

Please provide the following details on the origin of this report.

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Please provide summary information on the process by which this report has been prepared, including information on the types of stakeholders who have been actively involved in its preparation and on material which was used as a basis for the report

An initial version of this report was prepared through a consultancy contract, which also covered the preparation of the accompanying thematic reports on Access and Benefit-Sharing, Alien Species and Forest Biodiversity.

Much of the information used for the preparation of this report is available on the internet, for instance all European Community legislation is now publicly available free of charge. Key web-sites are:

DG Environment (European Commission): <http://europa.eu.int/comm/environment>

Eur-Lex (EC Legislation): <http://europa.eu.int/eur-lex>

European Environment Agency: www.eea.eu.int

European Community Biodiversity Clearing House Mechanism: www.biodiversity-chm.eea.eu.int

During the preparation of the initial version of the report consultations were held with specialists within the European Commission and within Member States agencies. Contact was made with some environmental NGOs with a European perspective, such as WWF's European Policy Office and FERN, while information was obtained from the websites of other NGOs such as IUCN, GRAIN and the Institute for European Environmental Policy.

Please provide information on any particular circumstances in your country that are relevant to understanding the answers to the questions in this report

The European Community has particular characteristics which should be borne in mind when reading this report. In accordance with Articles 5 and 175 of the Treaty establishing the European Community, most actions concerning the conservation and sustainable use of biodiversity are undertaken at the national or sub-national level and are reported on in the respective reports of the European Union (EU) member states to the CBD. This report concerns actions taken at the European level, through EU legislation and programmes funded from the European Community budget.

The term "country" is interpreted in this report geographically as the territory of the European Union and institutionally as being the European Community institutions. Availability of resources is interpreted with respect to the Community budget and the European Development Fund for ACP countries. Questions concerning "national" activities and plans are interpreted as referring to EU activities and plans.

The COP has established programmes of work that respond to a number of Articles. Please identify the relative priority accorded to each theme and the adequacy of resources. This will allow subsequent information on implementation of each Article to be put into context. There are other questions on implementation of the programmes of work at the end of these guidelines.

Inland water ecosystems

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| 1. What is the relative priority for implementation of this work programme in your country? | |
| a) High | |
| b) Medium | X |
| c) Low | |
| d) Not relevant | |
| 2. To what extent are the resources available adequate for meeting the obligations and recommendations made? | |
| a) Good | |
| b) Adequate | X |
| c) Limiting | |
| d) Severely limiting | |

Marine and coastal biological diversity

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| 3. What is the relative priority for implementation of this work programme in your country? | |
| a) High | X |
| b) Medium | |
| c) Low | |
| d) Not relevant | |
| 4. To what extent are the resources available adequate for meeting the obligations and recommendations made? | |
| a) Good | |
| b) Adequate | X |
| c) Limiting | |
| d) Severely limiting | |

Agricultural biological diversity

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| 5. What is the relative priority for implementation of this work programme in your country? | |
| a) High | X |
| b) Medium | |
| c) Low | |
| d) Not relevant | |

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| 6. To what extent are the resources available adequate for meeting the obligations and recommendations made? | |
| a) Good | X |
| b) Adequate | |
| c) Limiting | |
| d) Severely limiting | |

Forest biological diversity

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| 7. What is the relative priority for implementation of this work programme in your country? | |
| a) High | X |
| b) Medium | |
| c) Low | |
| d) Not relevant | |
| 8. To what extent are the resources available adequate for meeting the obligations and recommendations made? | |
| a) Good | |
| b) Adequate | X |
| c) Limiting | |
| d) Severely limiting | |

Biological diversity of dry and sub-humid lands

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| 9. What is the relative priority for implementation of this work programme in your country? | |
| a) High | |
| b) Medium | X |
| c) Low | |
| d) Not relevant | |
| 10. To what extent are the resources available adequate for meeting the obligations and recommendations made? | |
| a) Good | |
| b) Adequate | |
| c) Limiting | X |
| d) Severely limiting | |

Further comments on work programmes and priorities

Q1. Mixed legal competence together with EU Member States. In some cases the EC co-funds major activities carried out by Member States and neighbouring countries under regional or bilateral agreements. Implementation of the Water Framework Directive (EC 2000/60) which inter-alia requires EU Member States to “protect and enhance the status of aquatic ecosystems” will be a major EU-wide task over the next decade.

