



CBD



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AD HOC OPEN-ENDED WORKING GROUP ON REVIEW OF IMPLEMENTATION OF THE CONVENTION

First meeting

Montreal, 5-9 September 2005

Items 3, 4, 5 and 6 of the provisional agenda*

SUBMISSIONS FROM PARTIES, OTHER GOVERNMENTS AND RELEVANT ORGANIZATIONS ON ISSUES TO BE ADDRESSED BY THE AD HOC OPEN-ENDED WORKING GROUP ON REVIEW OF IMPLEMENTATION OF THE CONVENTION

Note by the Executive Secretary

1. In paragraph 24 of decision VII/30, the Conference of the Parties invited Parties, other Governments and relevant organizations to submit views on the issues to be addressed by the Ad Hoc Open-Ended Working Group on Review of Implementation of the Convention. It also requested the Executive Secretary to compile and make available these views for consideration by the Working Group. Pursuant to this decision, notifications requesting such views were sent to Parties, other Governments and relevant organizations. The eight submissions received by the Executive Secretary are compiled in the annex to the present note.

2. The annex to the present note also contains submissions from Parties, other Governments and relevant organizations on three specific issues being addressed by the Working Group: the draft operational plan of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA); prioritization for budgetary purposes; and reviewing national implementation. Views on the first two issues have been submitted in response to recommendation X/2, in which SBSTTA invited Parties to submit views on its draft operational plan, and paragraph 9 of decision VII/33 requesting the Executive Secretary to seek views of Parties on options for a mechanism for setting priorities during the consideration of agenda items by the Conference of the Parties with a view to providing the budget group with clear guidance on how to address activities with financial implications. Reports and information on voluntary reviews of national implementation of the Convention have been submitted by Parties to assist the Executive Secretary to compile an overview of existing mechanisms and processes for reviewing national implementation as requested in paragraph 22 of decision VII/30.

3. All submissions have been reproduced in the form and language in which they were provided.

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Annex

COMPILED SUBMISSIONS FROM PARTIES, OTHER GOVERNMENTS AND RELEVANT ORGANIZATIONS ON ISSUES TO BE ADDRESSED BY THE AD HOC OPEN-ENDED WORKING GROUP ON REVIEW OF IMPLEMENTATION OF THE CONVENTION

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I. SUBMISSIONS ON ISSUES TO BE ADDRESSED BY THE AD HOC OPEN-ENDED
WORKING GROUP ON REVIEW OF IMPLEMENTATION OF THE CONVENTION

"2004 - Año de la Antártida Argentina"



Ministerio de Relaciones Exteriores,
Comercio Internacional y Culto

LETRA DIGMA
NOTA N° 612/05

Buenos Aires, 7 de abril de 2005.

Ref.: SCBD/EDM/DC/46117.

SR. SECRETARIO EJECUTIVO:

Tengo el honor de dirigirme a usted a fin de enviarle adjunto el informe elaborado por la Secretaría de Ambiente y Desarrollo Sustentable respecto del requerimiento formulado sobre los temas a incluir en la Reunión del Ad Hoc Open-ended Working Group on Review of Implementation of the Convention, a realizarse en septiembre próximo.

Sin otro particular, aprovecho la ocasión para enviarle a usted las seguridades de mi más alta y distinguida consideración.

MARÍA TERESA KRALÍKAS
MINISTRO
Disección Geral de Asuntos Ambientales

AL SECRETARIO EJECUTIVO DEL
CONVENIO DE DIVERSIDAD BIOLÓGICA
HAMDALLAH ZEDAN
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Ministerio de Salud y Ambiente
Secretaría de Ambiente y Desarrollo Sustentable

Convenio
COP.

NOTA SSRNNIyRI N° 681/05
Ref. Nota DIGMA 222/05

BUENOS AIRES, 17 MAR 2005

SEÑORA DIRECTORA:

Me dirijo a Usted, en respuesta a su Nota DIGMA N° 222/05, a fin de remitirle el informe que el área competente de la Subsecretaría a mi cargo ha confeccionado respecto del requerimiento formulado sobre de los temas a incluir en la Reunión del Ad Hoc Open-ended Working Group on Review of Implementation of the Convention, a realizarse en septiembre próximo.

Sin más, saludo a Ud. atentamente.-

Dr. Horacio M. Bibiloni
Subsecretario
R.N.N.I. y R.I.

**A LA SEÑORA EMBAJADORA
DIRECCION GENERAL DE ASUNTOS AMBIENTALES
Emb. María Esther BONDANZA
S. _____ / D. _____**

MEMORANDUM N° 51/05

DE: DR. FEDERICO IRIBARREN - CCB

A : DR. HOMERO BIBILONI - SernNyNI

FECHA: 11-03-2005

ASUNTO: Nota Letra DIGMA 222/05 MRECIyC

Me dirijo a Ud. en respuesta a la nota de referencia, en la cual se invita a realizar comentarios sobre los temas a incluir, en la Reunión del Ad Hoc Open-ended Working Group on Review of Implementation of the Convention de septiembre próximo, tal como es requerido en la Notificación a las Partes 2005-013.

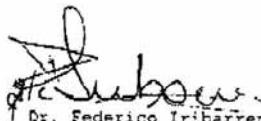
Al respecto se sugiere que los temas a ser incluidos reflejen lo que constituyen las obligaciones más relevantes de los Estados Parte, detallándose a continuación a título enunciativo, un listado de temas propuestos para los países de América Latina y el Caribe y países en desarrollo.

- Existencia de perjuicios causados por actividades que se lleven a cabo dentro de una jurisdicción al medio de otros Estados
- Cooperación con otras Partes Contratantes,
- Elaboración de estrategias, planes o programas nacionales para la conservación y la utilización sostenible de la diversidad biológica
- Integración de la conservación y la utilización sostenible de la diversidad biológica en los planes, programas y políticas sectoriales o intersectoriales.
- Identificación los componentes de la diversidad biológica que sean importantes para su conservación y utilización sostenible,
- Monitoreo de los componentes que requieran la adopción de medidas urgentes de conservación
- Identificación de procesos o actividades potencialmente perjudiciales en la conservación y utilización sostenible de la diversidad biológica
- Registro de datos derivados de las actividades de identificación y seguimiento
- Establecimiento de un sistema de Áreas protegidas y directrices para su selección y ordenación
- Reglamentación o administración de los recursos biológicos importantes para la conservación de la diversidad biológica.
- Promoción de la protección de ecosistemas y hábitats naturales
- Protección de las zonas adyacentes a áreas protegidas

- Rehabilitación y restauración de ecosistemas degradados
- Promoción de la recuperación de especies amenazadas
- Regulación y control de los riesgos derivados del uso y la liberación de organismos vivos modificados como resultado de la biotecnología
- Control o erradicación las especies exóticas que amenacen a ecosistemas, hábitats o especies.
- Respeto y preservación de los conocimientos, innovaciones y prácticas de las comunidades indígenas y locales.
- Existencia de legislación necesaria para la protección de especies y poblaciones amenazadas.
- Adopción de medidas para la conservación *ex situ* de componentes de la diversidad biológica.
- Existencia de instalaciones para la conservación *ex situ* y la investigación de plantas, animales y microorganismos.
- Adopción de medidas destinadas a la recuperación y rehabilitación de las especies amenazadas.
- Reintroducción de especies amenazadas en sus hábitats naturales.
- Reglamentación de la recolocación de recursos biológicos de los hábitats naturales.
- Adopción de incentivos para la conservación y la utilización sostenible de los componentes de la diversidad biológica.
- Promoción de la investigación y capacitación
- Promoción de la educación y conciencia pública
- Regulación y ejecución de procedimientos de evaluación del impacto y reducción al mínimo del impacto adverso sobre la biodiversidad.
- Regulación del acceso a los recursos genéticos
- Creación de condiciones para facilitar a otras Partes el acceso a los recursos genéticos para utilizaciones ambientalmente adecuada.
- Abstención de imponer restricciones contrarias a los objetivos del presente Convenio.
- Adopción de medidas tendientes a compartir en forma justa y equitativa los beneficios derivados de la utilización de los recursos genéticos.
- Realización de acciones tendientes al acceso a la tecnología y transferencia de tecnología
- Realización de intercambio de información, cooperación científica y técnica

* Gestión de la biotecnología y distribución de sus beneficios

Sin otro particular, saluda a Ud. atentamente.


Dr. Federico Iribarren
a/c Coordinación de Conservación
de la Biodiversidad

19 MAR 2005
DESPACHO CONSERVACIÓN
ENTRADA


Australia's Response to CBD Notification 2005-013

Possible issues to be addressed by the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention

Note: this list of possible issues has been compiled on the basis of the issues mentioned in Decision VII/30 paragraphs 23, 24, 26 and 27, and Decision VII/26 paragraphs 3 and 5. It is not exhaustive. Parties, Governments and relevant international organizations are invited to raise or answer any other questions or issues that are deemed appropriate.

1. Progress in the implementation of the Convention and the Strategic Plan and achievements leading up to the 2010 target (VII/30 (23)).

(a) *Review of current trends in the various focal areas of the framework for evaluation of progress towards the 2010 target (A global level analysis);*

Australia supports the 2010 target as a general and aspirational goal. An agreed system of global indicators will be critical in assessing achievement towards this goal, and Australia strongly supports work currently underway. This work meets an identified priority by the World Summit on Sustainable Development.

It is very difficult to make a judgement about current trends in the various focal areas of the Convention's work. This is because the framework for evaluation of progress towards the 2010 target is vague and not entrenched at the national level in many country parties to the Convention. Australia is in the process of developing a relatively sophisticated system of indicators, monitoring and evaluation for natural resource condition and biodiversity trends. However, this is more an exception than the rule, when taken across all parties to the Convention. It is very difficult to imagine that all parties, given their highly variable stages of development of such systems at the national level, would ever reach a stage where the provision of national statistical and biodiversity trend information could be aggregated and synthesised to the point where it would be useful in providing an accurate global level analysis. This is why Australia believes strongly that the work in developing a meaningful set of global biodiversity indicators, which was begun in October 2004, should be given due priority, as it is likely to become the only credible vehicle over coming years for providing the international community with reliable information on the state of the world's biodiversity.

(b) *Review of implementation at the national level, including the establishment of national targets, the monitoring of their implementation, and their integration into National Biodiversity Strategies and Action Plans, and sectoral and cross-sectoral strategies, plans and programmes.*

Australia believes the Convention needs to be less visionary and rather more practical in addressing problems of implementation at the national level. We are confident that all parties attempt to implement their obligations under the Convention to the greatest extent their highly variable capacities will allow. The fact that it does not happen in an effective way could be due to the Convention's top down approach to implementation, whereas a bottom-up approach is likely to be more appropriate and productive. We do not understand the Convention's fixation on establishing national targets when few of these targets, if and when established, are ever met.

As we have pointed out above, Australia is at an advanced stage in development of indicators monitoring and evaluation systems for natural resource condition and trends in biodiversity. These systems are underpinned by aspirational and "best endeavours" national and regional level targets. Importantly, they are not designed to be prescriptive and are not fixed in time and place. Rather, they are flexibly assigned to provide an environment and direction for action on the ground. In our view it would be much better for the Convention to encourage and to facilitate practical assistance to parties to develop and implement bottom-up national systems of indicators and monitoring, which could then feed, at the broader global level, into assessments based on the Convention's own system of global indicators.

2. The impacts and effectiveness of existing processes (including in the setting of priorities) under the Convention (VII/30 (23)), such as:

- ***Meetings of the Conference of the Parties;***

In general Australia believes the organisation and conduct of Meetings of the Conference of the Parties is relatively efficient. We would, however, suggest that the Executive Secretary takes a fresh look at the usefulness of High Level Segments assessed against their expense and outcomes relative to final agreed decisions by the Conference of the Parties.

Australia recognizes the value of the formation of "friends of the chair" groups to assist in resolution of difficult issues and we acknowledge their usefulness at past Conferences of the Parties in overcoming impasses. However, we wish to underline the importance of the transparency and voluntary nature of participation in the formation of such groups. Such groups should ensure the widest possible involvement of all parties in order to avoid becoming exclusive and non-consultative, thus leading to parties outside these groups being open to the element of surprise in conference conclusions and recommendations. Australia would also strongly encourage less formal sessions and increased opportunities for broader participation in informal caucusing amongst and between UN groupings and subgroups, particularly in the development of text for L Documents.

Given Australia's experience at COP 6, with the invalid adoption of decision VI/23 over Australia's formal objection, Australia remains extremely concerned to ensure that chairpersons and presidents of the COPs are faithful to the 'decision-making by consensus' principles that underpin the CBD. The outstanding issues surrounding the process by which Decision VI/23 was invalidly adopted, and the extent of the disputed Guiding Principles on IAS remain to be resolved.

- ***The work of the Subsidiary Body on Scientific, Technical and Technological Advice, including ad hoc Technical Expert Groups;***

Australia notes that the SBSTTA is already subject to a review by its Bureau and we would want this work to be completed and duly reported to the ad hoc open-ended working group on review of implementation of the Convention well ahead of the September Ad-hoc meeting. Australia supports many of the views expressed at the 10th meeting of the subsidiary body (SBSTTA 10) encouraging a more scientific and technical, as opposed to political, focus and orientation. By implication these meetings can be less formal than Conferences of the Parties and Australia

would support less devotion of time to, and need for, general opening statements and an early getting down to business. Similarly, expressions of gratitude to host countries and to the work of the Secretariat could be made generically by the Executive Secretary at the commencement of meetings, on behalf of all parties present, to save time for substantive discussion on issues to be addressed. Some streamlining should at least reduce the need for working group and other meetings to run into long and often unproductive night time sessions. This applies equally to SBSTTAs and COPs.

- ***ad hoc Open-Ended Working Groups;***

Australia believes the Convention, both at COP and at SBSTTA levels, continues to benefit from valid technical input and contributions from the work of many ad hoc technical expert group meetings. However, the number of issues for which the COP has found it necessary to create AHTEGs makes it imperative that these groups are created with a very clear mandate and duration of operation, and that their obligations to the SBSTTA and the COP is very clear from the outset. In Australia's experience this has not always been the case. Australia also believes that the substantive work of many AHTEGs could be streamlined so that they consume less than a five-day working week, which appears to have become relatively standard over recent years. Distance and travelling time often constrains the Australian Government from considering nomination to expert groups in which Australia could provide considerable technical and scientific input. One solution to this problem for countries such as Australia might be to convene expert group meetings, particularly those on related themes or crosscutting issues, back-to-back over the course of one-week to 10 days at most. This might also provide cost savings for the Convention.

We do not favour AHTEG meetings being held parallel to meetings of the SBSTTA because this can prejudice full possible participation in all meetings by those countries represented by one and two person delegations, as is often the case with Australia. We would, however, support convening one AHTEG either side of meetings of the SBSTTA.

While the Executive Secretary's practice of nominating scientific and technical experts from rosters of experts to fill vacancies for AHTEGs is well-intentioned, the reality is that such rosters require constant maintenance to ensure information currency, for example that entries are up-to-date or keep pace with changes in structures and responsibilities of governments. In the event the information is not current, delays can occur in responding appropriately to requests. Australia would, therefore, support the current practice of calling for experts on an ad hoc basis via the current system of notifications. While Australia supports limiting composition of these groups, taking account of geographical representation and other special conditions, we would also be concerned that they do not become exclusive. There should always be opportunity for observers with different competencies related to the subject of the meeting, to accompany selected experts to such meetings.

Australia would also support continued use of innovative means of communication to minimise the need for face-to-face meetings. This is particularly important to countries that are geographically remote from Montreal and northern hemisphere capitals. We would, however encourage the Secretariat to examine the current system of electronic forum and to improve, where possible, its accessibility and ease of operation. It is particularly important that the system be streamlined so that input to such forums can be automatically collated and made available on

a regular, say monthly, basis for those needing to read it, rather than participants having to endure severe e-mail congestion as global electronic conversations are carried on between participating countries.

Australia would continue to support peer review of AHTEG reports, but the SBSTTA should be clear what kind of reports should be subject to peer review. For example, scientific and technical papers prepared by consultants by dint of recommendations of an AHTEG would be appropriate subject for peer review. However, AHTEG recommendations with direct relevance to government policy should, in the first instance, be reviewed by affected national governments. Non government or academic commentators may comment on government policy at the national level, but such comment should not be directly conveyed to the Secretariat for preparation of discussion papers and draft recommendations for the consideration of the SBSTTA.

- ***National Focal Points;***

The system of national focal points works well from Australia's perspective but we would recommend that focal points for the COP and the SBSTTA be the same person wherever possible.

- ***The Secretariat;***

Australia is satisfied with the service it receives from the Secretariat. We note the Secretariat's professional approach to preparation of papers and organisation of meetings. While it would always be beneficial for conference papers to be produced earlier, Australia recognises that this is not always possible.

Australia wishes to underline the importance of the Secretariat's role in reflecting accurately COP and Subsidiary Body, (including Ad-hoc Technical Expert Group) decisions, recommendations, discussions and commissioned reports. The Secretariat should avoid attempts to paraphrase or nuance already often carefully negotiated text.

For example, the proposals paper on mitigation of perverse incentives presented to SBSTTA 10 was very poorly written and prepared with little consultation with interested parties. This consumed significant time and resources at the meeting and is likely to do likewise at COP 8. While such proposals might be designed to provide parties with non-binding guidelines for national action, some countries can find themselves unable to support them, even as non-binding text. It is imperative therefore that such documents, particularly on subjects where opinion and policy is likely to be diverse, are widely circulated and open to comment and consultation by parties to the Convention well in advance of major meetings of the Convention.

Similarly, Australia would urge the Secretariat to be vigilant in accurately reflecting the comments of parties and the agreed wording of decisions and recommendations.

- ***The Clearing House Mechanism;***

Australia has no particular comment on the functioning of the Clearing House Mechanism. The Secretariat might like to note that Australia is reconfiguring its CHM to make it more effective and accessible, particularly as a facility for streamlined transfer of publicly available techniques,

technology, scientific data and methodology relevant to conservation and sustainable use of biodiversity.

- ***The financial mechanism and additional financial resources.***

Now that the Cartagena Protocol on Biosafety to the Convention has entered into force, and consistent with Article 31 of the Protocol, Australia wishes to underscore the importance of the costs of the Secretariat services for the Protocol be met by parties thereto. In keeping with discussion at COP7 on same, Australia looks forward to the Secretariat's proposed biennium 2007/2008 expenditure in which detailed breakdown of costs associated with the Protocol will be provided.

3. Reporting mechanisms under the Convention and other conventions (VII/30 (27))

Australia believes that reporting mechanisms under the Convention requires substantial overhaul. This view is confirmed by the onerous and complex responses required of parties in the formatted template for the Third National Report.

This is a complex, legalistic and repetitive format, difficult to understand, interpret and resource intensive to complete. As a developed country party Australia has had to devote considerable time and effort to provide a report that makes sense to those who might be interested in reading it. Australia could not, again, devote the level of resources required to complete this Third report. Accordingly, there is real risk that future reporting requirements in this kind of format, will not be met by the Australian Government, let alone other parties with fewer resources and capacity. There are a number of reasons for our concern about the current reporting format requirements. These include;

- Absence of any evidence that national reports effectively feed into long-term global monitoring and reporting of the state of the world's biodiversity.
- Perception that national reporting is no more than a matter of process.
- The likelihood that developing country parties will be increasingly unable to report because of the resource intensiveness of the exercise.
- The excessively legalistic approach implied by the format, for a Convention that is designed to be facilitative rather than prescriptive.

Australia believes that, following COP 7, the Indicators AHTEG meeting in October 2004 and SBSTTA 10, there is some momentum amongst party states to reform the reporting format process. We know from the October 2004 AHTEG meeting, for example, that less than 40 percent of parties submitted Second National Reports. We have serious concerns about the usefulness of the process overall, if publicly available CBD related biodiversity information, pertaining to almost half the globe, is missing. This must surely compromise published information and data in, for example, the Global Biodiversity Outlook, which draws on information provided through CBD reporting.

Australia strongly recommends that the Secretariat urgently begins to consider a substantially revised and much more streamlined reporting format. We believe a revised format should be

centred on the headline indicators formulated in October 2004, and further refined at SBSTTA 10. In Australia's view this would make national reports a useful and essential tool for international and national assessments of status and trends of the world's biodiversity. A revised format must be sufficiently streamlined and simplified to engage all parties, particularly developing countries, in meeting the Convention's objectives in meeting its 2010 target and providing a more accurate appraisal of the state of the world's biodiversity.

4. Cooperation with other conventions and organizations (VII/26 (3,5)). With reference to the Strategic Plan, Objectives 1.2 and 1.3 as well as Objective 4.4 this might include:

. Policy coherence;

Australia believes that there needs to be clear guidelines, on a case-by-case basis, by the Conference of the Parties, on cooperation with other conventions, and creation of inter-Convention synergies. Australia is concerned that efforts to date to make useful, effective and non-duplicatory links between Convention bodies and other organisations has not been particularly successful.

For example, biodiversity and climate change linkages are a valid matter for CBD consideration. However, any CBD work on climate change should focus only on practical adaptation measures to maintain biodiversity. The UNFCCC is the appropriate fora for broader climate change issues. Any CBD work on climate change beyond this would risk duplication of UNFCCC efforts, and detract from the UNFCCC's work. It would be most effective and appropriate for the CBD to request the UNFCCC provide relevant information and data necessary to facilitate work on biodiversity and climate change linkages.

Similarly, while accepting that COP 7 Decision VII/32 asked the Executive Secretary to explore options for a crosscutting initiative on biodiversity for food and nutrition within the existing programme of work on agricultural biodiversity, (and its confirmation by SBSTTA 10), Australia considers this work to be largely peripheral to an appropriate focus for the programme of work on agricultural biodiversity, and more clearly within the mandate of the FAO in particular. We were pleased, at least, that SBSTTA 10 broadly recognized this fact.

