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### IMPLEMENTATION OF THE PROGRAMME OF WORK ON MARINE AND COASTAL BIOLOGICAL DIVERSITY

*Note by the Executive Secretary*

#### INTRODUCTION

1. As foreshadowed in paragraph 11 of the note by the Executive Secretary on assessment of the information contained in the second national reports concerning thematic programmes of work under the Convention on Biological Diversity (UNEP/CBD/COP/6/INF/11), the Executive Secretary is circulating herewith, for the information of participants in the sixth meeting of the Conference of the Parties to the Convention, a more comprehensive review of the implementation of the programme of work in marine and coastal biological diversity, based on the first and second national reports, as well as the national biodiversity strategies and action plans and other material submitted to the Secretariat by Parties.

#### I. BACKGROUND

2. The Parties to the Convention on Biological Diversity identified marine and coastal biological diversity as one of the early priority areas for the work of the Convention. This was reflected in the adoption of the Jakarta Mandate on Marine and Coastal Biological Diversity in Jakarta in 1995, in conjunction with the second meeting of the Conference of the Parties. The Jakarta Mandate is a global consensus on the importance of marine and coastal biological diversity, and is a part of the Ministerial Statement on the implementation of the Convention.

3. Following this, the Conference of the Parties adopted at its fourth meeting (Bratislava, May 1998) decision IV/5 on the conservation and sustainable use of marine and coastal biological diversity, including a multi-year programme of work arising from decision II/10. The programme of work was developed to

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\* UNEP/CBD/COP/6/1 and Rev.1/Corr.1.

assist the implementation of the Jakarta Mandate at the national, regional and global levels. The programme focuses on five main thematic issues, which reflect global priorities. These thematic issues are: integrated marine and coastal area management, sustainable use of marine and coastal living resources, marine and coastal protected areas, mariculture, and alien species and genotypes.

4. The programme of work on marine and coastal biological diversity is based on several basic principles. These include the ecosystem approach, the precautionary approach, the importance of science, and the related knowledge of local and indigenous communities. The special circumstances of Small Island developing states are also recognized.

## **II. IMPLEMENTATION OF THE PROGRAMME OF WORK**

5. The programme of work on marine and coastal biological diversity is implemented at the local, national, regional and global levels. Implementation at the regional level is undertaken by various regional organizations, arrangements and bodies, such as the UNEP Regional Seas Conventions and Action Plans. At the global level, such international organizations as United Nations Environment Programme (UNEP) and its Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA), the Food and Agriculture Organization of the United Nations (FAO), the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Maritime Organization, International Coral Reef Initiative (ICRI), the Global International Waters Assessment (GIWA) and other relevant bodies contribute to the implementation of the programme of work on marine and coastal biological diversity. Collaborative arrangements exist with other multilateral environmental agreements, such as the Ramsar Convention on Wetlands, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Convention for the Conservation of Migratory Species of Wild Animals (CMS).

6. The primary implementation of the programme of work is at the national and local levels, and takes place through national strategies, plans and programmes that promote the conservation and sustainable use of marine and coastal biological diversity. Such plans and programmes are included in the National Biodiversity Strategies and Action Plans (NBSAPs), drafted by Parties in accordance with Article 6 of the Convention. They generally include a country study or an assessment; a national strategy, which analyzes the information in the country study and identifies goals and objectives; and the action plan, which spells out the steps needed to implement the strategy, and the practical issues relating to means and resources.

7. Article 26 requires the Parties to present reports to the Conference of the Parties on measures taken to implement the Convention and the effectiveness of those measures in meeting the Convention's objectives. The reporting process is key to enabling the assessment of the status of implementation of the Convention.

8. To date, two sets of national reports have been received. The first set of national reports was due in 1 January 1998. A total of approximately 120 first national reports were received by the Secretariat. Analysis of the reports revealed that many Parties had experienced difficulties in interpreting or following the guidelines contained in the annex to decision II/17. As a result, it was difficult to develop a comparative analysis of the information in those reports. This problem was solved through the development of a standard format of national reporting, which was used in the second national report. The second national report was due on 15 May 2001. At the end of 2001, sixty-five second national reports had been received.

9. A summary and analysis of national implementation of the programme of work on marine and coastal biological diversity is presented in section 3 of this document. This summary has been compiled on the basis of the information provided by Parties in their national biodiversity strategies and action plans, and first and second national reports.

### III. REVIEW OF INFORMATION IN NATIONAL REPORTS

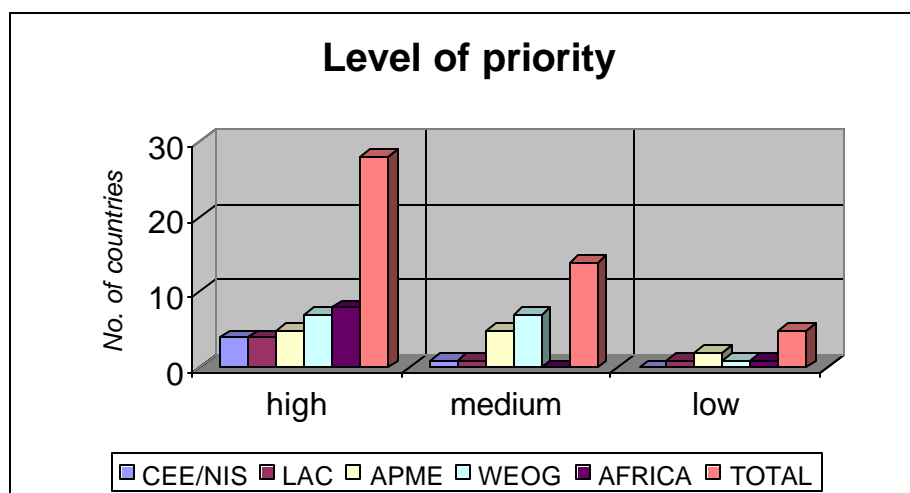
10. Out of the 182 Parties to the Convention on Biological Diversity as of 1 December 2001, 146 have a marine and coastal area. Thirty-seven (roughly 25%) of them are small island developing States (SIDS). 111 of the 146 Parties (i.e. 76 %) have provided information on their actions, or planned actions, related to the marine and coastal ecosystems under their jurisdiction as part of their first and/or second national reports and national biodiversity strategies and action plans.