Q2. Adequate for investments in water treatment/ pollution reduction but more limited for specific biodiversity-oriented activities.

Q3. Fisheries policy is determined at the Community level and is thus of particular relevance to the EC. A specific EC Fisheries Biodiversity Action Plan has been adopted. The Community is in the final stages of adoption of a Decision on an Integrated Coastal Zone Strategy, which will facilitate improved coordination for biodiversity conservation and sustainable use

Coastal biological diversity is a priority for cooperation in the Mediterranean basin, in particular in the framework of the Protocol Concerning Specially Protected Areas and Biological Diversity adopted under the 1976 Convention for the Protection of the Mediterranean Sea against Pollution, and in the Euro-Med Short and Medium Term Priority Environmental Action Programme, under the Barcelona Process. Marine Biodiversity is an important item in the work programme of the Marine Conventions OSPAR, HELCOM and the Black Sea.

Q4. Resources are adequate, opportunities for support from Financial Funds for Fisheries Guidance, from the LIFE instrument and through the Community Research Framework Programme.

Q5. Agricultural policy is determined at the Community level and is thus of high relevance to the Community; agriculture is also the most important sector in the Community budget. A specific EC Biodiversity Action Plan for Agriculture has been adopted.

Q6. Resources are adequate overall but in some cases opportunities for funding of agricultural biodiversity related activities have not been fully taken up.

Q3-6. A review of the Common Fisheries Policy is currently underway and a mid term review of the Common Agricultural Policy will commence later in 2002. The Commission’s 2001 Communication on a European Sustainable Development Strategy (COM(2001)264) indicates that considerations related to biodiversity conservation and sustainable use of natural resources are likely to become more prominent in the revised Policies. The ongoing reviews will consider the global as well as EU impact of these Policies.

Q7. Forests cover more than a third of EU land area and the forest area is increasing through afforestation and spontaneous regrowth of grazed areas. Although EU has limited legal competence as regards the forestry sector *per se* (this is to a large extent a Member State responsibility) many EC policies and activities are of high relevance as regards the implementation of the Work Programme. They address both internal EU aspects (Natura 2000, rural development, research, monitoring) as international ones (Development, Trade...).

Q9. Not an EU-wide priority, but important in the Southern European Member States. Likely to feature prominently in a thematic EC strategy on soil protection, currently under development.

Q10. Limited specific resources for biodiversity conservation and use in arid and semi-arid areas, though this can be addressed through rural or regional development instruments.

Article 5 Cooperation

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| 11. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | | | |
| a) High | X | b) Medium | | c) Low | | | |
| 12. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | | | |
| a) Good | | b) Adequate | X | c) Limiting | | d) Severely limiting | |
| Further comments on relative priority and on availability of resources | | | | | | | |
| <p>The Community is currently in a particularly intensive phase of cooperation on environmental matters, including those related to biological diversity, with countries intending to join the European Union in the near future.</p> <p>At the global level, all of the EC's regional agreements for development cooperation mention environment, and by implication, biodiversity, as a priority for cooperation – nevertheless earmarked EC resources for cooperation in biological conservation are limited at about 45 M EUR per year. There are adequate resources available if countries and regions decide that biodiversity should be a priority within their cooperation with the EC and also if activities supportive of conservation and sustainable use of biological diversity are integrated into sectoral, regional or scientific programmes.</p> <p>A specific Biodiversity Action Plan for Economic and Development Cooperation was adopted in 2001, providing a framework for EC support to biodiversity in developing countries and countries in transition. This built on principles established in the 1998 EC Biodiversity Strategy.</p> <p>The European Commission funded, together with the UK, the Biodiversity in Development project. This project was executed by IUCN and, through a participatory approach, developed guiding principles and more detailed sectoral guidance on the integration of biodiversity with poverty reduction. Documentation available at: http://wcpa.iucn.org/wcpainfo/news/biodiversity.html</p> | | | | | | | |

