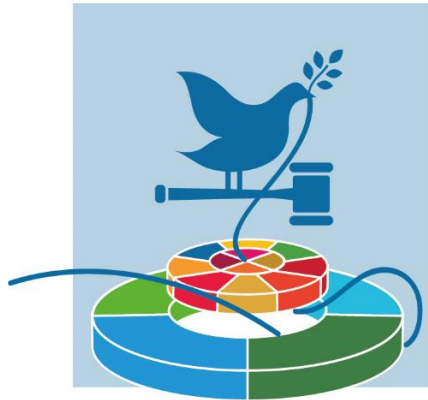


Human Rights and Biodiversity

Living Document for the Peer to Peer Dialogue



*Weaving SDG 16 and
human rights law with
the post 2020 global
biodiversity framework*

28-31 May 2018, KENYA

Conveners: SwedBio at Stockholm Resilience Center, International Development Law Organization, Office of the United Nations High Commissioner for Human Rights-Special Procedures, UN Environment and Natural Justice.

Co-chairs: Claudia Ituarte (SwedBio/Stockholm Resilience Center) and Robert Kibugi (International Development Law Organization).

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OVERVIEW

Parties to the Convention on Biological Diversity and other relevant groups are currently discussing the process to develop the post 2020 global biodiversity framework. Informally, several organizations and governments are already exploring potential future content of the post-2020 global biodiversity framework.

Considering the inclusion of human rights principles and related considerations in the Strategic Plan on Biodiversity (2011-2020) as crosscutting issues and the dedicated Sustainable Development Goal 16 (Agenda 2030) on 'Peace, Justice and Strong Institutions', this is a strategic time to assess the linkages between human rights, good governance and biodiversity and to develop proposals for these issues' inclusion in the post-2020 global biodiversity framework. This Living Document provides an overview of the rationale for collaborative work by SwedBio/Stockholm Resilience Center, International Development Law Organization, Office of the United Nations High Commissioner for Human Rights-Special Procedures, UN Environment and Natural Justice and partners and sets out two key activities that will be undertaken in 2018, implemented with financial support from Swedish International Development Cooperation Agency (Sida), namely:

1. Peer to peer Dialogue on weaving SDG 16 and human rights law into the post 2020 global biodiversity framework
2. Strategic policy report on human rights, biodiversity and SDG 16

This concept note/living document has benefited from inputs from the SwedBio/Stockholm Resilience Center team, and colleagues from the International Development Law Organization; University of Nairobi; Natural Justice; UN Environment, Law Division; UN Human Rights Special Procedures; Secretariat of the Convention on Biological Diversity; UNDP-UN Environment Poverty Environment Initiative; Swedish International Development Cooperation Agency; the Environmental Global Program by the Swedish Environmental Protection Agency and United Nations Development Program; the Raoul Wallenberg Institute; the Forest Peoples Program; Wangari Maathai Institute for Peace & Environmental Studies; ICCA Consortium; Global Forest Coalition; among other partners. We have collaborated with some of these organizations in the activities mentioned in Appendix 2, and also hope to continue collaborating with these and other organizations in the development of the activities mentioned in this document.

A.- RATIONALE¹

1. Background

The diversity of all forms of life on our planet and healthy ecosystems providing ecosystem services, such as food, pollination of crops and fulfilment of people's cultural life, are necessary for enjoying a broad range of universal human rights including the right to food, right to health and cultural rights. Conversely, the respect for, and exercising procedural rights, such as public participation, access to justice in cases of non-compliance with environmental regulations, and proactive public awareness and dissemination of relevant information, are necessary for a

¹ This Section builds on the introductory chapter by Ituarte-Lima, C and Schultz, M (eds) (forthcoming) Weaving SDG 16 and human rights law into the post 2020 Global Biodiversity Strategic Framework, SwedBio at Stockholm Resilience Centre, Stockholm.

stronger engagement of a diversity of individuals and groups for safeguarding Life on Earth for present and future generations.²

Innovative approaches are needed for enabling transformations for sustainability and implementing Agenda 2030 adopted at the UN Sustainable Development Summit in 2015, including the Sustainable Development Goals (SDGs).³ Agenda 2030 is intended to be the plan of action for all countries until 2030 for development that works for people, the planet and prosperity for all, leaving no one behind.⁴ The thematic issues of sustainability, biodiversity and healthy ecosystems are cross-cutting dimensions of Agenda 2030.⁵ SDG15 life on land, SDG14 life below water, SDG6 clean water and sanitation, and SDG13 climate action, and are also key topics addressed by the Convention on Biological Diversity.

Like sustainability, human rights are also crosscutting dimension of Agenda 2030, and, more specifically are recognized in SDG 16 which aims to “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.” (see Appendix 1). This raises three issues. First, the text of SDG 16 does not specify social-ecological dimensions. Hence, there is a need for the development of a conceptual framework and tools to be used for understanding and acting upon the connections between SDG 16 and biodiversity. Second, international guidance on how to implement SDG 16 and interlinked SDGs at national and local levels can contribute to integrated approaches for achieving Agenda 2030 at various levels. Thirdly, during CoP16 in December 2016, the CBD State Parties agreed that a mainstreaming approach to biodiversity would be most appropriate. More specifically, through the Cancun Declaration on Mainstreaming the Conservation and Sustainable Use of Biodiversity for Well-Being,⁶ State Parties to the CBD made a commitment to work at all levels of government, and across all sectors to mainstream biodiversity, by establishing effective institutional, legislative and regulatory frameworks incorporating full respect for nature and human rights.