We are also concerned that substantial involvement in issues explicitly mentioned in this initiative might provide the Convention with undue opportunity to increase its involvement in poverty alleviation work, through the Millennium Development Goals (MDGs), for which the CBD has no mandate. Australia agrees that the CBD has a legitimate interest in the MDGs specifically relating to the conservation and sustainable use of biodiversity. We would note that there is only one target within the MDGs, (that relating to biodiversity loss and conservation), which is directly relevant to the 2010 goal of the Convention. However this cross-cutting initiative seeks CBD involvement in MDG Goal 1 (to halve by 2015 the proportion of people who suffer from hunger), Goal 4 (to reduce child mortality), Goal 5 (to improve maternal health) and Goal 6 (to combat HIV/AIDS, malaria and other diseases). None of these MDGs are of direct concern to the work of this Convention, and a distraction from its core interests in biodiversity conservation, loss and sustainable use.

- Implementation of the Convention, including options for a global partnership, involvement of indigenous and local communities, and engagement of key actors and stakeholders, including the private sector.*

Opportunities for global partnerships could increase if potential global partners perceive that problems of operation and implementation within the Convention are being addressed or have been largely overcome. This would be particularly the case with the private commercial sector at a global level. Global partners and key actors will only engage with an international body they believe is relevant, effective, and able to deliver practical benefits for the environment within its mandate on the ground.

5. Ways and Means of identifying and overcoming obstacles to the effective implementation of the Convention, in particular at the national level (VII/30 (23,26)).

If the Convention is able to effectively address and remedy the problems evident in parts 1-4, ways and means of identifying and overcoming obstacles to the effective implementation of the Convention at the national level should follow as a matter of course. Australia has recently undertaken a wide-ranging review of its implementation priorities under the CBD, at the national level. This has become necessary as the agenda under the Convention has expanded over the years, including into areas beyond its mandate. In summary Australia has had to be strategic in selecting engagement with those functions and programmes of work in which it has priority national interests.

Views on issues to be addressed by the Ad Hoc Open-Ended Working Group on Review of the Implementation of the Convention

Submission by Canada

Decision VII/30 (23) establishes an Ad Hoc Open-Ended Working Group on Review of the Implementation of the Convention. It calls for a consideration of progress in the implementation of the Convention and the Strategic Plan. To identify and overcome obstacles to effective implementation of the Convention, Parties should consider both decision VII/30 and the Strategic Plan itself contained in decision VI/26 (Annex).

1. Communication, education and public awareness

Goal 4 of the Strategic Plan aims at achieving a better understanding of the importance of biodiversity and of the Convention, and broader engagement across society in implementation. It calls for all Parties to implement a strategy for communication, education, and public awareness (CEPA), and to promote public participation in support of the Convention (4.1). It calls for involvement of indigenous and local communities in implementation (4.3), and engagement of key actors and stakeholders, including the private sector, in implementation through partnerships (4.4).

Creating effective CEPA strategies, and linking CEPA to broader engagement and involvement of the public and of key actors, remains a serious gap in implementation of the Convention. While decision VI/19 (Annex) contains a programme of work for a Global Initiative on CEPA, progress to date has been limited. Achieving actual results (i.e., slowing the rate of loss of biodiversity) requires public awareness, engagement and buy-in to the goals of the Convention, leading to change in societal behaviour.

The CEPA programme of work has not been reviewed. It has not likely yet resulted in the identification and engagement of key actors, and effective public outreach, required for effective implementation.

An agenda item focused on CEPA could address, *inter alia*:

- communications from the Secretariat; including the range of communication products used, the frequency at which they are issued, and ways and means of simplifying the Convention and COP decisions and making them more accessible and “user-friendly” (e.g., an ecosystem approach sourcebook);
- communicating with public/policy makers in general - communication products are few and issued infrequently
- ways of building a CEPA network, such as assessments of key public/policy makers who should be engaged, the role of Parties and National Focal Points (NFPs) in maintaining decentralized but linked registries, and relevant non-government initiatives;
- a clear set of objectives and desired outcomes for a CEPA network; and
- guidance for Parties who are developing domestic CEPA strategies, and who must communicate to the public and to a broad range of decision makers in biodiversity-relevant government ministries, local and indigenous communities, civil society groups, and industry.

While the second bullet under issue 4 (Cooperation with other conventions and organizations) mentions a possible “global partnership”, there are national dimensions to this issue as well, and it should be clearly linked to decision VI/19 on CEPA. We therefore suggest a separate discussion on “Communication, education and public awareness, including strategies for involvement and engagement of the public and key actors in implementation.”

2. Exchange of scientific knowledge and expertise in support of implementation of the Convention

Article 18 (Technical and Scientific Cooperation, paragraph 2) calls on Parties to promote technical and scientific cooperation in implementing the Convention. Article 17 deals with Exchange of Information, and Article 16 with Access to and Transfer of Technology. The new programme of work on Transfer of Technology and Technology Cooperation (decision VII/29) addresses these articles in part, but is mainly focused on enabling access to technologies as opposed to exchange of scientific knowledge and expertise.

Article 12 deals with Research and Training. It mentions programmes to provide support for the specific needs of developing countries. As the Convention moves into an implementation mode, there is a growing demand for training workshops to build capacity in developing countries by providing access to knowledge and technologies relevant to conservation and sustainable use.

A number of existing processes under the Convention involve the exchange of scientific knowledge in an implementation context – notably the SBSTTA and the ad hoc technical expert groups (AHTEGs). The SBSTTA is charged with providing “timely advice relating to... implementation,” and an AHTEG is specifically examining implementation of the programme of work on forest biological diversity. Other relevant processes under the CBD include expert groups and liaison groups convened by the Secretariat, and the supporting rosters of experts. Convening meetings of experts is essential to ensure that the decisions of the COP are scientifically sound, but does not directly address the need to build national capacity for effective implementation, as through hands-on training workshops.

Formal processes for engaging scientists in knowledge exchange are linked to products and tools for disseminating knowledge, such as meeting reports, the CBD’s technical report series, and the Global Biodiversity Outlook. Parties have also created formal links to broader scientific assessments, such as the forthcoming Millennium Ecosystem Assessment.

The relevance of knowledge exchange to Article 13 on Public Education and Awareness should also be noted. Exchange of knowledge and expertise is the second programme element of the Global Initiative on CEPA (decision VI/19, Annex), and represents the basis for the global CEPA network described in the first programme element.

A review of experience to date with exchange of scientific information under the Convention would benefit Parties in both the specific context of making the Convention’s existing processes more effective, and in the general context of addressing Articles 12, 13, 17 and 18.

This review could examine, *inter alia*,

- ways and means for the Convention to facilitate training workshops for capacity building in developing countries, as through partnerships;
- use of the Global Biodiversity Outlook to stimulate a broader discussion on exchange of scientific knowledge and expertise in support of Convention implementation;
- key knowledge gaps concerning status and trends in biodiversity that affect the prospects for successful Convention implementation, and ways to engage the scientific community in identifying and addressing these gaps;
- ways and means of linking the results of the Millennium Ecosystem Assessment to implementation of the CBD’s programmes of work; and
- the development and use of rosters of experts, including the feasibility of creating a distributed network through engagement of relevant scientific organizations and national and thematic focal points, and linking this network to the Global Initiative on CEPA.

3. Shifting from process to outcomes

The Strategic Plan states (paragraph 13), “better methods should be developed to objectively evaluate progress in the implementation of the Convention and the Strategic Plan.” This is echoed in decision

VII/30, paragraph 27. Parties have repeatedly stressed the need to move from activity-based to outcome-based reporting on implementation.

This raises a question as to whether the right processes are in place to support this shift. Excellent progress has been made in developing the provisional global framework of focal areas, goals, targets and indicators; but supporting processes are needed to make these meaningful. The 2010 target and the associated framework of goals, targets and indicators should be a central focus of the meeting Ad Hoc Open-Ended Working Group on Review of the Implementation of the Convention.

An agenda item on shifting from process to outcomes could include *inter alia*:

- An examination of whether the Convention's programmes of work are sufficiently focussed on outcomes, including a review of the targets identified and their ability to enable an assessment of the success of the programmes of work .
- An examination of the mechanisms in place to determine success. Are they adequate? Do we need process indicators to facilitate ongoing evaluation?
- A focus on the role of national reporting in the transition from process to outcomes. Is the format of the national report conducive to a focus on outcomes? Are mechanisms in place to translate the results of the national reports to an assessment of effectiveness? Can reporting done for the CBD be harmonized and streamlined with reporting for other Conventions? How can Parties better describe and assess actions that are helping to achieve the objectives of the Convention, even if these actions may not have been specifically linked to NBSAPs?
- A discussion on processes needed to ensure continual feedback from indicators and an adaptive approach. Currently the Biodiversity Outlook is the only mechanism for reporting out on the indicators. A mechanism to facilitate ongoing updating of the indicators and incorporation of the results into the POWs may be necessary. As well, the results of biodiversity assessments completed by processes outside the CBD provide valuable input into the success of the CBD. Do we have adequate mechanisms to ensure that these results are used in implementation of the CBD?



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate E - International affairs
ENV.E.2 - Environmental Agreements and Trade



*Présidence luxembourgeoise
du Conseil de l'Union européenne*

Brussels, 31 May 2005

Subject: **CBD Notification No 2005-013**
Ad Hoc Open-ended Working Group on Review of Implementation of the Convention -- Call for views on issues to be addressed

Dear Mr Zedan,

Luxembourg and the European Commission, on behalf of the European Community and its Member States, would like to transmit the enclosed EU submission on the above.

Yours sincerely,

Rebecca Parzer
Acting President
Directorate for Nature
Netherlands Ministry of Agriculture, Nature
and Food Quality

Soledad Blanco
European Commission

Submission of the European Community (EC) and its Member States

In response to notification 2005/13 calling for views on issues to be addressed by the Ad Hoc Open-ended Working Group on Review of Implementation (WG Imp) of the Convention

This submission suggests for each item, as suggested by the EU per e-mail to the ES on 23 March 2005, elements for discussion, preparatory activities needed by the Executive Secretary and possible outcomes of the discussions at the WG Imp.

Proposed Item 1. Progress in the implementation of the CBD and the Strategic plan and achievements leading to the 2010 target (VII/30, 23)

Under this item, the WG Imp should analyse progress on all the strategic goals and objectives of the Strategic Plan and the thematic programmes of work. This should also include discussing how to increase awareness of the public and decision makers on the consequences of biodiversity loss and how to identify the strategically important biodiversity research that is needed for a more efficient and effective implementation of the Convention.

WG-Imp should assess the level of implementation of key/selected decisions adopted since the first COP and identify reasons for which the level is high or low, and identify ways and means for improvements at the national, regional and international level.

The **national reporting process** (Third National Report by 15.5.2005) should be used and analysed, also taking into consideration the previous two national reports, which should be effectively used for this purpose incl. voluntary implementation reports as requested by notification 2004-57.

The EU would also like to emphasise the importance of **regional (e.g. EU, Pan-European) and sub-regional mechanisms** and cooperation in regard to implementation. The EU is presently reviewing priority objectives and detailed targets designed to meet the EU commitment to ‘halt the decline of biodiversity by 2010’¹, and to optimise the EU contribution to the global commitment to ‘the achievement by 2010 of a significant reduction in the current [2002] rate of loss of biological diversity.’ This review includes the assessment of the implementation, effectiveness and appropriateness of the European Community Biodiversity Strategy ² (ECBS) and its four Biodiversity Action Plans ³ (BAPS) and to identify priorities towards meeting the 2010 commitments.

Pan-European biodiversity policy has been developed under the Environment for Europe process and in particular through the Pan-European Biological and Landscape Diversity Strategy

¹ Presidency Conclusions, Goteborg Council, 15 and 16 June 2001. SN/2001/01 REV1, page 8.
<http://ue.eu.int/newsroom/newmain.asp?lang=1>

² European Community Biodiversity Strategy. COM(1998) 42 final.
<http://europa.eu.int/comm/environment/docum/9842sm.htm>

³ European Community Biodiversity Action Plans in the Areas of Conservation of Natural Resources, Agriculture, Fisheries, and Development and Economic Cooperation. COM(2001)162final, Vols I-V:
http://europa.eu.int/eur-lex/en/com/pdf/2001/com2001_0162en.html

(PEBLDS) **4**. In 2003, the 5th Environment for Europe Ministerial Conference agreed the Kyiv Resolution on Biodiversity **5**, which extended the EU target of halting the loss of biodiversity by 2010 to the pan-European region. PEBLDS has adopted action plans for activities to achieve these targets in the pan-European region. Collaboration between PEBLDS and the Ministerial Conferences on the Protection of Forests in Europe (MCPFE) on forest biodiversity issues is also an excellent example of inter-sectoral collaboration on forest biodiversity issues.

(a) Review of current trends in the various focal areas of the framework for evaluation of progress towards the 2010 target (A global level analysis), including review of progress in developing and testing indicators

The **Global Biodiversity Outlook** and the **Millennium Ecosystem Assessment** - report should be utilised and analysed for the review of current trends of biodiversity (state of art).

The agreed **indicators and 2010-targets** should not be reopened. Trends should now be measured on the basis of the present monitoring framework. A first review of the agreed indicators and targets should take place at a later stage. The ES should further submit a draft overall delivery Plan for the indicators, data and analyses, as well as a full characterisation of the methods, technical limitations and the availability of data sources, as requested by SBSTTA10 in § 12 a and b of the recommendation on indicators (L/12 paper). Finally, the ES should present options for the identification of process indicators for the four goals for the Strategic Plan, as also requested by SBSTTA 10 (§12f of the same recommendation). These may include for example amount of legislation, NBSAPs made, existing national committees, number of national targets for threats to biodiversity, impact assessments done.

The promotion of broader **public awareness**, understanding and support for the conservation and sustainable use of biodiversity is a critical overarching issue. There is a need for greater public understanding of the economic importance of biodiversity (for example in providing raw materials for manufacturing, medicines, etc and supporting agriculture, forestry and fisheries) as well as its many other values. The EU therefore considers that the Open ended Working Group should discuss in some detail how to get the message across to a wider audience drawing on national and international mechanisms and taking account of the Work Programme on CEPA. In this regard the EU also welcomes the **Countdown 2010** initiative in Europe which was inspired by IUCN – The World Conservation Union, and which can serve as an example for collaborative communication campaigns in other regions.

At COP7, the EU stressed the “need to establish a liaison group of biodiversity experts or other mechanisms, including through the development of trial indicators, to evaluate changes in trends in, and the status of, biodiversity and to identify significant deficiencies in information”. In order to avoid the proliferation of groups, the EU considers now that this task should be undertaken by the WG-Imp and SBSTTA, supported by the AHTEG on monitoring and indicators.

4 See PEBLDS website at: <http://www.strategyguide.org/>

5 Available under the title ‘Kyiv Declaration’ on the following web page: <http://www.strategyguide.org/kyiv.html#form>

The main outcome of the discussions should be clear recommendations to COP on:

- how to overcome the main obstacles in identifying trends in progress made
- an overall delivery plan for the indicators, data and analysis based on the improved ES proposal and a full characterisation
- a set of process indicators for the four global goals of the Strategic Plan
- identify further tasks for the AHTEG on monitoring and indicators.

(b) Review of implementation at the national level, including progress in follow-up of § 41 of Decision V/20, the establishment of national targets, the monitoring of their implementation, and their integration into National Biodiversity Strategies and Action Plans, and sectoral and cross-sectoral strategies, plans and programmes

While item 1(a) addresses progress at the global level, this item focuses on **national implementation**. The Executive Secretariat should prepare a paper based on the Third National Reports and other information available which analyses progress made and main obstacles encountered towards achieving the goals and objectives of the Strategic Plan as well as the implementation of the programmes of work. Through the identification of major constraints and successes , information will come available which can be used for national performance review, if countries so desire.

Discussions under item 3 on reporting mechanisms are also relevant to this item as the reporting burden can be an obstacle to implementation.

The ES should also present a report on progress made in implementing **§ 41 of Decision V/20**. This should be inter alia based on the result of a notification requesting parties to report on what was done re. “undertake, on a voluntary basis, a review of the national programmes and needs related to implementation of the Convention”. It should also include an overview of existing examples of peer review in other international processes, their relative advantages and disadvantages and their overall effectiveness.

Within this context, the ES might also invite a high representative from **GEF** to report on how GEF is contributing towards national level implementation.

The outcomes could be

- clear recommendations to COP on how to overcome obstacles encountered in implementation at national level
- a request to the Executive Secretary to prepare a report to COP on possible mechanisms to carry out voluntary national implementation peer reviews
- options for improved engagement with the GEF – with the aim of securing more streamlined and responsive process.

- (c) **Review of progress in delivering the objectives of the Strategic Plan and the thematic work programmes, including the need to increase awareness of the public and decision makers on the consequences of biodiversity loss and identifying the strategically important biodiversity research that is needed for a more efficient or effective implementation of the Convention**

Active communication of trends, obstacles and progress to various target groups and the public at large is crucial. There is no point in investing energy in MA, GBO, SP-evaluation etc. if results are not brought to the right persons and fora. There is a lot of important information available but it needs to effectively reach the target groups. This demands long term strategy, not incidental press releases or other actions.

The **International Conference “Biodiversity: Science and Governance” January, Paris**, recommended the “launch of an international multi-stakeholder consultative process guided by the a balanced multi-stakeholder steering committee to assess the need for an international mechanism which would provide a critical assessment of the scientific information and policy options required for decision-making and build on existing bodies, current and recent activities”.

The **Millennium Ecosystem Assessment** has just published its first reports including the summary for decision makers on biodiversity. All remaining reports, will have been published at the time of WG Implementation. Experience gained with the MA need also to be considered in this context. The Informal Advisory Committee (decided by COP7) for the **CEPA Programme of Work** should be strengthened to fully take its role in facilitating the implementation of the programme. There is a need for more professional CEPA involvement in supporting implementation of the programme by Parties.

The outcome should be clear recommendations on how to

- strengthen the scientific basis for the CBD
- identify science gaps revealed by the MA and ways and means to tackle them in consultation with the scientific community
- increase awareness of the public and decision makers on the consequences of biodiversity loss and creating a substantial and ongoing communication process between CBD and wider society by advising on strategies and means to communicate important information and insights with decision-makers, economic sectors, the scientific community and the public at large. The recommendation should include advice on strengthened implementation of the CEPA PoW.
- engage the CBD and its Secretariat in the process following the Paris Conference.

Proposed item 2. The impacts and effectiveness of existing processes under the Convention (VII/30 (23))

At COP7, the EU stated that it had “already submitted a proposal to the Chair of the COP Bureau last (i.e. 2003) November on how to improve operations of the Convention” and asked to “establish an **ad hoc high level advisory group** of around 20 high level experts which would analyse and assess the existing processes under the CBD and would propose improvements to the effectiveness of these processes. The advisory group should give special emphasis to improving on-the-ground implementation and effectiveness of the CBD in achieving the 2010 target.”

While this work is now a task for the WG on Implementation, it still can be argued that innovative ideas for such improvements could be more effectively discussed by a smaller group of high level experts. There is however a risk of lack of transparency, participation, ownership and commitment.

The CBD must be a guiding instrument on biodiversity issues widely known not only by few experts and government officials, but also by practitioners and persons in the street. WG-Imp should therefore discuss the possibilities for such a high level group of experts, the role and status of such an advisory group and possibly agree a specific TOR.

WG-Imp should also look at a very **practical level on how to improve the functioning of CBD bodies**, including their structure and processes (preparation of documents, periodicity, length of the meetings, etc...). Detailed suggestions are outlined below.

Issues to be addressed include:

- **Meetings of the Conference of the Parties**

WG-Imp should analyse and assess the current processes under the Conference of the Parties and explore ways and means to improve them so as to secure more strategic and focussed outcomes and to better assist Parties in implementing the convention and the strategic plan and meet the 2010 target.

In particular, WG-Imp should adopt concrete recommendations to COP on how to improve preparation and organisation of documentation, priority setting (within and between programmes), frequency of COPs.

With respect to an improved mechanism for setting priorities by COP the EU already made proposals. These include the suggestion to hold a plenary at the end of the first week of COP to take stock of how far policy has been turned into programmes and what the budget requirements are, based on the state of negotiations in the working groups. The budget group can then consider the proposed allocations and incorporate these into the draft budget paper, thus to streamline the discussions in the plenary.

The Working Group should also consider options for improving the functioning of the High Level Segment, such as better integration into the COP meetings, involvement of the COP and its Bureau in the agenda setting and preparations and possible engagement of Ministers in the decision making process at COP.

- **The work of the Subsidiary Body on Scientific, Technical and Technological Advice, including *ad hoc* Technical Expert Groups**

WG-Implementation should analyse the current SBSTTA processes and explore possible ways and means so as to better assist COP in taking more strategic decisions focused on key issues for CBD and on the 2010 target and sufficiently informed by scientific considerations. The analysis should identify, inter alia, ways and means to:

- secure the best technical, technological and scientific advice to COP and other relevant working groups including on emerging issues;
- improve the effectiveness of SBSTTA meetings;
- find time and space to address new and emerging issues
- reach out to the scientific community particularly in relation to tackling priority research gaps
- clarify and streamline the role of AHTEGs in providing scientific and technical analysis on specific issues rather than providing broader policy solutions on comprehensive subjects.

In particular, WG-Imp should adopt concrete recommendations to COP on how to improve preparation and organisation of documentation, scientific and technical assessments, the role of scientific peer review, the composition of and preparation for AHTEGs and the handling of emerging issues.