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| 13. Is your country actively cooperating with other Parties in respect of areas beyond national jurisdiction for the conservation and sustainable use of biological diversity? | |
| a) bilateral cooperation (please give details below) | X |
| b) international programmes (please give details below) | X |
| c) international agreements (please give details below) | X |

Decision IV/4. Status and trends of the biological diversity of inland water ecosystems and options for conservation and sustainable use

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| 14. Has your country developed effective cooperation for the sustainable management of transboundary watersheds, catchments, river basins and migratory species through bilateral and multilateral agreements? | |
| a) no | |
| b) yes - limited extent (please give details below) | |
| c) yes - significant extent (please give details below) | X |
| d) not applicable | |

Decision IV/15. The relationship of the CBD with the CSD and biodiversity-related conventions, other international agreements, institutions and processes or relevance

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| 15. Has your country developed management practices for transboundary protected areas? | |
| a) no | |
| b) yes - limited extent (please give details below) | |
| c) yes - significant extent (please give details below) | X |
| d) not relevant | |

Decision V/21. Co-operation with other bodies

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| 16. Has your country collaborated with the International Biodiversity Observation Year of DIVERSITAS, and ensured complementarity with the initiative foreseen to be undertaken by the United Nations Educational, Scientific and Cultural Organization and the Secretariat of the Convention on Biological Diversity to increase scientific knowledge and public awareness of the crucial role of biodiversity for sustainable development? | |
| a) no | |
| b) to a limited extent | X |
| c) to a significant extent | |

Decision V/27. Contribution of the Convention on Biological Diversity to the ten-year review of progress achieved since the United Nations Conference on Environment and Development

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| 17. Is your country planning to highlight and emphasize biological diversity considerations in its contribution to the ten-year review of progress since the Earth Summit? | |
| a) no | |
| b) yes | X |

Further comments on implementation of this Article

Q 13 a) Bilateral cooperation

The EC has provided funding for numerous projects outside the EU dealing with the conservation and sustainable use of biological diversity. Some examples are the ECOFAC Programme on the Conservation and Sustainable Use of Forest Ecosystems in Central Africa, support to the Leuser National Park in Sumatra, Indonesia, the COAMA project working with indigenous communities in the Colombian Amazon.

For more information Commission Webpage <http://europa.eu.int/comm/development/sector/environment/>

b) International Programmes

Examples of support to international programmes: the EC has been the major donor for the Fishbase project - a global database on fish biodiversity executed by FAO; it is also the major donor for the EC-ASEAN Biodiversity Centre and an important donor in the multi-donor Pilot Programme to Conserve the Brazilian Rainforest (PPG7).

c) International Agreements

Support has generally been provided at the regional rather than global level, as most of the EC's financial instruments for development cooperation are linked to specific regions. An Example is the MedWet programme, which supported implementation of the RAMSAR Convention in the Mediterranean basin.

Q14. The European Community is party to numerous multilateral agreements and conventions within Europe related to sustainable management of transboundary watersheds, catchments, river basins and migratory species. It has a number of financial instruments at its disposal to support these activities. The 2000 EC Water Framework Directive will stimulate further transboundary coordination on watershed and river basin management.

Q15. Under Article 4.4 of the Bern Convention, Parties (including the EC) undertake to coordinate efforts to protect national habitats where these are in frontier areas. Many of the EC's financial instruments encourage transboundary work, hence this has been an important area supported by the EC, both within and outside the EU. Management practices have been developed in each of these initiatives, however no standard approach to management of transboundary protected areas has been laid down.

Q16. Through technical collaboration of EC-funded projects rather than directly with UNESCO/CBD.