11. It should be noted that the analysis and commentary on the information received is necessarily preliminary and should be taken with caution at this stage, as many Parties have not yet submitted their first and/or second national reports. However, the information provided allowed some identification of regional and sectoral trends regarding the level of implementation of the work programme on marine and coastal biodiversity.

#### A. *Level of priority and adequacy of resources*

12. In their second national reports, the Parties were asked to provide information on the relative priority accorded to each thematic programme of work, and the adequacy of resources to implement it. Of the forty-eight States that answered this question in their second national reports, 28 gave a high level of priority to implementing the programme or work on marine and coastal biological diversity. Six out of the seven small island developing States that submitted a second national report belonged to this category. Fourteen Parties stated that the work programme has a medium level of priority, while five, including one Small island developing States, gave it a low level of priority. One State did not answer. As can be seen in figure 1, most Parties who responded to this question consider the implementation of the work programme on marine and coastal biological diversity a high priority.

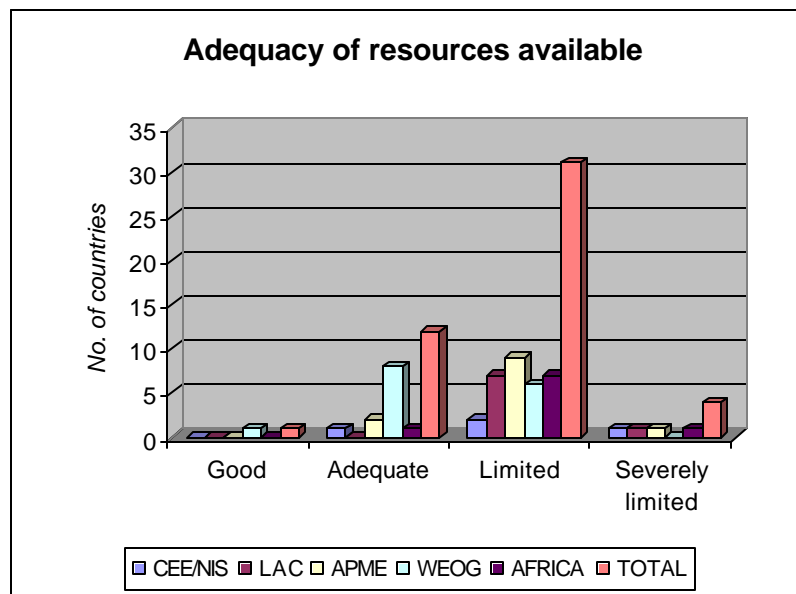
**Figure 1:** *Relative priority assigned to the implementation of the programme of work in marine and coastal biological diversity.*



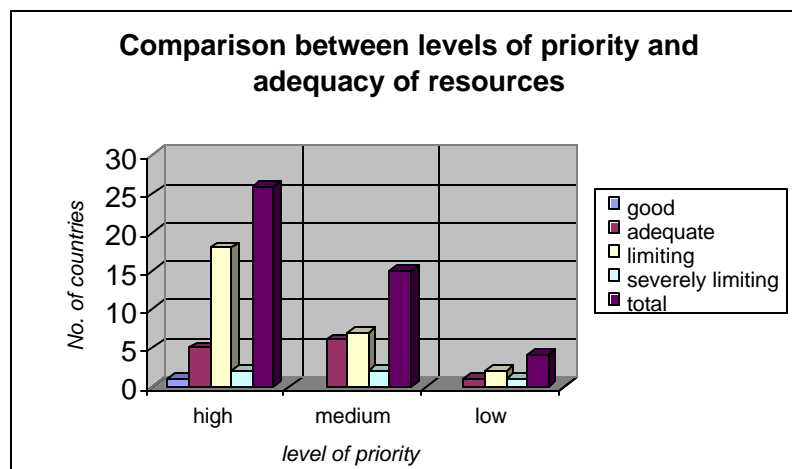
Note: In this graph and for the other graphs of this report, abbreviations are used for the regional groupings. CEE/NIS stands for Central and Eastern Europe and Newly Independent States; LAC stands for Latin America and the Caribbean; APME stands for Asia, Pacific and the Middle East; WEOG stands for Western European and Others; and AFRICA stands for the African region.