- ***ad hoc Open-Ended Working Groups***

WG-Implementation should analyse the current OEWG processes and explore possible ways and means so as to better assist COP in taking more strategic decisions focused on key issues for CBD and on the 2010 target and sufficiently informed by scientific considerations, the analysis should identify, inter alia, ways and means to:

- clarify the role of OEWGs in relation to COP
- strengthen the role of OEWGs to operationalising and implementing key CBD issues and to give COP adequate political advice.

- **National Focal Points**

WG-Imp should address the need to bring together international/multilateral oriented national representatives and domestic agents responsible for biodiversity management and support the identification at Parties' request of ways and means to improve the capacity of National Focal Points to

- prepare and follow-up CBD meetings;
- promote implementation and sectoral integration at the national level;
- promote communication and awareness of biodiversity issues;
- improve liaison between the global, regional and national levels;
- improve co-ordination among NFPs of different parties at the regional level.
- improve liaison with focal points for other international instruments, organisations and processes.

WG-Imp should further emphasize the necessity of ensuring the durability of the NFPs, in particular for developing countries, through political commitment at national level.

- **The Secretariat**

WG-Imp should analyse and assess the current SCBD processes and explore ways and means to:

- optimise its functioning with regard to the preparation and follow-up of CBD meetings and assistance to Parties;
- improve cooperation between biodiversity related Conventions both at national and international level by indicating concrete steps and actions that could be taken to achieve maximum synergies and minimise duplication of efforts;
- streamline the flow of information to and requests from focal points.

- **The Clearing House Mechanism**

WG-Implementation should

- evaluate the use made and effectiveness of the Roster of Experts
- suggest how to improve the role of the CHM with respect to awareness-raising, effective access to scientific, technical and technological data and dissemination of information to key stakeholders (*see item 1(c)*).

Proposed item 3. Reporting mechanisms under the Convention and other conventions and processes (VII/30 (27))

The ES should prepare a brief overview of recent developments in relation to reducing reporting burden and harmonisation with other biodiversity related conventions and processes. This should include the main recommendations from the Haasrode workshop and progress in other biodiversity related conventions and processes (e.g. CITES COP13 decision on reporting). The WG-Imp should also consider how to streamline national/regional/global reports so that they link to each other and focus on outcomes (results) such that trends can be effectively monitored. Cohesiveness is more important than quantity of information. The 2010 targets and the CBD framework should provide the main focus of the reports.

The work done within the forest sector and the Task Force on Streamlining Forest-Related Reporting under the Collaborative Partnership on Forests (CPF), where the Secretariat of CBD is an active member as well as in other cooperation initiatives, e.g. Ramsar and CMS, is important when improving the reporting mechanisms.

In addition to national reporting, Parties have to reply to ever increasing amounts of questionnaires and voluntary reports to different fora. The EU believes that by developing the national Clearing House Mechanism further it could serve also for international reporting needs, thus considerably decreasing the reporting burden of Parties.

The outcome should be clear recommendations to COP8 on how to further streamline reporting mechanisms, reduce reporting burden, focus on outcomes, and better link national, regional and global reports.

Proposed Item 4. Cooperation with other conventions and organizations (VII/26 (3,5); VII/30 (25). With reference to the Strategic Plan, Objectives 1.2 and 1.3 as well as Objective 4.4 this might include:

- **Policy coherence**
- **Implementation of the Convention, including options for a global partnership, involvement of indigenous and local communities, and engagement of key actors and stakeholders, including the private sector**

The WG-Imp should discuss ways and means to facilitate the full and coherent implementation of all biodiversity commitments and increase coordination at national and international level, through improved collaboration, cooperation and synergies between international institutions, with a view to achieving the 2010 target in a proactive and mutually supportive way. This implies a three-tiered approach to collaboration on biodiversity issues:

- 1) at national level within the Parties;
- 2) at international level by the biodiversity conventions, and
- 3) at a broader institutional level, involving all institutions involved in implementing biodiversity commitments.

Decision VII/27 has established a Global Biodiversity Group in order to enhance coherence and cooperation in the implementation of the five biodiversity conventions (CBD, CITES, Ramsar, CMS and World Heritage Convention).

The WG-Imp should review progress made so far on the cooperation between **biodiversity-related conventions, in particular progress made by the Biodiversity Liaison Group**, and suggest possible ways to further strengthen and improve support of those Conventions to the achievement of the 2010 target.

The EU would like to emphasise the importance for the Biodiversity Liaison Group to convene on a more regular basis and to address concrete elements (such as harmonisation of reporting or indicators) in order to enhance synergies, avoid duplication of efforts and improve implementation of biodiversity-related conventions. Regarding reporting, the EU would like to recall that the UNEP-WCMC workshop on harmonisation on reporting (Haasrode - September 2004) has underlined, at international level, the potential role of the Biodiversity Liaison Group to coordinate reporting activities, with the support of appropriate international organizations and other experts. The WG-Imp should further recommend possible elements (tasks, structure, membership) of the **Global Partnership on Biodiversity (GPBio)**. The GPBio would act as an inclusive partnership to assure ownership and effective coordination between all institutions that contribute to the implementation of biodiversity commitments. On this basis the partnership would comprise of the so-called biodiversity cluster (CITES, Ramsar, CMS, CBD, WHC) and other instruments and bodies essential for the implementation of the CBD and the achievement of the 2010 targets (UNCCD, UNFCCC, GEF, UNEP, FAO, UNFF, UNDP, World Bank, IUCN, WTO, CGIAR, WBCSD, etc.). The partnership would be a flexible framework responding to issues as they arise and drawing on expertise as needed. Establishment of the Partnership could take place using a step wise approach, starting with the biodiversity cluster (biodiversity liaison group) and moving on to expand the partnership as appropriate, i.e. build the strength of the cluster first and then move on to engage the wider community.

- **Outreach to civil society**

The Convention has a good record of involving certain sectors of civil society, such as NGOs and Indigenous Peoples' Groups, although there is probably room for improvement. Other sectors have been less engaged, such as business which has a potentially significant effect on biodiversity. The WG should discuss how to secure better engagement of such organisations representing civil society -including business - with the objective of improving their contribution to the implementation of the Convention, its Strategic Plan and the 2010 target. The Programme of Work on CEPA is potentially a good tool and needs strengthening.

- **Progress of the international environmental government process and related UNEP Governing council decisions**

On this item, the ES or UNEP should report back on the main outcomes of the recent 23rd session of the UNEP Governing Council – Global Environmental Forum. The key decision is decision 23/1 on international environment governance which includes adoption of the Bali Strategic Plan for Technology Support and Capacity Building, Strengthening the scientific base of UNEP, MEAs and enhanced coordination. WG-Imp might adopt some recommendations to COP on what these outcomes mean for the CBD.

Submission by India in response to CBD Notification No. SCBD/EDM/DC/46117 dated 2nd February 2005 on Review of Implementation of the Convention.

Progress in the implementation of the Convention although difficult to measure can be considered significant in many ways. However, there are still many challenges, both at the level of the operation of the regime and at national implementation, in part due to the complex nature of the convention and to its far-reaching political, commercial and social implications. The reconciliation of the duality of conservation and sustainable use, along with the management of the far-reaching political implications of the Convention, presents enormous challenges to the implementation of the regime. The challenges are further complicated by the differing perceptions of the CBD as a "residual" (taking up matters not considered elsewhere), an "umbrella" (coordinating existing agreements), or a "framework" convention (laying down principles and orientations later to be turned into binding obligations through future protocols).

POSSIBLE ISSUES TO BE ADDRESSED BY AHOEWG ON REVIEW OF IMPLEMENTATION OF THE CONVENTION**1. Progress in the implementation of the Convention and the Strategic Plan and achievements leading up to the 2010 target (VII/30 (23)).****(a) Review of current trends in the various focal areas of the framework for evaluation of progress towards the 2010 target (A global level analysis)**

- The CBD has concentrated more on coordination with different bodies under CBD and less with other well-established institutions. In fact, the COP and SBSTTA have repeatedly urged the Secretariat to pursue co-operation with other Intergovernmental organizations (IGOs). Accordingly, the number of Memoranda of Co-operation and Memoranda of Understanding (MOU) signed has grown steadily, but most have yet to be translated into effective action. CBD's dependence on other bodies further complicates the co-operation. Thus there is need for the harmonization of the new principles it embodies with the norms and rules of international law found in previous agreements. Successful co-operation rests on the capacity to harmonize these different norms and approaches. In this regards the first co-ordination efforts were undertaken with the Ramsar Convention that shares the CBD's ecosystem centered perspective. The conservation objective of the Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES) and the CBD could not appear closer and co-operation has become more difficult in part because of the species-centered perspective of the former which ignores socio-economic and human development factors affecting biodiversity conservation and sustainable development. Co-ordination and harmonization has been more difficult when one considers other regimes such as those dealing with trade and intellectual property rights (IPR). On a number of occasions, the COP has addressed the relationship between the CBD and the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS). In the case of trade rules, the complexity of the task is clearly made apparent in the efforts of the Cartagena Protocol and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) to reconcile environmental protection, human welfare, trade liberalization and property rights. The secretariats of the CBD and UNFCCC have not yet signed a MOU despite numerous interlinkages between both conventions and repeated calls by the CBD-COP (COP 5) to take biodiversity concerns into consideration in the implementation of the Kyoto Protocol.
- Many developing countries are confronted with contradictions among international norms, and between international norms and local norms. One illustration of these

difficulties found in many countries, is the challenge that public administrators face in implementing the ecosystem approach and devising appropriate, credible and legitimate participatory structures. Insufficient attention has also been paid to potential conflicts between the goals of protecting ecosystems, species and genetic biodiversity, of benefit-sharing, and of sustainable development, which too often are assumed to be complementary. Its implementation, particularly its participatory dimension, remains complex.

- The COP has often insisted on the gathering and exchange of information as a tool for developing concepts and procedures and sharing best practices. In particular, parties are regularly asked to submit case studies to the Secretariat. The poor response from the parties reflects the lack of direct impact of the CBD on national scientific research.

(b) Review of implementation at the national level

Some of the issues which are worth mentioning while reviewing implementation at national level are as follows:

- At times lack of Institutional Memory because of frequent changes adversely affects implementation of convention.
- Uneven participation in international fora by developing country experts is another obstacle that is needed to be overcome. Developed countries are able to participate with more number of delegates having expertise in the major relevant field. On the contrary only few experts are able to participate from developing countries Major reasons sited for this are lack of information and networking, limited resources for participation and the importance of English in international negotiating fora and in the background literature.
- Inadequate communication between stakeholders and government at local levels reflect not only a lack of capacity but also political and cultural differences among countries.
- In the case of developing countries the failure of developed nations to abide by their own commitments generates further obstacles during implementation of the Convention. As specified in article 20 (4) of the CBD, the obligations and commitments of developing countries under the principle of common but differentiated responsibility are contingent upon the developed countries 'fulfillment of their commitments related to financial resources and transfer of technology'.

2. The impacts and effectiveness of existing processes (including in the setting of priorities) under the Convention (VII/30 (23)), such as:

- **Financial Mechanism**

Financing for the Secretariat and the institutions of the conventions has grown substantially, in line with the development of its programs, and this trend has continued with the implementation of the Cartagena Protocol. Two issues which need to be mentioned are:

1. The actual level of biodiversity funding remains unclear, as is the extent to which additional resources have been forthcoming. Due to lack of standardization in the reporting procedures of funding institutions the monitoring of these commitments through bilateral and multilateral aid programs and private investments has proven difficult.
2. The level of voluntary contributions reflects a situation prevalent in the UN system especially in the environment, where countries fund selected programs, thus making planning more difficult and potentially skewing the implementation of the convention toward issues that may be peripheral to the needs and concerns of a majority of its members.

- **COP**

The development in the CBD has been asymmetrical. COP still need to consider some items such as sustainable development (except for tourism and scattered decisions on agriculture, forests or marine biodiversity) on significant scale. Others, such as benefit-sharing, are proving extremely complex to put in practice. But we have to agree that there are others which have developed up to a magnitude that was largely unforeseen at the time of negotiation. For example Article 8(j), 4 has become one of the dominant instruments for protecting and promoting the rights of local people relative to those of the State and civil society at large. It has fostered international co-operation and in practice has led to a realignment of biodiversity issues in socio-economic terms.

3. Reporting Mechanism

Assessment of the real degree of implementation is made more difficult by shortcomings in national reporting. Reports are not filed on time or their contents differ widely, making comparisons difficult. Yet, most countries have now adopted a national strategy and action plan. In certain cases, however, these strategies are only pro forma exercises. In many instances, rather than evincing national priorities, these documents have been only first steps that helped to identify existing policies, administrative structures and constraints, define gaps in knowledge, and stimulate national discussion about these issues.



**SECRETARIA DE MEDIO AMBIENTE
Y RECURSOS NATURALES**

**UNIDAD COORDINADORA DE
ASUNTOS INTERNACIONALES**

UCAI/1831/05

México, D. F. a 17 de mayo de 2005

**SR. HAMDALLAH ZEDAN
SECRETARIO EJECUTIVO DEL
CONVENIO SOBRE LA DIVERSIDAD BIOLÓGICA
PRESENTE**

En el marco de la Decisión VII/30 de la Conferencia de las Partes y en atención a las Notificaciones SCBD/EDM/DC/46117 y 46998, mediante la cuales se invita a las Partes y gobiernos entre otros involucrados a proporcionar comentarios sobre el proceso de revisión del Convenio con miras a la Reunión del Grupo de Trabajo de Composición Abierta en la Revisión e Instrumentación que se realizará del 5 al 9 de septiembre próximo en Montreal, Canadá, transmíto a usted comentarios puntuales a los siguientes puntos:

1. Progreso en la implementación del Convenio, el Plan Estratégico y logro de las metas hacia el 2010 (Decisión VII/30, parr. 23)
2. El impacto y la efectividad de los procesos existentes (incluyendo el establecimiento de prioridades) en el marco del Convenio
3. Mecanismos para la elaboración de informes al Convenio y a otras convenciones
4. Cooperación con otras convenciones y organizaciones, con referencia al Plan Estratégico, Objetivos 1.2 y 1.3 así como los objetivos 4.4
5. Formas y medios para identificar y superar los obstáculos para la efectiva implementación de la Convención, en particular a nivel nacional.

Sin otro particular, reitero a usted las seguridades de mi consideración más distinguida.

EL TITULAR

JOSÉ MANUEL BULÁS MONTORO

49052	
May 18 2005	
ACTION	DC
INFO	Aba, MAM

CCP. Ing. Alberto Cárdenas Jiménez.- Secretario de Medio Ambiente y Recursos Naturales.- Para su superior conocimiento.
 Min. Ernesto Céspedes Oropeza, Director General para Temas Globales, Subsecretaría para Temas Globales de la Secretaría de Relaciones Exteriores. Para su conocimiento
 Fis. Ana Luisa Guzmán, Encargada de la Secretaría Ejecutiva de la CONABIO. Para su conocimiento
 7/17/05/MNC/LMO
 Ref01699

**COMENTARIOS SOBRE EL PROCESO DE REVISIÓN DE LA IMPLEMENTACIÓN DEL
CONVENIO SOBRE LA DIVERSIDAD BIOLÓGICA**

1. Progreso en la implementación del Convenio, el Plan Estratégico y logro de las metas hacia el 2010 (Decisión VII/30, parr. 23)

1.1. Implementación del Convenio

La gran mayoría de las partes cuenta con su Estudio de País, Estrategia Nacional y plan de Acción.

Se ha dado un aumento en la cantidad de recursos financieros por parte de gobiernos, organismos internacionales y agencias de cooperación internacional que se dedica al apoyo de proyectos relacionados con la conservación y el uso sustentable de la biodiversidad.

La Conferencia de las Partes ha adquirido un nivel político importante y como tal algunas de las decisiones de la COP tienen su origen en programas nacionales y regionales concretos. El marco de adopción de decisiones del proceso de la COP tiene un potencial ilimitado por carecer de reglas de votación. Un ejemplo evidente fue la adopción de la Decisión VI/23 en el tema de especies exóticas invasoras.

Deben redoblararse esfuerzos para armonizar la información, y su proceso de recolección, tratamiento, difusión y sinergia con otras convenciones relacionadas con la diversidad biológica (CITES, Ramsar, CMS, entre otras).

Se considera necesario difundir ampliamente al menos en tres de los idiomas oficiales el estado y tendencias de la diversidad biológica, incluso las presiones, las perspectivas de largo plazo y sobre las políticas existentes y escenarizarlos con sus posibles consecuencias (impactos y respuestas).

Debería presentarse sistemáticamente el estado del seguimiento de las decisiones de las COPs (como se hace otros foros de Naciones Unidas).

Adicional a la meta para el 2010, también debería considerarse la elaboración de un calendario más amplio y los compromisos que las Partes tendrían, asociados al corto, mediano y largo plazo.

La necesidad de contar con recursos financieros y técnicos nuevos y adicionales como elementos fundamentales para reducir de manera importante el índice actual de pérdida de la diversidad biológica, es otro elemento de gran importancia para avanzar firmemente en la instrumentación del Convenio. En este sentido sería fundamental emprender acciones concretas para la aplicación del Consenso de Monterrey en el financiamiento para el desarrollo sostenible.

1.2. Implementación del Plan Estratégico

Tomando en cuenta que los principales componentes del plan estratégico se pueden resumir en: 1) Liderazgo del CDB a nivel mundial, 2) Capacidad para implementar el Convenio, 3) La Estrategia Nacional de Biodiversidad y Plan de Acción como vehículos para la implementación del Convenio a nivel Nacional y 4) Concienciación y participación social. Los avances son modestos, pues el liderazgo del CDB a nivel mundial si bien se ha posicionado en el marco del PNUMA, necesita trascender a otros foros asociados como son los de carácter: económico, comercial, de desarrollo y sociales, entre otros. Foros que son necesarios para lograr la implementación adecuada del Convenio en los ámbitos nacionales y regionales, si se miran bajo la perspectiva de las causas profundas de la pérdida de la biodiversidad.

En cuanto a la capacidad para implementar el CDB los avances son muy limitados pues difícilmente existen en la mayoría de los países las instituciones necesarias para cubrir todos los programas temáticos y transversales. Si bien las ENB y PA incorporan en su mayoría los

elementos principales para la implementación del CDB, estos no dejan de ser una lista de buenos deseos, debido a la falta de voluntad política o de Infraestructura así como de recursos humanos y financieros. Lo mismo sucede con la concienciación de la sociedad en lo relativo a los temas de biodiversidad.

En general pudiéramos concluir que los procesos del Plan estratégico están marcando sus caminos, pero apenas se inician sus procesos, mismos que deberán orientarse a una fase de Instrumentación.

1.3. Implementación de las metas 2010

Las metas al 2010 fueron recientemente aprobadas por la COP VII, por lo que se considera que es muy prematuro evaluar los avances a nivel nacional o global en torno a las mismas. Cabe recalcar que actualmente se están incorporando de manera forzada en todos los programas de trabajo del Convenio y sus Indicadores, y en muchas ocasiones se incorporan sin necesariamente estar relacionadas con el tema. Tal es el caso de los programas de trabajo para ecosistemas marinos y costeros y diversidad biológica de aguas continentales, en donde en SBSTTA 10 se introdujeron las metas sobre el Artículo 8j y acceso a recursos genéticos, siendo que existen ya iniciativas muy claras para cada uno de estos temas que, cabe mencionar, son transversales por naturaleza y se encuentran en un proceso de negociación abierto. O también en el caso de los Indicadores, no son precisos o los elementos e información necesaria para implementarlos es heterogénea o inexistente.

a) Revisión de las tendencias en las diversas áreas focales, del marco de trabajo para la evaluación del progreso hacia las metas del 2010 (Un análisis global)

Si tomamos como referencia las áreas focales definidas en el anexo 1 de la decisión VII/30 a saber: a) estado y tendencias de los componentes de la diversidad biológica, b) uso sostenible, 3) amenazas a la biodiversidad, 4) integridad de los ecosistemas y sus bienes y servicios, 5) estado de los conocimientos e innovaciones de las prácticas y conocimientos tradicionales y 6) estado de la transferencia de recursos.

El convenio ha dado avances mínimos, pues en todas las áreas focales evaluaciones como el Millennium Ecosystem Assessment revelan claramente que seguimos perdiendo biodiversidad, tanto en cantidad como en calidad.

Los esquemas de aprovechamiento sostenible son insignificantes y poco generalizados, manteniéndose principalmente como proyectos a escala piloto. Muchos de ellos siguen siendo considerados como inversiones a fondo perdido.

Las amenazas continúan estando presentes salvo excepciones como en el caso de México para incendios por ejemplo, donde se ha disminuido relativamente su impacto mediante el uso de técnicas de alerta temprana por medio de percepción remota (imágenes de satélite).

En el caso del conocimiento tradicional y el Acceso a Rec. Genéticos y reparto de beneficios, estos asuntos han estado sujetos a procesos de negociaciones internacionales no concluidas y muy complicadas, y no se ha definido las maneras precisas de abordarlos en beneficio del Convenio con el fin de alcanzar el tercer objetivo del Convenio. Cabe mencionar que el tema de ABS que no es factor central en la disminución de la pérdida de la biodiversidad.

En cuanto a la transferencia de recursos la asistencia en transferencia de tecnología sigue siendo incipiente, pues se necesitan esquemas diversificados e innovadores conforme a los países receptores a fin de potenciar las capacidades existentes en el desarrollo de tecnologías ad hoc a su realidad.

b) Revisión de la implementación a nivel nacional, incluyendo el establecimiento de metas nacionales, el monitoreo de su implementación y su integración en las Estrategias Nacionales de Biodiversidad y los Planes de Acción, así como estrategias sectoriales, transectoriales, planes y programas.