Article 6 General measures for conservation and sustainable use

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| 18. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | | | |
| a) High | X | b) Medium | | c) Low | | | |
| 19. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | | | |
| a) Good | | b) Adequate | X | c) Limiting | | d) Severely limiting | |
| Further comments on relative priority and on availability of resources | | | | | | | |
| <p>Under the Amsterdam Treaty, which was signed in October 1997, sustainable development was elevated to an overall objective of the European Community. The June 1998 European Council meeting in Cardiff set in motion a process – known as the Cardiff process - of integration of environmental considerations (amongst which biodiversity) into key EC sectoral policies – a process which is on-going. The European Commission’s 2001 Communication on A Sustainable Europe for a Better World: A European Union Strategy for Sustainable Development.(COM (2001)264) sets a target of halting biodiversity loss in the EU by 2010, a target which is further developed in the EC’s Sixth Environmental Action Programme (2002-2012).</p> <p>The strategies, plans and programmes for conservation and sustainable use of biological diversity developed by the Community and by EU Member States go a long way towards fulfilling the Community’s commitments to the CBD. The challenge is full implementation of the plans. <i>Inter-alia</i> this entails addressing Art. 6b) of the CBD, ie integrating biodiversity into sectoral or cross-sectoral plans so as to influence and also gain access to resources available for the execution of such plans.</p> | | | | | | | |

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| 20. What is the status of your national biodiversity strategy (6a)? | |
| a) none | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) completed ¹ | |
| e) completed and adopted ² | X |
| f) reports on implementation available | |
| 21. What is the status of your national biodiversity action plan (6a)? | |
| a) none | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) completed ² | |
| e) completed and adopted ² | X |
| f) reports on implementation available | |

¹/ Please provide information requested at the end of these guidelines.

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| 22. Do your national strategies and action plans cover all articles of the Convention (6a)? | |
| a) some articles only | |
| b) most articles | X |
| c) all articles | |
| 23. Do your national strategies and action plans cover integration of other sectoral activities (6b)? | |
| a) no | |
| b) some sectors | X |
| c) all major sectors | |
| d) all sectors | |

Decision II/7 and Decision III/9 Consideration of Articles 6 and 8

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| 24. Is action being taken to exchange information and share experience on the national action planning process with other Contracting Parties? | |
| a) little or no action | X |
| b) sharing of strategies, plans and/or case-studies | |
| c) regional meetings | |
| 25. Do all of your country's strategies and action plans include an international cooperation component? | |
| a) no | |
| b) yes | X |
| 26. Are your country's strategies and action plans coordinated with those of neighbouring countries? | |
| a) no | |
| b) bilateral/multilateral discussions under way | |
| c) coordinated in some areas/themes | X |
| d) fully coordinated | |
| e) not applicable | |
| 27. Has your country set measurable targets within its strategies and action plans? | |
| a) no | |
| b) early stages of development | X |
| c) advanced stages of development | |
| d) programme in place | |
| e) reports on implementation available | |

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| <i>If a developing country Party or a Party with economy in transition -</i> | |
| 28. Has your country received support from the financial mechanism for the preparation of its national strategy and action plan? | |
| a) no | |
| b) yes | |
| If yes, which was the Implementing Agency (UNDP/UNEP/World Bank)? | |

Decisions III/21. Relationship of the Convention with the CSD and biodiversity-related conventions

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| 29. Are the national focal points for the CBD and the competent authorities of the Ramsar Convention, Bonn Convention and CITES cooperating in the implementation of these conventions to avoid duplication? | |
| a) no | |
| b) yes – limited extent | |
| c) yes – significant extent | X |

Further comments on implementation of this Article

Q23. Sector-specific Biodiversity Action Plans adopted for agriculture, fisheries, nature conservation and development cooperation.

Q25. The EC Biodiversity Strategy has an international cooperation component. A specific EC Biodiversity Action Plan for Economic and Development Cooperation was adopted in 2001.

Q29. Collaboration with the Bern Convention concerns both exchange of information that relates to the Natura2000 process, as well as in maintaining a close coordination via the European Environment Agency on development of habitat classifications and software that suits both Natura2000 and the Bern Convention Emerald Network.