13. Amongst the 48 States that provided information on the level of priority, only one WEOG country affirmed that the resources available for meeting the obligations and recommendations of the programme of work were good. Twelve states indicated that they have adequate resources to implement the programme of work. A majority of these states were from WEOG. Thirty-one parties indicated that they have a limited availability of resources. These parties were relatively evenly split between the regional groupings. Four states, two from APME and one each from Africa and CEE/NIS, declared that they had severely limited resources. Only one small island developing State declared that the available resources were adequate, while the remaining six indicated that their resources were limited. Figure 2 illustrates the adequacy of resources by regional grouping.

**Figure 2:** Adequacy of available resources for meeting obligations and recommendations



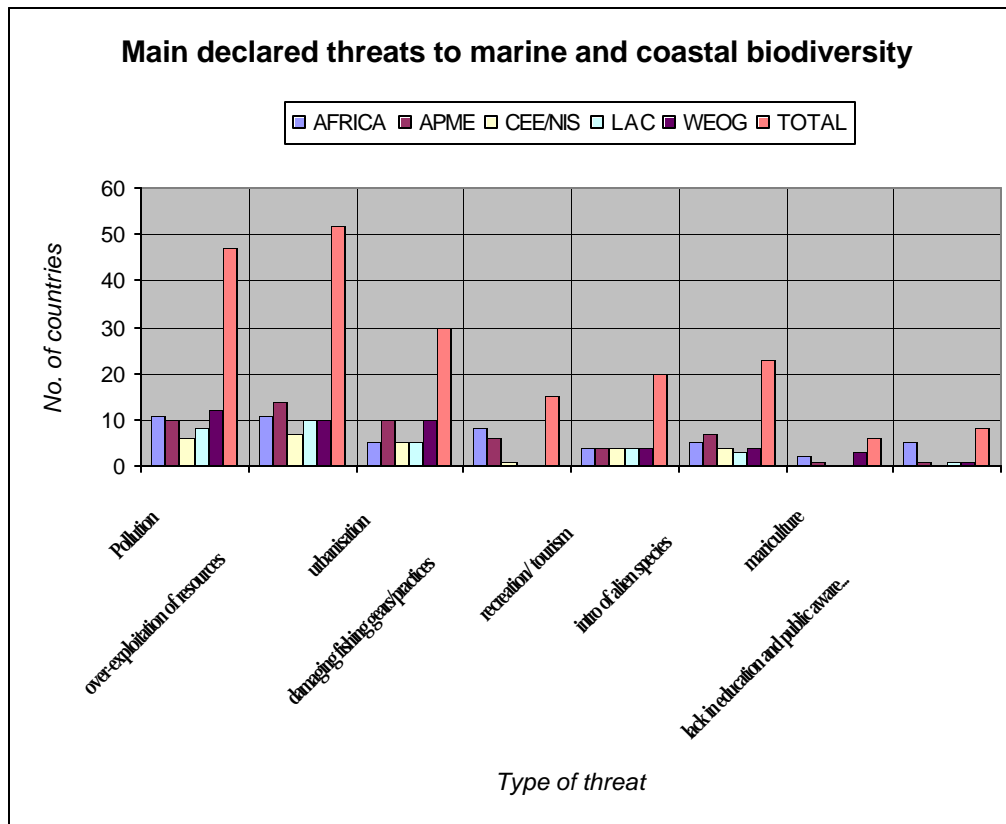
14. Figure 3 presents the relationship between the level of priority assigned to the programme of work, and the adequacy of resources available to undertake its implementation. As the figure illustrates, a high level of priority does not necessarily correspond to good availability of resources. In fact, a majority of the countries that see the programme of work as a high priority have limited available resources. This illustrates the importance of capacity building, technology transfer and financial resources to facilitate the implementation of the programme of work.

