

**CONVENTION ON
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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 and 6 of the provisional agenda*

**REPORT OF THE CHATHAM HOUSE AND THE ROYAL SOCIETY FOR THE
PROTECTION OF BIRDS (RSPB) WORKSHOP ON IMPLEMENTATION AND
EFFECTIVENESS OF THE CONVENTION ON BIOLOGICAL DIVERSITY*****Meeting report***

Note by the Executive Secretary

The Executive Secretary is circulating herewith, for the information of participants in the first meeting of the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention, the report of Chatham House and the Royal Society for the Protection of Birds (RSPB) Workshop on Implementation and Effectiveness of the Convention on Biological Diversity, which was held in London from 11 to 13 May 2005. The report is being reproduced in the form and the languages in which it was received by the Secretariat of the Convention on Biological Diversity.

* UNEP/CBD/WG-RI/1/1.



CHATHAM HOUSE

Workshop on 'Implementation and Effectiveness of the Convention on Biological Diversity'

The Royal Society for the Protection of Birds (the RSPB) and Chatham House, with support from: the UK Department for Environment, Food and Rural Affairs (DEFRA); the Ministry of Ecology and Sustainable Development (France); the Ministry of the Environment, Denmark, Danish Forest and Nature Agency; and BirdLife Netherlands. 11-13 May 2005, Chatham House, London

Summary report

The workshop, intended as an informal brainstorming event and held under the Chatham House Rule (see www.chathamhouse.org.uk), took place on 11-13 May 2005. The objective of the workshop was to identify priority issues and potential options for action in contribution to preparations for the Ad Hoc Open-ended Working Group on Review Implementation of the Convention (Montreal, 5-9 September, see <http://www.biodiv.org/wgri/default.shtml>). Approximately 60 participants from governments, international secretariats, indigenous and local communities, NGOs, business and academia participated.

A longer version of this report will be available later.

Background

The Convention on Biological Diversity (CBD) is facing new challenges and opportunities with recent developments such as the adoption of the target to achieve a significant reduction in the rate of loss of biological diversity by 2010. Meetings of the CBD are struggling with the expanding agenda, while countries are struggling with implementation of both existing and new commitments.

The Seventh Conference of the Parties (COP 7) established the Ad Hoc Open-ended Working Group on Review of Implementation in Para 23. of Decision VII/30 on 'Strategic Plan: future evaluation of progress', under the heading 'Review of Implementation of the Convention'. It states

'Recognizing the need to establish a process, for evaluating, reporting and reviewing the Strategic Plan 2002-2010, decides to allocate adequate time in subsequent meetings of the Conference of the Parties and the Subsidiary Body on Scientific, Technical and Technological Advice, as well as ad hoc open-ended Working Groups, as appropriate, and establishes an Ad Hoc Open-ended Working Group on Review of Implementation of the Convention, subject to the availability of the necessary voluntary contributions, to consider progress in the implementation of the Convention and the Strategic Plan and achievements leading up to the 2010 target in line with the multi-year programme of work for the Conference of the Parties (decision VII/31), to review the impacts and effectiveness of existing processes under the Convention, such as meetings of the Conference of the Parties, the Subsidiary Body on Scientific, Technical and Technological Advice, national focal points and the Secretariat, as part of the overall process for improving the operations of the Convention and implementation of the Strategic Plan, and to

consider ways and means of identifying and overcoming obstacles to the effective implementation of the Convention;'

In Decision VII/30, the COP also adopted a framework to facilitate the assessment of progress towards 2010 and communication of this assessment, to promote coherence among the programmes of work of the Convention and to provide a flexible framework within which national and regional targets may be set, and indicators identified.

In 2002, the COP adopted the Strategic Plan, in which Parties committed themselves to a more effective and coherent implementation of the three objectives of the Convention to achieve, by 2010, a significant reduction in the current rate of biodiversity loss at the global, regional and national level as a contribution to poverty alleviation and to the benefit of all life on earth (the 'Mission' of the Strategic Plan). The target was subsequently endorsed by the World Summit for Sustainable Development (WSSD).

