

**UNCBD Women’s Caucus comments on the draft guidance for
Integrating Human Rights in NBSAPs (OHCHR)**

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Please provide general comments on the draft guidance below.

The guidance on integrating Human Rights in NBSAPs is a welcome and important addition to ensuring that the GBF (from Section C) “is to be understood, acted upon, implemented, reported and evaluated consistent with...” a HRBA. The guidance is necessarily very general but the question remains of whether additional, more specific, targeted guidance is also needed and if other groups/networks/organisations could be invited to develop such additional guidance, based on this general overview, to support Parties. Such an additional process could also showcase more examples and cases of how HR could be integrated in NBSAPs.

The overall tone of the guidance is slightly stronger on ‘no harm’ than ‘promote HRBA for biodiversity outcomes.’ This is indeed fundamental to make sure that actions and processes in the NBSAPs do not trigger, generate or cause human rights abuses. It is also important to highlight the positive impact on biodiversity and the achievement of the GBF by adopting and implementing a HRBA. Some points to this regard in the narrative could be highlighted also in the beginning of the document.

The specific sessions are good but also partially overlapping and maybe could be better and more consistently focused by organizing the specific sections by ‘right’ mentioned in the GBF and/or by rights holders’ groups? For example, There is a bit of guidance on IPs under various sections and sub-sections (3; 4.2; 6;6.1). There are however two categories of rights

holders that are not yet duly covered by this guidance, people with disabilities; local communities and rural people (and reference to UNDROP).

Women's and girls' rights need to be highlighted. The document briefly mentions the risks faced by women and children, but it could benefit from further elaboration on the gendered impacts of biodiversity loss and the need to address gender equality and women's empowerment within the NBSAPs.

To enhance the focus on women and girls' rights, it would be valuable to reference relevant international human rights instruments explicitly that highlight the rights of women and girls, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Declaration and Platform for Action. Integrating these references would strengthen the argument for the inclusion of gender-responsive approaches within NBSAPs.

Overall, the introduction sets a good foundation for discussing the integration of human rights, including women's and girls' rights, into NBSAPs. By incorporating more explicit references to relevant gender equality instruments and providing specific examples, the guidance can better emphasise the importance of considering and addressing the rights of women and girls within biodiversity conservation strategies.

Please provide other comments indicating the section below.

Section	Comments
1.1. (Interlinkages)	Important to make reference to Article 10 c of the convention in addition to 8j.
1.2	It would be beneficial to highlight the importance of gender-responsive approaches within NBSAPs and the need to address the specific rights and needs of women and girls throughout the document.
1.3. Why is it important...	This introductory section would benefit from highlighting more the positive impact for biodiversity conservation from fulfilling a HRBA, e.g., tenure security, women empowerment, recognition of Indigenous Peoples rights and contributions to biodiversity conservation etc. There are good points that should be also highlighted in 1.3. e.g., in Section 4. p 5; in Section 6, second bullet point p 10)
1.3. (p 3)	Important to make explicit reference to Indigenous and traditional territories and waters, and how these contribute under the governance systems of their custodians to biodiversity goals and targets.
1.3	It could explicitly emphasise how integrating human rights into NBSAPs can contribute to achieving gender equality and women's empowerment. This could include references to the specific SDGs related to gender equality