In this context, SwedBio and partners are exploring how to respond to the above-questions raised at the nexus of Agenda 2030 and the development of the post-2020 global biodiversity

² See Knox, J (2018) Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, A/HRC/37/59; Ituarte-Lima, C. 2017. Transformative biodiversity law and 2030 Agenda: mainstreaming biodiversity and justice through human rights in Butter, B. Risk, Resilience, Inequality and Environmental Law, Edward Elgar Publishing; Ituarte-Lima, C., McDermott, C. L. 2017. Are More Prescriptive Laws Better? Transforming REDD+ Safeguards into National Legislation. Journal of Environmental Law, Volume 29, Issue 3, 1; Ituarte-Lima, C., Schultz, M., Hahn, T., McDermott, C., and Cornell, S. (2014) Biodiversity financing and safeguards: lessons learned and proposed guidelines, Stockholm: SwedBio/Stockholm Resilience Centre at Stockholm University, Information Document UNEP/CBD/COP/12/INF/27 for the 12th Conference of the Parties of the Convention on Biological Diversity in Pyeongchang Korea

³ Adopted at the UN Sustainable Development Summit in 2015.

⁴ <https://sustainabledevelopment.un.org/post2015/transformingourworld>

⁵ See Schultz, M., Tyrrell, T.D. & Ebenhard, T. 2016. The 2030 Agenda and Ecosystems - A discussion paper on the links between the Aichi Biodiversity Targets and the Sustainable Development Goals. SwedBio at Stockholm Resilience Centre, Stockholm, Sweden; and Ituarte-Lima, C. 2017. Transformative biodiversity law and 2030 Agenda: mainstreaming biodiversity and justice through human rights in Butter, B. Risk, Resilience, Inequality and Environmental Law, Edward Elgar Publishing

⁶ UNEP/CBD/COP/XIII/24 - 6, December 2016. The Cancun Declaration on Mainstreaming the Conservation and Sustainable Use of Biodiversity for Well-Being

framework. In order to build on the existing CBD Strategic Plan and envision the future we want, part of the exercise will entail examining the current Strategic Plan for Biodiversity 2011-2020 and visualize how a stand-alone human rights target could have looked like and how human rights would ideally have been embedded in this strategic plan in a cross-cutting manner; and associated indicators.

2. Human Rights and Biodiversity: 2020-2030

2.1 Towards a the global recognition of a human right to a healthy environment

Human rights provide an explicit normative framework, which has already been agreed upon by most countries through ratifying the main international human rights agreements - the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. Likewise, some countries have incorporated the human rights principles as key pillars of international development cooperation.⁷ This is because human rights are essentially inherent, irreducible (subject to permissible and lawful limitations only) and place a clear immediate or progressive obligation on the State as the main duty bearer. Protection of human dignity is an inviolable element of the human rights structure. With the understanding that human rights and interdependent with, and indivisible from environmental protection, it is clear that stronger forms of legal protection for human rights could, when appropriately aligned, be applied to provide stronger protections for biodiversity conservation.

Agenda 2030 explicitly recognizes that it is grounded in international human rights treaties and calls for sustainability transformations to overcome poverty and safeguard life on Earth and underwater. Specifically, it mentions:

“10. The new Agenda is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law. It is grounded in the Universal Declaration of Human Rights, international human rights treaties...” ...The SDGs “seek to realize the human rights of all and to achieve gender equality and the empowerment of all women and girls. They are integrated and indivisible....”

In 2018, Prof. Knox presented the Framework Principles on Human Rights and the Environment to the 37th session of the UN Human Rights Council (A/HRC/37/59). He also made a strong call for the recognition of the right to a healthy environment in a global instrument such as a resolution by the General Assembly. He referred to Victor Hugo’s quote that “it is impossible to resist an idea whose time has come”. He noted that while the right to a healthy environment had been recognized in regional agreements and in most national constitutions, it has not been adopted in a human rights agreement of global application.

⁷ Swedish International Development Cooperation the human right-based approach as a key pillar of their work (Government Communication 2013/14:131).

Prior to this report, Prof Knox submitted his 2017 presented his thematic report on human rights and biodiversity to the Human Rights Council⁸ which contributes to the interpretation of the right to a healthy environment in the context of biodiversity-related human rights obligations. In this report, he acknowledges that the degradation and loss of biodiversity undermines the ability of human beings to enjoy their human rights. The report mentions that human rights law does not require that ecosystems remain untouched by human hands,⁹ because people depend on the use of ecosystems for their social development. However, in order to support the continued enjoyment of human rights, this development cannot overexploit ecosystems, but must be sustainable, and sustainable development requires healthy ecosystems. This has created a valuable conceptual interdependency between the needs for successful attainment of sustainable development, and the underpinning human rights requirements such as observance and protection of fundamental human entitlements, as well as ecosystem protections and limits, on which realization of those rights, and development that is sustainable, depend.