Debido a que la agenda de trabajo del CDB se ha vuelto tan amplia, se ha vuelto muy complicado dar seguimiento a todos los temas de la agenda así como su implementación en México, en particular los Programas de Trabajo de las áreas temáticas. Dichos programas en ocasiones recién en las funciones de áreas que no están directamente relacionadas con el trabajo del CDB, lo cual complica aún más su implementación convirtiéndose en un desafío su aplicación.

En cuanto a las metas nacionales, éstas normalmente se definen conforme a los planes nacionales de desarrollo y sectoriales que en el mejor de los casos pueden llegar a coincidir con las propias del convenio o con las definidas en las ENBs. En el caso de México, su plan de Acción es enfocado a Estrategias Estatales que complementen las acciones federales, modelo que consideramos más factible de integrar las metas propias del CDB en sus programas de trabajo, por la escala en que se manejan.

Un indicador de la falta de capacidad de las Partes para dar seguimiento a la agenda del CDB es la falta de respuesta ante las Notificaciones del Secretariado o a los Informes temáticos, sus resultados son escasos y en muchas ocasiones reportan muy poca actividad concreta. Debemos continuar los esfuerzos para recopilar, sistematizar y presentar orientaciones a la COP en un formato más sencillo y más uniforme que pueda ser mejor entendido, llevado a la práctica, supervisado y evaluado.

2. El impacto y la efectividad de los procesos existentes (incluyendo el establecimiento de prioridades) en el marco del Convenio, en:

Efectividad de las reuniones de la Conferencia de las Partes

- Durante la evolución del Convenio, la COP ha sufrido diversos cambios tanto en enfoque y tipo de decisiones, como periodicidad. Los primeros años, la COP se enfocó principalmente a tomar decisiones para establecer reglas de procedimiento de los diversos órganos y definir nuevos temas de trabajo, desarrollar nuevos conceptos. Recientemente, la COP ha aprobado y revisado programas de trabajo para las áreas temáticas (7) y transversales (18), incluyendo un Protocolo de Bioseguridad así como un sinúmero de lineamientos voluntarios. Actualmente las Partes ya no permitieron la inclusión de nuevos temas en la saturada agenda de CDB, por lo que las COPs futuras deberían dedicarse a la implementación de los programas de trabajo y a buscar soluciones.
- Lo anterior ha llevado a que la COP haya tomado 179 decisiones, lo cual dificulta el seguimiento puntual de las mismas así como su implementación nacional. La última edición del "Handbook of the Convention on Biological Diversity", que incluye las decisiones de la COP 7, tiene 1493 páginas. Adicionalmente, el número de decisiones por COP sigue aumentando considerablemente, ya que la COP VII incluyó 36 decisiones nuevas.
- Se sugiere que se implemente un mecanismo de consolidación de decisiones a fin de unir aquellas relacionadas temáticamente, divididas por actores evitando redundancias. De esta manera, se contaría con un número limitado de ellas lo cual facilitaría su seguimiento.
- Sería recomendable que la COP, si bien revise los avances de todos los temas cada vez que se reúne, se limite a tomar decisiones sólo en aquellos temas que son prioritarios y que requieren de acciones adicionales concretas.
- La periodicidad de las COPs ha cambiado en los últimos diez años, de ser anual desde 1994-1996, a una fase bianual 1998-2006. Dado que ahora el CDB se encuentra en una fase de implementación donde no habrá programas nuevos, quizás la periodicidad debería ser cada 3 años, para limitarse a revisar avances y tomar solamente las decisiones necesarias para facilitar la implementación del Convenio. Esto le daría más tiempo a las Partes a implementar efectivamente las decisiones de las COPs.

Segmento Ministerial

- Si bien el Segmento Ministerial representa el elemento de mayor relevancia política de la COP cuya temática es establecida por el país sede, éste no ha sido tan efectivo como se

esperaba ya que no hay seguimiento a las declaraciones ministeriales y a veces no están en línea con los temas de la COP.

- Se sugiere que modificar el formato de trabajo del Segmento Ministerial con el fin de que los resultados del trabajo de los Ministros sirva de guía para el trabajo del Convenio, instituyendo un proceso que asegure coherencia en la propuesta de acciones, más allá de discutir el estado y tendencias de la biodiversidad.

El Órgano Subsidiario de Asesoramiento Técnico, Tecnológico y Científico (SBSTTA)

- México ha manifestado reiteradamente que el SBSTTA debe ser un órgano técnico y científico, y debe quedar al margen de las cuestiones políticas. Un ejemplo de esto es el caso del tema de Incentivos perversos, que fue discutido en SBSTTA 10 y se convirtió en una discusión política más que técnica ya que el documento estaba contaminado de aspectos comerciales y políticos.
- Para evitar que este tipo de situaciones se den en SBSTTA, el Secretariado debe ayudar al presentar documentos lo más técnicos posible y libres de cualquier motivación política. Algunas Partes manifestaron su descontento con el documento de Incentivos que se presentó en el SBSTTA 10 ya que venía tan contaminado de aspectos políticos y comerciales que dificultaron enormemente su discusión. El resultado fue que el SBSTTA envió a la COP 8 un documento lleno de corchetes. La Secretaría debe estar pendiente y anticipar este tipo de situaciones.
- Se sugiere que todos los asuntos de orden político que resulten de los SBSTTAs se discutan en una reunión intersesional que se lleve a cabo entre un SBSTTA y otro o en su caso, hasta la COP.
- Una vez más, en vista de que no se abrirán nuevas áreas temáticas, los aportes del SBSTTA deberán estar enfocados mayormente a la búsqueda de soluciones y herramientas para las Partes y bajar el esquema de estado y tendencias, salvo los identificados como indicadores para las metas del milenio que son a escala global.

Grupos de trabajo de composición abierta

- Se considera que los Grupos de Trabajo de composición abierta sobre 8J, y acceso a recursos genéticos y distribución de beneficios han funcionado bien, ya que es posible entrar en detalle a la discusión de los mismos. En el pasado el de Bioseguridad logró como resultado del Protocolo de Cartagena. Ahora el más nuevo es el de Áreas Naturales Protegidas.
- Sería recomendable que se establezca como permanente el Grupo de Trabajo de composición abierta para el periodo entre sesiones, con el fin de que éste discuta aspectos de carácter político así como el funcionamiento del Convenio.

Puntos focales nacionales

- Los puntos focales nacionales podrían dar mejor seguimiento a los temas que les corresponden si se utilizara al CHM como mecanismo para el Intercambio de Información y experiencias, entre los puntos focales.
- Desgraciadamente, los puntos focales nacionales muchas veces no recaen en las personas que en realidad implementan los temas a nivel nacional. Esto refleja la dificultad para lograr que la Convención sea implementada de manera más amplia a nivel nacional, más allá de las oficinas de biodiversidad de cada país.
- El punto focal tiene la tarea de fungir como interfase y traductor entre la complejidad de la burocracia y negociación internacional del CDB y la implementación nacional, de hacer un mapeo del convenio, sus avances, identificando prioridades nacionales y reconociendo necesidades para Instrumentario a través de las Estrategias Nacionales y Planes de Acción (NBSAP) y las tareas federales y en escalas menores.
- Además los puntos focales son o deberían fungir como punto de encuentro y referencia entre diversos sectores de la sociedad, academia, ONG's, Gobierno, agencias de Cooperación Internacional o de implementación del GEF. Para informar y coordinar esfuerzos.

Buró

- El Buró tiene la misión de representar a las Partes en el periodo entre sesiones, por lo tanto tiene un peso político muy importante que requiere un amplio conocimiento del Convenio y su historia. Se considera de suma importancia asegurar estas cualidades en el Presidente del Buró, y se sugiere sea elegido mediante o partir de los mismos representantes regionales ya que el presidente del Buró tiene que tomar decisiones de gran peso y requieren de esta amplia experiencia.
- La colaboración directa del Presidente de la COP con los miembros del Buró es de suma importancia para asegurar el desarrollo óptimo de los trabajos. Sugerimos que el presidente de la COP sea miembro *ex officio* del Buró.

La Secretaría

- Solicitamos que los documentos preparados por la Secretaría sean menos redundantes, con el fin de facilitar su lectura y análisis.
- La Secretaría debe cuidar que los documentos que prepare para SBSTTA estén libres de aspectos políticos y económicos, y se restrinjan a los asuntos meramente de carácter técnico y científico que requieran la aprobación del SBSTTA.

El Mecanismo Facilitador de Información

- Se sugiere que el CHM pase de la etapa de Información de las actividades y programas dentro del Convenio, a incorporar información sobre el estado y las tendencias de la diversidad biológica así como acciones y soluciones para alcanzar la meta al 2010 en el país.
- Diferenciar muy claramente los roles de los CHM nacionales y del Secretariado ya que este último deberá enfocarse a estadísticas globales y proveer de herramientas, mientras que los nacionales deberán mostrar la situación de la biodiversidad en cada país, el grado de avance en la implementación del Convenio así como los contactos y actores principales, entre otras.

Mecanismo financiero y recursos adicionales de financiamiento, recomendaciones generales para mejorar la eficacia

- Prestar apoyo a los esfuerzos del FMAM para adelantar un enfoque programático en apoyo del programa temático a más largo plazo del CDB e instar a la elaboración de instrumentos y capacidades adecuados para que este enfoque madure.
- Asegurar que en todas las propuestas del FMAM continúe demostrándose la forma por la que los proyectos responderán a las estrategias nacionales en materia de diversidad biológica, así como a los objetivos del CDB.
- Continuar la promoción del apoyo a la evaluación de las necesidades y al desarrollo de capacidad en apoyo de la aplicación del Convenio por conducto del mecanismo de actividades habilitantes.
- Continuar profundizando y basando su función catalizadora y actuando como eje para una financiación adicional.
- Prestar apoyo a los esfuerzos de la Secretaría del FMAM y de sus organismos de ejecución para ayudar a elaborar la capacidad nacional de los gobiernos con miras a coordinar a los donantes en la esfera de diversidad biológica.
- Promover proyectos que aumenten las sinergias potenciales entre los convenios.
- Instar a la realización de proyectos que se concentren en bloques de construcción básicos tales como marcos institucionales y jurídicos; planes y estrategias; desarrollo de la capacidad de los interlocutores principales; y actividades prácticas.
- Solicitar al mecanismo financiero para que haga más hincapié en incorporar e integrar los conocimientos tradicionales e indígenas locales en los proyectos de diversidad biológica.
- Instar a la Secretaría del FMAM y a sus organismos de ejecución a que fomenten la intervención eficaz (no meramente la consulta), de un nuevo conjunto de interlocutores

en nuevas clases de proyectos a fin de lograr los resultados necesarios en cuanto a la utilización sostenible y la distribución de beneficios.

- Impulsar los trabajos en el desarrollo de incentivos eficaces que insten a las autoridades nacionales y locales y a las comunidades locales a emprender la conservación y utilización sostenible de la diversidad biológica. Estas medidas pueden adaptarse a las condiciones nacionales y locales.
- Solicitar mecanismo financiero para que sea más flexible en adoptar marcos de tiempo apropiados y viables de proyectos para lograr resultados sostenibles; en la mayoría de los casos esto significará ampliar el ciclo de vida útil actual de los proyectos del FMAM.
- Pedir un incremento de los niveles de financiación para la aplicación del CDB por conducto del FMAM.

3. Mecanismos para la elaboración de Informes al Convenio y a otras convenciones

Con el fin de poder evaluar los avances hacia la meta al 2010, es sumamente importante que en los Informes nacionales se incluya información cuantitativa que pueda ser comparable entre los Informes del CDB y otras convenciones internacionales en materia de biodiversidad (Ramsar, CITES, CMS).

En cuanto a los Informes específicos del CDB ya sea temáticos, transversales o nacionales, si bien se han hecho avances en la estandarización, se necesita trabajar más en formatos que permitan hacer evaluaciones del estado de implementación del Convenio de una manera más realista.

4. Cooperación con otras convenciones y organizaciones, con referencia al Plan Estratégico, Objetivos 1.2 y 1.3 así como los objetivos 4.4 que deberá incluir:

Cohesión política

El CDB debe buscar de manera más activa la congruencia y la colaboración con foros de índole comercial y económica, así como evaluar el impacto de estos en la biodiversidad. Un ejemplo de esto es la colaboración del CDB con la OMP y la OMC ya que mientras el Convenio no cuente con información sobre el impacto que las medidas comerciales estén teniendo sobre la biodiversidad, será muy difícil que el CDB incida de manera efectiva en la disminución de la pérdida de biodiversidad como consecuencia de dichas medidas.

Implementación de la Convención, Incluyendo opciones para una alianza global, el Involucramiento de Indígenas y comunidades locales y la Incorporación de otros actores claves, tales como el sector privado.

En relación con la posibilidad de crear una alianza global para la biodiversidad, entendida como el trabajo conjunto de las diferentes convenciones globales asociadas a la biodiversidad teniendo como líder al CDB, consideramos que si bien esta alianza no necesariamente resolvería los problemas para implementar las convenciones a nivel nacional, seguramente le daría más estructura al trabajo que todas las convenciones relacionadas con biodiversidad están haciendo. Tal es el caso de la coordinación de los programas de trabajo y la armonización de reportes nacionales, entre otros, etc.

En cuanto al Involucramiento de Indígenas y comunidades locales y la Incorporación de otros actores clave, tales como el sector privado. En el caso de México, es la apuesta de la Estrategia Nacional de Biodiversidad, así como de las Estrategias Estatales y otras iniciativas como el Corredor Biológico Mesoamericano. Pues en todos los casos el conjunto se han identificado las prioridades y definido las líneas estratégicas de acción mediante foros de consulta intersectorial.

5. Formas y medios para identificar y superar los obstáculos para la efectiva implementación de la Convención, en particular a nivel nacional.

Consideramos que Implementación nacional del Convenio es el principal eje para lograr los avances hacia la meta 2010 en conjunto con la cooperación internacional.

Al parecer las 179 decisiones de la Conferencia de las Partes, sus 7 programas de trabajo temáticos y sus 18 temas transversales están teniendo un impacto limitado en la reducción de la pérdida de la biodiversidad y la promoción de su uso sostenible.

Sin embargo, es posible que el CDB se haya vuelto un catalizador de recursos y acciones, sin que éstas realmente se lleven a cabo como consecuencia del trabajo de la Conferencia de las Partes.

Uno de los principales obstáculos para la implementación del Convenio a nivel nacional es la intersectorialidad de las iniciativas del CDB. La naturaleza de los problemas que son la base de la pérdida de biodiversidad, la falta de distribución justa y equitativa de los beneficios derivados del uso de los recursos genéticos y el uso sostenible de la biodiversidad no sólo depende del sector ambiental, sino de diversas dependencias.

Otro obstáculo para la implementación del CDB es la falta de recursos destinados no sólo a la conservación *in situ*, sino a iniciativas para promover el desarrollo y uso sustentable. La falta de recursos se refiere a recursos financieros, humanos y en muchas casos, técnicos. Finalmente, el Convenio ha fallado en lo referente al Artículo 16 para lograr la transferencia de tecnología a países en desarrollo bajo términos y condiciones favorables, justas y preferenciales.

Es imprescindible lograr esquemas de comunicación y cooperación intersectorial, pero más aún una clara intención y apoyo político para no sólo mover los recursos necesarios, sino cambiar los patrones de comportamiento y producción que sean más adecuados para garantizar a largo plazo el funcionamiento y conservación de la biodiversidad. Es este el gran reto de base del CDB.

**SPREP**Secretariat of the
Pacific Regional
Environment Programme**PROE**Programme régional
océanien de
l'environnement

No. pages: 1 (including this one)
 To: CBD Secretariat
 From: Kate Brown, Action Strategy Adviser, SPREP
 Date: 16 March, 2005
 Subject: **Comments from the Pacific region for the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention**

Comments from SPREP in relation to the Pacific region for the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention

Ref: SCBD/EDM/DC/46117

SPREP is the Pacific's regional environmental organisation and works with Pacific island countries on negotiation and implementation of the CBD. This brief is in relation to the 21 Member Countries of SPREP, particularly the 14 Pacific Island Countries who have ratified the CBD (Fiji, Nauru, Niue, Tonga, Samoa, Federated States of Micronesia, Vanuatu, Papua New Guinea, Solomon Islands, Palau, Marshall Islands, Cook Islands, Tuvalu and Kiribati). Much of the content is the result of discussions at regional meetings and ongoing projects to help Pacific island countries work with the range of MEAs.

Emerging issues requiring particular attention or strengthening include key threats such as terrestrial habitat loss and degradation; terrestrial, marine and freshwater invasive alien species; over-exploitation or unsustainable use of species; loss of traditional ethno-biological knowledge; and biodiversity implications of climate change. These need to be tackled collectively in an effective cross-sectoral partnership approaches, as for example, with the Pacific Invasive Species Management Initiative and the development of a comprehensive approach to the protection of island biodiversity from invasive alien species for submission to the Global Environment Facility. As well as that information management, analysis and presentation is another major regional need to support biodiversity conservation activities.

Kate Brown
 Action Strategy Adviser
 SPREP

1.a. Review of current trends in the various focal areas of the framework for evaluation of progress towards the 2010 target (a global level analysis).

At the Pacific regional level the Roundtable for Nature Conservation has secured funding from the World Bank, Asian Development Bank and New Zealand AID to undertake a consultancy reporting to a regional conference in 2007 on the outcome of the Regional Action Strategy for Nature Conservation in the Pacific. This will develop Pacific specific outcome indicators and a process for measuring regional progress in the Pacific's conservation priorities.

b. Review of implementation at the national level, including the establishment of national targets, the monitoring of their implementation, and their integration in to NBSAPs and sectoral and cross sectoral strategies, plans and programmes.

Progress with biodiversity conservation of the past decade, steered by the CBD has been modest given the overall deterioration in Pacific Island biodiversity. However, there have been significant contributions and potentially far-reaching gains in some areas.

Pacific island countries have started developing conservation tools that are gaining respect regionally and internationally. They are tailored to suit the unique demands of subsistence livelihoods, communal ownership of resources, environmental based cultural values and customs, and a growing need for cash incomes. The main tools are described below.

- *Community-based conservation areas*: while endeavours existed among SIDS to stimulate conservation through community based efforts, the South Pacific Biodiversity Conservation Programme enabled the pioneering of approaches to gain respect among villages. Case studies, pilots and sponsored conservation area projects enable fine-tuning to show alternate ways to institute conservation based on community participation and partnerships. Conventional methods of fencing sensitive areas for many decades were plagued with conflicts with neighbouring villages over boundaries, and suffered much from poaching, boundary disputes, illegal harvesting etc..
- *Conservation enterprises*: There has been a gradual growth of sustainable income-generating activities designed to promote conservation while providing cash income for participating families. These conservation enterprises provide at the operational level, a classic example of the conservation-economic integration with tourism related activities being the most popular.
- *Traditional resource management methods*: Empowerment of communities to play leading roles in biodiversity conservation has revived the use of traditional methods of resource conservation. The 'Raui' in the Cook Islands, 'tabu' areas in Fiji and Tonga, 'tapu' in Samoa and Niue, "mo" in the Marshall Islands - as traditional protection mechanisms are gaining mounting respect by regional and international stakeholders. They involve setting aside areas from use, and their success is based on traditional beliefs and respect for elders at the village level. They have been used for the introduction of no-take regimes in critical spawning, nesting, and roosting areas for many species.

Implementation of international agreements (MEAs) varies about the region. There has been progress in awareness building, and capacity in monitoring for the CBD, UNFCCC and UNCLOS. This however has largely been due to the access of funding from the GEF, UNEP, UNDP and the EU under the former Lome Convention, and now Contonou Agreement (ACP). Despite this and recent projects aiming at Adaptation measures through the UNFCCC, and community conservation areas through the CBD - capacity for full implementation of MEA provisions continues to be limited. There is the age-old nominated barrier of the absence of expert personnel and external funding, however practical activity is mostly limited due to a lack of basic information and enabling environments for internal coordination in decision making.

To date the numerous conventions have been effective in stimulating the development of appropriate environmental policies in thematic and sectoral areas, as well as heightening awareness of the inter-relationships at stake in environmental protection and sustainable development. In addition, some PICTs have pursued legislation to implement policy. The shortcoming has been that most of these efforts have been pursued in a sectoral manner. The inter-linkages between MEAs needs to be more fully explored at the international and regional levels. At the local level the exploration needs to contend with the wider sustainable

development issues PICTs face day to day with the view to continuing capacity efforts to build under-pinning systems for holistic implementation of MEA objectives.

The lack of human, technical and financial resources assigned to environmental management is a fundamental constraint to effectively dealing with environmental problems in most Pacific island countries. Despite the recent strengthening of environment units in the 1990s, a major constraint remains the shortage of staff to perform the wide and expanding range of environmental management functions.

The under-staffing and under-resourcing of environment units is a function not only of the weak economies of many countries but also the greater emphasis given to economic growth and the perception that environmental management can be dealt with in the latter stages of economic development. Lack of resources to deal with environmental problems is compounded by the great distance, isolation and dispersed nature of most states.

There are too many gaps between regional positions, national priorities and capacities, provincial capacities, and the spread of support from the international community. The sector based approaches, poor vertical and horizontal linkages in governance, and often lack of basic information - make responding difficult.