Structure of workshop

The workshop began with an afternoon plenary session, followed by a day of discussions in three parallel working groups with the following overlapping themes:

- 'CBD processes and priority-setting in relation to Strategic Plan and 2010 target' (Working Group I)
- 'Obstacles to national implementation' (Working Group II)
- 'Reporting and review processes – the 'feedback loop' (Working Group III)

A final morning plenary session considered issues discussed by the three working groups.

Summary of discussions

The workshop aimed to identify potential priority issues and options for action or further consideration, not to reach agreed conclusions. The summary below groups issues and comments under five overlapping broad themes. It does not aim to provide a comprehensive record, but to give a general picture of discussions.

(I) Strategic Plan

The workshop noted that the Strategic Plan provides:

- A coherent framework for collective action
- Guidance for action by Parties, international organizations and others
- A framework for relations with other international actors
- A time-bounded, ambitious, but manageable target with measurable strategic goals

Key critical factors for a successful implementation of the Strategic Plan include (not in order of priority):

- **Targets and indicators** to make progress on shared biodiversity outcomes at both the global and domestic levels. Rather than monitoring compliance, the issue is one of monitoring the effectiveness of implementation, where the Strategic Plan, together with the targets and indicators, provides the appropriate framework.

- **Governance**, ie institutional capacity to develop and implement integrated biodiversity agendas at the local, country, regional and international levels. This in turn was seen as including areas such as economic incentives, integration of National Biodiversity Strategies and Action Plans (NBSAPs) into Poverty Reduction Strategy Papers (PRSPs) and links with the Millennium Development Goals (MDGs). Biodiversity needs to be prominently addressed at the UN Millennium Summit in September 2005. The existence of regional processes which also provide economic incentives have proven to be an important incentive for national implementation of multilateral environmental agreements (MEAs).
- **Policy development**. The CBD has now moved from policy development into an implementation phase. However, the CBD still needs to maintain its agenda setting role on major issues, such as access and benefit sharing (ABS), liability and redress, as well as new and emerging issues such as high seas protected areas.
- **Science and information**: developing sound scientific assessment tools and information management systems to inform integrated policy- and decision making, monitor and predict change, and report on progress are critical for implementation. The provision of financial and human resources and technology transfer is a prerequisite for implementation, in particular in developing countries.

In discussing synergies with other conventions, it was noted that much can be done among the biodiversity conventions. It was suggested that the CBD needs to encourage other conventions to integrate the 2010 target into their strategic planning. However, discussions noted that the possibility of harmonizing the whole body of conventions would require careful analysis of advantages and drawbacks first. It was suggested that the Biodiversity Liaison Group is an important opportunity for the CBD and that the proposed Global Partnership for Biodiversity should be discussed at the Ad Hoc Open-ended Working Group in September, including clarifying its proposed mandate, scope and membership.

(II) Convention processes, structure and priority setting

Participants noted the urgent need to improve and streamline the operations of the Convention with a view to improving its ability to support implementation, to reduce the current overburdening of Parties resulting from the amount of meetings and documents produced, and to refocus the Convention's work on key priority issues.

The Conference of the Parties (COP)

Discussion of ways to increase the effectiveness of the COP included the following possibilities:

- **Limiting the agenda**. This would require Parties to be self-disciplined.
- **Reducing the frequency of meetings**. This could involve, for example, back-to-back meetings of SBSTTA and the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention in alternate years, with COP meetings every three years. This would decrease pressure on financial and human resources, a challenge for developing countries in particular. However, it also risks loss of political momentum. Other ideas included finishing sessions (including negotiations in contact groups) at a set time, for example 6.00 pm or 8.00 pm, which could force participants to make their discussions more focused.