The indivisibility of a continuous link between sustainable development obligations to observe ecosystem limits and upholding human rights was affirmed also in the 2016 Cancun Declaration on Mainstreaming the Conservation and Sustainable Use of Biodiversity. Through this Declaration, Parties affirmed this indivisibility, through an agreement to, among other actions, promote the conservation, sustainable use, and where necessary, restoration of ecosystems as a basis for achieving good health, clean water and sanitation, food security and improvement of nutrition, the reduction of hunger, poverty eradication, prevention of natural disasters, resilient, sustainable and inclusive cities and human settlements, and climate change adaptation and mitigation. The role of the human right to a clean and healthy environment (the language varies from country to country) remains at the centre of this journey – and this right, substantively, and the accompanying procedural rights (access to court, access to information, right to public participation) remain central to mainstreaming biodiversity and human rights and integrating SDG16 fully into a post-2020 global biodiversity framework.

The momentum on this topic at the 37th session of the UN Human Rights Council was continued by the United Nations Special Rapporteur on the right to food, Elver Hilal in the presentation of her report on the right to food and disasters (A/HRC/37/61). The report provided important insights for the human rights, healthy ecosystems and resilience building nexus and the role of legal measures on the prevention and disaster risk reduction measures, in order to avoid environmental degradation and consequences on ecosystems and biodiversity. UN Environment also used the occasion to launch, with its partners, the Environmental Rights Initiative.

Progress at the international level, together with an increased sense that business as usual is no longer an option, can provide a window of opportunity for addressing significant growing challenges. One of these challenges relates to. For, the risks faced by environmental human rights defenders who work to safeguard biodiversity and healthy ecosystems.¹⁰ In 2017, the UN Special Rapporteur on human rights defenders, Michel Fost, transmitted to the UN General

⁸ A/HRC/34/49. Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, para 5.

⁹ A/HRC/34/49. Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, para 8.

¹⁰ For example, the Executive Secretary of the CBD expressed her concerns on this topic in her opening remarks at SBSTTA.

Assembly his report on the situation of environmental human rights defenders. His recommendations to the international community include “ensuring that the implementation of the 2030 Agenda for Sustainable Development is guided by a human rights-based approach, guaranteeing meaningful participation of environmental human rights defenders and affected communities, as well as empowering and protecting defenders at the international, regional and national levels.”(A/71/281, para 97 A)

Hence, human rights is an issue that goes beyond a concern of governments and human rights organisations, to a concern that crisscrosses thematic and geographical areas of work of a wide range of institutions. Tailored legal and policy tools are needed for living in harmony with nature and to “walk the talk” on safeguarding biodiversity and respecting, promoting and fulfilling universal human rights of all people in the planet.

Human rights and the post-2020 global biodiversity framework

Furthermore, the 15th UN Biodiversity Conference in 2020 is expected to consider and adopt a post-2020 global biodiversity framework, as a follow up to the Strategic Plan for Biodiversity 2011-2020 including the Aichi Targets building on a participatory process (see Appendix 3 and 4).¹¹ Ahead of the 14th UN Biodiversity Conference in 2018, one of the agenda items under the second meeting of the Convention on Biological Diversity Subsidiary Body on Implementation in 2018, will be the discussion of a comprehensive and participatory process for the preparation of the post 2020 global biodiversity framework.¹² Overarching principles, building on submissions of Parties and relevant groups, will provide guidance to this process. They explicitly include participation, inclusion, and transparency which mirror the human rights principles of Participation and Inclusion and the Principle of Accountability and Rule of Law, since transparency is a key dimension of this latter principle.

Also key to operationalizing the principle of Accountability and the Rule of Law is that States meet the standards they set for safeguarding biodiversity and healthy ecosystems. The Secretariat of the Convention on Biological Diversity on assessing the progress towards the achievement of the Aichi targets stated that unless additional actions were taken, the status of biodiversity would continue to decline and the Aichi Biodiversity Targets would not be met. The SCBD assessed that the international community was on pace to exceed only one of the 56 components of the targets and to meet only four.¹³ Knox (2017) considers that “States are not meeting the standards they themselves have set for the protection of biodiversity. In many developing countries, much of this failure may be due to lack of the necessary capacity, and in these cases developed countries and international institutions should increase their support for capacity-building” (para. 48).

The Post 2020 global biodiversity framework will demand strong commitment from both duty bearers and rights holders in different parts of the world to mainstream biodiversity and healthy ecosystems in various sectors and cross-sectorally. It will also build on prior decisions such as those adopted at the United Nations (UN) Biodiversity Conference in 2016, which

¹¹See strategic Plan at <https://www.cbd.int/sp/>; and on the Post-2020 Biodiversity Framework and process see <https://www.cbd.int/post2020/> and Post-2020 Biodiversity Framework Process: <https://www.cbd.int/doc/strategic-plan/Post2020/post2020-process-draft-en.pdf>

¹² A draft of this document can be found here: <https://www.cbd.int/doc/strategic-plan/Post2020/post2020-process-draft-en.pdf>

¹³ Secretariat of the Convention on Biological Diversity, Global Biodiversity Outlook 4 (Montreal, 2014).

focused on mainstreaming biodiversity for well-being.¹⁴ Human rights are relevant to widespread biodiversity mainstreaming because of the cross-sectoral nature of human rights laws and policies. The Human Rights Council Resolution A/HRC/RES/34/20 recognizes the need for mainstreaming the conservation and sustainable use of biodiversity for well-being, and explicitly refers to the Cancun Declaration adopted at the high-level segment of the thirteenth meeting of the Conference of the Parties to the Convention on Biological Diversity, held in Cancun, Mexico in 2016 above-mentioned.

