



**CONVENTION ON
BIOLOGICAL
DIVERSITY**

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

First meeting

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Item 2 of the provisional agenda*

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

Note by the Executive Secretary

1. The Convention on Biological Diversity was developed in response to increasing recognition of the importance and challenge of sustaining biological diversity in the face of considerable threat from human activities. The legally-binding landmark treaty was opened for signature at the Earth Summit in Rio de Janeiro in 1992 and entered into force in 1993. Among the existing global biodiversity-related agreements, it was the first to cover all aspects of biodiversity and to acknowledge the role of biodiversity in sustainable development. The Convention presently has 188 members, reflecting nearly universal participation.

2. The Convention has three main objectives:

- (a) The conservation of biodiversity;
- (b) The sustainable use of its components; and
- (c) The fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

3. These objectives are reflected in the text of the Convention, which contains both substantive commitments and provisions for the establishment of an institutional framework for implementation. Key components of the framework include the creation and elaboration of Convention processes, work programmes and tools for implementation at both the global and national levels, as well as cooperation with other agreements and organizations.

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4. A number of standing bodies and mechanisms to manage and support the implementation of the Convention were established under the institutional framework of the Convention, namely the Conference of the Parties (Article 23), the Secretariat (Article 24), the Subsidiary Body on Scientific, Technical and Technological Advice (Article 25), the clearing-house mechanism (Article 18, paragraph 3) and the financial mechanism (Article 21). As the Convention has matured, these bodies and mechanisms have been reviewed and revised, and several supporting or complementary mechanisms have been created, including national focal points, the bureaux of the Conference of the Parties and the Subsidiary Body on Scientific, Technical and Technological Advice, ad hoc working groups, technical expert groups, rosters of experts and regional preparatory meetings.

5. The substantive provisions of the Convention provide a set of general principles that the Conference of the Parties has translated into programmes of work in order to facilitate implementation of the Convention by Parties. At the international level, the Conference of the Parties has adopted the ecosystem approach, established a series of thematic programmes of work and initiated work on a number of cross-cutting issues, all of which have led to the development of biodiversity-related principles, guidelines and tools. The Conference of the Parties has also formed issue-specific working groups on access and benefit-sharing, traditional knowledge, innovations and practices and protected areas, and adopted the Cartagena Protocol on Biosafety to address potential risks posed by living modified organisms. All of this work has been carried out under the umbrella of a multi-year programme of work for the Conference of the Parties.

6. At the national level, most countries have developed national biodiversity strategies and action plans (NBSAPs) based on the principles of the Convention and the elaboration of such principles carried out by the Conference of the Parties. As Parties hold primary responsibility for the implementation of the Convention, national biodiversity strategies and action plans are central to the implementation of the Convention.

7. In spite of the rapid development and achievements of the Convention, biodiversity continues to be lost at an unprecedented rate. The recent findings of the Millennium Ecosystem Assessment indicate that human actions are fundamentally, and to a significant extent irreversibly, changing the diversity of life on Earth and that most of these changes represent a loss of diversity. The findings also suggest that the current rate of change will continue or accelerate in the future.

8. Once the institutional framework and programme of work of the Convention were well established, Parties were able to shift the focus of the work of the Convention from process to implementation in order to more effectively address the continued rate of biodiversity loss. In 2002, they adopted a Strategic Plan, committing themselves to more effective and coherent implementation of the 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. This 2010 target was subsequently endorsed by the 2002 World Summit on Sustainable Development in Johannesburg and by the United Nations General Assembly. In the Strategic Plan, it is supported by more specific goals and objectives, which address issues of global leadership and cooperation, national implementation, capacity-building and stakeholder engagement. The Strategic Plan also identifies a series of obstacles to implementation, and the need for better methods to objectively evaluate progress in the implementation of the Convention and the plan itself.

9. In 2004, at its seventh meeting, the Conference of the Parties adopted a multi-year programme of work until 2010, which involved in-depth reviews of up to six programmes of work on thematic and cross-cutting issues at each meeting of the Conference of the Parties. It also identified island biodiversity as the only new issue for in-depth consideration until 2010, while retaining flexibility in the multi-year programme of work to accommodate urgent emerging issues.

10. At the same meeting, the Conference of the Parties also adopted decision VII/30 on future evaluation of progress. The decision addressed three main issues: progress towards the 2010 target, national implementation and review, and the review of implementation of the Convention.

11. In order to evaluate global progress towards the 2010 target and facilitate coherence in the programmes of work, the Conference of the Parties adopted through decision VII/30 a preliminary framework of goals, subsidiary targets and indicators for seven focal areas for action, which it requested the Subsidiary Body on Scientific, Technical and Technological Advice to further develop and refine.

12. In decision VII/30, the Conference of the Parties also set out measures to assess and improve national implementation. These included: the development of national and/or regional targets within the flexible global framework and establishment or use of existing indicators to assess progress towards the targets; the development, implementation and revision of national biodiversity strategies and action plans so that they reflect the goals of the Strategic Plan and the global framework; and the initiation of follow-up to paragraph 41 of decision V/20 to improve processes for reviewing national implementation by considering such processes in other environmental instruments as well as issues identified by Parties.

13. Finally, recognizing the need for a process to evaluate, report and review the Strategic Plan 2002-2010, the Conference of the Parties established the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention 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, particularly at the national level.

14. The Conference of the Parties has recognized cooperation as central to effective implementation of the Convention and initiated collaborative arrangements with many biodiversity-related organizations. Thus, at its seventh meeting, the Conference of the Parties requested the Executive Secretary to inform the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention of ongoing work to establish ways of enhancing cooperation between the major biodiversity-related organizations and Secretariats (decision VII/26, paragraph 5) and to explore options for a flexible framework between all relevant actors, such as a global partnership on biodiversity, in order to enhance implementation through improved cooperation (paragraph 3).

15. The mandate of the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention has been defined based on the components of decision VII/30, elements of other relevant decisions (e.g., paragraph 41 of decision V/20 and paragraphs 3 and 5 of decision VII/26) and the goals and objectives of the Strategic Plan. It will focus primarily on issues related to the review of implementation of the Convention that have not yet been thoroughly addressed by or mandated to the Subsidiary Body on Scientific, Technical and Technological Advice or other subsidiary bodies. These include:

- (a) Progress on implementation of the Strategic Plan and the 2010 target, particularly at the national level;
- (b) Review of the impacts and effectiveness of Convention processes and bodies;
- (c) Cooperation with other conventions, organizations and initiatives, and stakeholder engagement; and
- (d) Methods to evaluate progress in the implementation of the Convention.
