

Policy Recommendations for a Transformative and Inclusive NBSAPs in ASEAN and Timor Leste

Recommendations from: CBD Alliance, ICCA Consortium, NTFP-EP, GYBN, WGII, PACOS Trust, Women Caucus, Women4Biodiversity

The adoption of [Kunming Montreal Global Biodiversity Framework](#) (KM-GBF) in December 2022 highlights some key targets that are imperative for addressing the impacts of biodiversity loss. The CBD's decision [15/6](#) asks for Parties to revise their National Biodiversity Strategies and Action Plan (NBSAPs) through a multidimensional approach to planning, monitoring, reporting and review of the implementation of KM-GBF.

With our experience and efforts in contributing to biodiversity conservation, [IPLCs](#), [women](#), and [youth](#) and [civil society](#) have been engaged in both actions on ground and decision-making process as beneficiaries, contributors, and leaders on various initiatives. However, with limited financial and human capacities on some technical expertise either within our groups or key stakeholders, integrated approaches across sectors remain challenges in many fronts. Meaningful participation is essential to strengthen responsive collaboration, recognition, and harmonization of people's roles in achieving KMGBF.

In view of the above mentioned "approach", these are some of the recommendations for an inclusive, equitable, human-rights-based and gender-responsive biodiversity governance and access and benefit sharing. These recommendations are divided into 7 Sub sections based on the discussions proposed for the [Subregional Dialogue on National Biodiversity Strategies and Action Plans for States members of the Association of Southeast Asian Nations and Timor-Leste](#) held in Manila, Philippines.

1. Whole-of-Society Approach

- Full Effective, Equitable, Gender Responsive and Inclusive Consultation at all levels of development and implementations of NBSAPs as stated in Decision 15/6, section 23(c) as well as upholding the realization of participation principle in Target 22
- Engage local and national civil society organizations, IPs local communities, women, youth and other rights holders in the development of national targets, and recognize their contributions to biodiversity conservation and sustainable use
- Respect and recognition of our customary territories including [ICCAs](#) (Indigenous Peoples and Local Communities Conserved Territories and Areas), and demand to ensure Free, Prior, Informed Consent and inclusive participation in the determination of Protected Areas and OECMs as pathways to achieve 30 by 30 target as stated in the Target 3 in KM-GBF 2022

- Gender mainstreaming in NBSAPs for effective implementation of KM-GBF in consonance with Target 23 as well as the [Gender Plan of Action](#)
- Implementing and monitoring legal and constitutional provisions on the [UN resolution](#) on Right to clean, healthy and sustainable environment
- **Protection and Safeguarding Indigenous Peoples' Rights and Environmental Defenders:** Ensuring Indigenous Peoples' rights and environmental defenders of biodiversity are safeguarded and free from intimidation, criminalization and/or harassment when implementation in all ongoing and future conservation endeavors as stated in Target 22 of KM-GBF

Whole-of-Government/

- NBSAPs should establish or strengthen a governance structure that facilitates its effective and fair implementation through coordination across ministries, and meaningful engagement of subnational governments and non-state actors in the implementation and monitoring of the NBSAPs. Establish fair and inclusive multi-stakeholder and multi-rights holders platforms to implement and monitor NBSAPs.
- National targets reflect headline indicators: Each national target should be matched by at least one corresponding headline indicator, where such an indicator is available. Component and complementary indicators addressing quantitative and/or qualitative elements should be used alongside headline indicators and to better inform outcomes.
- Ensure NBSAPs can be legally binding to be implemented by the authority in all levels through adoption or amendment of national biodiversity laws and policy to align with the larger KM-GBF.

2. National Target Setting or Revision

- Section C of KM-GBF presents important principles and considerations to guide the process - from planning to implementation to monitoring. These should not be forgotten during the updating process.
- Target 22 and 23 are targets that contain many elements not sufficiently addressed in the Aichi targets and therefore is imperative to be included in the revised NBSAPs as National Targets
- Youth inclusion in the NBSAPs will ensure inclusive recommendation to not only the revision and updating process, but also enhancing effectiveness in policy planning, budgeting, implementation, and monitoring.
- Gender Plan of Action to also guide the revision.
- Integration into national biodiversity, laws, policy and legislations.
- All national targets should mainstream and integrate principle considerations from section C. For example, IPs rights not only in targets 3, 5 and 9 (CSU), 21 (traditional knowledge) and 22, important to respect their rights and consider their solutions for all targets, including target 19, target 16, all area-based targets 1-3, target 10, very important for local and indigenous food systems.

