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Item 27 of the provisional agenda*

**CROSS-CUTTING ISSUES – PROGRESS REPORT AND CONSIDERATION OF
PROPOSALS FOR FUTURE ACTION: PROTECTED AREAS, INCENTIVE MEASURES,
ALIEN SPECIES THAT THREATEN ECOSYSTEMS, HABITATS OR SPECIES, IMPACT
ASSESSMENT, LIABILITY AND REDRESS, BIODIVERSITY AND CLIMATE CHANGE**

Note by the Executive Secretary

I. INTRODUCTION

1. The present note describes progress since the seventh meeting of the Conference of the Parties on the following cross-cutting issues that are included under various items of the provisional agenda for the eighth meeting of the Conference of the Parties:

- (a) Protected areas (item 27.1);
- (b) Incentive measures (Article 11) (item 27.2);
- (c) Alien species that threaten ecosystems, habitats or species (Article 8 (h)) (item 27.3);
- (d) Impact assessment (Article 14, paragraph 1) (item 27.4);
- (e) Liability and redress (Article 14, paragraph 2) (item 27.5);
- (f) Biodiversity and climate change (item 27.6).

2. It focuses particularly on developments that have occurred since the preparation of the progress report to the eleventh meeting of the Subsidiary Body on Scientific, Technical and Technological Advice of the Convention (UNEP/CBD/SBSTTA/11/3).

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3. It also draws attention to the recommendations made for the consideration of the Conference of the Parties by the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) at its tenth and eleventh meetings (UNEP/CBD/COP/8/2 and UNEP/CBD/COP/8/3), the meeting of the Ad Hoc Open-ended Working Group on Protected Areas (UNEP/CBD/COP/8/8) and by other inter-sessional bodies.
4. The Conference of the Parties may wish to:
 - (a) Take note of the progress under the cross-cutting issues;
 - (b) Consider and endorse the relevant recommendations on these matters of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA), in the reports of its tenth and eleventh meetings (UNEP/CBD/COP/8/2 and UNEP/CBD/COP/8/3);
 - (c) Consider and endorse the relevant recommendations contained in the report of the first meeting of the Ad Hoc Open-ended Working Group on Protected Areas (UNEP/CBD/COP/8/8).
5. Draft decisions under all these items, incorporating the relevant recommendations of the inter-sessional bodies, are contained in the compilation of draft decisions for the consideration of the Conference of the Parties (UNEP/CBD/COP/8/1/Add.2).

II. PROTECTED AREAS

6. In decision VII/28, the Conference of the Parties adopted a programme of work on protected areas and established the Ad Hoc Open-ended Working Group on Protected Areas to support and review of the implementation of the programme of work. The first meeting of the Working Group was held in Montecatini, Italy, from 13 to 17 June 2005. It was followed by a meeting of donor agencies and other relevant organizations to discuss options for mobilizing new and additional funding to developing countries for the implementation of the programme of work on protected areas was convened in Montecatini, Italy on 20 and 21 June 2005. The second meeting of the Ad Hoc Open-ended Working Group on Protected Areas, originally scheduled for December 2005, has been postponed.
7. To facilitate implementation of the programme of work on protected areas by Parties, other Governments and relevant organizations, the Secretariat, in collaboration with the IUCN World Commission on Protected Areas (IUCN-WCPA) and The Nature Conservancy, published a user guide on the protected areas programme of work entitled "Towards Effective Protected Area Systems: An Action Guide to Implement the Convention on Biological Diversity" (CBD Technical Series No. 18). In the same vein, the Secretariat, in collaboration with The Nature Conservancy, and Equilibrium Consultants, is preparing a guide on gap analysis for creating ecologically representative protected area systems to be published in the CBD Technical Series before the eighth meeting of the Conference of the Parties.
8. Pursuant to activities 1.2.7 and 1.3.6 of the programme of work, the Secretariat commissioned a review of development of ecological networks, buffer zones and corridors in each of the five United Nations regions. This review will be published in the CBD Technical Series in time for the second meeting of the Ad Hoc Open-ended Working Group on Protected Areas and the eighth meeting of the Conference of the Parties.

9. The Wildlife Conservation Society (WCS) supported implementation of the programme of work on protected areas in over 30 countries. WCS provided over \$18 million/year in support to protected areas in Africa, Asia and the Pacific, and Latin America, and contributed to the implementation of all programme elements contained in the programme of work. The Nature Conservancy (TNC) has supported the implementation of the programme of work on protected areas through entering into formal cooperation agreements with protected area authorities in 18 countries, including: Bahamas, Belize, Bolivia, Brazil, China, Colombia, Costa Rica, Ecuador, Grenada, Indonesia, Jamaica, Mexico, Palau, Panama, Peru, Papua New Guinea, and Saint Vincent and the Grenadines. TNC had earmarked about \$4 million for early-action grant funds focussing on: (i) coordination of national implementation (for example, in six countries, support for government staff working in protected areas); and (ii) consultancies on early-action themes (for example, financial sustainability plans, ecological gap assessments, capacity-building programmes). In addition, 50 TNC staff members provided technical assistance for implementing the programme of work on protected areas in 20 countries.

