

## Template for submitting comments on the draft manual for Strengthening NBSAPs through Landscape Approaches (UNU)

Please submit comments by **26 May 2023** to the following email address: [landscape\\_approaches\\_nbsaps@unu.edu](mailto:landscape_approaches_nbsaps@unu.edu) (cc: [secretariat@cbd.int](mailto:secretariat@cbd.int))

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Please provide general comments on the draft manual below.	
<p>The landscape approach is an important step towards not only recognizing, but also taking advantage of the human nature relationship in operationalizing conservation and sustainable use of biodiversity. We appreciate the timely initiative of this guidance document to encourage Parties to take advantage of a landscape and seascape approach in designing robust and well anchored updated NBSAPs.</p> <p>We are making this contribution to the peer review of the <i>Draft manual for Strengthening NBSAPs through Landscape Approaches (UNU)</i> as a collective effort between some individuals in organizations of the “Human Rights and Biodiversity Working Group” (see for example: <a href="https://www.forestpeoples.org/sites/default/files/documents/humanrights_4_longbrief%20ENG%20final.pdf">https://www.forestpeoples.org/sites/default/files/documents/humanrights_4_longbrief%20ENG%20final.pdf</a>).</p> <p>Given the short deadline, the focus for our contributions is to put the attention to the progress made in the Kunming Montreal Global Biodiversity Framework (KM-GBF) related to the advantages of linking biodiversity and human rights for a sustainable and equitable implementation of the KM-GBF.</p> <p>We see much potential for developing and strengthening the guidance, by taking further steps</p>	

to clearer inclusion of and reference to elements of the KM-GBF which deals with full and effective participation of Indigenous Peoples and Local Communities, women, girls and youth. Section 3 of the draft could for example be substantially enhanced with the inclusion of Human Rights Based Approach (HRBA) methodology, and not least about securing women and girls full, equitable, meaningful and informed participation and leadership at all levels of actions, in line with KM-GBF Section C.

Of particular interest for the landscape approach of section C is the 8. *Contribution and rights of indigenous peoples and local communities*, 14. *Human Rights Based Approach*, which states that the implementation of the framework should follow a human rights-based approach respecting, protecting, promoting and fulfilling human rights” and “acknowledges the human right to a clean, healthy and sustainable environment” and 15. *Gender*, which states that successful implementation of the framework will depend on ensuring gender equality and empowerment of women and girls and reducing inequalities.

Ensuring the effective implementation of landscape and seascape approaches requires a clear understanding that stakeholders include not only different interest groups but also rights holders whose rights must be protected. Stakeholders need to be identified, and rights holders also need to be separately identified. These rights holders, such as Indigenous Peoples, Local Communities and women, have inherent rights to their lands, resources and cultural heritage. Public and private actors are responsible for respecting, guaranteeing and fulfilling these rights by creating an enabling environment that empowers rights holders and promotes their active participation in decision-making processes. By prioritizing the protection and fulfillment of these rights, landscape and seascape approaches can foster inclusive and equitable governance systems that promote sustainable biodiversity conservation and enhance the well-being of all stakeholders. This is what is the substance of implementing the KM-GBF with a HRBA.

Effective implementation of landscape and seascape approaches encompasses addressing certain rights explicitly. Among these rights, tenure rights play a crucial role, as they involve recognising and protecting Indigenous Peoples, Local Communities rights and women's rights to their lands, territories, and natural resources. Securing and strengthening tenure rights provides a foundation for sustainable land management and fosters the preservation of cultural heritage and traditional knowledge.

Furthermore, access to information, meaningful participation in decision-making and access to justice are fundamental rights that must be guaranteed to all stakeholders. By promoting transparency, inclusiveness and the active involvement of rights holders, landscape and seascape approaches can enable the equitable distribution of benefits and ensure that decisions are made in the best interests of all.

Providing stakeholders with timely and relevant information and involving them in decision-making empowers local communities and fosters a sense of ownership. In addition, establishing effective mechanisms for access to justice and redress is essential to address grievances and conflicts that may arise while implementing landscape approaches.

The current discourse on landscape and seascape approaches often emphasises their implementation at the local level but fails to explicitly recognise local people's rights. This is a crucial opportunity to emphasise the importance of effectively involving Indigenous Peoples and Local Communities, women and youth in managing the territories they inhabit. It is essential to ensure that their needs and priorities are addressed equally rather than solely serving the interests of governments and the private sector. By actively promoting the inclusion of Indigenous Peoples and Local Communities, women and youth as critical rightsholders, landscape and seascape approaches can promote a more inclusive and equitable

approach to natural resource management, harnessing their traditional knowledge, perspectives and aspirations for sustainable and socially just outcomes. To make this happen, special efforts is needed to ensure equality in the opportunity to take part in multiactor dialogues, and ensure a legitimate participation of rightsholders and stakeholders.

A landscape approach can be an enabling tool in trying to harmonize development and conservation ‘demands’ in the same landscape, but this is contingent on how such approach is able to embrace complexity and especially the power relations embedded in the land rights schemes and control of natural resources. The risk is of glossing over entrenched inequalities and structural obstacles to governing collaboratively a landscape especially the power relations embedded in the land rights schemes and control of natural resources. The risk is of glossing over entrenched inequalities and structural obstacles to governing collaboratively a landscape

The landscape approach is a very important tool towards conservation if it were to appropriately take cognizance of existing rights of Indigenous Peoples, Local Communities and women. There are already existing indicators that allow for ensuring that effective participation, fair, equitable and sustainable use of natural resources and tenurial rights are followed. However, its presence is very weak in the approach and needs to be explicitly mentioned as past examples of protected area governance which are exclusionary have provided evidence of conflict and displacement of Indigenous peoples, Local Communities and women.