Article 7 Identification and monitoring

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|--|---|-------------|---|-------------|--|
| 30. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | X | b) Medium | | c) Low | |
| 31. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | X | c) Limiting | |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>An assessment of the status of priority habitat types and species is a requirement of the 1979 Birds Directive and the 1992 Habitats Directive. Member States are also required to undertake surveillance of the priority habitat types and species.</p> <p>Availability of resources is adequate for priority species and habitat types but insufficient to cover all threatened (and non-threatened) species and habitat types.</p> | | | | | |

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| 32. Does your country have an ongoing inventory programme at species level (7a)? | |
| a) minimal activity | |
| b) for key groups (such as threatened or endemic species) or indicators | |
| c) for a range of major groups | |
| d) for a comprehensive range of species | X |
| 33. Does your country have an ongoing inventory programme at ecosystem level (7a)? | |
| a) minimal activity | |
| b) for ecosystems of particular interest only | |
| c) for major ecosystems | X |
| d) for a comprehensive range of ecosystems | |
| 34. Does your country have an ongoing inventory programme at genetic level (7a)? | |
| a) minimal activity | |
| b) minor programme in some sectors | |
| c) major programme in some sectors | X |
| d) major programme in all relevant sectors | |
| 35. Does your country have ongoing monitoring programmes at species level (7a)? | |
| a) minimal activity | |
| b) for key groups (such as threatened or endemic species) or indicators | X |
| c) for a range of major groups | |
| d) for a comprehensive range of species | |

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| 36. Does your country have ongoing monitoring programmes at ecosystem level (7b)? | |
| a) minimal activity | |
| b) for ecosystems of particular interest only | |
| c) for major ecosystems | |
| d) for a comprehensive range of ecosystems | X |
| 37. Does your country have ongoing monitoring programmes at genetic level (7b)? | |
| a) minimal activity | X |
| b) minor programme in some sectors | |
| c) major programme in some sectors | |
| d) major programme in all relevant sectors | |
| 38. Has your country identified activities with adverse affects on biodiversity (7c)? | |
| a) limited understanding | |
| b) threats well known in some areas, not in others | |
| c) most threats known, some gaps in knowledge | X |
| d) comprehensive understanding | |
| e) reports available | |
| 39. Is your country monitoring these activities and their effects (7c)? | |
| a) no | |
| b) early stages of programme development | |
| c) advanced stages of programme development | X |
| d) programme in place | |
| e) reports on implementation available | |
| 40. Does your country coordinate information collection and management at the national level (7d)? | |
| a) no | |
| b) early stages of programme development | |
| c) advanced stages of programme development | |
| d) programme in place | X |
| e) reports on implementation available | |

Decision III/10 Identification, monitoring and assessment

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| 41. Has your country identified national indicators of biodiversity? | |
| a) no | |
| b) assessment of potential indicators underway | X |
| c) indicators identified (if so, please describe below) | |
| 42. Is your country using rapid assessment and remote sensing techniques? | |
| a) no | |
| b) assessing opportunities | |
| c) yes, to a limited extent | |
| d) yes, to a major extent | X |
| e) reports on implementation available | |
| 43. Has your country adopted a “step-by-step” approach to implementing Article 7 with initial emphasis on identification of biodiversity components (7a) and activities having adverse effects on them (7c)? | |
| a) no | |
| b) not appropriate to national circumstances | |
| c) yes | X |
| 44. Is your country cooperating with other Contracting Parties on pilot projects to demonstrate the use of assessment and indicator methodologies? | |
| a) no | |
| b) yes (if so give details below) | X |
| 45. Has your country prepared any reports of experience with application of assessment methodologies and made these available to other Contracting Parties? | |
| a) no | |
| b) yes | X |
| 46. Is your country seeking to make taxonomic information held in its collections more widely available? | |
| a) no relevant collections | |
| b) no action | |
| c) yes (if so, please give details below) | X |