In 2004 SPREP along with the Roundtable for Nature Conservation (a partnership amongst donors, conservation implementing organisations, regional organisations and others implementing a regional action strategy in the Pacific) held a workshop with National Biodiversity Strategy and Action Plan Coordinators to examine issues and constraints for countries for both developing and implementing their NBSAPs and to look at how SPREP and the Roundtable could assist with this development and implementation. This meeting took place in the context of the varied levels of implementation in Pacific Island Countries - at the time of the meeting only 6 countries had completed their NBSAPs, one country was yet to start, two were stalled due to financial management issues, and three were part way through developing their NBSAPs.

The main priorities identified by participants in developing and implementing their NBSAPs were as follows:

- ❑ Improving work with Implementing Agencies
 - Countries felt that support through the add-on project should include implementation as many stakeholders felt they had been assessed more than enough
 - There was also concern about the timeliness and level of support offered by the various implementing agencies they were working with.
- ❑ Capacity, Continuity & Sustainability
 - Lack of access to financial resources, including long-term & local core funding
 - Lack of human resources, including permanent staff, consultants and local capacity
 - Concerned about how they would prepare for implementation during the planning phase
 - Mainstreaming and achieving economies of scale in advisory/coordinating bodies to improve quality and consistency of participation by government and other key stakeholders
 - Linking to existing national development activities and ensuring ownership of NBSAPS by existing government and non-government agencies
- ❑ How to get broad participation?
 - Public/community/stakeholder awareness has been difficult to achieve due to limited human resources to undertake this work, transportation and communication constraints
 - Community based conservation areas/local community empowerment/engagement
- ❑ Traditional knowledge issues/access & benefit sharing

- Developing a network of NBSAP Coordinators
 - Links to national, regional and international initiatives (CBD, Action Strategy, BPOA+10)
 - Lack of consistent participation/briefing for continuity in national committees
 - The need for a regional coordinator
- What is the real value of a NBSAP?/Need for a periodic evaluation of NBSAP

As well as those issues above many countries in the Pacific face the following problems:

1. Implementation of various key obligations and actions in the NBSAP are carried out under various regional and national programs in an ad hoc and unsustainable manner. This also reflects that many activities are donor driven and are not effectively implemented due to capacity constraints and low priority and relevance in the country.
2. Capacity constraints include lack of qualified human resources, lack of continuity in representation and implementation, weak information management within and among key organisations, lack of clarity in roles of different organisations and individuals in implementation.
3. Lack of appropriate legislative frameworks and policy.
4. Lack of financial resources regarding the technical nature of all Multilateral Environmental Agreements (including CBD)
5. CBD is seen as an all embracing convention but is not very evident on the ground (also seen as being more central government focussed)
6. Reporting and attending CBD related meetings can heavily reduce the ability of countries for implementation. The very heavy engagement in dialogue and negotiations in national and international meetings and heavy reporting requirements on small environmental agencies and units, can divert attention away from pressing domestic environmental concerns and actual implementation.
7. Lack of baseline data and technical capacity in-country have proved limiting for some countries in both the development and the implementation of NBSAPs.
8. Engagement in MEAs over the last decade has required Pacific island countries to instigate new environmental laws, however often these too are done in piece-meal fashion with little integration with the glut of existing laws and instruments. New laws without synthesis or merging of statutes often causes less coordination and is not the answer to integrated planning for sustainable development. In planning terms - simple, integrated and strategic legal bases are required to ensure forward planning and assessment, early public participation, local empowerment and user pays systems to stem the outflow of financial multipliers from local development.

The basic legal frameworks at the national level require considerable strengthening for Pacific island countries to perform their basic functions and link essential policy and practice.

National Focal Points and Inter-Agency coordination.

- Coordination of the implementation of the CBD is facilitated by the National Focal Point. As a result of the cross-cutting nature of the CBD many governments have established national committees. Increasingly, NGOs, academics, the private sector are participating in these committees.
- Weak horizontal and vertical coordination in the implementation of the CBD;
- Unclear mandates of departments and unit leading to uncertainties in roles leading to reduced actions or inactivity to avoid conflicts or stepping over ;
- Lack of financial and human capacity leading to weak translation of policies into practice;
- When committees exist, often they do not have clear mandates and operating procedures and they tend to focus on isolated issues;
- Working level officers are not kept adequately informed of decisions and change of policies;

- The Focal Point is often the same for numerous MEAs and not just the CBD
- Disruption of the consultation process between negotiation, ratification and implementation of the CBD and other MEAs. When the link exist between negotiation, ratification and implementation, it is mostly based on personal relationships at the working level, unstable and ad hoc.

NGO Partnerships

- No formal framework and procedures for NGOs-Government cooperation and mutual information sharing (often on personal basis). NGOs think they are not consulted enough;
- Some NGOs work in parallel to the Government. (government loses this potential help to coordinate efforts at the local level.)
- Little government support including little access to information. (note that many NGO Staff are previous government officials).

Information management

- Lack of communication policy. Information management is ad hoc and left to individual initiatives and based on personal links.
- Assembling information and data analysis is not forward looking but ad hoc to satisfy immediate requests or political demands.
- Databases exist but they are often isolated within departments (incomplete, not updated, ...)
- Information gained during negotiation or implementation is often regarded as personal asset. (this prevents institutional memories which lead to the loss of information).

Awareness Raising and Public Education

- Education and awareness raising are key components of CBD implementation, to convert global environmental issues into issues of local relevance and to gain public and political support.
- Government policies are weak to explain national priorities in locally adapted language and to bring local issues into national issues and to explain the relationship between the CBD, local actions and individual behaviour. Many actors are not aware of obligations under the Conventions and how they link into actions at the national level despite the fact that many national activities are already providing for compliance. Consequently, environmental Conventions such as the CBD are considered as useless to address national environmental issues and not relevant to local circumstances.
- Need for resources and capacity to develop and deliver attractive, locally appropriate and easily understandable material for politicians, officials and community leaders describing the importance, process of CBD and responsibilities it confers.
- Need to seek more support from NGOs and private sector in developing educational materials.
- Need to establish an effective system for effective distribution of educational material to reach among others Ministers, Officials, community leaders

[In PNG for example, Police showed their willingness to undertake training in environmental regulations and to help with awareness campaigns and enforcement at the local level]

2. The impacts and effectiveness of existing processes (including in the setting of priorities) under the Convention:

a. Meetings of the Conference of the Parties

Greater Pacific island representation is happening at these meetings but ensuring consistency of representation and sharing of outcomes when they return to their countries has been difficult. SPREP and other partners were organising Pacific regional preparatory meetings prior to COPs (but not for 2002 or 2004 due to lack of funding) and these were apparently

very useful for member country's in reaching regional positions and also in understanding a very complicated process. SPREP also prepares regional briefing papers in relation to the COP agenda before these meetings so that Pacific island countries are able to understand the issues as many environment departments in the Pacific do not have the number of staff or capacity to have anyone focussed on following the issues. SPREP and NGOs have taken a supportive role in preparation for and support at the actual COP meetings. There is a dependence on SPREP to provide technical briefings pertinent to the CBD.

There are key problems with the interaction of Pacific Island Countries with the COP which are as follows:

- Lack or weak national consultation between the different agencies and other stakeholders in the preparation of negotiation. Such a preparation when it exists is ad hoc and/or depends on individual initiative of the relevant officers or does not take place in a meaningful manner.
- Lack of physical capacity of the lead agency. Officials are often unavailable due to extensive overseas travel leading to the non-circulation of information on upcoming negotiations in a timely manner or not at all. This leads to a lack of action during negotiations, the lack of feed back and debriefing of other stakeholders and the lack of proper implementation.
- Lack of feedback mechanism from other Ministries and other stakeholders, in particular those that will be involved in implementation.
- Not enough notice before meetings. As a result of this, often the views of the lead agency becomes de facto the national position that might not reflect the whole national position. Also, SPREP regional position can become the national position.
- Problem of small countries getting voices heard on larger bodies such as the COP.
- Many countries find it too difficult and expensive to attend all the COPs - and at times they do not have the human resource capacity (context: eg Tuvalu has only two people working in their Environment Unit).

b. SBSTTA and AHTEGs

Very few Pacific island countries take part consistently in SBSTTA or AHTEGs. For the AHTEG on island biodiversity SPREP did a lot of work to encourage participation as well as seeking funding to support this effort through getting wide input from other stakeholders in the region. We also funded one extra person from 8 of our member countries to attend the SBSTTA 10 with the result that there were 21 Pacific Island Delegates. The benefits of having more than one person in the delegations, particularly one experienced and one not so experienced, was enormous.

c. Ad hoc Open-ended Working Groups

No comment - only one or two countries really take part in these - those with some experience in the CBD system. SPREP will be working with the SCBD and member countries to ensure the Pacific has representation at these and upcoming AHTEGs.

d. National Focal Points

Variable performance. Some are covering more than one MEA. Often information is not filtering to those who need it or it is late making preparation in time for CBD meetings difficult.

e. The Secretariat

From SPREP's perspective the Secretariat has been really useful in making sure we (and thus the region) are informed and able to participate. SPREP has signed an MOU with the SCBD and are developing a Programme of Work in relation to this.

For countries there is a lack of understanding of the SCBD roles.

Another issue recently brought up by countries is the dependence the Convention has on internet based communication with countries - particularly meeting papers and online information sources. Many environment/biodiversity officers in government departments in the region have limited access to email and the internet and are not able to download information in this format or to view websites.

f. The Clearing House Mechanism

g. The financial mechanism and additional financial resources

At the previously mentioned NBSAP meeting countries also identified concerns about aspects of GEF funding to the region. These were expressed through a brief to the GEF Council that focused on access to funding and relationships with implementing agencies.

Some countries feel that the process of accessing funds is overly donor driven and that the Pacific needs to take better advantage of funds available for the environment from the GEF. The brief to GEF Council highlighted the following:

- o Request to GEF to apply their rules of access and simplify their disbursement procedures so as to take into account the special circumstances of SIDS to implement actions.
- o Request the GEF to provide fast-disbursement of resources as needed to support country-driven early action in SIDS to implement the CBD programme of work on protected areas
- o Urge the international community to actively address, during the 4th GEF replenishment round, the financial requirements for the implementation of a Programme of Work on Island Biodiversity.

SPREP has also highlighted the need for increased capacity of Pacific SIDS to access GEF funding, including:

- Ability to draft national or regional project proposals,
- Monitoring and tracking proposals in the GEF process,
- Strategically making the links between COP decisions and direction to the GEF Council for development of windows for funding,
- Collaboratively having input to the GEF Council through effective briefing support to Pacific Representation in the GEF Council.

As a region the Pacific has not accessed all that was available to it from the financial mechanism. The Pacific region falls far behind the Caribbean region in terms of accessing GEF funding and this seems to relate primarily there being a greater number of regional initiatives in the Caribbean (1/3 of available funds to the Pacific and 2/3 to the Caribbean).

Only a few medium sized GEF grants have been allocated to the region and there are a whole range of issues that have been identified in managing these projects. In the area of full-scale GEF projects only Papua New Guinea has developed and implemented a full scale project nationally. All other full size projects in the Pacific region have been through UN led mega-regional projects (South Pacific Biodiversity Conservation Programme, Pacific Islands Climate Change Action Programme, International Waters Programme) which were often dominated by global ambitions, high levels of bureaucracy and the 'trickle down' of technical and financial resource delivery.

The use of Pacific island GEF Capacity building assistance and training has not been strong and with a high staff turnover and outward migration this is an ongoing process. There is also a lack of awareness, knowledge and ability to access GEF (including requirements and developing skills around assessing incremental costs, co-financing and performance management.)

3. Reporting mechanisms under the Convention and other conventions.

The last decade has also seen the dominance of reporting to global mechanisms rather than capacity building to bridge data gaps, improve enabling environments for implementation, and benchmarking and monitoring of capacity.

Many SPREP member countries have highlighted the pressure they face at the national level due to the level of reporting they must undertake. Due to the size of the relevant government agencies, reporting can significantly impact on the ability of Pacific island countries to implement.

4. Cooperation with other conventions and organisations.

Our work has shown that there is not the capacity at the national level to have the MEAs or any other global agreements work in isolation from one another and that our member countries need extra support to enable them to be effective. We believe that the NCSA process will be of great assistance in developing coherent policy at the national level.

SPREP would support the option of a global partnership for biodiversity in principle as we believe that partnerships are a critical way to ensure conservation action. SPREP facilitates a very successful Pacific partnership called the Roundtable for Nature Conservation which brings together all stakeholders involved in implementing the regional Action Strategy for Nature Conservation to improve coordination and collaboration. This partnership is critical to improving the impact of the range of organisations in the partnership on agreed priorities.

More work needs to be undertaken in this region to involve the private sector and the Roundtable is investigating how to do this effectively in the Pacific.

Indigenous and local communities are critical stakeholders in this region both because of the land tenure situation but also because they have the greatest ability to make a difference to implementing the CBD.

5. Ways and means of identifying and overcoming obstacles to the effective implementation of the Convention, in particular at the national level.

Strengthening national positions for the COP and other processes:

- It is necessary to clarify the process of preparation for CBD. This can be done through the development of guidelines describing how consultation should take place prior to negotiation. Such guidelines could include:
 - Core set of relevant agencies (flowchart)
 - Units and participants to be involved,
 - Timeframe for preparation
 - Minimum of meetings required
 - Expected outputs
 - Clear information dissemination procedures to other lines agencies
 - Estimation of budget needed for ratification and implementation
- Need series of preparatory planning meetings (to invite) to promote the active participation of the relevant government and non governmental stakeholders involved in the various phases of CBD implementation and management in order to formulate a national position that takes into account the various capacities, concerns, constraints, priorities of all levels of the society. It is at this stage that potentially conflicting or overlapping activities can be identified at early stages.
- Lead agency has to ensure that the obligations under CBD are properly linked to local issues. Usually, the role of the lead agencies in negotiations ends after the actual negotiations themselves. It is critical that a process is set to ensure that proper actions can be taken to translate these obligations to activities on the ground.

- Lead agency must take a visionary approach for possible new issues or upcoming priorities. Preparation for negotiation represents an opportunity to conduct a thorough assessment on how new international commitments would contribute to national commitments versus national legislation.
- Need to ensure the direct participation of legal experts in the negotiation process. At least they should be involved during the preparation process.
- Need to ensure the inclusion of input of technical officers from the line agency into the process of negotiation. In light of the general difficulties for having a well equipped adequately sized delegation, the technical people should have an opportunity to brief the lead agency prior to the negotiation.
- Need to develop selection criteria for national delegations. This will promote consistency of national delegations and confidence of delegates during negotiations.

Lack of feedback and debriefings following COPs

- Need guidelines/Ministerial Memo/Departmental directive to:
 - Clarify roles and responsibilities of the relevant stakeholders;
 - Address the high turn over: individual experience to institutional memory.
- Need the development of a distribution list or a flow chart within relevant departments and Units to which key information and outcomes of meeting and negotiations need to be reported (reports, Email, face-to-face meetings)
- Need to establish a centralized point of reference within each department (little budgetary impact)
- Need to develop a culture of information sharing (is not information given away).

Ratifying and understanding CBD Obligations

- Need for a much greater level of coordination between departments and agencies. This will give a chance to the relevant departments to earlier identify the activities and responsibilities to be undertaken in each department. This will also allow for the early identification of potential legislative and regulatory inconsistencies.
- Need to better utilize information already available in the country and therefore need better access to legal libraries where they exist by NGOs and officers from the different departments.
- Need broader availability of CD Rom and Handbook relating to the CBD. It is difficult to even have access to Convention texts. Internet access might be restricted to senior officers and is often expensive. Many Pacific island countries are not able to download information from the internet, which can make even preparing for Convention meetings and SBSTTA very difficult.
- Need to synchronise national legislation within the context of a large national development strategy (NSDS).
- Need a body on solid institutional ground to avoid erosion resulting from political changes and to promote broad stakeholder inclusion.
- Need more active collaboration with NGOs in relation to compliance and enforcement. This does not mean the transfer of government responsibilities.
- Need to institutionalize the collaboration between the government, the civil society and the private sector
- Need to correct the lack of political commitment and the failure to prioritise the environment.
- Little acknowledgement at the senior level that MEAs such as the CBD are designated to provide a framework of international cooperation and support that help countries address very distinct and highly localised domestic environmental issues.

- Need the establishment of a network between judiciaries, the legal professions and law faculties to share information.
- A well-coordinated interaction between the judiciary, the police and environmental line agency is necessary to achieve results on the ground.

Improving national focal points and inter agency collaboration

- Need to strengthen the role of National Focal Points through the improvement of coordination between all relevant stakeholders
- Need to improve the involvement of National Focal Points in sustainable development planning as they are key actors to implement the CBD.
- Need for early consideration of upcoming coordination requirements that would allow for allocation of responsibilities among different agencies. This might lead to assessing the human, technical and financial resources required to undertake respective tasks for implementation.
- Different government agencies must keep themselves updated with legislative changes.
- Need for early notice of potential changes that will provide the opportunity to build up the capacity and infrastructure needed to implement new responsibilities.
- Need to know exactly the extent and limits of their general mandate, new responsibilities related to new international obligations and how this fits into the institutional framework specially in relation with other departments (to improve collaboration).
- Need to clarify the coordination task of the NFP, including the task of each officer within the department, then to other departments together with clear procedures of dissemination of information between the departments.
- NFP should act as central networking knots to coordinate and oversee implementation.
- Establishment of standing inter-agency committees to deal with multiple issues and conventions (this will release desk officers from attending numerous meetings dealing separately with inter-linked issues which can be dealt in a collegial manner. Then, technical officers would be in a position to identify and take advantages of the potential synergies between departments.)
- Need to increase national consultation with regional organizations.

NGOs and partnerships

- Need a formal framework for cooperation between the government and civil society in order for the government to better take advantage of what NGOs and other stakeholders can offer.
- Need a consistent and better involvement of NGOs in the development of policies and implementation framework that will help to strengthen compliance and enforcement.
- Clear and consistent laws can help to back up NGOs in their efforts to discourage unsuitable practice.
- Open and strategic planning can help in allowing stakeholders to identify potential problems and needs for effective implementation. (ex. the police..)

Information management

- Need to develop a national information strategy to foster environmental policy to be later extended to social and economic data;
- Effort of each department to strengthen information management could be fostered by coordination and consultation between departments to synchronize activities.

- Need to access existing information (where and who is in charge of it) which might be available but scattered, hidden or inaccessible, incomplete and often outdated.. When done it need to be supplemented by regional and international data.
- Great need for training in data analysis and storage and in computerized database given the human and technical capacity.
- Need to determine how and to whom to distribute existing and upcoming information (list of department..)
- Need to develop a culture of information sharing (information shared is not information given away).

Funding

- Each department must consider budgeting issues as early as possible during strategic planning processes. This might be more imperative for an inter-agency committee.
- National focal Points need to increase their efforts to engage relevant economic and financial planning authorities and identify how CBD commitments fit into the national sustainable development framework.
- Many programmes and projects need to be coordinated at the regional scale as countries face similar problems
- Need good information system for funding opportunities.

Financial Mechanism

SPREP and other regional partners are currently exploring a possible Medium Sized Project to GEF to support Pacific island countries. This was a result of discussions at the 15th SPREP Meeting in 2004 and an offer from UNDP/GEF and UNEP to support an MSP to provide for regional technical backstopping and advisory services to service growing demands from a range of MEA and GEF related activities (CBD, FCCC, CCD, NCSA etc)

UNDP/GEF Executive Coordinator Frank Pinto stated during the Pacific Environment Ministers discussion at the SPREP Meeting that the prospect of a medium sized multi-focus GEF project of up to five (5) years can be explored, and should be possible, to provide this regional support without compromising Pacific island country allocations. He suggested this could cover:

- assistance and capacity development in national and regional project proposals and in planning for implementation;
- programme/project implementation advisory services;

SPREP is also urging that GEF consider establishing a SIDS focal point within the GEF Secretariat who can assist in developing the capacity of SIDS and their regional organizations to access and effectively implement GEF Resources, in line with the recognized "special case of SIDS". This focal point could assist with disseminating appropriate information affecting SIDS before and during governing councils to ensure SIDS are abreast and able to participate in all aspects of the Governing Councils decision making process. As well as this we would like to see the GEF base a person in the region or improving the understanding of the regional organisations to assist countries.

There have also been suggestions about recognising the practical reality and scale of the Pacific and possibly adapting the Small Grants Programme so that government agencies are eligible. For the NBSAPs this would have a significant impact on implementation.

The GEF Secretariat should be encouraged to improve access to information about GEF (not necessarily via implementing agencies), give more transparency and information about the

processes of decision-making, and information and assistance in the preparation of proposals based on incremental costs and clarify the new performance based approach for GEF.

Reporting

There is a need for a Pacific assistance mechanism to assist countries to do reporting for conventions and other obligations (eg. SPREP Action Plan, MDGs, JPOI and Mauritius Strategy Implementation). This could include multicountry reporting.

There has also been a suggestion to look at a Pacific wide reporting structure for periodic reporting - one country coordinates and assembles reports and then shares them with other countries to allow comparisons and assistance.

SPREP's Action Plan 2001-2004 and The Action Strategy for Nature Conservation (2003-2007) highlight a number of actions that are required to improve the knowledge and understanding of the state of the Pacific's natural environment and biodiversity. Such actions include the development of standardized indicators and monitoring methods for ecosystems and natural resources, compiling regular state of the environment reports, documenting and disseminating lessons learned from initiatives and traditional knowledge, and identifying research needs to address data and knowledge gaps in key areas of environmental management. It is important to note here that Pacific Regional Policy and reporting is beginning to incorporate global targets and develop harmonized indicators for measuring them over time. This should provide a basis towards collective regional reporting to the COP's where PIC's are unable to complete national reporting on time.

Another important task is to integrate and consolidate existing data and information whether it is spatial, textual, scientific or reference orientated. Simple GIS and database systems are required at the national and regional level to aggregate data and simplify the means to disseminate it throughout the Pacific. The intention should be to design these systems in a manner that reduces country's burden of reporting to MEAs, the JPOI, MDGs and others.