**Figure 3:** *Relationship between level of priority and adequacy of resources*

### **B. Threats to marine and coastal biological diversity**

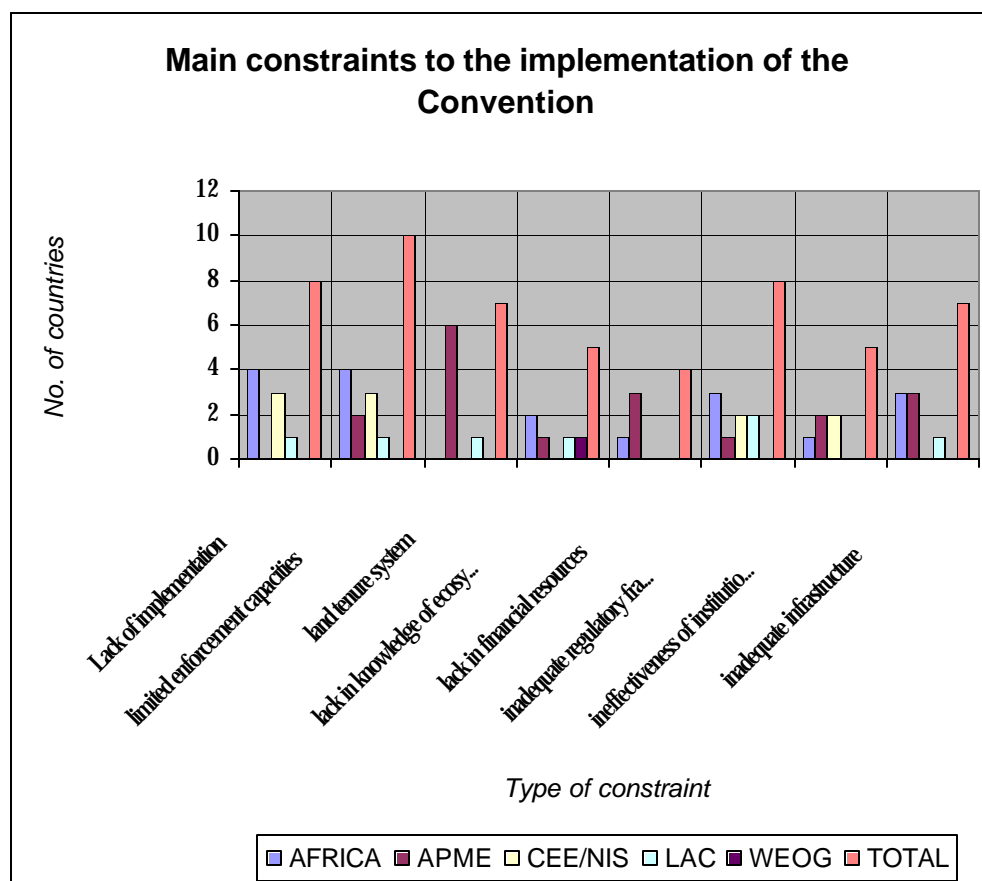
15. In assessing threats to their marine and coastal environments in their first national reports, most Parties cited pollution and the over-exploitation of resources as the two most pressing threats. The broad category of pollution included a number of land-based sources, such as agriculture, industry, mineral extraction, and sewage, as well as ship-based pollution. Over-exploitation of resources included primarily over-fishing, but, in the case of some countries, also other extractive activities. Figure 4 illustrates the main identified threats by regional groupings. It should be noted that this information and the information regarding constraints (Figure 5), have been extracted from a variety of documents provided by the Parties to the Secretariat, and that the information in those documents is of a very general nature.

**Figure 4: Main threats to marine and coastal biodiversity declared by States**



### C. Constraints and priorities

16. In the various documents submitted to the Secretariat, the Parties also identified a number of constraints to the implementation of the programme of work in marine and coastal biological diversity. Commonly, these included the lack of implementation and enforcing capacities of legislation; issues relating to land ownership and tenure system; lack of knowledge of ecosystems and their functioning; lack of financial resources; ineffectiveness of institutional structures and overlapping mandates of institutions; inadequate regulatory framework; and inadequate infrastructures. Figure 5 presents a graph of the main identified constraints by regional groupings.

**Figure 5: Main constraints identified by States to a proper implementation of the Convention**

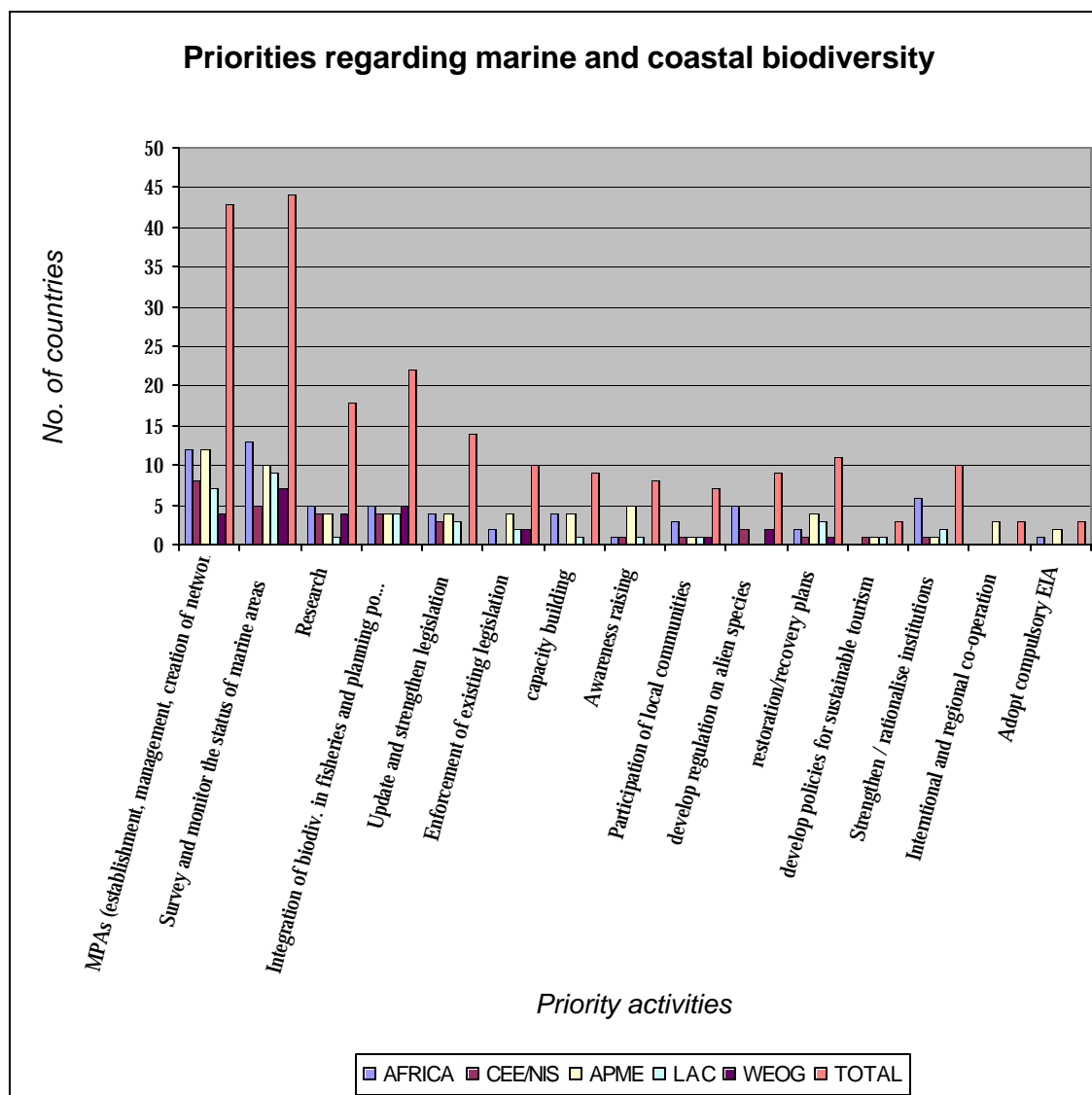
17. In identifying priority actions for the implementation of the marine and coastal programme of work, the majority of the forty-eight Parties that provided information (i.e. 43 States – 12 in AFRICA and 12 in APME, 8 in CEE/NIS, 7 in LAC, and 4 in WEOG) stated that the identification and establishment of marine and coastal protected areas (MCPAs) has a high level of priority (figure 6). Equally important was the development of management plans for already existing MCPAs, and the establishment of a network of MCPAs, rather than single isolated areas. The high priority assigned to this task by the Parties to the Convention is also reflected in the ongoing work of the Convention's Ad Hoc Technical Expert Group on Marine and Coastal Protected Areas. The decision to establish this Expert Group was taken by the Conference of the Parties to the Convention in adopting the programme of work on marine and coastal biological diversity.