	<p>(SDG 5) and the cross-cutting nature of gender considerations in addressing biodiversity loss.</p> <p>Additionally, it would be valuable to provide specific examples of how integrating human rights, including women's and girls' rights, into NBSAPs can lead to more equitable and sustainable outcomes. Examples could include promoting women's participation in decision-making processes, addressing gender-specific impacts of biodiversity loss, and ensuring access to resources and benefits for women and girls.</p>
1.3	<p>Also reference to the role of exclusionary conservation policies which often leave out the the pivotal role of Indigenous Peoples and local communities, women and youth towards biodiversity governance, its use and access, conservation and restoration.</p>
2. (Development and elaboration)	<p>Important to add a point on analysing the broader policy context and other policies/regulations would need to be influenced for more effective implementation of the GBF, and also aligned with the NBSAPs development</p>
2.	<p>Nature and biodiversity are used interchangeably - standardise to use "biodiversity"</p> <p>For eg: "Related strategies and actions should also be developed in a participatory manner and incorporated into national government planning instruments to facilitate the implementation of biodiversity nature-focused policy targets in national policies and priorities on the environment/biodiversity (?) nature, development and climate, among others."</p>
2.	<p>To strengthen the integration of women's and girls' rights within the development of NBSAPs, it would be beneficial to emphasise the importance of gender-responsive and inclusive processes. This could include specific guidance on engaging women's organisations, women leaders, and other gender equality advocates in the consultative process. Furthermore, it could recommend the inclusion of gender-specific data and analysis to identify the differential impacts of biodiversity loss on women and girls and inform targeted actions in the NBSAPs.</p>
2.	<p>Additionally, the section could highlight the importance of integrating sub-national plans developed at the local level, emphasising the need for these plans to align with human rights principles and standards. It could also suggest the inclusion of gender-responsive indicators to monitor the</p>

	implementation and impact of sub-national plans on women's and girls' rights.
3. (General guidance...)	Clarify to whom (p 5) "Integrate the duty to cooperate and mobilise resources that are adequate, predictable and easily accessible" there are different levels, states, local governments and rights holders. Moreover, the aspect of finances is not mentioned for IPs but for women yes.
3.	Given the increasing threats faced by environmental defenders, this section could explicitly mention the urgency to address the protection of human rights defenders who are working to protect biodiversity and ecosystems. It could include recommendations on creating an enabling environment for their work and addressing human rights violations against them.
3.	Emphasise the importance of conducting human rights impact assessments: This could involve integrating tools and methodologies for assessing the potential impacts of biodiversity conservation and sustainable use actions on human rights. It could also encourage the identification of mitigation measures to address any adverse human rights impacts.
3.	Advance a rights-based approach to actions to prevent and addressing drivers of biodiversity loss such as ending deforestation, protection and conservation of lands and oceans, moving to sustainable patterns of production and consumption, combating climate change, preventing chemical, waste and plastic pollution and preventing the introduction of alien invasive species.
3.	Integrate the right to benefit from science and its applications in line with human rights obligations and relevant principles and provisions of the CBD and KM-GBF , such as the importance of traditional knowledge, innovations, and practices and technologies.
3.	Elaborate on what close protection gaps are in "extraterritorial causes and impacts of biodiversity and habitat loss, close protection gaps and promote the full realisation of human rights including bilateral, regional and global programmes and policies."
4.1	Emphasise the importance of gender-responsive environmental education, ensuring that educational materials and programs take into account the diverse needs, perspectives, and experiences of women and girls. This could involve integrating gender-sensitive content, addressing gender stereotypes, and promoting equal opportunities for women and girls to participate in environmental learning.
4. 1	"Respect and ensure free, prior and informed consent of peoples in vulnerable situations including, of affected groups like Indigenous Peoples, local communities, women and youth to undertake information collection of the area."
4.1	Explicitly mention women in this phrasing "people including indigenous and minority communities, children and youth, older persons and persons with disabilities". And to replace "minority" with local.