In terms of regional policy coordination the Pacific Regional agencies led by SPREP intend to use the NCSA review as the spearhead mechanism to reduce the burden of reporting to multiple MEAs, and reduce the resultant plethora of regional and national based strategies, policies and plans that have eventuated from individual MEAs or their derivatives. The ultimate intention is to advocate for the use of the National Sustainable Development Strategies (NSDSs), which are to be completed by 2005 under the Johannesburg Plan of Implementation (JPOI), as the delivery platforms of outcomes of the NCSA work, and like assessments, such as that for the Millennium Development Goals (MDGs). The NSDSs should become the pivotal national policy link between environmental needs assessments and that accomplished for social and economic coordination.

SPREP has also worked on developing a country template for reporting particularly for the SPREP Action Plan (which includes the target of reducing biodiversity loss by 2010) that could be expanded. The objective of this effort is as follows:

- To have a National Profile that relates the goals and outcomes of the SPREP Action Plan to the unique context of each member Country and Territory.
- To provide a mechanism to monitor the progress, at the National level over time, towards achieving agreed outcomes in the SPREP Action Plan.
- to have ability to monitor and guide the assistance of the Secretariat (SPREP) directly at the National Level.
- To document institutional memory at the National level, on the status of the country against the SPREP Action Plan and other important environmental goals and targets.

Participation

In the Pacific it is critical to involve local communities through adequate consultation. Local communities, due to the unique land tenure system in many Pacific island countries, have

much more control over land than the government of the country and need to be. Therefore there is a need to develop means of learning from experiences and sharing these experiences between communities - lessons learned and case studies.

Interlinking conventions

- Implementation of action plans arising from the National Capacity Self Assessment process will lead to improved linkages for Pacific island countries and improved understanding of what they need for implementation. It will allow countries to identify capacity development needs and efforts required to expedite the achievement of linked MEA objectives.
- The National Sustainable Development Strategies that countries are currently developing give a vehicle for the coordinated implementation of MEAs such as the CBD and should incorporate the outcomes of the NCSA process.

Legal Frameworks

The basic legal frameworks at the national level require considerable strengthening for PICTs to perform their basic functions and link essential policy and practice. Resources are needed from regional and international stakeholders to undertake this.

Communications with the SCBD

- Suggested that the SCBD allocate a specific contact person to the Pacific to allow for direct contact and advice.
- Also suggest that the SCBD consider ways of means of communicating with Pacific island countries relevant to their ability to access the internet and electronic forms of communications. SPREP could assist with this.

Role for Regional Organisations (SPREP and other regional organisations)

- Need to define roles for SPREP and other regional organisations in supporting countries to implement the CBD.
- Need these agencies to coordinate support for Pacific island countries at all levels of CBD processes.
- Recognition of the poor coordination amongst regional organisations has increased and is now a major rationale for the development of a number of new partnerships and networks, stemming from the WSSD.
- Need financial support to continue to play a role in supporting countries to prepare for the CBD COPs and SBSTTA as well as to enable engagement and sharing of lessons and experiences between countries.

Role of other supporters

- Need to define and promote the roles of countries that traditionally support Pacific island countries (Australia, Canada, Europe, France, Japan, New Zealand, USA and others)
- Need to define and promote the roles of other agencies (UNDP, World Bank, GEF, FAO, UNU etc).

Capacity Building

Promoting capacity building in developing countries to assist them to implement development activities in ways that are consistent with the CBD as a contribution to the MDG's is an issue that a country may address through its national capacity self assessment (NCSA). Assistance will be available to assist countries to address the capacity building priorities identified in the assessments consistent with the strategic approach to capacity building. Very important to note that the Pacific SIDS are behind the rest of the world in developing these and therefore may be last in line for assistance of capacity building priorities.

In conclusion:

Pacific island countries will continue to seek support to:

- Develop, where necessary, SIDS specific implementation programs under MEA's such as the decision of the CBD to develop a special programme on islands;
- Improve the representation of Pacific island countries at the political level within the MEAs;
- Pursue the synthesis of MEAs at the international and regional level.
- Streamline international sustainable development reporting requirements.

Pacific island countries are asking for more local driven emphasis and delivery to be placed in policy and programme initiatives, as well as regional solidarity, technical backstopping and knowledge management. They are seeking less emphasis on thematics, prevalent over the last ten (10) years, toward more multi-focus initiatives and holistic implementation mechanisms. Pacific island countries have an interest in addressing the constraints and barriers to sustainable development of islands related to land resources, catchment, coastal management, resource exploitation, development, biological and climate related issues. Their small landmasses, high population concentrations, fragile ecosystems and overwhelming socio-economic pressures - dictate a holistic approach.

The request is for the mutual addressing of these crucial implementation components - not the reduction in efforts to improve biodiversity conservation, climate change and waste management capacity.

SPREP believes that the new draft Island Biodiversity Programme of Work offers a significant opportunity for this region to start implementing the Convention in their own context and to start to leverage the financial resources to make that happen. We will be undertaking a range of activities prior to and after COP 8 to make sure that the Pacific will be able to start implementing the Programme of Work.



BINU project submission to the CBD Working Group on Review of Implementation (WGRI) of the Convention

1. Biodiversity indicators and the CBD at national level

The aim of this submission to the WGRI is to provide some insights and recommendations on the benefits of biodiversity indicators in supporting the implementation of the CBD at the national level, including making progress towards the 2010 target. This is based on experience from the GEF project Biodiversity Indicators for National Use (BINU), which was designed to produce biodiversity indicators to support decision-making at the national-level in Ecuador, Kenya, Philippines and Ukraine, and to make recommendations to the CBD from the results.

This document presents the views of UNEP-WCMC and MNP-RIVM from their experience in supporting the implementation of the project. A more elaborate report entitled “Biodiversity Indicators for National Use – Experience and Guidance” was launched at the CBD SBSTTA 10 meeting, and is available along with other project results from: <http://www.unep-wcmc.org/collaborations/BINU/>

The BINU project is in its final stages and whilst some conclusions concerning the production and use of indicators can be made, their full implementation and impact will develop further over the next few years.

2. National biodiversity indicators are feasible and have multiple roles

The BINU project has shown that, even from a basic starting point and with limited resources, *it is possible to make great strides in the development of national biodiversity indicators in a relatively short space of time*. There are significant users of the indicators, and, despite many limitations, data already exist to enable at least some useful indicators to be developed.

In the development of biodiversity indicators it is important to be aware of their different roles for different audiences. For policy makers indicators help inform them about biodiversity issues and in the setting of feasible and measurable targets. Indicators also assist in making the public, commercial sectors, and people directly dependent on natural resources, more aware of biodiversity loss and its impact on them. Furthermore, they guide scientists in conducting monitoring and research and provide a vehicle of communication: a common language.

3. The 2010 of indicators are feasible and useful for national reporting

Many of the indicators identified by the BINU partners correspond closely with the framework of 2010 indicators (Table 1). This demonstrates that the 2010 indicators are policy relevant and generally fit well in the national context and with existing data and expertise. The use of these indicators at the national level may also contribute to regional and global reviews, promoting efficient use of data and capacity.

4. Indicator development requires time and capacity

The BINU project found that the development of indicators in consultation with stakeholders takes two to three years, including establishing a team for this work. However, this time this will be reduced as international experience and guidance on indicator development grows.

The expertise and data to produce biodiversity indicators within a country is likely to be scattered over many governmental and non-governmental organisations and research institutes. Identifying these sources

and building co-operative work are indispensable to produce representative and sound indicators. The BINU project demonstrated that such partnerships are possible.

5. Building support for biodiversity and the CBD

Consultations with national stakeholders in the BINU project often found a lack of common understanding about biodiversity and why it may be important. However, discussions on the selection and utility of the indicators built new support for biodiversity issues amongst diverse groups, including agriculture, fisheries and national statistical agencies. The definition and dissemination of national indicators of the 2010 target can build new collaborations and capacities and introduce biodiversity to groups who previously had little understanding of the concept.

6. Technical and financial support are indispensable

The BINU project has demonstrated that with some technical and financial support it is possible to bring together a range of stakeholders, build experience and common understanding, and produce national biodiversity indicators. It is unlikely that this would have happened in the absence of external input. Subsequently these countries in their turn can provide technical support to neighbouring countries in establishing indicators.

The implementation of the CBD at the national level would be enhanced if more guidance, examples and support were available on producing biodiversity indicators for policy making, monitoring and awareness raising.

Table 1: Indicators proposed by the CBD for monitoring progress towards 2010 target and which are applied in Ecuador, Kenya, Philippines and Ukraine at the national level.

	Ecuador	Kenya	Philippines	Ukraine
Change in extent of selected biomes, ecosystems & habitats	√√	√√	√	√
Change in species abundance and distribution		√√	√√	√√
Coverage of protected areas	√√	√	√	√
Change in status of threatened species			√	√
Marine trophic index				√
Trends in genetic diversity of domesticated plants & animals				√
Water quality in inland waters			√	
Nitrogen deposition; Numbers and costs of alien invasions	*	*	*	*
Connectivity and fragmentation of ecosystems	√			√
Health and well-being of people in biodiversity-dependent communities	√	√		

* Other pressure indicators were developed by the BINU countries. √ - one or few indicators developed, √√ - several indicators developed.

For further information contact:

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BINU project website:

<http://www.unep-wcmc.org/collaborations/BINU/>

II. SUBMISSIONS ON THE DRAFT OPERATIONAL PLAN OF SBSTTA



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate E - International affairs
ENV.E.2 - Environmental Agreements and Trade

Brussels, *28.4.2005*
D(2005) 8092

Mr. Hamdallah Zedan,
Executive Secretary
CBD Secretariat - World Trade Centre
393 Saint-Jacques Street, Suite 300
Montréal, Québec, Canada H2Y 1N9

Subject: Response by the European Community (EC) to CBD Notification No 2005-032 (29 March 2005) on “Operational plan of the Subsidiary Body on Scientific, Technical and Technological Advice and scientific assessments”.

Dear Mr. Zedan,

In response to Notification 2005-32 requesting written views and comments on the draft operational plan of the Subsidiary Body on Scientific, Technical and Technological Advice and scientific assessments, please note that the EC welcomes any efforts aimed at improving the effectiveness of SBSTTA in order to fulfil its mandate according to Article 25 of the CBD. As regards the draft operational plan for SBSTTA (as included in Document UNEP/CBD/SBSTTA/10/5), the EC would suggest that:

- the mission and outcomes under chapter A and B be redrafted to avoid including aspects which would go beyond SBSTTA's mandate according to Art. 25. The only aspect which needs to be added is the focus on achieving the goals and targets included in the CBD Strategic Plan, in particular the 2010 target
- many of the activities proposed under chapter D are self-evident, superfluous or activities which rather the CBD Secretariat should be asked to undertake
- activities which should be undertaken by the Secretariat be transferred from the operational plan itself into the COP decision.

To illustrate the above, the EC suggests to change and shorten the draft operational plan according to the track changes as highlighted in the Annex of this note.

Yours Sincerely

J. García Burgués
Julio GARCÍA BURGUÉS
(CBD Focal Point of the EC)

Enclosures: EC suggestions for improving the draft Operational Plan for SBSTTA (as included in document UNEP/CBD/SBSTTA10/5)

¹ Commission européenne, B-1049 Bruxelles / Europese Commissie, B-1049 Brussel - Belgium. Telephone: (32-2) 299 11 11.
Office: BU-9 5/175. Telephone: direct line (32-2) 296.87.63. Fax: (32-2) 296.95.58.
P:\6. International activities\6.2. Follow-up inter agrBiodiversity\31.02-6.2 COP DEC\Notifications\reply 05 32 operational plan
SBSTTA1.doc
E-mail: julio.garcia-burgues@cec.eu.int

ANNEX

EC suggestions for improving the draft Operational Plan for SBSTTA (as included in document UNEP/CBD/SBSTTA10/5)

Text to be added is in Bold, text to be deleted in strikeout

Elements for a COP8 decision

The Conference of the Parties

- adopts the **Operational Plan annexed to this decision** and requests the Executive Secretary to facilitate the achievement of the mission and outcome through the strategic ways and means identified in the Plan.
- invites Parties, other Governments and organizations to support the work of SBSTTA with financial resources, expertise, and relevant information in preparation for its meetings
- invites Parties to stimulate cooperation between Convention/SBSTTA focal points and focal points for the clearing-house mechanism within Parties, and between focal points of the Convention on Biological Diversity and focal points of GEF, Rio Conventions and other biodiversity-related conventions
- requests the Executive Secretary to:
 - a) Establish effective exchange of information particularly through the clearing-house mechanism with and involvement by other relevant bodies;
 - b) Build relationships with key individuals or organizations within the scientific and technical community, through the use of Bureau members, past chairs, delegates, chairs of ad hoc technical expert groups, and other individuals, including by participating or contributing to the work of the Joint Liaison Group of the three Rio Conventions, and the Biodiversity Liaison Group with the Convention on Wetlands (Ramsar, Iran, 1971), the Convention on the Conservation of Migratory Species of Wild Animals (CMS), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the World Heritage Convention (WHC);
 - c) Use other bodies as a bridge between SBSTTA and the scientific and technical community in relation to work programmes (e.g. international thematic focal points and key partners);
 - d) Help the clearing-house mechanism to become an effective vehicle for scientific and technical cooperation, and to become a true partner in the work of SBSTTA;
 - e) Facilitate the work of clearing-house mechanism focal points, to allow them to expand their work from information management to supporting active cooperation between experts/organizations.
 - f) Encourage all Parties to appoint SBSTTA focal points, with an emphasis on appointing experts who are actively involved in the preparation, review and implementation of national biodiversity strategies and action plans;
 - g) Use SBSTTA focal points to provide comments on issues that cannot be included in SBSTTA agendas, or on preparatory documents;
 - h) Encourage SBSTTA focal points to play an active role in transferring information from SBSTTA to relevant agencies within their country, and

supporting cooperation between SBSTTA and clearing-house mechanism focal points at the national level;

- i) Use SBSTTA focal points to connect experts within their country with other experts or with SBSTTA processes;
- j) Encourage SBSTTA focal points to facilitate cooperation between agencies working on biodiversity-related conventions within their countries;
- k) Encourage SBSTTA focal points to take an active role in facilitating national or regional discussions on SBSTTA agenda items, to allow a wider range of contributions to feed into the work of delegations.

OPERATIONAL PLAN OF THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE

A. Purpose of the Operational Plan

1. The Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) was established by the Convention, with its terms of reference set out in Article 25, paragraph 2.¹⁴ The present Operational Plan elaborates that role, reflecting the evolving nature of the work of SBSTTA, as the Convention moves to an implementation phase.

2. The plan is intended to guide the work of SBSTTA. It is designed to support implementation of the Strategic Plan of the Convention, in particular the 2010 biodiversity target (decision VI/26) and other targets agreed upon in its other decisions; the multi-year programme of work of the Conference of the Parties up to 2010 (decision VI/31); and other global goals such as **relevant** the Millennium Development Goals and **other relevant** the goals in the Plan of Implementation of the World Summit on Sustainable Development **as far as they relate to the 2010 biodiversity target**.

B. Mission

3. To provide the scientific, technical and technological advice and support for the development and implementation of the Convention, under the authority of the Conference of the Parties and upon its request. **To provide the Conference of the Parties and, as appropriate, its other subsidiary bodies with timely advice relating to the implementation of this Convention [(quote Art. 25)] in particular with regard to achieving the mission and goals of the Convention's Strategic Plan.**

¹⁴ Article 25 of the Convention on Biological Diversity reads as follows:

"1. A subsidiary body for the provision of scientific, technical and technological advice is hereby established to provide the Conference of the Parties and, as appropriate, its other subsidiary bodies with timely advice relating to the implementation of this Convention. This body shall be open to participation by all Parties and shall be multidisciplinary. It shall comprise government representatives competent in the relevant field of expertise. It shall report regularly to the Conference of the Parties on all aspects of its work.

2. Under the authority of and in accordance with guidelines laid down by the Conference of the Parties, and upon its request, this body shall:

(a) Provide scientific and technical assessments of the status of biological diversity;

(b) Prepare scientific and technical assessments of the effects of types of measures taken in accordance with the provisions of this Convention;

(c) Identify innovative, efficient and state-of-the-art technologies and know-how relating to the conservation and sustainable use of biological diversity and advise on the ways and means of promoting development and/or transferring such technologies;

(d) Provide advice on scientific programmes and international cooperation in research and development related to conservation and sustainable use of biological diversity; and

(e) Respond to scientific, technical, technological and methodological questions that the Conference of the Parties and its subsidiary bodies may put to the body.

3. The functions, terms of reference, organization and operation of this body may be further elaborated by the Conference of the Parties."

1.1. C. Outcomes

4. Advice to the Conference of the Parties and, as appropriate, its other subsidiary bodies that provides timely, up-to-date, policy-relevant and accessible scientific and technical perspectives on issues that they are considering, in particular outcome-oriented targets, which the Conference of the Parties decided in paragraph 12 (e) of its decision VII/30 to be a key priority for SBSTTA.
 5. **State of progress, including obstacles to and effectiveness of the Convention processes, in achieving the goals of the Strategic Plan and progress towards the achievement of the Convention's 2010 target, the Plan of Implementation of the World Summit on Sustainable Development and relevant Millennium Development Goals.** This information will be provided essentially through the assessments of the status and trends of biodiversity, the analysis of threats and gaps in knowledge, and the assessments of the effects of types of measures taken in accordance with the provisions of the Convention, in particular in the framework of the implementation of the programmes of work and related outcome-oriented targets, the items identified as priorities by the World Summit on Sustainable Development,^{2/} and in line with the timetable for in-depth reviews of ongoing work under the thematic areas and cross-cutting issues (see the annex to the present note). These assessments and analyses could be used for the Global Biodiversity Outlooks and will be designed to support decisions by the Conference of the Parties, inform Parties and other stakeholders, and assist them in the preparation, review and implementation of national biodiversity strategies and action plans and the work of the Convention.
 6. Improved scientific, technical and technological capacity to implement the Convention at the national and regional levels, including identification and sharing of innovative, efficient and state-of-the-art technologies and know-how relating to the conservation and sustainable use of biological diversity.
 7. **Increased engagement by the scientific and technical community in SBSTTA work and Convention implementation.**
 8. Enhanced scientific, technical and technological cooperation among Parties, other Governments and relevant organizations.
4. **Provision of scientific and technical assessments of the status of biological diversity;**
 5. **Preparation of scientific and technical assessments of the effects of types of measures taken in accordance with the provisions of this Convention;**
 6. **Identification of innovative, efficient and state-of-the-art technologies and know-how relating to the conservation and sustainable use of biological diversity and advice on the ways and means of promoting development and/or transferring such technologies;**
 7. **Provision of advice on scientific programmes and international cooperation in research and development related to conservation and sustainable use of biological diversity;**
 8. **Provision of responses to scientific, technical, technological and methodological questions that the Conference of the Parties and its subsidiary bodies may put to the body;**
 9. **Identification of new and emerging issues relating to the conservation and sustainable use of biodiversity.**

^{2/} Items identified as priorities by the World Summit on Sustainable Development include poverty alleviation, human health, sustainable communities and livelihoods, hotspots, ecological networks and corridors.

1.2.

1.3. D. Strategic ways and means for achieving the outcomes

9. Improving the scientific, technical and technological inputs into SBSTTA papers, by:
 - (a) More systematically identifying the matters that need to be covered in the papers, with timely commencement of preparatory processes;
 - (b) Engaging through a transparent process, a wider range of partners, including in particular the other Rio conventions and biodiversity-related conventions and ongoing global and regional assessments, and using a wider range of contribution processes for the production of formal information papers and supporting material to both SBSTTA and AHTEGs;
 - (c) Establishing effective exchange of information particularly through the clearing-house mechanism with and involvement by other relevant bodies;
 - (d)(c) Making systematic use of peer-review and consultation with SBSTTA focal points and other processes that involve the scientific community as for example represented by scientific institutes and societies, to improve the quality of documents and their acceptability to the scientific community;
 - (e) Using innovative means (e.g. the use of new information and communication technologies) to increase the breadth and depth of input into preparatory processes taking into account environmental and socioeconomic dimensions of issues pursuant to the holistic approach.
10. Improving the scientific, technical and technological debates during SBSTTA meetings, by:
 - (a) Facilitating participation by delegates, particularly those in one-person delegations and who have no United Nations experience;
 - (b) Using innovative means to overcome the disadvantages of the standard United Nations meeting format;
 - (c) Ensuring that chairs are carefully selected, well prepared and well supported;
 - (d)(a) Increasing the scientific, technical and technological activities within the meetings, through key note speakers, posters, round table debates, side events, etc.;
 - (e)(b) Providing good, brief and relevant scientific, technical and technological inputs as a basis for the debates consideration, through papers, technical series documents, etc. taking into account on the basis of the strategic issues identified by the Conference of the Parties for evaluating progress or supporting implementation of the 2010 biodiversity target.
11. Improving the transmission of SBSTTA advice to the Conference of the Parties and Parties, by:
 - (a) Providing concise, clear, understandable and well justified advice with clear linkages between topics;
 - (b) Using a wider range of tools for transmitting advice, including internet and paper-based tools;
 - (c) Increasing the visibility of SBSTTA (through the Chair and Bureau) at meetings of the Conference of the Parties;
 - (d) Capturing data and information that is identified or generated during preparatory processes, to make that raw material more accessible to Parties and other stakeholders.
12. Commissioning or encouraging the production of material to support implementation work by Parties, and in particular the preparation, review and implementation of national biodiversity strategies and action plans, by:
 - (a) Explicitly identifying priority needs as part of the consideration of issues;
 - (b) Actively expressing those needs to potential providers;

(e) Adjusting preparatory work (for example, the work of ad hoc technical expert groups) where appropriate so that it will provide additional material of value to Parties.

