



Centering Human Rights in the CBD KEY ASKS FOR SBSTTA 28/SBI 7

HUMAN RIGHTS AND BIODIVERSITY WORKING GROUP

Key Asks for SBSTTA 28/ SBI 7

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The adoption of the Kunming-Montreal Global Biodiversity Framework (KMGBF) in 2022 was historic, where parties agreed that the **“implementation of the Framework should follow a human rights-based approach, respecting, protecting, promoting and fulfilling human rights”** (KM-GBF, Section C). Additionally, the implementation, reporting and evaluation of the KM-BGF should follow all considerations outlined under Section C including, whole-of-government and whole-of-society approach, contribution and rights of Indigenous Peoples and local communities, gender and intergenerational equity.

Now, several Parties have revised their National Biodiversity Strategies and Action Plans (NBSAPs) and submitted their 7th national report. At the same time, the programmes of work established by the CBD are being reviewed and revised to ensure alignment with the KM-GBF, including the Programme of Work on Protected Areas (PoWPA) which will be discussed this SBSTTA28.

Drawing inspiration from the COP17 slogan “Taking action for nature”, **human rights need to be upheld at the core of implementation, monitoring, reporting, and review of the KM-GBF, and integrated into negotiations across agenda items at SBSTTA 28 and SBI 7.**

In this brief, the Human Rights & Biodiversity Working Group shares key asks for major agenda items to be discussed at SBSTTA 28 and SBI 7 to advance the effective and equitable, rights-based implementation of the KMGBF.

SBSTTA 28

Item 3: Planning, monitoring, reporting and review (PMRR)

The findings of the Global Report indicate that national ambition and implementation together do not match the collective ambition of global targets and goals. Strengthening the whole of society, human rights-based approaches and other considerations in Section C can help put implementation of the Framework back on track to achieve the Targets of the KM-GBF by 2030. The full, effective, equitable, inclusive and gender-responsive participation and engagement of Indigenous Peoples and local communities, women and youth, and other non-state actors, and the recognition and tracking of their contributions to KM-GBF implementation, are critical to enable transformative change and the achievement of the mission to halt and reverse biodiversity loss. Accordingly, human rights, equity, tenure and accountability indicators should be integrated into monitoring frameworks along with the promotion of methods to assess social impacts and distributional outcomes and advancements in participatory monitoring approaches with Indigenous Peoples and local communities. Indigenous and local knowledge should also be recognized as legitimate, credible and salient knowledge in data and assessment systems. Sources of information such as IPBES findings and Local Biodiversity Outlooks are important to strengthen the evidence base for the Global Review, given the clear limits to Party self-reporting.

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Item 7: Scientific and technical needs to support the implementation of the KMGBF: strategic review of and update to the programme of work on protected areas (PoWPA)

The revised PoWPA must align with the KM-GBF and Target 3 by explicitly embedding a human rights based and gender responsive approach across its scope, implementation, governance, financing, and monitoring. It should respectfully recognise and address that many Protected Areas (PAs) overlap territories and areas conserved by Indigenous Peoples and local communities and that such overlaps must not undermine rights, including over tenure and access. It must ensure that collective rights, customary governance systems, traditional knowledge, and free, prior and informed consent (FPIC) is recognised, protected and guaranteed. It must also ensure that accessible, independent, legitimate and effective grievance and redress mechanisms are established and strengthened as a core element of equitable governance, designed with the full and effective participation and consent of Indigenous Peoples and local communities, and compatible with their own governance and justice systems. It should ensure complementarity and coherence with guidelines related to tasks 1.1 and 1.2 of the Programme of Work on Article 8j (PoW Art 8j) being developed by the SB8j, the Gender Plan of Action, other relevant CBD decisions and international human rights instruments. It is crucial that monitoring systems for PoWPA and Target 3 are strengthened to assess not only management effectiveness but also equitable governance, rights outcomes, equity, participation and accountability, including the accessibility and effectiveness of grievance and redress mechanisms and whether affected rights- holders have obtained effective remedies.

SBI 7

Item 3: Planning, monitoring, reporting and review: global review of collective progress in the implementation of the KM-GBF.

The gaps and challenges identified in the global report including the limited attention to drivers of biodiversity loss and the weak and inconsistent implementation of socio-economic and cross-cutting issues like participation, tenure, equitable governance, access to effective remedies and engagement of non-state actors need to be addressed and part of a renewed commitment by Parties to reflect the outcomes of the global review in revised NBSAPs and accelerated, increased actions and initiatives, including through collaborations and platforms, knowledge and information exchange, increased and direct to finances for rights holders and mutual capacity building with Indigenous Peoples and local communities, women, youth and other actors to deliver on all 23 targets and their elements, taking into account considerations in Section C. These efforts need to be tracked and reported in full using disaggregated data where possible to highlight equity considerations and shared in informal dialogues to be convened as part of the second global review.

Item 4: Resource mobilization and financial mechanisms

Parties should ensure that decisions on resource mobilization and the financial mechanism contribute to addressing the structural barriers that prevent the effective and equitable implementation of the Kunming-Montreal Global Biodiversity Framework, including by ensuring the fulfilment of international obligations regarding the provision of financing from developed to developing countries, reforming harmful subsidies, strengthening direct and simplified access to finance for Indigenous Peoples and local communities, women, youth, and other rights holders; mandating embedding robust human rights, tenure environmental and gender safeguards, accountability and grievance mechanisms across all biodiversity finance; and ensuring meaningful participation in the governance, allocation and monitoring of financial resources. Remedies should reach the affected communities and not only be corrective action by implementing agencies. Resource mobilization should support whole-of-society implementation, recognize and finance collective action and non-market approaches, and align public and private financial flows with biodiversity objectives, human rights obligations and the transformative changes needed to address the direct and indirect drivers of biodiversity loss. Debt constraints deserve greater attention, as the international financial architecture compresses fiscal space, limits public investment in biodiversity, and undermines implementation of the KMGBF.



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