a safe, clean, healthy and sustainable environment. He has submitted reports on clean air,[[1]](#footnote-1) a safe climate,[[2]](#footnote-2) and good practices on the promotion and implementation of the right to a safe, clean, healthy and sustainable environment.[[3]](#footnote-3) He is now preparing a thematic report focusing on human rights and associated obligations related to healthy biodiversity and ecosystems. For that purpose, he is seeking inputs on the topic from States and stakeholders through responses to the brief questionnaire below.

Your replies will inform the Special Rapporteur’s analysis and contribute to his report, which will be presented to the General Assembly in October 2020.

**Questionnaire**

The Special Rapporteur invites and welcomes your answers to the following questions:

1. Please provide examples of ways in which declining biodiversity and degraded ecosystems are already having adverse impacts on human rights. Adversely affected rights could include, among others, the rights to life, health, water, food, culture, non-discrimination, a safe, clean, healthy and sustainable environment, and Indigenous rights.

2. To protect a wide range of human rights, what are the specific obligations of States and responsibilities of businesses in terms of addressing the main direct drivers of harm to biodiversity and ecosystems (e.g. land conversion, loss and degradation of habitat, climate change, overexploitation, pollution, invasive species) and the indirect drivers (unsustainable production and consumption, rapid human population growth, trade, conflict and inequality)?

3. Please provide specific examples of constitutional provisions, legislation, regulations, policies, programs or other measures that employ a rights-based approach to prevent, reduce, or eliminate harm to biodiversity and ecosystems or to restore and rehabilitate biodiversity and ecosystems.

4. If your State is one of the 156 UN Member States that recognizes the right to a safe, clean, healthy and sustainable environment,[[4]](#footnote-4) has this right contributed to protecting, conserving and restoring biodiversity and healthy ecosystems? If so, how? If not, why not?

5. Please provide specific examples of good practices in preventing, reducing, or eliminating harm to biodiversity and ecosystems, or restoring and rehabilitating biodiversity and ecosystems. These examples may occur at the international, national, sub-national, or local level. Where possible, please provide evidence related to the implementation, enforcement, and effectiveness of the good practices (e.g. measurable outcomes such as increases in terrestrial and marine protected areas, increases in Indigenous and Community Conserved Areas, declining rates of deforestation and poaching, or progress in the recovery of species that were previously threatened or endangered).

6. Please identify specific gaps, challenges and barriers that your government, business, or organization has faced in attempting to employ a rights-based approach to preventing, reducing, or eliminating harm to biodiversity and ecosystems.

1. **Gapes**
2. There is no regulatory standard mechanism of indigenous engagement on biodiversity and ecosystems related policy formation in national, provincial and local level.
3. Lack of communication and trust with government and indigenous peoples
4. There are not well recognize and respecting mechanism of indigenous identies regarding biodiversity and Ecosystems and governing
5. **Challenges**
6. The indigenous values on biodiversity and ecosystems are not well understood and recognize and respets on policy making process
7. The policy making process and information are not easily access and formally discussion with indigenous peoples and taking their consent at all.
8. **Barriers**
9. Institutional coordination and collaboration
10. Benefit sharing mechanism on upstream and downstream ecosystem

7. Please specify ways in which additional protection is provided (or should be provided) for populations who may be particularly vulnerable to declining biodiversity and degraded ecosystems (e.g. women, children, persons living in poverty, members of Indigenous peoples and local communities, older persons, persons with disabilities, ethnic, racial or other minorities and displaced persons). How can these populations be empowered to protect and restore declining biodiversity and degraded ecosystems?

**Nepal Indigenous Inputs:**

For Indigenous Peoples, the Mother Nature is alive and is sacred is alive in ecosystem is function in relation with Mother Earth, Father SUN and Grand Mother Moon. Since ancestral time, we have been taken care and preserving our ancestral lands, territories, waters, nature, ecosystem and resources for the wellbeing all generations that are coming behind us.

We came from oral tradition; our indigenous or local or traditional knowledge, ritual, culture, spiritual is transmitted from one generation to the next by the elders. Human rights of indigenous peoples are collective, self-determination and our livelihoods are integral and humanistic on natural resources in ecosystem according to the real needs of our people. Knowledge of indigenous peoples and values including ritual, spiritual, symbolic, cosmological, religious, language, behavior, intangible cultural relationship with Mother Nature ecosystem function is must reflect on the transformative change on post 2020 global biodiversity frame work and 2030 agenda.

Indigenous Peoples and Local Communities bear distinct systems and values spiritual, intangible, intrinsic, aesthetic, symbols, system of beliefs, behaviors, rituals, affection, affinity, express and customs are deep rooted in nature, Mother Earth (Eksathinkhambegma, Living Earth) on the post 2020 global biodiversity framework. Indigenous values are associated with wild species, ecosystems, biodiversity, sacred landscapes, seascapes, indigenous foods, medicine, fibers, genetic or biological resources, the spiritual connection with Father Sun, Grand Mather Moon and Mother Earth, Nature for our survival and transfer to young be harmony with nature transformative change on the rights of Mother Nature for biodiversity, water and for sustainability for all. Such values of indigenous science deeply rooted with nature and people and deals for conservation, customary sustainable use, indigenous agriculture system or food system, traditional occupations, foods, health and way of living system need capacity building and institutionalized enhancement in long term for theory of change with ensuring the human rights of indigenous peoples and local communities including the rights of Mother Nature.