13. Providing a forum for initiating cooperative/partnership work, including through:

(a) Round-table forums, workshops, electronic conferences etc., to allow experts from different sectors including the private sector, to identify other experts with similar problems or relevant experience;

(b) Allowing countries with similar biodiversity issues to identify the potential for cooperation;

(c) Allowing countries with needs to identify scientific, technical or technological assistance that is available.

14.12 Improving the capacity for dialogue and cooperation between actors, by:

(a) Developing or promoting useful conceptual frameworks within which dialogue can occur;

(b) Identifying and promoting the use of standardised definitions, language, etc.;

(c) Identifying and promoting the use of **principles and** standardised methodologies (e.g. for data management);

(d) Identifying, during the development or review of work programmes, methods to increase the participation and contribution of organizations, communities, academia and the private sector to the development and sharing of scientific knowledge and the diffusion of technology needed for the implementation of those work programmes. 3/

15.13 Actively building relationships with the scientific and technical community, by:

(a) Providing material about the work of SBSTTA **including the preparatory documents for SBSTTA meetings** that is accessible to the scientific and technical community (i.e. expresses it in language that is understandable by the scientific and technical community, and relates the material to the work of the scientific and technical community);

(b) Actively disseminating the results of the work of SBSTTA through the scientific literature, both as reporting items and as scientific papers, as reviewed and approved by the Conference of the Parties;

(c) Building relationships with key individuals or organizations within the scientific and technical community, through the use of Bureau members, past chairs, delegates, chairs of ad hoc technical expert groups, and other individuals, including by participating or contributing to the work of the Joint Liaison Group of the three Rio conventions, and the Biodiversity Liaison Group with the Convention on Wetlands (Ramsar, Iran, 1971), the Convention on the Conservation of Migratory Species of Wild Animals (CMS), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the World Heritage Convention (WHC);

(d) Using other bodies as a bridge between SBSTTA and the scientific and technical community in relation to work programmes (e.g. international thematic focal points and key partners).

16. Helping the clearing-house mechanism to become an effective vehicle for scientific and technical cooperation, and to become a true partner in the work of SBSTTA, including by:

(a) Stimulating cooperation between Convention/SBSTTA focal points and focal points for the clearing-house mechanism within Parties, and between focal points of the

3/ See for example paragraph 11 of decision VII/29 on Transfer of technology and technology cooperation (Articles 16 to 19)

Convention on Biological Diversity and focal points of GEF, Rio conventions and other biodiversity-related conventions;

- (b) — Active involvement of the Chair and Bureau members in informal advisory committee work;
- (e) — Facilitating the work of clearing-house mechanism focal points, to allow them to expand their work from information management to supporting active cooperation between experts/organizations.

17. ~~Creating an active and useful~~ Actively and effectively use the network of SBSTTA focal points, and ~~using the network especially during the preparatory and follow-up work of SBSTTA, by:~~

- (a) — ~~Encouraging all Parties to appoint SBSTTA focal points, with an emphasis on appointing experts who are actively involved in the preparation, review and implementation of national biodiversity strategies and action plans;~~
- (b) — ~~Encouraging attendance of SBSTTA focal points at meetings of SBSTTA and the Conference of the Parties, and having a meeting of SBSTTA focal points at each of each these meetings, whenever possible;~~
- (c) — ~~Using SBSTTA focal points to provide comments on issues that cannot be included in SBSTTA agendas, or on preparatory documents;~~
- (d) — ~~Encouraging SBSTTA focal points to play an active role in transferring information from SBSTTA to relevant agencies within their country, and supporting cooperation between SBSTTA and clearing-house mechanism focal points at the national level;~~
- (e) — ~~Using SBSTTA focal points to connect experts within their country with other experts or with SBSTTA processes;~~
- (f) — ~~Encouraging SBSTTA focal points to facilitate cooperation between agencies working on biodiversity-related conventions within their countries;~~
- (g) — ~~Encouraging SBSTTA focal points to take an active role in facilitating national or regional discussions on SBSTTA agenda items, to allow a wider range of contributions to feed into the work of delegations.~~

18. Requesting the Conference of the Parties to invite Parties, other Governments and organizations to support the work of SBSTTA with financial resources, expertise, and relevant information in preparation for its meetings.

(abridged)



International Union of Forest Research Organizations

Union Internationale des
Instituts de Recherches
Forestières

Unión Internacional
de Organizaciones de
Investigación Forestal

Internationaler
Verband Forstlicher
Forschungsanstalten

WRITTEN VIEWS ON THE DRAFT OPERATIONAL PLAN OF THE SBSTTA AND ON SCIENTIFIC ASSESSMENTS

Vienna, 28 April 2005

General views

Both documents provide a good basis for further strengthening the scientific and technological component of the work of the CBD. In particular the document on scientific assessments provides a good summary on how scientific assessments *can* work effectively.

Operational Plan of the Subsidiary Body on Scientific, Technical and Technological Advice (UNEP/CBS/SBSTTA/10/5)

Page 4, section D, paragraph 10: In addition to the important points listed under paragraph 10, a better thematic preparation of delegations for the meetings and the inclusion (or substitution) of individuals with technical and/or scientific expertise on delegations could help making the SBSTTA debates better informed from a technical and scientific perspective.

Page 6, section D, paragraph 15 (c): In addition to the Conventions addressed, relationships should also be enhanced with science organizations involved in other biodiversity-related international processes. A specific reference should be included to the *Collaborative Partnership on Forests (CPF)*, an inter-agency partnership of 14 major forest-related international organizations, institutions and convention secretariats to enhance cooperation and coordination on forest issues for the promotion of sustainable management of all types of forests. The “Workshop on Forests and Forest Ecosystems: Promoting synergy in the implementation of the three Rio conventions”, convened in April 2004 in Viterbo, Italy, identified forests as an issue with a high potential for synergies and strongly encouraged further work on collection, development and synthesis of traditional and scientific knowledge.

Page 6, section D, paragraphs 16 (a): add “*and instruments*” after biodiversity-related conventions” at the end of the sentence, since this would then also include the United Nations Forum on Forests (or its follow-up arrangement) and the Collaborative Partnership on Forests.

**International Union of Forest Research Organizations**

Union Internationale des
Instituts de Recherches
Forestières

Unión Internacional
de Organizaciones de
Investigación Forestal

Internationaler
Verband Forstlicher
Forschungsanstalten

Scientific Assessments (UNEP/CBD/SBSTTA/10/7)

Page 12, section A, paragraph 59: Experiences gained by IUFRO officeholders confirm that the AHTEG contributed significantly to the development and adoption of the CBD Expanded Programme of Work on Forest Biological Diversity. Moreover, the peer-review process improved the quality of their many detailed state-of-science reports that provided the background and rationale for the forest work program.

III. SUBMISSIONS ON PRIORITIZATION FOR BUDGETARY PURPOSES



Australian Government Department of the Environment and Heritage

Dr Hamdallah Zedan
Executive Secretary
UN Convention on Biological Diversity
United Nations Environment Program
World Trade Centre
393 St Jacques Street, Office 300,
Montréal, Québec, Canada H2Y 1N9

Dear Dr Zedan

Response by the Australian Government to Notification No 2004-042

Paragraph 9 of COP 7 Decision VII/13 (Operations of the Convention) requested the Executive Secretary to seek Parties' views on options for a "mechanism" for setting priorities during consideration of agenda items, so that the budget group can be clear on how to address those activities of the Convention with financial implications. The Australian Government understands that you will report your findings to the Parties at COP 8.

On behalf of the Australian Government, I am pleased to respond to your request.

As a general principle, Australia is strongly of the view that fundamental decisions on the budget of the Convention must rest with the Conference of the Parties, not any small group or sub-group. In view of our experience at COP 7, Australia is convinced that priorities must be set as agenda items are considered and that the budget group must have clear guidance in its handling of those items and activities that are expected to have an impact on the budget. To this end, Australia would suggest a six stage 'process' of deliberation of the budget and program of works, as follows:

- (i) All papers/proposals with a budgetary impact must include an appropriate level of budget information under key headings (such as; staff, travel, meetings, consumables, contractors, capital equipment, communication/publicity, training, other, etc). The COP should not be provided with any such papers that do not include this information. The agenda paper for budget and program for the next biennium should include a summary of all COP agenda papers that have budget implications.
- (ii) Working Groups must include a review and refinement of the budget as part of their deliberations on relevant papers. This must be done before the Parties agree to "L" Documents.
- (iii) Early in its discussions, the budget group should reach agreement on a notional core budget and be in a position to inform the Plenary of what funds are likely to be available after Secretariat staffing/running costs and COP/SBSTTA expenses have

- been calculated. The budget group should also agree on some principles to assist in identifying intersessional priorities, such as the decision made at COP7 that all regional meetings would be funded from the Voluntary Fund.
- (iv) (a) A working group, consisting of nominated representatives from each UN Group endorsed by the Plenary, will review the notional budget and make recommendations and/or present options as to which intersessional activities could be supported from the core budget and those which should be allocated to the Voluntary Fund.
(b) These suggestions then go back to Parties/Groups for further consideration and discussion of possible sources of funding for non-core (unfunded) activities, and any rationalization of the proposed intersessional workplan.
(c) The working group then reconvenes to propose an allocation of the proposed intersessional work to the core budget and Voluntary Fund.
- (v) The budget group then considers the proposed allocations and the revised budgets in the “L” documents and incorporates these into the draft budget paper.
- (vi) The COP Plenary makes the final decision on core budget allocations in its consideration of budget papers and endorsement of “L” Documents with a budgetary component.

Australia believes that adoption of a process containing these basic elements could significantly assist all Parties, including those from smaller and developing countries, in engaging in robust and transparent budget discussion and rationalization of the increasingly onerous intersessional work programs of the Convention.

I hope that you find this submission of use in your deliberations on this issue and would be grateful if these comments could be made available for the information of all parties.

Yours sincerely

Dr Conall O’Connell
Australian Focal Point
(on behalf of the Australian Government)

August 2004



THE BAHAMAS ENVIRONMENT, SCIENCE AND
TECHNOLOGY COMMISSION
Ministry of Health and Environment

facsimile transmittal sheet

TO: Mr. Hamdallah Zedan
Executive Secretary
Secretariat, CBD
Montreal, Canada

Facsimile Number: 1-514-288-6588
File Reference: HEA/BEST/CBD/1
Date of Facsimile: 21 September 2004

From: Stacey Wells-Moultrie **Total Number of Pages:** 1

Re: Comments from The Bahamas on Communication from the Government of Australia Concerning Decision VII/33: Operations of the Convention

Dear Sir,

In response to the notification dated 21 August 2004 regarding the abovementioned decision (Ref: SCBD/SEL/DO/RR/44648R), The Bahamas Government wishes to offer the following comments:

1. While the components of the process are good suggestions, this process introduces another round of discussions that delegations would have to participate in. It would be very difficult to do so effectively with delegations containing one or two representatives as is the case for most SIDS, including The Bahamas, and would burden these countries as well as other developing countries.
2. COP agendas are very packed. For the process proposed to work, these agendas would have to be:-
 - a. Reduced;
 - b. Discussed over a number of meetings; or
 - c. Conferences of the Parties extended to three weeks

We thank you for the opportunity to comment and for your consideration of this matter.

Sincerely yours,

Stacey Wells-Moultrie
(for) Permanent Secretary

SCBD/SEL/DO/RR/44648F

SEARCHED	INDEXED
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SEP 21 2004	
ACTION	OT
FILE	
INFO	DO, PR, HZ



Decision VII/33 on Operations of the Convention

Canada welcomes the opportunity to provide comments regarding an improved mechanism for setting priorities during the consideration of agenda items, and improved linkages between the discussion of priorities and the establishment of the budget for the operations of the Convention. We recognise that this is not an easy task, given the scope of the Convention and the very wide range of interests of individual Parties.

There are two sorts of budget considerations that need to be considered: those related to the budget for the operations of the Convention and its Secretariat, and those related to the domestic implementation of the Convention. In this submission, we have assumed that we are considering only the former.

At the broadest level, we are of the opinion that the Convention took a fundamentally important step in the right direction through the establishment of a Strategic Plan at COPVI in 2002. The establishment of the Vision and Objectives for the Convention provide the framework within which we should now consider the elaboration of the Programmes of Work for both the ecosystem themes and the cross-cutting issues. Understandably, it will take some time to align the extensive body of decisions that have already accumulated with the directions of the Strategic Plan, but with concerted attention, this should be possible. At the same time, Parties must be prepared to keep the Strategic Plan under regular review, to ensure that it stays abreast of changing circumstances, both biological and political.

Translating the broad direction of the Strategic Plan into specific decisions at each meeting of the COP calls for a different set of processes. Each meeting of the COP should be informed of the potential budgetary implications of decisions; to the extent such impacts can be readily forecast. The practice of establishing notional costs for various types of meetings (liaison groups, AHTEGs, regional experts meetings, *ad hoc* Open-ended Working Groups) is an important contribution that should become more formalised. A similar list of notional costs such as the production of major conference papers or the establishment of a Secretariat post should also be prepared and kept current. These tools should be drawn to the attention of all Parties, not just those participating in the Bureaux or Budget Working Group.

Parties should also be made aware of the cost of hosting meetings outside the seat of the Secretariat, and those offering to do so should be expected to pay the full incremental costs of such meetings. Such offers should be discussed with the Secretariat in advance, and there should be a reasonable assurance of completion of a Host Country Agreement in advance of the relevant COP decision.

Finding the balance between a fully predictable budget process and the time available during a meeting of the COP will be difficult. We have considered the proposal submitted by Australia and support a number of the propositions made there, especially the

suggestion that all preparatory materials include a notional assessment of the budgetary implications of acceptance.

We also support the idea of the early establishment of some agreement on the notional size of the core budget. We think this could become a task for the COP Bureau to discuss and prepare in advance of each COP, in order that Parties arrive at a COP with some understanding of the impact of decisions. Options can be developed for various rates of increase. Having such information available in advance of the COP would assist Parties in weighing the relative priority of suggested activities, and which ones to include in the core budget.

I apologize for the late submission of these comments, but trust they will still prove useful.

David Brackett
CBD National Focal Point



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate E - International affairs
ENV.E.2 - Environmental Agreements and Trade



Brussels, 29 October 2004

Subject: **- CBD Notification No 2004-032 - Decision VII/29: Transfer of technology and technology cooperation**
- CBD Notification No 2004-042 - Decision VII/33: Operations of the Convention

Dear Mr Zedan,

The Netherlands and the European Commission, on behalf of the European Community and its Member States, would like to transmit the enclosed EU submissions in accordance with the decisions above.

Your sincerely,

Rebecca Parzer
Directorate for Nature
Netherlands Ministry of Agriculture, Nature
and Food Quality

Julio Garcia Burgues
European Commission

Submission of the European Community (EC) and its Member States

In response to CBD Notification No 2004-042 (21 May 2004) on Operations of the Convention

1. The EU fully supports the need for a strengthened process for taking budget decisions. The mechanism should increase the CBD's credibility by ensuring that priorities are set and decisions are being taken which actually can be funded.
2. The EU does not believe an extra budgetary working group as proposed by Australia would be appropriate but would in general prefer a simpler process. Decisions on priorities for activities should be taken by the plenary.
3. A mechanism for setting priorities should focus on improving the basis on which working groups and the plenary set priorities during the consideration of agenda items, thus giving better guidance to the subsequent task of the budget group of differentiating between priorities and producing a comprehensive budget proposal for consideration by the plenary. The challenge is to improve the process at each COP in such a way that discussions on substantial and financial priorities are better integrated in the deliberations of the working groups and the Plenary.
4. The EU supports a decision on a mechanism which should, if possible, already be applied at COP8. The EU would therefore suggest that the Secretariat present – based on the submissions received and following discussions with the Bureau - a concrete and simple proposal well in advance of COP8 to allow Parties to 'test drive' the proposal. This proposal should be discussed and adopted at the beginning of COP8. Of course, Parties would remain free to change the draft mechanism after COP8.
5. Appropriate budget information is essential for COP to be able to make informed decisions. The EU appreciates the efforts already taken in preparation for COP7 by the Executive Secretary to provide Parties with information on the cost of specific activities as well as the income received for the different Funds. The transparency and comprehensiveness of such information could however be further improved. In addition, it would be useful to provide Parties with budget scenarios based on different levels of budget increases of standardized costs such as for staff, travel, meetings, contractors, etc. It is also important to collect information about possible voluntary contributions of Parties at an early stage during the budget discussions.
6. On the basis of these considerations, the EU suggests the following five-step approach:
 - (i) All papers/proposals by the Secretariat submitted to COP and/or each proposed decision or action/programme with a budgetary implication must be accompanied by a standard budget form which provides an appropriate level of budget information under key headings (such as: staff, travel, meetings, consumables, contractors, capital equipment, communication/publicity, fixed and/or variable costs, training, etc.) to facilitate quick and proficient processing of the data as well as to provide the

possibility of comparing scenarios. The agenda paper for the budget and programme for the next biennium should include a summary of all COP agenda papers that have budget implications. In addition, it should include budget scenarios based on different levels of budget increase and standardised costs.

- (ii) Early in its discussions the budget group should make an analysis of the likely cost of all proposed activities as well as the likely income, in order to be in a position to inform the plenary of the estimated available funds after Secretariat staffing/running costs and COP/SBSTTA expenses have been calculated.
 - (iii) At the end of the first week, a plenary should be held to take stock of how far policy has been turned into programmes and what the budget requirements are, based on the state of negotiations in the working groups. That would include discussion of priorities by the plenary and lead to preliminary conclusions by the President.
 - (iv) From the start of its work in the first week, and before agreeing to "L" documents, working groups must carry out a review and refinement of the needed budget as part of their deliberations on relevant papers.
 - (v) The COP plenary would take the final decision on core budget allocations in its consideration of budget papers and endorsement of "L" documents with a budgetary component.
-

بسم الله الرحمن الرحيم



THE HASHEMITE KINGDOM OF JORDAN
Ministry Of Environment

AMMAN

Ref 3.3.3630

Date 27.9.2004

المملكة الأردنية المغربية

وزارة البيئة

عمان

الرقم

التاريخ

اللوقت

To: Hamdalla Zedan
Executive Secretary / CBD
Fax : +1-514-2886588

Subject: Communication from the Government of Australia
Concerning Decision V11/33:Operations of the Convention

Dear Mr.Zedan,

With reference to your fax dated 21 August 2004 concerning
the above subject matter.

We would like to inform you that we support the views
expressed by the Australian Government on the above issue.

Accept my highest esteem & consideration.

Eng. Hussein Shahin

Acting Secretary General

44648A

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IV. SUBMISSIONS ON VOLUNTARY REVIEWS OF NATIONAL IMPLEMENTATION OF
THE CONVENTION



**EVALUATION
OF THE AUSTRIAN IMPLEMENTATION
STRATEGY FOR THE CONVENTION ON
BIOLOGICAL DIVERSITY**

SUMMARY

Tanja Röhrich

Vienna, 2003

SUMMARY

Background

At the United Nations Conference on Environment and Development in Rio de Janeiro (June 1992), Austria signed the Convention on Biological Diversity (CBD), which was ratified in 1994. Pursuant to a resolution of the National Assembly (Federal Legal Gazette No. 213/1995) the Convention was made known to the public. To coordinate the projects, programmes and activities undertaken in the context of the Convention and the achievement of its targets, and to promote the flow of information, the Federal Ministry of Environment, Youth and Family Affairs set up a national biodiversity commission. The commission is composed of representatives of different ministries and governmental authorities of the federal provinces, scientists and representatives of non-governmental organisations.

As stipulated in Article 6 of the Convention on Biological Diversity, the commission developed an "Austrian Strategy for the Implementation of the Convention on Biological Diversity" in 1998. Nine chapters describe the individual initial situations, the targets to be achieved and the necessary measures.

Already at the time of its development, the demand for regular reviews and improvements and for the evaluation of the Austrian Biodiversity Strategy was stipulated in the Strategy itself. Soon after the Strategy paper was completed, the additional question arose as to how effectively the contents of the Strategy were implemented. In the absence of a standard method for evaluating the national implementation of the contents of the Convention on Biological Diversity, an independent concept had to be developed for Austria. A step-by-step review of different aspects was designed to provide an overview of activities already accomplished in Austria and review the Biodiversity Strategy in terms of its completeness. The activities relevant as regards biodiversity collected in Austria during the first stage of the evaluation were entered into a database, the so-called "Living Document", and published on the national Clearing-House-Mechanism website (www.biodiv.at). It is possible to enter current activities into the "Living Document" as well as specific queries. As of February 2003, the "Living Document" contained a total of 501 activities.

The Concept of Strategy Evaluation

Pursuant to the stipulation of the Biodiversity Strategy demanding regular reviews and further improvements, checks of the Strategy's completeness should be performed as regards its contents and in the light of national problems as well as the requirements of the Convention on Biological Diversity. Furthermore it should be established whether the Strategy constitutes a standard, rounded and practical paper, and which requirements need to be met so as to be able to evaluate the level of implementation of the Strategy in future. Based on the results of the evaluation, proposals should be made for further improvements to the Strategy.

To carry out the evaluation, a catalogue of questions was established, intended for review by means of the following criteria: completeness, balance, structure, layout, ease of operational implementation and reviewability. To determine the Biodiversity Strategy's completeness from a professional point of view and to establish a few other aspects, members of the biodiversity commission were interviewed over the telephone.