18. For a majority of countries, activities relating to monitoring, surveying and mapping of the status of marine ecosystems and resources were also perceived to be a high priority. Forty-three Parties in total (12 in AFRICA, 10 in APME, 5 in CEE/NIS, 9 in LAC, and 7 in WEOG) mentioned the priority status of these activities.

19. The development and adoption of coastal management plans that use an ecosystem approach is amongst the priorities of nineteen Parties. Nineteen Parties also outlined the need for updating and strengthening existing legislation as well as institutions dealing with marine and coastal issues. Effective implementation and enforcement of laws and regulations was considered a priority by some States.

20. Research activities were considered a priority by nineteen States. Capacity building and public awareness raising were also top priorities for ten countries, and the participation of local communities in the management of coastal and marine resources was seen as a priority by seven countries. The priority actions are summarized in figure 6.

**Figure 6: National priorities regarding marine and coastal biodiversity**



#### IV. REVIEW OF PROGRAMME ELEMENTS

21. This section presents a review of activities undertaken by Parties towards the implementation of the five substantive programme elements, which make up the programme of work on marine and coastal biological diversity. In many cases the information is anecdotal, rather than quantitative, and is compiled from various reports submitted to the Secretariat.

##### A. Programme element 1: Integrated marine and coastal area management (IMCAM)

22. The status of implementing IMCAM varies. Of the forty Parties that responded to the specific question on IMCAM in the second national report, two indicated that they had not taken any steps to put in



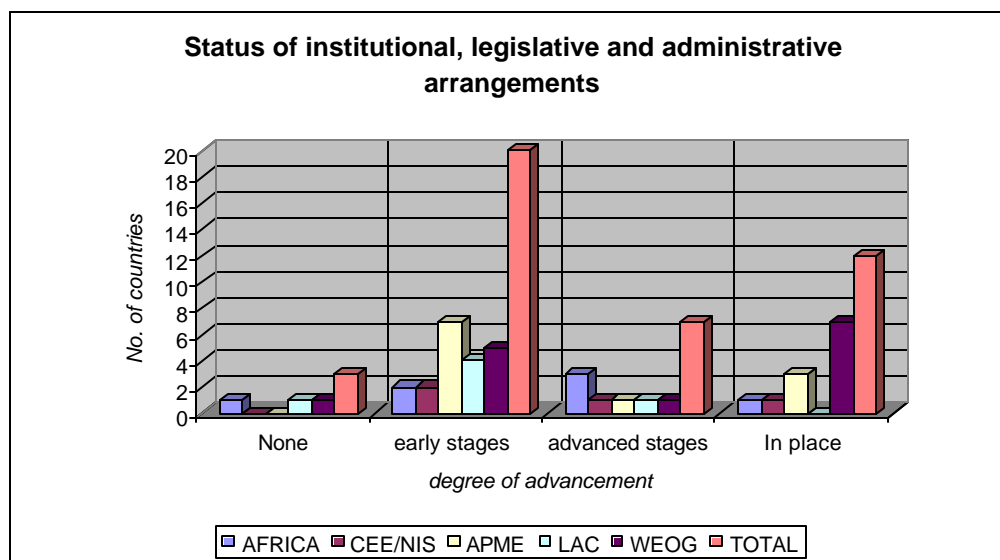
place legislative, institutional or administrative arrangements for the development of IMCAM. Nineteen Parties, including three small island developing States (2 in AFRICA, 1 in CEE/NIS, 4 in LAC, 5 in WEOG and 7 in APME) stated that they were at the early stages of development of such arrangements. Seven Parties (3 in AFRICA and 1 in each other group, including 3 small island developing States) indicated that they were at an advanced stage of development of such arrangement. Arrangements were already in place in twelve countries (1 in AFRICA, 1 in CEE/NIS, 3 in APME and 7 in WEOG. 1 small island developing State was also in this category). Figure 7 illustrates the status of implementation of IMCAM.