- National targets should be established to address not only area-based targets, or species loss but also address the main drivers of biodiversity loss including by changing natural resource governance and empowering local and traditional governance systems, by reducing footprint from agricultural and fishery sectors (target 10) and promoting agroecology and local food systems (target 10), reducing overconsumption in equitable manner (target 16) in order to transform productive sectors into sustainable and equitable/just systems.
- Ways in which to integrate HRBA considerations in national targets:

Targets 1-3

- Documentation and recognition of local zonation plans in traditional territories
- Collaborative management of PAs in overlapped areas
- [Documentation and recognition of ICCAs](#)
- Full and equitable participation of IPs and LCs

Targets 5-13

- Documentation and support for local food systems (practices, knowledge and innovations)
- Community seed banks
- Recognize local and culture-based solutions
- Implementation of the Customary Sustainable Use Plan of Action
- Engagement of local and indigenous farmers, women

Targets 14-23

- Support participation of women and women organizations/associations, IPs and their networks
- Recognize contributions of communities to conservation and sustainable development
- Tenure security for IPs and LCs, women and other rights holders
- Legal safeguards for all environmental defenders, accountability measures in terms of assessment of all social, environmental and human rights impacts of proposed projects that may affect biodiversity and redressal mechanism needs to be in place

3. Integration of the Provisions of the Protocols into NBSAPs

- Review alignment with Targets 4,5,6 and 13 in terms of ensuring balance of human and biodiversity elements as far as risks and safety are concerned, and the emphasis and scope of fair and equitable benefit sharing extending to traditional knowledge associated with genetic resources
- Provide adequate resources and mechanisms for awareness and capacity building of IPLCs and non-state actors to enhance their participation in the operationalization of the Protocols
- Integrate Free Prior Informed Consent(FPIC) and meaningful inclusion and participation principles; provide enabling resources to enhance participation; expand considerations of membership /composition of AHTEG to include traditional knowledge bearers and masters for example of food, pharma genetic resources and wildlife

4. Development of National Monitoring Plan

- Headline Indicators: All 23 targets should have at least headline indicator; binary indicators are no good replacement of headline indicators.
- Disaggregated data by age, gender, indigenous/minority/tribal identity, governance types (as specified in Target 3).
- Building synergies with other biodiversity related conventions at regional, global and national level as well as the Sustainable Development Goals(SDG).

5. Challenges and Opportunities for the overall revision or updating of NBSAPs

- Qualitative and Innovative elements of the GBF for an inclusive, ambitious and participatory NBSAPs development. AMBITIOUS: HALT and REVERSE biodiversity loss by 2030; quantitative and qualitative elements.
- TRANSFORMATIVE: “catalyze, enable and galvanize urgent and transformative action by Governments, subnational and local governments, and with the involvement of all of society to halt and reverse biodiversity loss”; Addressing direct and indirect drivers of Biodiversity loss.
- INCLUSIVE: whole-of-government and whole-of-society; human rights-based approach, and the full and effective contributions of women, youth, indigenous peoples and local communities, civil society organizations, the private and financial sectors, and stakeholders from all other sectors.

6. Capacity Building and development planning

- Non-state actors shall be involved in identifying needs for capacity building process so that actual capacities including domestic financial and human resources can be reflected in NBSAP updating, revising, and relevant processes.
- Capacity development should be considered in mutual terms: for rights holders but also for governments to be able to better understand the roles, rights, and solutions of rights holders.
- Multi-sectoral Development assessment and planning could work as a mechanism to facilitate reciprocal skill sharing and improve understanding and trust.

7. Biodiversity Finance

- Integrate respect and recognition of rights of IPLCs and gender equality- fully engaged in the design, delivery/allocation and monitoring of biodiversity finance.
- Integrate safeguards and accountability.
- Ensure access to biodiversity finance; ensure balanced / proportional allocation of biodiversity finance across the targets; ensure there is adequate financing for 3rd tier of targets, for eg. make sure Targets 21 -23 are adequately resourced.



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- Embed human rights safeguards and accountability mechanisms in the aspect of biodiversity finance - from its sourcing, access, allocation and use of finance/funds.
- Equity in resource mobilization: at the level of countries (more resources for biodiversity rich countries) and at national level with direct funding to rights holders.
- Provide an effective and simplified mechanism (bureaucracy) to access resource funding by the rights holders.
- Dedicated funding for support mechanisms for Indigenous People and Local Communities led in Community Based conservation initiative Target 19(F) and involvement in Reviewing, Monitoring and implementation of the NBSAP.
- Gender Specific Budgeting - To ensure full effective participation of women and they continue with the sustainable use of biodiversity, it is imperative that funds are allocated to gender responsive mechanisms within implementation of NBSAPs.

With these above mentioned recommendations in mind, the revised NBSAPs and RBSAP will truly align with the transformative potential of the Kunming Montreal Global Biodiversity Framework!

In Solidarity!

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