With this background, additional guidance is therefore needed on how to tackle risks to the integrity of life on Earth and how to take advantage of the special protection of human rights, including protections against adverse impacts on local communities and indigenous peoples, and, in particular, vulnerable populations in the Global South.

The need for a conceptual framework and guidance for understanding and acting upon the connections of human rights and SDG 16 with biodiversity and healthy ecosystems has been highlighted in various processes that SwedBio has organized and/or been actively engaged (see Appendix 2 for a non-comprehensive list). Questions in these spaces include:

- “Is there a need to reflect human rights standards more clearly in a post-2020 global biodiversity framework? If so, any elements in particular?
- Is it useful to have aspirational objectives, or more concrete targets?
- In what ways could or should a post-2020 biodiversity framework align with Agenda 2030 and the SDGs?”.¹⁵

SwedBio has also engaged in dialogue with its collaborative partners such as Natural Justice and IDLO on proposals for a stand-alone target mirroring SDGs 16, as well as crosscutting dimensions of human rights in the post 2020 global biodiversity framework. This includes addressing the questions:

- Will Parties to the CBD and others benefit from a Target (loosely dubbed ‘Target 21’ as a means of capturing the idea) in the post-2020 Global Biodiversity Framework that spell out the obligations under international human rights law and SDG16 applicable in the context of biodiversity and ecosystems?¹⁶
- What elements related to human rights should be embedded as cross-cutting elements of all targets within a post 2020 global biodiversity framework?
- How would such a stand-alone target and cross-cutting dimensions in all targets integrate with the focus of SDG16 on Peace, Justice and Strong Institutions in terms of implementation?

¹⁴ This UN Biodiversity Conference refers to the Conference of the Parties of the UN Convention on Biological Diversity (CBD-COP). This CBD-COP 13th meeting in 2016 was attended by over 7,000 participants including 4,000 delegates from 170 countries and over 400 organizations (<https://www.cbd.int/conferences/2016>)

¹⁵ These three questions were raised in the presentation by Tanya McGregor Gender Programme Officer of the Secretariat of the Convention on Biological Diversity Human Rights and Biodiversity Conservation: Scaling up the Synergies in the Post-2020 Aichi Targets and the SDG Agenda (Co-conveners: SwedBio/SRC; CIPDP; Forest People Program, Natural Justice) at the side events at the tenth session of the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions in 2017.

¹⁶ See Natural Justice and Future Law, concept note on Target 21.

- How could such a stand-alone target and cross-cutting dimensions be measured (incl. indicators), reported upon and how could measures to support progress be designed and supported?
- Can such a stand-alone target and cross-cutting dimensions that unify human rights elements and SDG16, conceptually and in practice, support mainstreaming of biodiversity nationally with other socio-economic sectors; and internationally with the mandates of other related conventions such as UNFCCC, UNCCD in order to stop and reverse the decline of biodiversity?

B.- ACTIVITIES

1.- Peer-to-peer dialogue on Weaving SDG 16 and Human Rights Principles into the post 2020 Global Biodiversity Strategic Framework

As illustrated in Appendix 2, SwedBio with partners has organized various spaces on an ongoing basis to exchange information and good practices among key biodiversity and human rights organizations and individuals. In 2018, SwedBio, the International Development Law Organization, UN Human Rights Special Procedures and UN Environment, Natural Justice are convening a *Peer-to-peer dialogue on SDGs, biodiversity and human rights law: 'Weaving SDG 16 and human rights principles into the post 2020 Global Biodiversity Strategic Framework'*.

- Contribute to the conceptualization and design of draft elements to incorporate SDG16 and principles of human rights and good governance into the Post-2020 Global Biodiversity Governance Framework in a new dedicated target and as crosscutting dimensions of all targets of this framework.
- Clarify the ways in which the framework principles on human rights and environment and legal tools can contribute to implement right to a safe, clean, healthy and sustainable environment; and
- Providing technical peer-to-peer review and contextual feedback to the SwedBio collaborative policy report with partners on Weaving SDG 16 and human rights principles into the post 2020 global biodiversity framework

SwedBio at Stockholm Resilience Center, International Development Law Organization, Office of the United Nations High Commissioner for Human Rights-Special Procedures, UN Environment and Natural Justice plan to organize side-events, together with partners plan to organize side-events on this topic at the second meeting of CBD Subsidiary Body on Implementation, in July 2018, and at the Conference of the Parties 14th in November 2018.

The peer-to-peer dialogue will bring together legal practitioners, rights-holders, human rights and biodiversity experts, and environmental human rights defenders, among others, drawn from developing countries and partner organizations.