23. Research relating to marine and coastal ecosystems is reported as ongoing in all countries. Surveys, monitoring and mapping are also ongoing. Some countries emphasized their reliance on external donors and technology to undertake such assessments. Databases have rarely been developed yet, but are currently under development. The involvement of universities in these activities is almost always mentioned.

24. The majority of countries that submitted information indicated that they are in the process of drafting, or have proposed for approval, specific policies and strategies relating to IMCAM. In a few States, such policies or strategies are already operational (9 States, 5 of which are APME countries, and 2 are WEOG).

25. In awaiting the adoption and implementation of specific policies, the protection of the marine and coastal environment is dealt with under existing sectoral legislation relating to the protection of nature, land planning, pollution (land-based and ship-based), water quality or fisheries.

**Figure 7: Status of development of institutional, administrative and legislative arrangements**



26. Regional and international co-operation was emphasized by the majority of countries. Many countries stated participation in regional and/or international conventions directly or indirectly related to the protection of marine and coastal ecosystems. Such conventions include UNCLOS, RAMSAR, UNEP regional conventions (under the regional seas programme), conventions related to land-based and ship pollution. The extent to which positive steps have been taken to implement convention-related commitments that have potential impacts for marine and coastal ecosystems is not clear.

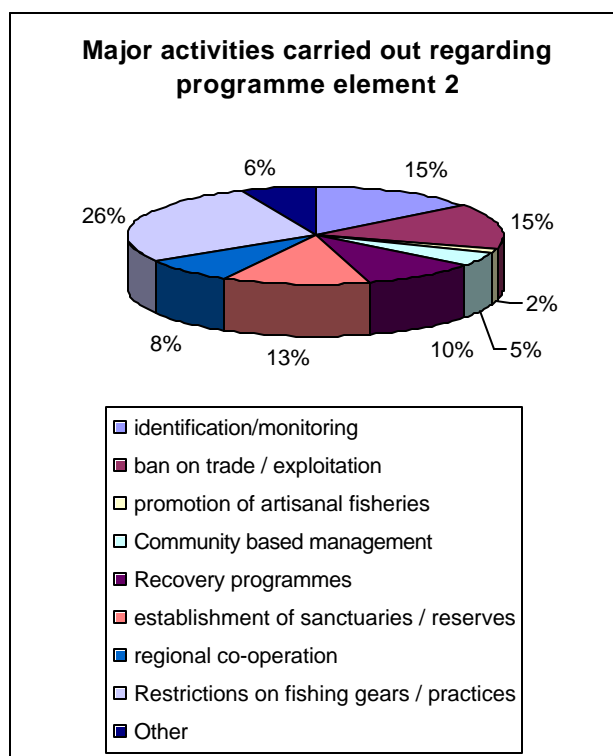
27. Bilateral co-operation involving capacity building and technology transfer were also reported by a number of countries.

### ***B. Programme element 2: Marine and coastal living resources***

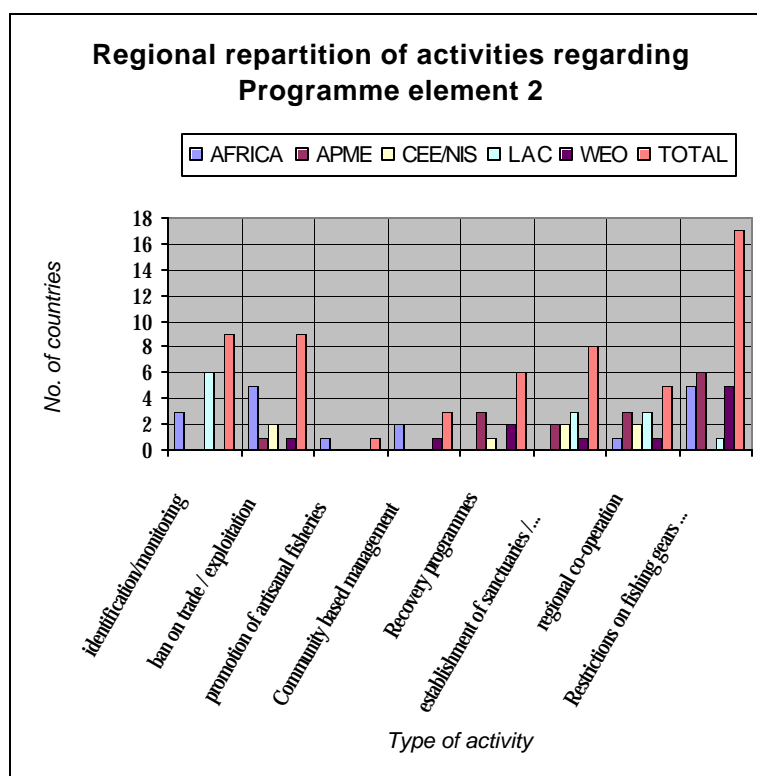
28. In the majority of countries, the ecosystem approach has not yet been adopted, and the protection of marine living resources is partially dealt with under existing legislation such as fisheries legislation, which is oriented towards species rather than habitat and ecosystem protection. Measures, such as closed seasons and areas, the regulation of fishing gears and practices, licensing systems and quotas, and complete bans on harvest of certain species are being used. The issue of by-catch has been identified as one of the main threats to marine living resources, but countries indicate that only limited steps to prevent by-catch have been taken thus far. Restoration programmes for specific species were mentioned by at least one country in each regional group. Some countries also mentioned the relocation of fishing activities from shore to the high seas. A few countries mention projects for the involvement of local communities in the management of marine and coastal living resources.