IPBES 2019 reported that more than 80% world biodiversity remains on the indigenous territories and managed lands. Nepal Biodiversity sixth report highlighted more wilderness is in indigenous inhabitance areas Also reported that the contribution of indigenous peoples on sacred landscape management should be recognized and ensure the Free, Prior and Inform Consent.

Indigenous Peoples and Local Communities are happy to collaborate, cooperation on long-term modality empowerment, capacity, direct access or available resources mobilization to protect and restore declining biodiversity and degraded ecosystems in inclusive, participatory with Indigenous sciences and technology considering and ensuring the self determination of indigenous peoples, Free, Prior and Inform Consent and full and effective participation of IPLCs, elders women, youth, healers, indigenous peoples with disabilities at all level of conservation area or protect areas or national park management system and fully recognized the autonomous landscape sacred land indigenous conservation areas through customary conservation and sustainable use system of indigenous peoples and local communities. Since ancestor time, indigenous peoples and local communities are deeply rooted on indigenous agricultural system, native or indigenous foods, crops, seeds, fibers, medicines, native or wild species, bees, pollinators are the components of ecosystems as gift of Mother Nature harmony with nature. Because of many reason such as land use change, impacts of climate change, urbanizations, impacts of green revolution, monoculture and extension of chemical farming, supper mendalism, genetic modified organism, living modified organism, living modified organism containing engineering gene drive, capitalism, corporatism, privatization, infrastructure, expansion of high-tension lines, hydro power alter natural ecosystem are threatening biodiversity, agro-biodiversity, waters, sacred or cultural or natural landscapes, foods, medicines, knowledge, wisdoms and ecosystems the rights of Mother Nature of indigenous peoples and local communities where they rely on from ancestral time as a new deal on post 2020 global biodiversity framework. There should be regulatory mechanism to provide enough and sufficient resources and rights based approach to continue indigenous values on ecosystem for indigenous values and traditional assets. Indigenous peoples and local communities in river banks, forests depended or in and outside of Protected Areas or conservation areas are possibly forcefully replaces and will become environmental refugees in future. In this regards, we urge to ensure international standard human rights of indigenous peoples including self-determination, customary rights, the objectives and spirit of Convention on Biological Diversity, Article 8(j) and relevant Volunteer Guidelines, Ethical Code of Conducts and the initiatives of indigenous peoples National plan of Action on Traditional Knowledge on the transformative change new deal on the Rights of Mother Nature.

8. How do you safeguard the rights of individuals and communities working on biodiversity issues (potentially identified as environmental human rights defenders or land defenders)? What efforts has your Government made to create a safe environment for them to freely exercise their rights without fear of violence, intimidation, or reprisal?

9. There is substantial evidence that consumption in high-income States is adversely affecting biodiversity and ecosystems in low and middle-income States. What are ways in which high-income States should assist low-income States in responding to biodiversity loss and ecosystem degradation, while simultaneously contributing to sustainable development in those low-income States?

10. For businesses, what policies or practices are in place to ensure that your activities, products, and services across the entire supply chain (extraction/sourcing, manufacturing, distribution, sale, and end-of life management) minimize biodiversity loss and ecosystem degradation and meet human rights standards, especially those articulated in the Guiding Principles on Business and Human Rights?

**Submission of responses**

We encourage you to please send your responses to the questionnaire in Word format **by email** to srenvironment@ohchr.org.

However, submissions will also be accepted via regular mail at the following address:

UN Special Rapporteur on human rights and the environment

Thematic Engagement, Special Procedures and Right to Development DivisionUNOG-OHCHRCH-1211 Geneva 10, Switzerland

We kindly request that your submission be concise and limited to a maximum of 5 pages (or 2,000 words), not including appendices or attachments.

**Due to a limited capacity for translation, we also request that your inputs be submitted in English, French, or Spanish.**

To avoid unnecessary duplication: if you have recently replied to other questionnaires from UN human rights mechanisms (or other international bodies) with information that would be relevant to this request as well, we welcome your directing us to those replies.

**The deadline for submission is 31 May 2020.**

Unless otherwise requested, all submissions will be *made publicly available* and posted on the Special Rapporteur’s homepage at the OHCHR website.

1. A/HRC/40/55 [↑](#footnote-ref-1)
2. A/74/161 [↑](#footnote-ref-2)
3. A/HRC/43/53 [↑](#footnote-ref-3)
4. See, A/HRC/43/53, Annex II. [↑](#footnote-ref-4)