Decision V/7. Identification, monitoring and assessment, and indicators

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| 47. Is your country actively involved in co-operating with other countries in your region in the field of indicators, monitoring and assessment? | |
| a) no | |
| b) limited co-operation | |
| c) extensive co-operation on some issues | X |
| d) extensive co-operation on a wide range of issues | |
| 48. Has your country made available case studies concerning the development and implementation of assessment, monitoring and indicator programmes? | |
| a) no | |
| b) yes - sent to the Secretariat | |
| c) yes – through the national CHM | |
| d) yes – other means (please specify) | X |
| 49. Is your country assisting other Parties to increase their capacity to develop indicator and monitoring programmes? | |
| a) no | |
| b) providing training | |
| c) providing direct support | X |
| d) sharing experience | |
| e) other (please describe) | |

Further comments on implementation of this Article

Q33. A requirement of the 1993 Habitats directive is that Member States undertake site assessments for natural habitat types specified in the Directive, in order to identify priority areas for conservation. Similarly the 1979 Birds Directive requires Member States to assess habitat importance in terms of conservation of bird species.

Q34. Information on some of these activities is used by the EEA to develop indicators of driving forces and pressures of biodiversity change, eg. infrastructure density, land-cover influence.

Q39. Monitored by individual EU member states and reported to European Community bodies such as Eurostat and the European Environment Agency. Information on some of these activities is used by the European Environment Agency to construct indicators of “drivers” of biodiversity loss, eg road density.

Q40. Does so at EU level chiefly through EIONET - the European Environmental Information Network (www.eionet.eu.int). This is a collaborative network of government, research and non-government organisations at national level and, at European level, the European Environment Agency and Reference centres for specific topics. Information also compiled from official data by Eurostat.

Q41. Substantial funding for an indicator project called Bio-IMPS (Biodiversity Implementation Indicators) has recently been granted. This will be coordinated with the development of the core set of biodiversity indicators undertaken by the European Environment Agency for general reporting on changes in biodiversity. Funding is also underway to initiate a pan-European monitoring and indicator framework (EBMI-F) to serve as a coordination forum.

Q42. Mention should be made of the contribution of millions of volunteers within the EU in rapid assessment and monitoring exercises, with data entry often via the internet. A report on the utility of

participatory integrated assessment methods was published by the European Environment Agency in 2001. The use of remote sensing techniques in inventories and monitoring of biodiversity is commonplace. The Joint Research Centre, a European Community body, has helped develop remote sensing interpretation methods and has programmes both within the EU and outside. Under the Sixth Environment Action Plan two major programmes will be developed concerning remote sensing and the environment: the INSPIRE programme (Infrastructure for Spatial Information in Europe) and the Global Monitoring for Environment and Security programme (GMES). The INSPIRE programme aims to establish a harmonised European spatial information structure for environmental monitoring, and ultimately a common framework for all spatial information – thus facilitating transboundary and cross-sectoral work. The GMES programme will provide information on the European and global environment. A key component of the GMES programme is the 2.3 billion Euro ENVISAT satellite launched by the European Space Agency (not an EC agency) in 2002.

Q43. This is the approach taken in the Natura 2000 protected areas programme, with identification followed by the development of management plans which address activities having adverse effects.

Q44. The EC cooperates with other Parties in on-going work at the OECD eg. a Working Party on Agri-Environment Indicators which include indicators of biodiversity. The European Environment Agency and EUROSTAT collaborate at a technical level with organisations such as FAO, UNEP. An international working group for biodiversity indicators and monitoring in Europe (Bio-MIN by EEA) will begin its work in Autumn 2002.

Q45. The European Environment Agency has prepared reports on indicators and assessment methodologies which are available on its website.

Q46. Various initiatives have been financed to make such information available, primarily through web-based electronic databases. Work is underway to develop a European Network of Biodiversity Information as a building block of the Global Biodiversity Information Facility. See also response to Q52.

Q47. The EEA and Eurostat, both Community bodies, act as focal points for work in the region on biodiversity indicators. The European Commission acts as a focal point and coordinator for the monitoring and assessment by EU Member States of habitats and species designated as being of Community interest. Some of the larger NGOs such as WWF or Birdlife International also play a useful role in monitoring at a regional level.

Q48 Numerous reports available at the European Environment Agency website. The results of EC-funded research in this area are generally published in relevant scientific journals.