29. As can be seen in figure 8a, a majority of countries are carrying out activities relating to restriction in fishing gears and practices (26%), identification and monitoring (15%), ban on trade and exploitation (15%), and establishment of sanctuaries and reserves (13%) in implementing this programme element. Only 5% report activities relating to community-based management. Figure 8b presents the same information by regional groupings.

**Figure 8a:** Major activities carried out in respect of the sustainable use of living marine resources



**Figure 8b: Regional repartition of activities carried out regarding the sustainable use of marine living resources**



30. Work related to coral reefs is still at early stages of implementation. Information in the available reports is vague and difficult to quantify, though some Parties refer to “considerable work” undertaken. The majority of small island developing States that provided information indicated that they had adopted measures to respond to coral bleaching. However, the majority of other concerned States report no specific action, apart from participation in regional efforts. Where activities have been identified, they consisted mainly of research and monitoring. Environmental impact assessments were mentioned by some States as contributing to the coral reef programme of work. One country mentioned a specific coral management plan, while another put forward rehabilitation of deteriorated coral reefs as one of the positive steps taken to implement the work programme on coral reefs. Most of the concerned countries mentioned participation in the International Coral Reef Initiative. It is also interesting to note that some countries without coral reef resources mentioned participation in research efforts on the issue.

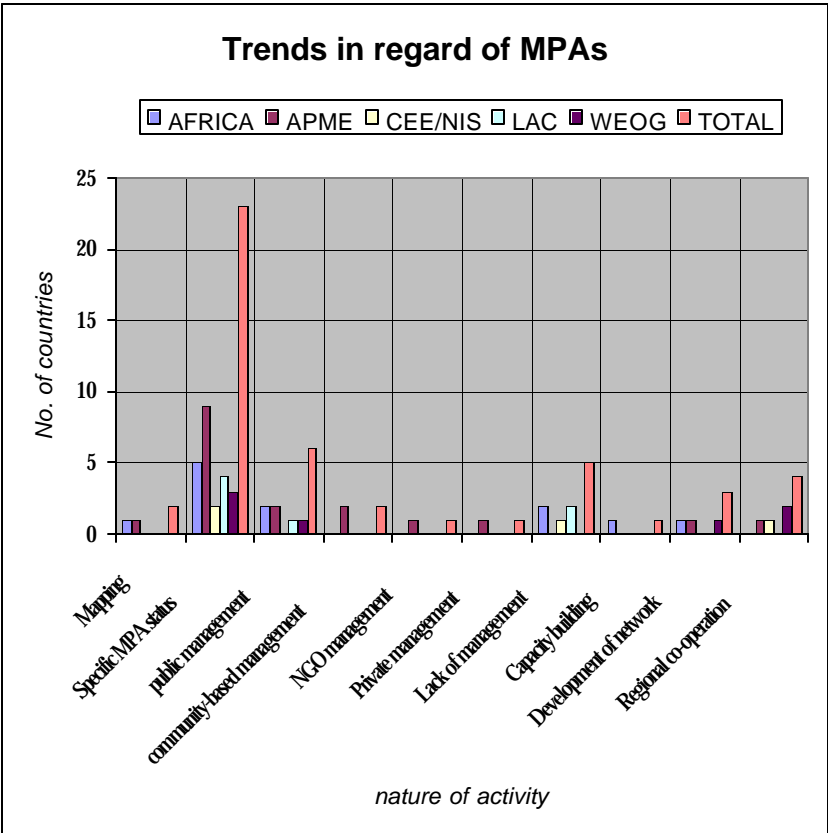
### **C. Programme element 3: Marine and coastal protected areas (MCPAs)**

31. Most of the countries stated ongoing or intended establishment of marine and coastal protected areas (MCPAs), either as single units or through the development of systems and networks of MCPAs.

32. In most countries, the establishment and management of marine and coastal protected areas is provided for within the general framework of protected areas. In countries where the status of marine protected areas exist (25 total - 5 in AFRICA, 9 in APME, 2 in CEE, 4 in LAC, 3 in WEOG) either as marine parks, marine reserves, marine recreation parks, marine conservation parks, coastal parks, marine management areas, or marine sanctuaries, the main problem remains one of management of such areas. In this respect, several options have been identified from the reports: governmental management, community-based management, NGO management, or private management. However, in many cases, the lack of proper management plans or legislation hinders management efforts. Two countries referred to

traditional knowledge in relation to establishment and management of marine protected areas. Figure 9 presents some of the main MCPA-related activities in a tabular format, as reported by Parties.

