

Statement Colombia

Agenda Item 2

Briefing by UNEP-OHCHR on human rights and the environment Committee of Permanent Representatives (CPR) Subcommittee May 2 2024

1- Regarding the item on Exchange of ideas and strategies for advancing human rights-based approaches to environmental action:

Our delegation would like to recall that the Kunming-Montreal Global Biodiversity Framework of the CBD¹ states that all its components, including its vision, mission, goals, and objectives, should be understood, implemented, and evaluated in accordance with the Considerations for the Implementation of the Framework (Section C). These considerations include a human rights-based approach. In addition, the Framework recognizes the human right to a clean, healthy, and sustainable environment.

The guidance on integrating human rights in National Biodiversity Strategy and Action Plans (NBSAPs) is already available². However, it is crucial that the indicators of the monitoring framework, which are being developed and will be reviewed in the upcoming SBSTTA meeting,³ also ensure the assessment and tracking of progress in section C on implementation considerations.

2-Among the topics for future collaboration we would like to propose continue enhancing the nexus between the enjoyment of human rights and adequate access to environmental justice, in order to secure an effective and timely response from justice systems. In this spirit, we propose:

a) A new follow-up report be prepared on the implementation of the UNEP Bali Guidelines for the Development of National Legislation on Access to Information, Public Participation, and Access to Justice in Environmental Matters, adopted by the Governing Council of the United Nations Environment Programme in 2010 (Decision SS.XI/5).⁴

¹ Decision 15/4, 2022.

² Guidance on Integrating Human Rights in National Biodiversity Strategy and Action Plans (April 2023) (produced by OHCHR, UNEP and UNDP) [Guidance-on-integrating-human-rights-in-National-Biodiversity-Strategy-and-Action-Plans-NBSAPs.pdf \(unemg.org\)](https://unemg.org/Guidance-on-integrating-human-rights-in-National-Biodiversity-Strategy-and-Action-Plans-NBSAPs.pdf)

³ Guidance on using the indicators of the monitoring framework of the Kunming-Montreal Global Biodiversity Framework**. Section 2 Cross-cutting disaggregation and monitoring the implementation of the Global Biodiversity Framework in accordance with its Section C.

⁴ Coordinate this effort with the implementation of the Escazú Agreement (managed by the UN Economic Commission for Latin America and the Caribbean (ECLAC)) and the European Aarhus Convention.

Our delegation seeks to highlight the concept of environmental justice as a critical factor in addressing global environmental crises and their means of implementation, with implications for the enjoyment of human rights, particularly for those in vulnerable situations.

b) Continue to explore the links between environmental justice and racial issues, which have significant intersections, as outlined in the report 'Ecological Crisis, Climate Justice and Racial Justice' by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance⁵, and in the UNEP report on "Environmental Rule of Law: Tracking Progress and Charting Future Directions" published in 2023.

c) There is an intrinsic link between the protection of the environment and the protection of those who defend it. Biodiversity and environmental conservation cannot be achieved if the rights of environmental defenders are undermined.

UNEP's work could help to highlight this relationship, as human rights defenders often face violations of their own rights through threats, persecution, arbitrary detention, judicial harassment, stigmatization, and even homicide, which impedes their work. Consequently, the UN has emphasized the need to protect and end the persecution of these advocates.⁶

-Finally, we propose enhancing UNEP's recognition of People of African Descent within the concept of local communities, in cooperation with the Permanent Forum on People of African Descent⁷, which serves as an advisory body to the Human Rights Council, as requested by the Colombian Ambassador in Geneva at the last session of the Forum in April.

⁵ A/77/549, 25 October 2022.

⁶ UN General Assembly, Resolution A/RES/53/144 Declaration on the right and responsibility of individuals, groups and institutions to promote and protect universally recognized Human Rights and Fundamental Freedoms.

⁷ United Nations, General Assembly Resolution 75/314 (August 2021).