10. IUCN has supported the implementation of the programme of work on protected areas through a Memorandum of Understanding (MoU) with the Secretariat of the Convention, active participation in meetings under the Convention, contributions to technical documents, organization of side-events during the meetings, promotion of best practice guidance and tool kits and provision of technical support to countries through its regional offices.

11. The 8th World Wilderness Congress, held in Anchorage, Alaska, from 30 September to 6 October 2005, produced significant tangible results including: the designation of new protected areas; new wilderness legislation; increased inter-governmental and organizational cooperation yielding several new initiatives and networks; a considerable number of professionals and volunteers trained in wilderness management, communications, and advocacy; and new funding to the conservation of natural ecosystems, species and human beings dependent on biodiversity for their livelihoods (<http://www.8wwc.org>).

12. The University of Klagenfurt, Austria, has launched a new international Master of Science programme in management of protected areas addressed to managers and planners to protected areas. It is designed to contribute to promoting sustainability, handling conflicts, increasing benefits and conserving biodiversity. The Secretariat of the Convention on Biological Diversity is a co-operating partner of the programme and contributes to the development of the curriculum taking into account the programme of work on protected areas.

III. INCENTIVE MEASURES

Development of proposals for the application of ways and means to remove or mitigate perverse incentives

13. In decision VII/18, the Conference of the Parties requested the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) at its tenth meeting, as a matter of priority, to further refine and consider, with a view to recommending adoption by the Conference of the Parties, the proposals for the application of ways and means to remove or mitigate perverse incentives, giving adequate time for a substantive and conclusive review of the proposals. In the same decision, the Conference of the Parties invited Parties, other Governments and relevant organizations to submit any information on the removal or mitigation of perverse incentives, including case-studies and best practices on the application of ways and means as well as any experiences with the application of the proposals, to

the Executive Secretary. A synthesis report was subsequently prepared for consideration by SBSTTA at its tenth meeting (UNEP/CBD/SBSTTA/10/INF/8).

14. At its tenth meeting, SBSTTA further considered the draft proposals and, in recommendation X/8, recommended that the Conference of the Parties consider them, with a view to their adoption, in conjunction with the outcomes of the consideration of positive incentives by the SBSTTA at its eleventh meeting. In the same recommendation, SBSTTA also recommended considering the development of definitions on the basis of suggestions put forward by Parties and relevant organizations before the eighth meeting of the Conference of the Parties. A compilation of suggestions on the development of definitions was subsequently prepared by the Executive Secretary (UNEP/CBD/COP/8/27/Add.1, annex).

Development of proposals on positive incentive measures and on valuation tools

15. In decision VII/18, the Conference of the Parties requested the Executive Secretary to prepare an analysis of existing and new instruments that provide positive incentives, to develop proposals on the application of such positive incentive measures and their integration into relevant policies, programmes or strategies and to explore existing methodologies for valuation of biodiversity and biodiversity resources and functions, as well as other tools for prioritization in decision-making, by preparing a compilation of valuation tools, and to prepare proposals for the application of such tools for consideration by SBSTTA.

16. In the same decision, the Conference of the Parties invited Parties, Governments and international organizations to submit case-studies, best practices and other information on the use of non-monetary positive incentive measures for the conservation and sustainable use of biodiversity. The Executive Secretary was requested to make this information available through the clearing-house mechanism and other means and to prepare a synthesis report for consideration by SBSTTA at a meeting prior to the eighth meeting of the Conference of the Parties.

17. Further to these requests, the Executive Secretary prepared the requested documentation for consideration by SBSTTA at its eleventh meeting (UNEP/CBD/SBSTTA/11/8, UNEP/CBD/SBSTTA/11/9, UNEP/CBD/SBSTTA/11/INF/8, UNEP/CBD/SBSTTA/11/INF/11). SBSTTA considered this documentation and adopted a recommendation XI/5 for consideration by the Conference of the Parties at its eighth meeting. The text of the recommendation may be found in annex I to the report on the work of the meeting (UNEP/CBD/COP/8/3).