- **Strengthening the High-level Segment** of the COP: suggestions included the COP Bureau playing a role in setting the agenda for future High-level Segments, rather than the host country on its own. Other suggestions including leaving controversial and difficult decisions to the High-level Segment and seeking to engage Ministers from other departments, for example by allocating issues with a strong 'beyond biodiversity' element to the High-level Segments.
- **Better priority setting.** Discussions suggested that the COP should set global, not national priorities, which need to reflect national circumstances, including socio-economic factors. Global priorities should flow from the Strategic Plan. The Strategic Plan should also guide overall priority setting in the Global Environment Facility (GEF), while country level priorities should be set by recipient countries. Global priorities will be determined by major threats to biodiversity, implementation priorities and emerging global issues, such as the MDGs. Taking into account that threats, and implementation priorities in particular, vary between regions, regional approaches to implementation could be considered and/or backed up by development of regional partnerships.
- **The unresolved Rule 40** on voting of the Rules of Procedure: participants discussed the consensus based decision making of the CBD, noting that it can block effective decision making, although without consensus the sense of ownership of decisions become lost. Ideas included separating core, major 'political' COP Decisions requiring consensus from less binding Annexes, containing guidelines and programmes of work, which would not need consensus, as implementation of these can fully reflect Parties' priorities.

The Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA)

- It was felt that SBSTTA needs improved scientific and technical input, and needs to improve its outreach to the scientific community. Suggestions included SBSTTA documents being peer reviewed by scientific journals or involving scientific and other competent bodies in preparing SBSTTA meetings. However, it was pointed out that external input and delegation of tasks can also risk leading to outside bodies setting the agenda for the CBD.
- It was pointed out that SBSTTA needs to draw on other sources of knowledge than western science, such as that of indigenous and local communities. Discussions also touched on which kinds of knowledge could be considered 'global' in nature.
- Discussion suggested that SBSTTA should not be used to solve political issues. It should provide scientific knowledge for decision making in the COP.
- The importance of considering the political, social and economic consequences of implementation and the need to make the case for biodiversity in poverty eradication was emphasized. It was suggested that SBSTTA should engage social and economic scientists to address such cross-cutting issues.
- Participants also emphasized the key role of SBSTTA in assessing progress towards the 2010 target, as guided by the Strategic Plan.

Experts and Ad Hoc Technical Expert Groups (AHTEGs)

- It was suggested that the roster of experts should be abolished as it does not play a useful role.
- It was noted that not all countries nominate AHTEG experts with appropriate high quality knowledge. It was suggested that SBSTTA or CBD focal points should nominate experts,

but also pointed out that in some situations this can allow for personal bias to play a role in selection.

- Greater balance of participation is needed. It was suggested that the number of experts should be increased, but relatively fewer non-party experts and resource persons should attend, and that greater regional balance is needed.
- Discussions noted the importance of intersessional work, highlighting the UN Forum on Forests (UNFF) country-led initiatives, where a developed and developing country take joint initiatives, as a possible model.
- The difficulties Parties face in identifying appropriate AHTEG participants, some times with short notice, was discussed. It was suggested that the Secretariat should provide brief lists of planned AHTEGs, outlining their respective mandates, as early as possible.
- It was noted that AHTEGs are not the only source of experts. Suggestions included NGOs and representatives of indigenous and local communities being represented on the SBSTTA Bureau. International organizations and initiatives, such as the Millennium Ecosystem Assessment, are also important sources of information.
- It was suggested that terms of reference for AHTEGs should be more focused, clarifying and limiting scope and mandate.

Subsidiary body on implementation

Discussions touched on the possible need for a subsidiary body on implementation. It was pointed out that the Ad hoc Open-ended Working Group on Review of Implementation of the Convention could fulfil this need, depending on the outcome of its discussions in September. It was emphasized that the Ad hoc Open-ended Working Group should consider successes, failures and obstacles to implementation.

The Secretariat

It was suggested that the Parties should allow the Secretariat to be a more proactive, mission-oriented administration and that it should play a much greater role in providing direct assistance with implementation to Parties. Other suggestions included the Secretariat delegating more of its tasks and Parties contributing documentation for meetings.

CBD Work Programmes

Participants discussed streamlining of work programmes, with different approaches suggested for dealing with cross-cutting issues (eg should they be merged into thematic work programmes or is it better to separate out the cross-cutting issues and not repeat references to them in the work programmes?). Participants suggested that in-depth review should involve reviewing and improving implementation of the work programmes, not re-writing them (more on work programmes below).