2.- Strategic policy report on Weaving SDG 16 on peace, justice and human rights principles with the post 2020 Global Biodiversity Strategic Framework

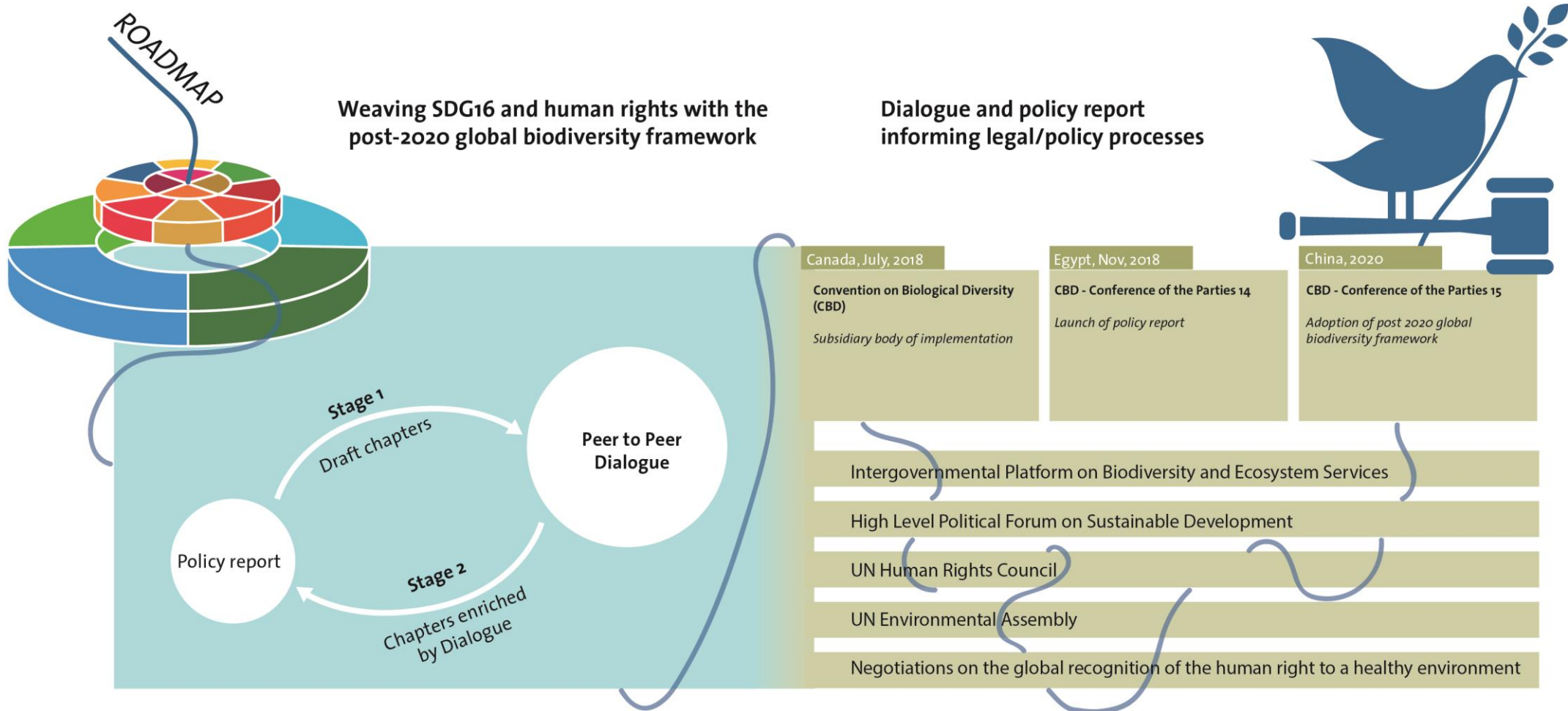
A collaborative Swedbio/Stockholm Resilience Centre policy report will be developed together with partners on weaving SDG 16 on peace, justice and human rights principles with the post

2020 Global Biodiversity Strategic Framework. This report will be edited by Claudia Ituarte-Lima and Maria Schultz.

The aim of the policy report is to contribute, in collaboration with partners, to providing the conceptual basis for the proposal of incorporating the human rights and SDG 16 into the post-2020 Global Biodiversity Framework, as a new target, and as a crosscutting dimension of all targets. Practical lessons learned will be drawn from past experiences are presented, and interventions: mainstreaming biodiversity, ecosystems services and human rights in the mining sector by SwedBio with the partner's support, the design and piloting of a legal assessment tool for mainstreaming biodiversity and human rights led by the intergovernmental organization, IDLO; the implementation of legal empowerment tools (biocultural community protocols and paralegals) by the civil society organization Natural Justice; and the Global Dialogue on Human Rights and Biodiversity Conservation convened by SwedBio, Forest Peoples Program, Natural Justice and hosted by the Chepkitale Indigenous Peoples Development Project in Kenya in 2017.

These lessons learned will serve to inform the proposal of this "Target 21" and the incorporation of the human rights principles as cross-cutting dimensions of the post 2020 Global Biodiversity Framework. The complementary chapters will promote an understanding of the contribution that human rights principles can bring to implementing the Sustainable Development Goals (SDGs) with a focus on the Global South and vulnerable groups in these countries. In this way, lessons learned will be shared by a variety of organisations on the use of strategies, legal tools and methodologies relevant for implementing a human rights based approach to biodiversity and identifying synergies among these tools and strategies for delivering the Sustainable Development Goals (SDGs).

