

World Animal Net (WAN) is grateful for the opportunity to provide input for the UN Special Rapporteur’s report on human rights and the environment. We present the following information as a contribution to the analysis and look forward to reading the final product.

**Questionnaire**

**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.**

Covid-19 has infringed a number of human rights (including health and wellbeing, freedom of movement, to leave and return to own country, work, standard of living, participation in cultural life of community etc.). Governments have caused human rights to be breached by not dealing with the conditions which led to this new coronavirus thriving (and will continue to breach our human rights if they do not take the preventative action needed to stop other diseases, including viruses, from thriving). This includes loss of biodiversity and ecosystems, detrimental land use and deforestation (for monoculture production and livestock rearing), and the unsustainable, inhumane and unhygienic use of wild animals and farmed animals. Some examples are given below.

* Permitting infringement into wildlife territories, the destruction of wildlife and habitat diversity, and failing to account for and support animal health, welfare and natural immunity.
* Upsetting predator-prey relationships, e.g. frog catching in Bangladesh leading to insect explosions.
* Permitting the development of both plant and animal monocultures. Disease spreads much easier without healthy ecosystems and with reduced space between wild and domestic animal species. Antibiotics are also routinely used in intensive farming systems causing antibiotic resistance. These cause risks to human life and health.
* Land use change for intensive farming, including growing soy for feeding to industrial livestock, has led to deforestation and land degradation. Local communities depend on biodiversity for food and medicine, but with land conversion for industrial agriculture such biodiversity is rapidly declining.
* Massive greenhouse gas emissions and pollution of waterways, soil and air caused by industrial farming operations disproportionately affects marginalized populations.

Such changes impact the lives, food security, livelihoods, and health of local communities.

Markets where various species of both wild and domestic animals are sold, traded and slaughtered can be found across the world. These markets are typically crowded and unhygienic, with a mixture of live animals, carcasses, blood, entrails, feces and other wastes creating ideal conditions for the spread of diseases across species, including to humans. Allowing these uses of, and conditions for, wildlife leads to various infringements of human rights mentioned above.

The commercial trade of wildlife adversely impacts both biodiversity and local communities – their safety, cultural practices and food security/livelihoods. Closure of commercial trade and markets for live wildlife would address the needs and safety of local communities and indigenous people – see this [policy brief from the Wildlife Conservation Society](https://c532f75abb9c1c021b8c-e46e473f8aadb72cf2a8ea564b4e6a76.ssl.cf5.rackcdn.com/2020/04/01/8294efiuzg_COVID_19_Summary_of_WCS_Policies_and_Messaging_March29.2.pdf) (which has studied these issues in depth, in a number of countries) for further information.

**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)?**

It is vital that states develop and implement a strong Post-2020 Global Biodiversity Framework, which ensures the long-term protection and integrity of biodiversity and ecosystems. This should include an actionable mission which by 2030 tackles the root causes of biodiversity loss, protects and regenerates biodiversity, halts species extinctions and rebuilds flourishing ecosystems worldwide. It should also account for nature’s intrinsic value. At present, work has been weak and flawed. The mantra of “sustainable use” has come to be taken as the *promotion* of use, including consumptive use. Covid-19 has shown that endless use of wild animals, without care for health, welfare or longer-term impacts on biodiversity, ecosystems and species interactions is definitively not “sustainable”, nor humane, nor healthy for animals or people. It is necessary to move away from the promotion of use, towards the need to respect and protect, with use being minimised to the essential, and taking care of health and welfare of all.

Businesses must be made responsible for their impacts on biodiversity and ecosystems. At present, corporations are free to change land-use, destroy ecosystems, use natural resources and pollute, with impunity, and at no cost to their business. It is vital that subsidies which support such businesses are stopped immediately, and not included in Covid-19 bail-out packages. Externalities must be internalized – as has been spoken of for many years, and not actioned. [Aichi Target 3].

States must review their food and agricultural systems, ensuring that future policy,

development and support are geared towards humane and sustainable systems, which are

regenerative in nature. It has been clearly shown that industrial agriculture is a main driver of

biodiversity loss, whereas regenerative systems allows biodiversity to flourish, without

artificial chemical inputs and antibiotic use, which adversely impact nature and health.

[Aichi Targets 6, 7 & 8].