IV. ALIEN SPECIES THAT THREATEN ECOSYSTEMS, HABITATS OR SPECIES (ARTICLE 8 (h))

18. Following decision VII/13, in particular paragraphs 7, 9 and 10, the key inter-sessional activity between the seventh and eighth meetings of the Conference of the Parties was the meeting of the Ad Hoc Technical Expert Group on Gaps and Inconsistencies in the International Regulatory Framework for Invasive Alien Species, which was held in May 2005 in Auckland, New Zealand. At its eleventh meeting, SBSTTA considered draft recommendations based on the report of that meeting, and has forwarded recommendations to the Conference of the Parties for consideration.

19. Also in 2005, the Executive Secretary co-organized, with the Global Invasive Species Programme (GISP), two workshops to develop a joint programme of work through the GISP partnership network among the Convention on Biological Diversity and other relevant bodies, as requested in paragraph 26 (e) of decision VI/23. The first such workshop was on the joint work programme on marine and coastal

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invasive alien species, held in June 2005, which was co-organized by the Convention Secretariat, GISP, and the regional seas programme of the United Nations Environment Programme (UNEP). The second workshop was on the joint global work plan on terrestrial and freshwater invasive alien species, held in November 2005, which was co-organized by the Secretariat of the Convention and GISP. A number of bodies listed in paragraph 4 of decision VII/13 participated in these workshops.

20. The secretariats of the Convention and the International Plant Protection Convention (IPPC) met in May 2004 to develop a joint work plan, and met again in November 2005 to update this work plan. In addition, the secretariat participated in the International Plant Health Risk Analysis Workshop, held in October 2005 in Canada, which was jointly organized by the IPPC secretariat and the Canadian Food Inspection Agency.

21. In follow-up to paragraph 5 of decision VII/13, the Executive Secretary renewed his application for observer status in the Committee on Sanitary and Phytosanitary Measures (SPS) of the World Trade Organization, but that application is still pending.

22. In order to implement aspects of decisions VI/23 and VII/13 related to information-sharing, in particular but not limited to paragraphs 24, 25, 26 and 28 of decision VI/23, the Executive Secretary is developing a web portal on invasive alien species that will aim to facilitate sharing of information and experiences.

V. IMPACT ASSESSMENT

23. Through its decision VI/7 A, the Conference of the Parties requested the Executive Secretary to, *inter alia*, prepare, in collaboration with relevant organizations, in particular the International Association for Impact Assessment (IAIA), proposals for further development and refinement of guidelines for incorporating biodiversity-related issues into environmental-impact-assessment legislation or processes and in strategic impact assessment. In decision VII/7, the Conference of the Parties urged Parties and other Governments that have not done so to contribute case-studies on current experiences in environmental impact assessment and strategic environmental assessment procedures that incorporate biodiversity related issues as well as experiences in applying the guidelines contained in the annex to decision VI/7 A.

24. In response to these decisions, the Secretariat developed a searchable database with case-studies and other submissions received from Parties and through members of the International Association for Impact Assessment (IAIA). This database is available at <http://www.biodiv.org/programmes/cross-cutting/impact/search.aspx>. The system permits users to register and to submit additional case-studies on line.

25. On the basis of experiences and case-studies made available and the note by the Executive Secretary on proposals for further development and refinement of the guidelines for incorporating biodiversity-related issues into environmental impact assessment legislation or procedures and in strategic environmental assessment prepared for the ninth meeting of SBSTTA (UNEP/CBD/SBSTTA/9/INF/18), the Secretariat, in collaboration with IAIA and the Netherlands Commission for Impact Assessment, has prepared revised guidelines on biodiversity-inclusive environmental impact assessment (EIA) and strategic environmental assessment (SEA). Drafts of these revised guidelines were reviewed by experts attending the 2005 Annual Conference of IAIA, held in Boston from 13 May to 3 June 2005, and the Special Thematic Meeting on 'International Experience and Perspectives in Strategic Environmental Assessment' held in Prague from 26 to 30 September 2005. Through notification 2005/082 dated 11 July 2005, national

focal points for the Convention and relevant organizations were invited to provide review comments. These comments have been incorporated into the documentation presented to SBSTTA-11 (UNEP/CBD/SBSTTA/11/INF/19) and for the consideration of this subject at the eighth meeting of the Conference of the Parties (UNEP/CBD/COP/8/27/Add.2). Elements for a draft decision are contained in the compilation of draft decisions (UNEP/CBD/COP/8/1/Add.2).

26. The IAIA project on capacity-building in biodiversity and impact assessment in developing countries (CBBIA) has been extended into 2006. Key activities carried out in the first two years of project implementation included participation of project members in the review of early drafts of the Guidelines on biodiversity-inclusive environmental impact assessment and strategic environmental assessment, the commissioning of centres of excellence in South Asia, southern Africa and Central America to conduct training and the issuing of small grants and bursaries. The Convention Secretariat is a member of the steering committee of the project.