Preliminary insights of parts of the policy report were shared at the meeting of the Convention on Biological Diversity's CBD's Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and at the Ad Hoc Open-ended working group on Article 8j and related provisions in December 2017. A draft version will be open for comments at the Peer to peer Dialogue mentioned in the previous section as well as in the second meeting of CBD Subsidiary Body on Implementation in 2018. The final version of this policy paper will be launched at the Conference of the Parties 14th of the CBD 10 - 22 November 2018, and also be shared in other contexts such as the Human Rights Council, UNCCD, UNFCCC and IPBES.



Appendix 1

Matching the human rights principles with Agenda 2030 and SDG 16 on peace, justice and strong institutions

Human rights based approach principles	Agenda 2030 and SDG 16 on peace, justice and strong institutions
Indivisibility, interdependence, interrelatedness, human rights	<p>“10. The new Agenda is guided by the purposes and principles of the Charter of the United Nations, including full respect for international human rights treaties...”</p> <p>E.g. “The interlinkages and integrated nature of the Sustainable Development Goals are of crucial importance in ensuring that the purpose of the new Agenda is realized”...The SDGs “seek to realize the human rights of all and to achieve gender equality and the empowerment of women and girls. They are integrated and indivisible....”</p>
Equality and non-discrimination	16.b Promote and enforce non-discriminatory laws and policies for sustainable development
Participation and inclusion	<p>16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels</p> <p>16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements</p>
Accountability and rule of law	<p>16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all</p> <p>16.5 Substantially reduce corruption and bribery in all their forms</p> <p>16.6 Develop effective, accountable and transparent institutions at all levels</p>

Source: Ituarte-Lima, C. and Schultz, C. (eds) (Forthcoming), Setting the Scene, Weaving SDG 16 on peace, justice and human rights principles with the post 2020 Global Biodiversity Strategic Framework, SwedBio at Stockholm Resilience Centre, Stockholm, Sweden

<p>SDG 16 Sustainable Development https://sustainabledevelopment.un.org/sdg16</p>
<p>Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels</p>
<p>SDG 16 Complete set of targets</p>

¹⁷ United Nations Development Group (2003) UN Statement of Common Understanding on Human Rights-Based Approaches to Development Cooperation and Programming (the Common Understanding), available at: <http://hrbportal.org/the-human-rights-based-approach-to-development-cooperation-towards-a-common-understanding-among-un-agencies>

16.1 Significantly reduce all forms of violence and related death rates everywhere
16.2 End abuse, exploitation, trafficking and all forms of violence against and torture of children
16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all
16.4 By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime
16.5 Substantially reduce corruption and bribery in all their forms
16.6 Develop effective, accountable and transparent institutions at all levels
16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels
16.8 Broaden and strengthen the participation of developing countries in the institutions of global governance
16.9 By 2030, provide legal identity for all, including birth registration
16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements
16.A Strengthen relevant national institutions, including through international cooperation building capacity at all levels, in particular in developing countries, to prevent violence and terrorism and crime
16.B Promote and enforce non-discriminatory laws and policies for sustainable development

Appendix 2

In co-designing the Dialogue, we will build on other recent meetings SwedBio/SRC co-organised or was actively engaged. Among these prior meetings include:

In 2018:

- UN Office of the High Commissioner on Human Rights and SwedBio made presentations at the UN Environmental Management Group Nexus Dialogue on Biodiversity - Biodiversity Mainstreaming in the context of Human Security and Wellbeing.¹⁸
- UN Office of the High Commissioner on Human Rights, UN Environment, SwedBio and partners convened a side-event on the Framework Principles on Human Rights and the Environment at the 37th session of the UN Human Rights Council.¹⁹
- SwedBio part of the conveners and speaker of the NBSAPS Forum webinar series on human rights and environment.²⁰

In 2017:

- SwedBio, UNDP-UN Environment Poverty-Environment Initiative, UN Environment Ecosystems Division, in collaboration with Natural Justice and International Development Law Organization organized a peer-to-peer learning forum on tools and strategies for implementing a human rights based approach to the environment with a focus on biodiversity which was held in Nairobi Kenya. The objective was to exchange experiences on the use of tools and strategies for implementing a rights based approach to the environment including biodiversity and identify synergies among these tools and strategies for delivering the Sustainable Development Goals (SDGs) in an integrated way.
- The IDLO-Swedbio collaborative partnership included a learning and dialogue forum on the Legal Assessment Tool for Mainstreaming of human rights and biodiversity in Nairobi.
- Stockholm Seminar “Human rights, climate change and biodiversity”. The seminar was given at the Royal Swedish Academy of Sciences and attended by scientists, students, media and policy makers in the public and private sector.
- SwedBio , Forest Peoples Programme, Natural Justice, and others also organized a Dialogue on Human Rights and Biodiversity Conservation in Eldoret, Kenya with the objective to identify and suggest improvements to existing approaches, tools, and practices for ensuring that respect for human rights strengthens the ability to achieve conservation targets, and that securing conservation targets improves communities' ability to secure their human rights.
- SwedBio, the Institute of Latin American Studies, the Department of Political Science at Stockholm University, and Mistra Geopolitics held a workshop to explore the hands on, emerging governance strategies of indigenous peoples in the face of various risks such as climate change, biodiversity loss and increasing resource extraction. Scientists, human rights professionals, and representatives of indigenous communities from Latin America and Scandinavia worked alongside policymakers with inputs also of Secretariat of the Convention of Biodiversity, to analyse the role that human rights, the Sustainable

¹⁸ <http://unemg.org/emg-nexus-dialogues/2018-nexus-dialogue-series>

¹⁹ <http://www.ohchr.org/Documents/Issues/Environment/SREnvironment/FrameworkPrinciples.pdf>

²⁰ <http://nbsapforum.net/knowledge-base/resource/human-rights-and-environment-webinar-series-presentations>

Development Goals (SDGs) and climate mitigation instruments are playing on indigenous territories.