4.2. (p6) (Guidance for integrating the right to...)	Important to explicitly mention in the text of this subsection the need for mechanisms or iterative processes that ensure what and how the input of rights holders and stakeholders are integrated in the NBSAPs, and that a dialogue is sustained, including through multi-stakeholders/rights holders platforms
4.2. (p6)	Also to explicitly mention women and girls
4.2	Encourage measures to address barriers that hinder their participation, such as gender-based discrimination, unequal power dynamics, and limited access to resources and information. Promote the inclusion of diverse voices, including those of women from marginalised and vulnerable communities.
4.3	Include provisions that address gender-specific impacts of biodiversity loss and related human rights harms. Ensure that complaints mechanisms and remedies are gender-responsive, providing effective pathways for women and girls to seek justice and redress in cases of violations or harms caused by NBSAPs or related measures.
6.1. (p 10-11)	In this subsection, some targets of the GBF are referred to but others that are equally relevant for Indigenous Peoples are not. More consistency and comprehensive approach would help and guidance also needed for other targets (e.g., 2, 10, 19 etc). If applicable, direct reference to UNDRIP and UNDROP also important.
6.1	Acknowledge and value the unique knowledge and contributions of Indigenous women to the conservation and sustainable use of biodiversity. This includes recognising their traditional ecological knowledge, innovations, practices, and roles as stewards of biodiversity. Ensure that their rights over such knowledge are respected and protected, in line with the CBD, Nagoya Protocol, and other relevant international instruments.
6.1	Promote gender-responsive and fair and equitable benefit-sharing mechanisms that recognise and address the specific needs and rights of Indigenous women and girls. This involves ensuring that Indigenous women have equal opportunities to access and benefit from the use of genetic and biological resources and associated scientific and technical knowledge.
6.2	Recognise the gender-specific risks and challenges faced by women and girls in environmental decision-making processes. Ensure that appropriate measures are in place to prevent and address gender-based violence and harassment in relation to biodiversity conservation activities. This could involve establishing safe and inclusive spaces for participation, implementing codes of conduct, and providing support services.
6. 2	While Tenure Rights have been mentioned in overall Point 6, it needs to be reiterated in this section also to link it to SDG indicator 5.a.2 Tenurial Rights- Rights recognition processes under various land laws and record of rights needs to identify women as equal right holders. (Reference to SDG indicator 5.a.2 [Proportion of countries where the legal framework

	(including customary law) guarantees women's equal rights to land ownership and/or control
6.2	<p>Explicitly mention one point addressing intersectional marginalisation and discrimination of women</p> <ul style="list-style-type: none"> • Ensure policies, and practices, seek to address intersecting systemic inequities, and take concrete steps to overcome the participation and leadership barriers that may be faced by women who face intersectional marginalization and discrimination². Those facing such multiple and intersecting forms of discrimination are often disproportionately affected by environmental harms³.
6.2	<p>Under point “Mobilize adequate resources for the implementation of gender-responsive actions during the implementation of the NBSAP.”</p> <p>More emphasis should be put on supporting facilitation forums for capacity building and awareness raising for identified women/ girls and youth groups (stakeholders) to inform them of their roles, rights and benefits in relation to biodiversity conservation interventions. This will enable them to be active participants not just “ passengers in the vehicle” of biodiversity conservation.</p> <p>2. Develop a training manual on gender and biodiversity issues for dissemination to policy-makers and those involved in planning and undertaking biodiversity-related projects and programs.</p> <p>3. Identify Key Biodiversity Areas and develop a Gender focused and Biodiversity Framework and Action Plan that are tailored to each context.</p>
6.3. (NBSAPs and the right of children..)	The principle of intergenerational equity is now also in Section C. Important to mention it also in the title here
8	Include explicit references to the need for gender-disaggregated data collection and analysis in the monitoring and evaluation framework of NBSAPs. This will help identify the specific impacts, challenges, and opportunities faced by women and girls in relation to biodiversity conservation and ensure that their needs and rights are adequately addressed.

¹ <https://www.cbd.int/sbstta/sbstta-24/post-2020-sdg-linkages-en.pdf>

² General Recommendation No. 37, the Committee on the Elimination of Discrimination against Women recognizes that environmental crises worsen existing gender inequalities and compound intersecting forms of discrimination, including on a basis of: economic or social class; caste, ethnicity, race, religion, or indigeneity; disability; age; migration status; and sexual orientation, gender identity, or sex characteristics.

³ Human Rights, the Environment and Gender Equality (OHCHR)
https://www.ohchr.org/sites/default/files/2022-03/Final_HumanRightsEnvironmentGenderEqualityKM.pdf

8	Recognise the importance of providing adequate funding and technical support to ensure that gender-responsive monitoring and evaluation mechanisms are in place. This includes supporting capacity-building initiatives, promoting gender mainstreaming in data collection and analysis, and facilitating the active participation of women and girls in monitoring processes.
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