**Figure 9:** Main activities relating to marine and coastal protected areas

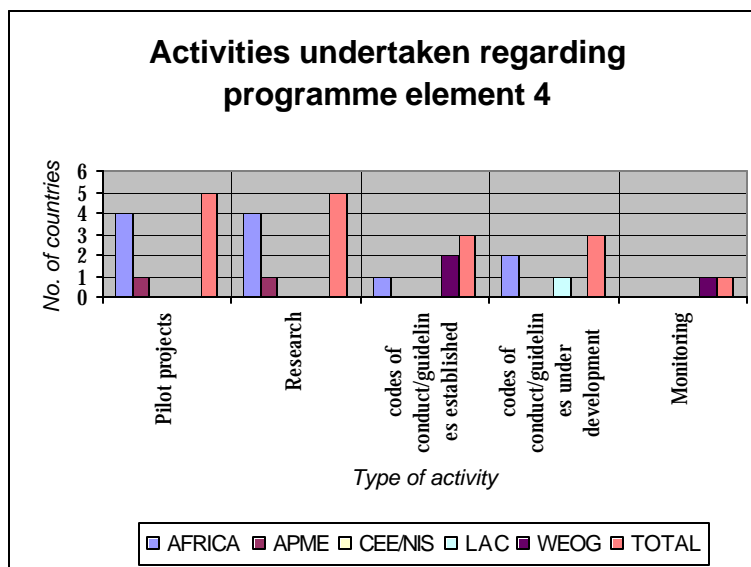


33. Activities relating to marine and coastal protected areas are also implemented on a regional scale. Much of this activity takes place as part of the Regional Seas Programme of UNEP, under which regional activity centres may administer marine and coastal protected areas. Examples of such arrangements include the Protocol Concerning Mediterranean Specially Protected Areas (SPA Protocol) and the Protocol for the Conservation and Management of Protected Marine and Coastal Areas of the South-East Pacific.

**D. Programme element 4: mariculture**

34. Little information has been provided by Parties on activities relating to mariculture. However, according to the reports submitted to the Secretariat, mariculture pilot projects are under way in all regions. Vast majority of the countries where the mariculture industry was not yet well established stated their intentions to further develop this sector. When mariculture is regulated, it generally falls under fisheries legislation. In some cases, a specific authority is dedicated to the topic.

35. Figure 10 presents the main mariculture-related activities reported by the Parties. These include pilot projects, research, codes of conduct and guidelines regarding mariculture activities, and monitoring.

**Figure 10: Major initiatives undertaken in relation to mariculture**

#### **E. Programme element 5: alien species and genotypes**

36. The status of implementation of the programme element on alien species remains weak. Activities relating to the identification and monitoring of unintentionally introduced species are ongoing in a majority of countries. In general, there is still a lack of knowledge regarding the impacts of such species. The main source of unintentional introductions is ship ballast water. The management of ballast water has therefore attracted attention, and research is ongoing on the means to prevent such introductions. International programmes, including the IMO global ballast water management project, will provide valuable information and techniques to assist in the prevention of such introductions. In addition, invasive alien species is one of the main topics to be considered by the Conference of the Parties at its sixth meeting in April 2002. This meeting will likely endorse guidelines on prevention that will assist Parties with their national implementation of the programme element.

37. Although laws regulating the intentional introduction of invasive alien species have not yet been developed in a majority of countries, they are being contemplated. Where such regulation exists, there is usually either a ban on any intentional introduction or use of a permit system. Environmental impact assessments are rarely being utilized. Codes of conduct have been developed in some WEOG countries. Figure 11 presents a summary of the main initiatives undertaken by Parties.

**Initiatives regarding programme element 5**

No. of countries

Type of activity

Type of activity	AFRICA	APME	CEE/NIS	LAC	WEOG	TOTAL
Research	0	1	0	0	0	1
Monitoring	0	2	0	0	0	2
Control / prohibition of intentional introduction	0	3	0	0	0	3
Guidelines / laws under development	0	3	0	0	0	3
Pilot projects	0	1	3	2	3	9
Regional co-operation	1	1	0	0	0	2

38. As can be concluded from the above analysis, the programme of work on marine and coastal biological diversity has not yet been fully implemented by the Parties to the Convention. More progress has been made in implementation of the programme elements on integrated marine and coastal area management, marine and coastal living resources and marine and coastal protected areas, while the programme elements on mariculture and alien species and genotypes have received less attention thus far. It is likely that with the work of the Ad hoc technical expert group on mariculture, which is scheduled to start in the summer of 2002, the Convention can move forward with more concrete guidance to the Parties on best practices in mariculture. In order to facilitate the implementation of the programme of work, the development of capacity building mechanisms along with financial assistance is important, as is the recognition of the special circumstances of small island developing States.

39. Additional challenges in implementation of the marine and coastal programme of work will be presented by a number of new and emerging issues, including climate change, as well as issues relating to international waters, such as bioprospecting. In this regard, the secretariats of the Convention on Biological Diversity and United Nations Convention on the Law of the Sea are currently collaborating on a study dealing with the legal regime of marine genetic resources beyond the limits of national jurisdiction. Any actions undertaken towards the conservation and sustainable use of biodiversity resources in the high seas will need to be undertaken through collaborative arrangements involving countries and the various relevant international and regional legal instruments.

40. Finally, in order to develop a more precise and quantitative analysis of the degree of implementation of the marine and coastal programme of work of the Convention, it will be necessary to revise some of the questions in the national reporting format to deal specifically with the various programme elements. Currently, much of the information is anecdotal, and comes from multiple sources, including the first and second national reports and the national biodiversity strategies and action plans. As such, it does not always lend itself to qualitative and quantitative analysis. Such analysis is key to assessing the state of implementation of the programme of work at the national level, the adequacy of the existing efforts for its implementation, and the need for new or additional efforts.

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