In particular, the [improper use of antimicrobials](https://www.cirad.fr/en/news/all-news-items/press-releases/2020/aquaculture-crossroads-climate-change-antimicrobial-resistance?utm_term=RWRpdG9yaWFsX0FuaW1hbHNGYXJtZWQtMjAwNTEz&amp;utm_source=esp&amp;utm_medium=Email&amp;utm_campaign=AnimalsFarmed&amp;CMP=amimalsfarmed_email) in aquaculture and industrial livestock production has contributed to the rise in resistant bacteria. Climate change will only exacerbate this phenomenon, leading to more diseases in fish that can be transmitted to humans, and which are challenging to treat. Antimicrobial resistance is also seen in land-based farms. Farmers in intensive livestock production, similar to fish farmers, use antimicrobials to prevent diseases in their animals. Raising animals cramped together in filthy conditions, whether on land or in the ocean, generates the need for such prophylactic uses. Creating healthy, spacious environments for animals on farms will decrease the reliance on antimicrobials which is crucial to avert zoonotic diseases and ensure the utility of antimicrobials to treat diseases impacting humans.

Food and agricultural systems should encourage local production-consumption and local food sovereignty/security. Commoditization of agriculture has detrimentally impacted local food security and livelihoods in many ways. Food should be predominantly plant-based, for optimum health, and vegetable and herb gardens within communities and schools should be encouraged. Covid-19 has shown how fragile current supply chains are and has given birth to many new initiatives in local communities.

The new FAO publication “[Climate change: Unpacking the burden on food safety](http://www.fao.org/documents/card/en/c/ca8185en)” clearly shows that climate change is causing unprecedented damage to ecosystems, and has direct implications for our food systems – both food security and food safety. The food safety hazards considered include foodborne pathogens and parasites, harmful algal blooms, pesticides, mycotoxins and heavy metals with emphasis on methylmercury. This further underlines the need to move away from industrial systems which cause such hazards, and which will be exacerbated by climate change).

**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.**

World Animal Net carried out a project analyzing constitutional provisions relating to the care, protection, and general status of animals throughout the world. This analysis also includes many constitutional provisions relating to nature. See:

<http://worldanimal.net/our-programs/constitution-project-resources/constitutions-chart>

We support moves to give [nature rights](https://therightsofnature.org/what-is-rights-of-nature/), as opposed to the alternative now being voiced of

putting prices on nature and ecosystems. Commoditising nature risks moving even further down the wrong development pathway, whereby everything is seen in economic terms. See [here](https://www.greeneconomycoalition.org/news-analysis/can-we-protect-rights-nature-green-economy) for more information.

A rights-based approach departs from a utilitarian perspective and instead recognizes the multiple values of Nature, including ecological, cultural, religious, aesthetic, etc., which builds the ethos and culture needed for protection.

It is ironic, but true, that the only way to protect human rights connected to the protection and restoration of biodiversity and ecosystems is to adopt a different approach, which is not anthropocentric. Human greed (of money/power) will always trump over human need (of the disadvantaged and marginalized), unless stopped by decisive polices and regulation.

**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).**

One issue which is often overlooked in respect of biodiversity and ecosystem protection is regenerative agriculture, as opposed to land degrading and polluting monoculture systems. Organic farming systems are a good example of this approach. See [here](https://www.ifoam.bio/sites/default/files/oa_and_biodiversity_web.pdf) how organic farming can help biodiversity.

**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.**

As can be seen, few governments have introduced the policy and regulatory frameworks needed to employ a rights-based approach to the protection of biodiversity and ecosystems (even those that have included this in their constitutions).

**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?**

The rights of environmental defenders have been widely discussed. However, one aspect which is frequently overlooked is the need for freedom of speech, specifically when this includes the freedom to speak out against corporate interests which adversely impact biodiversity/ecosystems etc. One common example is that countries introduce “ag-gag” laws which prevent disclosure of information against commercial agriculture. See [here](https://www.animallaw.info/article/brief-summary-ag-gag-laws) for information.

**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?**

Development aid should never be given for programs that adversely impact biodiversity/ecosystems or animal welfare (wildlife of farmed). Instead, development should be aimed towards humane and sustainable, regenerative, programs which build local capacity and food security, etc.

**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?**

Voluntary Environmental and Social Safeguards (ESS) are not enough. There has to be strong regulation and enforcement. Otherwise protection will never be across the board, with the worst perpetrators continuing to cause harm.