

Template for submitting comments on the draft guidance for Integrating Human Rights in NBSAPs (OHCHR)

Please submit comments by **26 May 2023** to the following email address: benjamin.schachter@un.org (cc: secretariat@cbd.int)

In submitting comments, you may wish to consider the following questions:

- Does the guidance capture the main human rights issues which should be reflected in NBSAPs?
- Does the guidance capture the main issues related to the rights of people in vulnerable situations? Are there gaps in terms of how their rights should be reflected in NBSAPs?
- Do you have any other comments on how to improve this guidance and its uptake and accessibility?

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Please provide general comments on the draft guidance below.	
Please provide other comments indicating the section below.	
Section	Comments
1.1	First paragraph must refer to the human rights of Indigenous Peoples, Indigenous women, children and youth and rights of Local Communities. It also needs to make a reference to the rights of Mother Earth.
1.2	IPLCs including Indigenous women and youth need to have a full and effective participation in the elaboration/ design of the NBSAPs

1.3	First paragraph, needs to mention the collective human rights of IPs such as the self-determination, Free, prior and informed consent, etc.
	The second paragraph needs to make a reference to intercultural policies
	Paragraph 3, needs to make a reference to political good will and mutual respect, understanding and trust
2	Paragraph: participatory manner with the full and effective participation of IPLCs including Indigenous women and youth
4.1	Please refer to Indigenous Peoples and Local Communities
4.2	Including the participation of Indigenous women and youth
4.3	For IPs are important the intercultural remedies
5.	For IPs the secure tenure of our lands, territories, waters and resources is the main factor to exercise our individual and collective rights as well as for the development of cultural diversity
6.	Needs to mention the structural causes/factors that are taken IPs to be in vulnerable situations. Vulnerable situations must be approached taken in consideration the culture and geographical region
6.1	There are several problems with the overlapping of Protected Areas (government) and the Cultural and Sacred areas of IPs where the violation of rights is happening due to the different way of feeling, thinking and acting.
6.2	Within IPs languages there is no word for gender, we recognize the complementarity between men and women, the solidary work and cooperation in our daily activities. This section must include the CEDAW General recommendation No.39 (2022) on the rights of Indigenous women and girls.
6.3	Make a clear mention to the rights of Indigenous children and youth in relation to biodiversity. Articles 29 and 30 of the Convention of Child as reference.
6.4	Make reference to Escazu Agreement