Results

Contents/Balance

One of the major flaws of the Austrian Biodiversity Strategy is that the Strategy does not contain a clear definition of the term "biological diversity".

The Biodiversity Strategy mentions a large number of relevant thematic areas in connection with the targets of the CBD and their achievement. However, the evaluation has revealed flaws relating to the contents, which are in part due to inaccuracies dating back to the time of the Strategy's development. For example, the level of genetic diversity was not sufficiently considered when the targets and relevant measures were formulated. Other flaws have appeared as a result of new scientific findings and changes to the overall conditions, or due to a concretisation of the contents since the time when the Strategy was completed (e.g. thematic working programmes). Therefore the Strategy contains some outdated numerical data, targets and measures requiring revision, and some aspects are missing. Another problem is that when the Strategy was developed there was no standard mechanism defining cross-references and interfaces between the individual thematic areas and chapters. To achieve the desired synergetic effects with other programmes and strategies it would be necessary to refer to these activities in the Biodiversity Strategy and to present common targets in greater detail.

Another flaw regarding the contents of the Strategy is that not all the problems are described in adequate depth; targets and measures are also described with greatly varying precision. Furthermore, the balance of the Strategy is disturbed by the fact that the individual chapters vary in length extremely.

Structure

In the course of the evaluation it was found that the individual chapters of the Biodiversity Strategy do not follow the same structure. As for the distribution of topics over the individual chapters, inaccuracies were found and the coverage of the topics sometimes overlapped. Furthermore the Strategy does not contain any overall graphic illustrations or explanations providing a definition of, or making generally understandable, the extensive thematic area of "biological diversity".

Ease of operational implementation/reviewability

The basic requirements for the easy operational implementation of a strategy are the formulation of clearly defined targets and tangible measures, as well as addressing clearly all the groups involved. It is also necessary to make suggestions for the participation of these groups and to specify, as precisely as possible, further details about support for the implementation. However the evaluation has shown that the responsibilities of the relevant acting parties are not clearly defined. Nor are legal backgrounds or competencies presented in adequate depth for all thematic areas. Another flaw is that the Strategy mentions the way in which the necessary acting parties are supposed to be involved in practice in the implementation of individual measures only in very general terms. Furthermore the Strategy lacks clear priorities with regard to the implementation of priority measures and to the consideration of priority research topics.

A review of the implementation of the contents of the Biodiversity Strategy is not possible due to the current lack of data. As yet the Strategy does not contain quantifiable targets, time frames, interim targets or indicators. Furthermore an evaluation of the level of

implementation of the Biodiversity Strategy is not possible in the absence of a national monitoring network for biodiversity in Austria, which would have to be coordinated with the targets of the Biodiversity Strategy, collecting the required data according to a standard method.

Résumé

Many of the flaws of the Biodiversity Strategy discovered in the course of its evaluation are due to conceptual weaknesses dating back to the time before the Strategy's development. Thus, although the resulting Strategy refers to a large number of thematic areas, there is no final overall picture. Due to the varying levels of concretisation regarding individual topics, some parts of the Strategy appear as concrete working programmes, others seem like an overall strategy and still others like a report on the state of affairs.

The results of the evaluation show that regular reviews and updates of the Biodiversity Strategy are absolutely necessary because of rapidly changing overall conditions. The criteria for future evaluations of the implementation (e.g. time frames, quantifiable targets and indicators) can only be included in several revision stages.

Based on these results, various alternatives have been considered for further improvements to the Strategy so as to improve effectively the conditions for an implementation of the measures necessary in Austria to achieve the targets of the Convention on Biological Diversity. The following alternative seems adequate for meeting the requirements of the CBD concerning the definition of priorities in national biodiversity strategies:

An update of the Biodiversity Strategy should involve the inclusion in the Strategy of missing relevant thematic areas, problems and cross-references. The inclusion of too-detailed numerical data or the description of specific projects however should be avoided. If these aspects are considered, the Strategy will be more able to meet the requirements regarding long-term orientation, the extensive discussion of all relevant thematic areas and the general character of a basic strategy.

Also, in keeping with strict and previously stipulated criteria, action programmes should be prepared either for a defined time schedule or restricted to a certain subject. For these action programmes priority topics should be defined that can be covered within certain realistic periods of time. It is furthermore necessary to describe measures as precisely and as accurately as possible, to define the competencies and to address the acting parties and stakeholders as directly as possible. As for the further procedure, it will be particularly important that the level of implementation of these action programmes that are either prepared for a certain time schedule or restricted to a certain subject can be evaluated. It is therefore necessary to consider evaluation criteria such as time frames or indicators when preparing these action programmes. Another advantage of this method is that additional resolutions and developments of the CBD could be followed up relatively quickly with the preparation of further specific programmes.

BOSNA I HERCEGOVINA
 FEDERACIJA BOSNE I HERCEGOVINE
**FEDERALNO MINISTARSTVO PROSTORNOG
 UREDJENJA I OKOLIŠA**
**FEDERALNO MINISTARSTVO PROSTORNOG
 UREDJENJA I OKOLICE**



BOSNIA AND HERZEGOVINA
 FEDERATION OF BOSNIA AND HERZEGOVINA
**FEDERAL MINISTRY OF PHYSICAL PLANNING
 AND ENVIRONMENT**

Broj: 03/7-234-91/05
 Sarajevo, 18.01.2005.godine

Secretariat – Convention on Biological Diversity
 Mr. Hamdallah Zedan
 Executive Secretary
 World Trade Centre Building
 393 Saint – Jacques Street, Suite 300
 Montreal, Quebec, Canada H2Y 1N9

Subject : Review of National Implementation

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JAN 25 2005	
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Dear Mr. Zedan,

Regarding your letter from 7 July 2004 we are informing you about the National Programme which refers to Convention on Biological Diversity and undertaken activities for national implementation of the Convention.

As a country in transition, Bosnia and Herzegovina is faced in the post-war period with numerous social, economic and other problems, among which the issue of environmental protection stands out as one of the most crucial, and biodiversity as one of the key element of the environment.

During the war and post-war period, the process of devastation of natural resources continued. Bosnia and Herzegovina emerged from the war with an almost totally destroyed infrastructure, ruined industry and collapsed economy. More than two million landmines were planted throughout the country, thousands of tons of various kinds of waste were, or are still waiting to be properly disposed of, thousands of hectares of forests were destroyed or cut, large areas of high quality agricultural land and pastures were laid to waste or contaminated.

In order to address the complexity of environmental issues, with the assistance of an International Development Fund (IDF) grant from World Bank, the National Environmental Action Plan (NEAP) for Bosnia and Herzegovina was completed in early 2003. The goal of the NEAP is identification of short and long – term priority actions and measures providing the basis for preparation of a long term environmental protection strategy in accordance with the economic, social and political situation in Bosnia and Herzegovina. The intention of the NEAP is to facilitate the preparation of a unified environmental protection policy in the context of macroeconomic reforms, poverty reduction strategy and the transition process.

Eight priority areas of NEAP have been established by the joint multidisciplinary approach. One of them is the Protection of Biodiversity, Geodiversity and Natural and Cultural heritage, with defined priority measures and activities, which are necessary precondition for undertaking the actions in this area.

As a result, in the open application process, the NEAP Directorate received a great number of proposals of the concrete projects in Bosnia and Herzegovina.

For carrying out the mentioned aims of NEAP, it is necessary to undertake the following measures/ activities:

Priority field :

Balanced management of Biodiversity, Geodiversity and Landscape Diversity

- Preparation of a Strategy and National Action Program for protection of Biodiversity – Term- short-term (ST)
- Ecologic categorization of habitats according to CORINE-biotope mapping methodology – mid-term (MT)
- Ecologic and economic categorisation and inventarization of habitats in the coastal area of the Mediterranean according to CORINE and MEDWET methodology and EMERALD regulations (MT)
- Ecologic categorization of wetlands according to MEDWET methodology – MT, LT-long term ;
- Inventarization of invasive kinds of plants, animals, fungi and moners according to FAO guidelines – MT ;
- Preparation and adoption of a Red List and Red Book of plants, fungi and animals in accordance with IUCN criteria – ST ;
- Establishment of a National Gene Bank for a domesticated plants and animals – LT ;
- Preparation of programs for management of the coastal and sub-coastal area of Bosnia and Herzegovina (Adriatic Sea) establishment of Sustainable management of endemic and refugee centers (canyons of rivers Una, Neretva, Vrbas, Drina and Sana and Trebisat, Pliva and Tinja river valleys) – LT ;
- Program of balanced geo – biodiversity protection – LT

Protection of cultural heritage

- Preparation of a Strategy and National programs for protection of cultural heritage – ST , MT;
- Valorization, inventarization and (re)categorization of ambiental natural values and the contained cultural heritage on national and local level in order to identify protection priorities – MT ,

- Preparation of emergency protection projects on the most endangered cultural monuments –ST.

Protection regime

- Preparation of programs for placing 15-20% of Bosnia and Herzegovina territory under adequate protection regimes – St, LT ;
- Identification of new and expansion of existing natural reserves – LT

Poverty Reduction Strategy Paper includes, too, the priority activities proposed in NEAP, because there are resulted from the analysis of the state of Biodiversity in Bosnia and Herzegovina from the year 2001 – 2003 :

- Preparation of a Strategy and National Action program (NAP) for protection of a Biodiversity ,
- Preparation of Strategy and National protection programs for cultural heritage in natural environment based on the principles of ecologic coexistence.

Within the EU PHARE program a set of five environmental Laws was established in compliance with EU legislation. One of these is the Law on nature protection that regulates ways and conditions of the restoration, protection, conservation and sustainable development of landscape, natural areas, plants, animals and their habitats, minerals and fossils and of other components of the nature on the area of Federation of Bosnia and Herzegovina competent bodies which will cover nature protection, planning of nature protection, the general and special measures for nature protection, information system, supervision, funding of nature protection and sanctions for legal and natural persons. However, there is a range of implementing regulations within this Law out of which Law enforcement itself would be impossible and current priority is drafting of secondary legislation. Currently, there are four implementing regulations:

*The preparation, content, timely approval and designation of the competent authority for the implementation of the special management measures shall be regulated by the implementing regulations.

* The implementing regulation/ by-law shall regulate a system to monitor the incidental capture and killing of protected animal species shall be regulated .

*The implementing regulation /by-law shall regulate further research or conservation measures as required to insure that incidental capture or killing does not have a significant negative impact on the species concerned.

* The regulation/by- law shall regulate the issues of monitoring, collection, registering and analyzing the data, facts and other relevant information related to the state and use of nature, the measures taken by bodies of public administration, enterprises and other organizations.

Pursuant to the Article 6 of the Convention on biological diversity , the Ministry as an operational focal point with the assistance of UNEP office prepared a project proposal for drafting of NBSAP. The project proposal was approved by GEF and will commence to carry out its activities soon. Strategy is considered to be the first document for systematic and

integral planning of nature protection activities. The project itself envisages Strategy and action plan drafting, I , II and III National report as well as CHM establishment.

In order to increase a number of protected areas , the Ministry commenced an initiative to place certain natural areas according to the Law on physical planning under adequate nature protection regime. Hence, drafting of feasibility study was prepared to appoint Una water basin a protected area in accordance with IUCN category.

Next step is to place massif Igman -Bjelasnica – Treskavica- Visocica under certain level of protected area. Within the forestry project a Study having analyzed feasibility of National Park for Bosnia and Herzegovina was prepared in 2001. The study recommended Bosnia and Herzegovina to determine National Park Igman-Bjelasnica-Treskavica and to ensure resources for undertaking necessary tasks that will activate National Park itself. Concerning this matter no activities are undertaken consequently the Ministry decided to announce a tender for updating current study.

The protected area in Bosnia and Herzegovina covers o, 60% of the total land area. Both further protected areas would triple the surface of protected areas of Bosnia and Herzegovina.

In order to increase a number of protected areas , The Ministry of physical planning and environment of Sarajevo Canton proclaimed two protected areas, one of which belongs to the Natural monument category(III IUCN category) and the other to the protected landscape category (V IUCN category). Hence, the following has been done:

Valorization Natural Values of Bijambare Area

The Ecological and Biological Basis for Regulation Scheme of "Bembasa"

Ecological and Vegetations Differentiation of Ecosystems on Vranica Mountain

Valorization Natural Values of Biological and Ecological Diversity on Igman and Bjelasnica Mountains

Evaluation Natural Values of Environment in Brcko Distrikt

Looking forward to a long period of productive collaboration.

Sincerely yours,

CBD National Focal Point

Mehmed Ceraj



Sarajevo, M. Tita 9a, Tel + 387 71 47 31 24 Fax 66 35 48

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دولة إريتريا
وزارة الأراضي والبيئة والبيئة

The State Of Eritrea
Ministry of Land, Water & Environment

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التاريخ _____
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To: Hamdallah Zedan
Executive Secretary
Secretariat of the Convention on Biological Diversity
United Nations Environment Programme
393 Saint-Jacques Street, Suite 300
Montreal, Quebec, Canada
H2Y 1N9

FROM: MOGOS WELDEYOHANNES
DIRECTOR GENERAL, DEPARTMENT OF ENVIRONMENT (CBD, FOCAL PERSON)
MINISTRY OF LAND, WATER AND ENVIRONMENT
ASMARA, ERITREA
FAX NO: 291-1-126095
TEL NO: 291-1-126712

SUBJECT: RE: SCBD/I&O/BK/AV44162 (NOTIFICATION NO. 2004-057)

Dear/Sir,

In reference to your letter SCBD/I&O/BK/AV44162 (Notification No. 2004-057), please find enclosed here with Eritrea's review of national programmes and needs related to the implementation of the CBD.

Best regards,

MOGOS WOLDE-YOHANNES
 DIRECTOR GENERAL
 Ministry of Environmental
 Affairs
 Ministry of Land, Water & Environment

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Eritrea-Review of national programmes and needs related to the implementation of the CBD

Recognizing that the Government of Eritrea (GOE) formally approved the Convention on Biological Diversity (CBD) on 21 March 1996. In accordance to Article 6 of the Convention called for Contracting Parties to the Convention to develop a National Biodiversity Strategy and Action Plan (NBSAP) aimed at the conservation and sustainable use of biological diversity, or to adopt existing strategies, plans or programs to reflect the requirement of the convention. As a result of the first enabling activity project, in 2000 the Government published the National Biodiversity Strategy and Action Plan for Eritrea (NBSAP). This sought to build upon the Government's previous commitment to broader conservation and sustainable use of biodiversity resources, as contained in the 1995 National Environmental Management Plan for Eritrea (NEMP-E).

The NBSAP covers a range of existing and ongoing biodiversity-related activities taking place within different sectors of the economy. An important principle of the strategy is that the most appropriate niche for biodiversity-related activities in Eritrea lies within the existing policy framework for sustainable economic development. The NBSAP attempts to place biodiversity policy in the context of the government's major development objectives for the next five years.

The NBSAP focuses on these "win-win" opportunities, plus those interventions which are considered to be essential to meeting the obligations to which Eritrea has committed itself to under the CBD.

The NBSAP comprises four major parts:

1. The first part, (Section 3 Country Profile) describes the broad geographic and socio-economic context of Eritrea within which any biodiversity strategy must be positioned. This section provides information on the geography of Eritrea and also on the main socio-economic systems across the country.
2. The second part (Section 4 The Status of Biodiversity in Eritrea) documents what is currently known about the distribution and condition of biodiversity across both terrestrial and marine environments. Although Eritrea is not a biodiversity "hotspot", it does contain a wide range of ecosystem types within a small geographic area. This diversity is an important component of Eritrea's potential as a tourist destination. At the species level, Eritrea is home to a number of globally rare and endangered species (e.g. African wild ass; Nubian Ibex) as well as being part of one of the world's major centres of crop diversity. These plant genetic resources have the potential to make a major contribution to national and global agriculture.
3. The third part of the NBSAP (Section 5 Assessment of the National Policy, Legislative and Institutional Framework in view of Environmental Protection and Biodiversity Conservation) reviews the evolving policy, legislative and institutional framework within which conservation and sustainable use of biodiversity must be effected in Eritrea. The policy and legislative framework in Eritrea is still developing since Independence; this provides an important

opportunity to introduce effective action for biodiversity conservation and sustainable use in an integrated manner through the entire economy.

4. The fourth, and most important, part of the NBSAP consists of four inter-linked sections which describe the major components of the strategy and action plan. The first part (Section 6 The Principal Components of the Strategy and Action Plan) describes the programmatic elements of the NBSAP. These elements are described under 10 themes: Integrated management; Sustainable use of natural resources; Alien invasive species; Pollution management; *In-situ* conservation (protected areas); *Ex-situ* conservation; Taxonomic knowledge; Information acquisition and storage; Public awareness and education; Legal and institutional structure (capacity-building).

The final three sections (Section 7: Biodiversity-related Activities for Terrestrial Biodiversity; Section 8 : Biodiversity-related Activities for Marine Biodiversity; and Section 9 : Biodiversity-related Activities for Agro-Biodiversity) describe the principal activities which are considered to be essential elements of an effective programme for biodiversity conservation and sustainable use in Eritrea.

A total of 34 activities are described for improving conservation and sustainable use of terrestrial biodiversity. The majority of these are on-going activities which would benefit from additional funding – others are new planned activities for which funding has yet to be allocated. Implementation of existing and planned activities would be undertaken by a range of government agencies at national and regional level.

A total of 26 activities are described for improving conservation and sustainable use of marine biodiversity. Biodiversity-related activities in this sector are dominated by the on-going programme of activities being undertaken by the Government of Eritrea as part of the Global Environment Facility-funded Conservation Management of Eritrea's Coastal, Marine and Island (CMI) Biodiversity project . Responsibility for implementation of this project lies with the Ministry of Fisheries in close collaboration with other relevant sectors.

A total of 31 activities are described for improving conservation and sustainable use of agro-biodiversity. Biodiversity-related activities in this sector are closely linked to the vital need to improve agricultural productivity and food security and thus improve the livelihoods of the majority of Eritreans who are still dependent on low-intensity agriculture, and also to conserve the globally-important plant genetic resources which have been developed over many years by Eritrean farmers.

The activities described in this first National Biodiversity Strategy and Action Plan represent the minimum set of actions considered necessary to ensure that Eritrea's biodiversity is maintained intact and can make a contribution to the economic development of the country for present and future generations. Successful implementation of the strategy will require strong commitment from the highest level of the government and a high level of co-operation and co-ordination between many institutions so that biodiversity conservation and sustainable use becomes integrated into the overall development.

Follow Up of NBSAP

There is an ongoing project on 'Additional Funding for Biodiversity Enabling Activity', whose objective is to create an enabling environment for the Government of Eritrea to implement the NBSAP, draws from the recommendations set out in the NBSAP and in this instance shall focus on the capacity needs for overall conservation and sustainable use of biodiversity resources.

Coordination with other national programmes

Environmental activities already form a prominent part of the Government development policy. Given the limited financial and human resources and capacity available in Eritrea, the NBSAP seeks to integrate and co-ordinate these activities to increase their effectiveness for biodiversity conservation, rather than replace or add to them. Biodiversity-related activities must be made compatible with those designed to improve human welfare and poverty reduction strategy in Eritrea.

Understanding this fact Eritrea seeks for appropriate mechanism in synergising the national environmental programmes.



Department of Conservation
Te Papa Atawhai

17 November 2004

Hamdallah Zedan
Executive Secretary
Secretariat of the Convention on Biological Diversity
393 Saint-Jacques Street, Suite 300
Montreal, Quebec
CANADA H2Y 1N9

Dear Mr Zedan

In response to your email to national focal points requesting reports or information concerning any voluntary review regarding national implementation of the Convention, we would like to advise that at this stage we do not have anything to provide you with. However, we have just commenced a major review of our National Biodiversity Strategy and Action Plan (NBSAP) which is the instrument we use to implement the Convention. The review of NBSAP will include:

1. A review of recent COP decisions to ensure that the NBSAP reflects the guidelines to the Parties to a satisfactory level, taking into account our particular circumstances.
2. Identification of areas in which implementation of the NBSAP has not been satisfactory. Improved performance in the next period will be sought in these areas.
3. Identification of changes required to the NBSAP to reflect:
 - completion of past projects;
 - changes in priorities; and
 - new work areas.

When we have completed the review of our NBSAP, we will identify whether there are any aspects of our experience that could be of use to other parties and in turn, will pass that information to you.

With kind regards

AB

Andrew Bignell
Manager, International Relations
Department of Conservation
New Zealand

45824

HC, DO

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Lead Office

P.O. Box 10-420, DX SP 20518, 59 Boulcott Street, Wellington, New Zealand
Telephone 04-471 0726, Fax 04-471 1082

From the Office of the Secretary for Environment and Tourism

All communications should be addressed to
 "The Secretary for Environment and
 Tourism"

P Bag 7753 Causeway, Zimbabwe
 Telephone: 757881-5 or 751720-2
 Fax: 757877



ZIMBABWE

MINISTRY OF ENVIRONMENT & TOURISM
 Karigamombe Centre
 53, Samora Machel Avenue
 Harare

Your Ref:
 Our Ref:

NRB/40/14

Hamdallah Zedan
 Executive Secretary
 Convention on Biological Diversity Secretariat

Fax: 00 1 514 288 65 88

RE: NOTIFICATION: REVIEW OF NATIONAL IMPLEMENTATION OF THE CONVENTION

Reference is made to the above notification.

Please be advised that we have been using the National Reporting Process to review implementation of the CBD. Apart from the national reports to the Conference of Parties, no voluntary reviews specific to the CBD have been carried out.

M. Sangarwe
 M. Sangarwe (Mrs.)
SECRETARY FOR ENVIRONMENT AND TOURISM.

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