(III) At the national level

The question was raised whether the CBD is focusing on the real issues, ie the root causes of biodiversity loss, including political will and issues such as unsustainable agriculture. The importance of integration with the development agenda was highlighted.

CBD work programmes

It was pointed out that the GEF supports projects that are in line with the thematic programmes, while most initiatives that address real implementation issues cut across these. It was also noted that the current thematic work programmes are too narrow in scope for some local needs.

National Biodiversity Strategies and Action Plans (NBSAPs)

In discussing NBSAPs, it was noted that it is not clear if countries are refining their NBSAPs or focusing on local implementation. A mechanism for taking account of new COP Decisions and, for example, the Millennium Development Goals, is needed. The possibility of the COP taking stock of NBSAPs was raised, as was that of regional NBSAPs.

National reporting and monitoring

Recognizing the need to monitor national implementation, it was suggested that for monitoring to have value, it should be independent. The concept of voluntary peer reviews was raised as helpful for implementation and it was suggested that the Ad Hoc Open-ended Working Group could consider this in September, including reviewing use of voluntary peer review in other conventions or bodies.

It was noted that a means of clarifying COP Decisions is needed, to specify which activities are needed at the national level. Another issue raised was a failure of national reporting to take into account activities that are not 'labelled' as biodiversity, an issue linked to achieving synergies outside the biodiversity sector.

Synergies (collaboration with other conventions))

Countries with limited resources may have one person acting as CBD focal point, while also covering other biodiversity and environmental conventions, meaning that a high degree synergy is achieved. In this context, national capacity self assessments (NCSAs) were highlighted as a potentially helpful tool.

(IV) Reporting and review

National reports

Participants noted that national reports, although cumbersome:

- Can support national planning and implementation, facilitating self-assessment
- Provide an opportunity for communication, nationally and globally.
- As an obligation under the CBD, represent an incentive for implementation and for communication across government

Participants discussed the possibility of developing an on-line planning, implementation and reporting tool for voluntary use by Parties, which would promote public access and independent scrutiny and peer review.

It was suggested that institutional 'turf battles' may hamper efforts to harmonize reporting. Harmonizing parts of the documents for reporting under the different biodiversity conventions to create a 'modular' reporting system was seen as a potential option. It was suggested that to be useful for Parties, the reporting format cannot be standardized, but that it may be possible to design a common core of questions and indicators, which leaves space for national specifics. Encouraging free format reporting on successes and failures was seen as one potential option for improving information flow. It was noted that thematic reports can play an important role.

Targets and indicators

It was noted that the second Global Biodiversity Outlook (GBO2) will provide a vehicle for testing and communicating indicators.

- It was suggested that a small number of indicators could streamline reporting with an emphasis on outcomes, noting the need to avoid proliferation of targets and indicators and to align work programmes, NBSAPs and other frameworks in this respect. This could include the fourth national reports focusing on headline indicators only.
- A pilot reporting exercise could be undertaken in 2007, on a voluntary basis.

Discussions of these and related points emphasized the need for strong feedback loops, with implementation information flowing to the COP, allowing it to adjust its guidance.

(IV) Communication and awareness raising, and scientific assessments

The need to improve communication and outreach, including increased communication of best practices and experience on implementation, was discussed. It was suggested that there is a need to simplify terminology.

It was suggested that global scientific assessments, such as the Millennium Ecosystem Assessment (MEA) and the Global Biodiversity Outlook (GBO), are likely to interest readers or users mostly at the global level of the CBD process. It was noted that there is a need to 'translate' science for policy makers and suggested that this should be an important part of SBSTTA's role.

Discussions touched on the proposed new international mechanism for scientific assessment, noting that, depending on mandate and scope, it could play a role in communicating key issues to world leaders and audiences such as business and industry. Issues such as its relation to SBSTTA would require consideration.

Discussions suggested that to reach audiences at national and local levels, much greater effort is required, including targeting and tailoring of messages to specific audiences. Options for addressing this could include action by SBSTTA, the Secretariat or outside advisers. Participants also noted the potential role of CEPA and, for example, the IUCN-World Conservation Union Countdown 2010 initiative.