**Please provide other comments indicating the line number below.**

Line number	Comments
169-170 and 217-219	<p><i>Civil society organizations that represent the interests of stakeholder groups, especially those that have historically been under-represented, such as indigenous peoples and local communities</i></p> <p>There should be a better characterization of CSOs and their role should not be of ‘representing the interests of...’? All stakeholders and rights holders in the landscape should be able to participate and be engaged on their own terms, but adequate attention should be given to inclusivity and full and effective participation given that the power relations are different and space for equal opportunity needs to be enabled to achieve a level playing field. Recommendation: mention separately Civil society organizations (Stakeholder) and Indigenous Peoples, Local Communities, women, etc who are rights holders.</p>
189	<p>Is a step in between missing? Before establishing objectives, it would be important to agree on a common vision for the landscape (that could be partial) and this phase requires an iterative process of dialogues etc</p>
189	<p><i>“Gather information about Indigenous and Local Knowledge..”</i></p> <p>- This information gathering needs to be done consensually and in active participation of the IPLCs, women and youth.</p> <p><i>Section 2 on Convene and Establish Objectives</i></p> <p>-Needs to explicitly mention cognizance of existing rights and not in vague terms of “be clear about rights and responsibilities”. Cognizance of existing rights and responsibilities needs to be undertaken. The new process should not override already existing rights of Indigenous Peoples,</p>

	<p>Local Communities and women that have been recognized in the landscape.</p>
<p>250 (green box with the KM targets)</p>	<p><b>Target 3.</b> Beside the need to “<i>Building capacities and creating opportunities for a wide set of stakeholders is central to applying landscape approaches to this target</i>”, In T3 the special attention to the recognition of Indigenous Peoples and Local Communities as rightsholders in Indigenous and traditional territories is of particular importance, given the history of human rights violations in conservation. IPLC tenure rights is a prerequisite for inclusive conservation.</p> <p>With regards of indicators, it is important to note the cross-reference between T3 and T22, T23. Examples of proposed indicator:</p> <p>Coverage of protected areas and OECMS, by effectiveness, <b>governance and tenure type</b>, KBAs &amp; ecosystems</p> <p>This is also an option to operationalise the land tenure indicator SDG 1.4.2 (see also Target 22)</p>
<p>250 (green box with the KM-GBF targets)</p>	<p><b>Target 22.</b> We recommend to highlight aspects of applying a human rights based approach in biodiversity conservation and sustainable use, as referred to in our introductory notes, as part of this target. For example, the right to information and access to justice. Also, the full protection of environmental human rights defenders is a critical aspect given a landscape approach can be an important tool in mediating resource conflicts, where biodiversity is threatened by exploitation interests</p> <p>Indicators are still under development for this target, but a few proposed indicators, which could be useful to keep in mind, are:</p> <p>22.1 Mechanisms for the full, equitable participation of indigenous peoples and local communities, women and girls as well as youth in decision-making related to biodiversity, and for the full protection of human and environmental rights defenders.</p> <p>22.2 Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation, and (b) who perceive their rights to land as secure, by sex and type of tenure (SDG indicator 1.4.2)</p>
<p>250 (green box with the KM-GBF targets)</p>	<p><b>Target 23.</b> We recommend to highlight aspects of applying a human rights based approach in biodiversity conservation and sustainable use, as referred to in our introductory notes, that is part of this target. Gender responsive approaches mean to take active measures that secure womens equitable, meaningful and informed participation and leadership at all levels of action, engagement, policy and decision-making.</p> <p>In a multiactor context, it is thus essential to consider the specific needs, interests, and perspectives of women and girls, especially those from underrepresented groups such as indigenous and rural women. Engage women's organisations, experts, and local communities to gather information on areas that are important to them and may require support</p>

	<p>for successful landscape and seascape approaches and are essential in realizing multiactor dialogues.</p> <p>Indicators are still under development for this target, but a few proposed indicators, which could be useful to keep in mind, are:  5.A.2 Proportion of countries where the legal framework (including customary law) guarantees women’s equal rights to land ownership and/or control</p>
259	<p>The examples of cases are diverse and support visualization of what is possible to reach by engaging with a diversity of stakeholders and rightsholders on the ground, as part of implementing an NBSAP based on landscape approaches, taking advantage of multiactor dialogues, and human rights based approach.</p>
261	<p>Some of our proposals below may be relevant to bring up among the “Additional considerations” for more explanations.</p>
294	<p>Capacities need to be built even prior to the landscape approach being carried out. It needs to begin from the time information gathering and mapping takes place for the landscape approach and not after its implementation.</p> <p>It includes building capacities of women, youth and IPLCs to conduct their own mapping of territories within the larger landscape which also includes overlapping boundaries as well as already established governance mechanisms that allows for sustainable use and access within the landscape. The Community Based Monitoring and Information Systems (CBMIS) which has engaging many IPLCs in the latest years are good examples. (see for example Local Biodiversity Outlooks)</p>
353	<p>Additional resources. We suggest the other manual which is out at peer review at the moment, <b>Guidance on integrating human rights in National Biodiversity Strategy and Action Plans (NBSAPs)</b>. An earlier version was published before COP15, and is available at:  <a href="https://unemg.org/wp-content/uploads/2022/12/NBSAP-guidance-final.pdf">https://unemg.org/wp-content/uploads/2022/12/NBSAP-guidance-final.pdf</a></p>