27. On 15 July 2005, the UNEP Economics and Trade Branch (UNEP-ETB) launched the ETB trade and biodiversity initiative. The aim of this initiative is to support the implementation of the Convention by building national institutional and governmental capacities in developing countries for assessing, designing and implementing policies that maximize development gains from trade-related policies in the agricultural sector while minimizing the impact on agricultural biodiversity. The Convention Secretariat is a member of the steering committee.

28. The International Council on Mining and Metals (ICMM) has prepared draft good practice guidance for mining and biodiversity through its dialogue with IUCN. The document is intended for use by technical and environmental managers at mines as guidance on how to improve their performance in biodiversity conservation and management by setting out what is currently understood to constitute good practice. A draft has been made available for public comment and the final document will be published by ICMM as guidance for its members and others who wish to use it.

VI. LIABILITY AND REDRESS (ARTICLE 14, PARAGRAPH 2)

29. At its sixth meeting, the Conference of the Parties, by decision VI/11, requested the Executive Secretary to convene a group of legal and technical experts composed of government-nominated experts and including observers from relevant international organizations, including non-governmental organizations and convention secretariats. The mandate of the group, as set out in paragraph 1 of the decision, was to review the information gathered by the Executive Secretary in accordance with paragraph 2 and to conduct further analysis of pertinent issues relating to liability and redress in the context of paragraph 2 of Article 14 of the Convention.

30. In paragraph 2 of decision VI/11, the Conference of the Parties requested the Executive Secretary to undertake further analysis relating to the coverage of existing international regimes regarding damage to biological diversity; activities or situations causing damage, including situations of potential concern and whether they can be effectively addressed by means of a liability and redress regime; and concepts and definitions relevant to paragraph 2 of Article 14.

31. The meeting of the group of legal and technical experts did not take place in the inter-sessional period between the sixth and seventh meetings of the Conference of the Parties because of the lack of voluntary financial contributions by Parties. Consequently, the Conference of the Parties at its seventh meeting, in decision VII/17, renewed the request to the Executive Secretary to convene the group and

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urged Parties and Governments to make the necessary voluntary financial contributions to facilitate the convening of the group.

32. Accordingly, the Executive Secretary convened, with financial support from the European Community, a meeting of the Group of Legal and Technical Experts on Liability and Redress in the Context of Paragraph 2 of Article 14 of the Convention, which was held in Montreal from 12 to 14 October 2005. The Group reviewed the information gathered by the Executive Secretary and conducted further analysis of pertinent issues relating to liability and redress in the context of paragraph 2 of Article 14 of the Convention in accordance with its mandate. The report of the Group (UNEP/CBD/COP/8/27/Add.3) is being submitted to the Conference of the Parties at its eighth meeting and includes a number of conclusions of the meeting regarding the focus, scope and nature of further work by the Conference of the Parties on this issue.

VII. BIODIVERSITY AND CLIMATE CHANGE

33. In recommendation X/13, SBSTTA established an Ad Hoc Technical Expert Group (AHTEG) on Biodiversity and Adaptation to Climate Change to assist the Subsidiary Body in its further work on the interlinkages between biodiversity and climate change, and pursuant to COP decision VII/15. The AHTEG met from 13 to 16 September 2005 in Helsinki, with the support from the Government of Finland, and undertook a supplementary assessment on the integration of biodiversity considerations in the implementation of adaptation activities to climate change, and on promoting synergy among activities to address climate change, and land degradation and desertification. The AHTEG prepared advice for the consideration of SBSTTA at its eleventh meeting (UNEP/CBD/SBSTTA/11/18). The full report of the AHTEG meeting is contained in document UNEP/CBD/SBSTTA/11/INF/5. Specific recommendations on biodiversity and climate change made by SBSTTA for consideration by the Conference of the Parties at its eighth meeting are contained in the compilation of draft decisions (UNEP/CBD/COP/8/1/Add.2).

34. On 30 November 2005, the Secretariat co-sponsored an informal side-event with the Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC) on the margins of the eleventh meeting of SBSTTA. The side-event addressed issues of synergy between the two conventions in the context of biodiversity and climate change, and took in to account the findings of the AHTEG on biodiversity and climate change as well as the recent AHTEG on biodiversity and adaptation to climate change mentioned in the above paragraph.

35. On 5 December 2005 the Secretariat participated in the Climate Talk Series, organized by UNFCCC Secretariat at the eleventh meeting of the Conference of the Parties to the UNFCCC. The topic was the conservation and sustainable use of biodiversity in the face of current climate change.

36. Four side-events organized at the margins of the eleventh session of the Conference of the Parties to the UNFCCC focused on the interlinkages between biodiversity and climate change. They were organized by UNEP, IUCN, Birdlife International/the Royal Society for the Protection of Birds and Conservation International, respectively.