- Presentation in Webinar on mainstreaming biodiversity and ecosystem services in the mining sector, part of the NBSAPS Forum and Goxi Platform Learning Series and an outcome of the collaboration with SEPA and UNDP.²¹
- Seminar on “Connecting Peace and Ecosystems: A Legal and Governance Perspective at the Wangari Maathai Institute for Peace and Environmental Studies.”²²
- Three side events in Montreal: the Convention on Biological Diversity, 21st meeting of the Subsidiary Body on Scientific, Technical and Technological Advice: Strategies and legal tools for mainstreaming biodiversity and human rights in the mining sector (Co-conveners: SRC/SwedBio, UNDP, Swedish Environmental Protection Agency, IDLO, Natural Justice); side events at the tenth session of the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions on Using the CBD Voluntary guidelines for safeguards in Biodiversity Financing Mechanisms as a tool for implementing CBD article 8(j) and related provisions (Co-conveners: SRC / SwedBio, Convention on Biological Diversity, IDLO, Natural Justice, RMIB-LAC; Human Rights and Biodiversity Conservation: Scaling up the Synergies in the Post-2020 Aichi Targets and the SDG Agenda (Conveners: SwedBio/SRC; CIPDP; Forest People Program, Natural Justice).

In 2016:

- Two events at the UN Biodiversity Conference (CBD-COP13): (i) a law seminar “Why ecosystems are a human rights issue” chaired by SwedBio and the Safeguarding research project, part of the Biodiversity Law and Governance Day at the UN Biodiversity Conference, and (ii) the side-event “Implementing the SDGs: Mainstreaming biodiversity within law, human rights and economic instruments” co-organised by IDLO, SwedBio/SRC and IDDRI, and these meetings will inform this dialogue.
- The two-day expert consultation on HR and biodiversity by the UN Special Rapporteur on human rights and environment on how to clarify pathways for safeguarding human rights whilst maintaining healthy ecosystems and biodiversity, the subsequent presentation of John Knox’s report on human rights and biodiversity at the Human Rights Council in March 2017, and related meetings.²³ In addition, a presentation of the report was made at the UN Permanent Forum on Indigenous Issues.

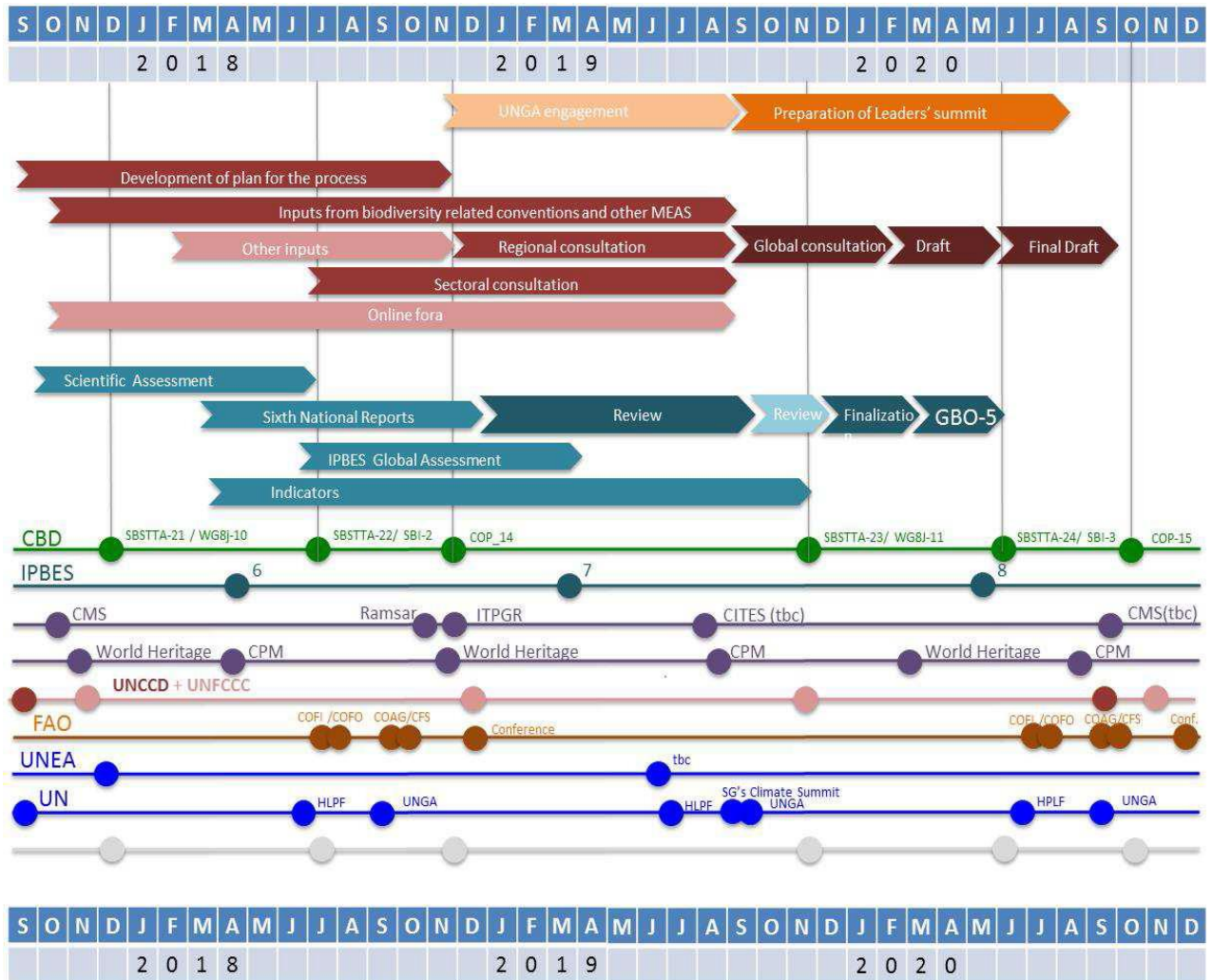
²¹ <http://goxi.org/group/egp/forum/topics/a-sneak-peak-at-past-goxi-learning-series-webinars-in-2017-2018>

²² <http://wmi.uonbi.ac.ke/content/wangari-maathai-institute-holds-seminar-%E2%80%9Cconnecting-peace-and-ecosystems-legal-and-governanc>

²³ This expert consultation was organised by the UN Human Rights Office of the High Commissioner in cooperation with the UN Environment and the International Development Law Organisation (IDLO). See also <http://www.stockholmresilience.org/research/research-news/2016-10-06-why-protecting-and-using-biodiversity-is-a-human-rights-issue.htm>

Appendix 3

Indicative timeline of main steps in the preparatory process and key meetings for the post 2020 global biodiversity framework. Source of Figure: “Proposals For A Comprehensive And Participatory Process For The Preparation Of The Post 2020 Global Biodiversity Framework, Draft for Consultation” <https://www.cbd.int/doc/strategic-plan/Post2020/post2020-process-draft-en.pdf>



Appendix 4

Indicative chronology of key activities leading to the consideration of the post 2020 global biodiversity framework by COP-15, COPMOP10 and COPMOP4. Source of Table: “Proposals For A Comprehensive And Participatory Process For The Preparation Of The Post 2020 Global Biodiversity Framework, Draft for Consultation”<https://www.cbd.int/doc/strategic-plan/Post2020/post2020-process-draft-en.pdf>

Date	Activity
April 2018	The Secretariat issues document for SBI-2 containing the proposed preparatory process for the development of post 2020 global biodiversity framework
9 - 13 July 2018	SBI-2 considers the proposed preparatory process for the development of the post 2020 global biodiversity framework, provides a recommendation to COP- 14 & requests the Executive Secretary to begin implementing relevant elements.
August-October 2018	Parties and observers submit initial views on the post 2020 global biodiversity framework, including possible voluntary commitments.
October-December 2018	The Secretariat issues a discussion paper on the submissions received and Parties and observers invited to submit views
10 – 22 November 2018	COP-14, COPMOP9 and COPMOP2 consider the proposed preparatory process for development of the post 2020 global biodiversity framework
December-May 2019	Regional Consultation workshops
February-May 2019	Revised discussion paper issued and Parties and observers submit views on the post 2020 global biodiversity framework
July-September 2019	Revised discussion paper issued and Parties and observers submit views on the post 2020 global biodiversity framework
September 2019	Global science consultation workshop
October-December 2019	Revised discussion paper issued and Parties and observers submit views on the post 2020 global biodiversity framework
November 2019	SBSTTA-23 reviews the draft of GBO-5 and the IPBES global and regional assessments and prepares a recommendation on the implication of these for the post 2020 global biodiversity framework
November 2019	WG8J-11 examines the potential role of traditional knowledge, customary sustainable use and the contribution of the collective actions of indigenous peoples and local communities to the post 2020 global biodiversity framework.
January-March 2020	Draft post 2020 global biodiversity framework made available for peer review
February 2020	Global policy consultation workshop
March 2020	Draft updated the post 2020 global biodiversity framework made available for peer review
May 2020	with IPBES Assessments & information from the Biodiversity Indicators Partnership GBO-5 published on the basis on the 6 national reports, updated NBSAPS the
May-June 2020	SBSTTA-24 considers the draft the post 2020 global biodiversity framework with a view to providing advice on targets to SBI-3
May-June 2020	SBI-3 considers the post 2020 global biodiversity framework with a view to developing a recommendation for COP-15
September 2020	Leaders’ summit meeting on the margins of the opening of the UN General Assembly to give political direction and momentum to the development of the post 2020 global biodiversity framework

October 2020	COP-15, COPMOP10 and COPMOP3 consider the final draft of the post 2020 biodiversity framework with a view to adoption
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