Q49. Within EU see Q41 and Q44. Outside the EU support has been given to monitoring programmes within development cooperation activities. For instance in the Amazon region of Brazil the EC has provided financial and technical support to federal and state level environment agencies for environmental monitoring, as well as to Brazilian environmental NGOs. In Central Africa support has been provided to the development of methods and software for using hand-held computers with GPS positioning for biodiversity monitoring by Parks staff.

Decisions on Taxonomy

Decision IV/1 Report and recommendations of the third meeting of SBSTTA [part]

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| 50. Has your country carried out a national taxonomic needs assessment, and/or held workshops to determine national taxonomic priorities? | |
| a) no | |
| b) early stages of assessment | X |
| c) advanced stages of assessment | |
| d) assessment completed | |
| 51. Has your country developed a national taxonomic action plan? | |
| a) no | X |
| b) early stages of development | |
| c) advanced stages of development | |
| d) action plan in place | |
| e) reports on implementation available | |
| 52. Is your country making available appropriate resources to enhance the availability of taxonomic information? | |
| a) no | |
| b) yes, but this does not cover all known needs adequately | X |
| c) yes, covering all known needs | |
| 53. Is your country encouraging bilateral and multilateral training and employment opportunities for taxonomists, particularly those dealing with poorly known organisms? | |
| a) no | |
| b) some opportunities | X |
| c) significant opportunities | |
| 54. Is your country investing on a long-term basis in the development of appropriate infrastructure for your national taxonomic collections? | |
| a) no | X |
| b) some investment | |
| c) significant investment | |
| 55. Is your country encouraging partnerships between taxonomic institutions in developed and developing countries? | |
| a) no | |
| b) yes – stated policy | X |
| c) yes – systematic national programme | |

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| 56. Has your country adopted any international agreed levels of collection housing? | |
| a) no | X |
| b) under review | |
| c) being implemented by some collections | |
| d) being implemented by all major collections | |

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| 57. Has your country provided training programmes in taxonomy? | |
| a) no | |
| b) some | X |
| c) many | |

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| 58. Has your country reported on measures adopted to strengthen national capacity in taxonomy, to designate national reference centres, and to make information housed in collections available to countries of origin? | |
| a) no | X |
| b) yes – in the previous national report | |
| c) yes – via the clearing-house mechanism | |
| d) yes - other means (please give details below) | |

| | |
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| 59. Has your country taken steps to ensure that institutions responsible for biological diversity inventories and taxonomic activities are financially and administratively stable? | |
| a) no | X |
| b) under review | |
| c) yes for some institutions | |
| d) yes for all major institutions | |

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| 60. Has your country assisted taxonomic institutions to establish consortia to conduct regional projects? | |
| a) no | |
| b) under review | |
| c) yes – limited extent | |
| d) yes – significant extent | X |

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| 61. Has your country given special attention to international funding of fellowships for specialist training abroad or for attracting international experts to national or regional courses? | |
| a) no | |
| b) under review | |
| c) yes – limited extent | X |
| d) yes – significant extent | |

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| 62. Has your country provided programmes for re-training of qualified professionals moving into taxonomy-related fields? | |
| a) no | |
| b) some | X |
| c) many | |

Decision V/9. Global Taxonomy Initiative: Implementation and further advance of the Suggestions for Action

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| 63. Has your country identified its information requirements in the area of taxonomy, and assessed its national capacity to meet these requirements? | |
| a) no | |
| b) basic assessment | X |
| c) thorough assessment | |
| 64. Has your country established or consolidated taxonomic reference centres? | |
| a) no | X |
| b) yes | |
| 65. Has your country worked to increase its capacity in the area of taxonomic research? | |
| a) no | |
| b) yes | X |
| 66. Has your country communicated information on programmes, projects and initiatives for consideration as pilot projects under the Global Taxonomy Initiative to the Executive Secretary? | |
| a) no | X |
| b) yes | |
| 67. Has your country designated a national Global Taxonomy Initiative focal point linked to other national focal points? | |
| a) no | X |
| b) yes | |
| 68. Has your country participated in the development of regional networks to facilitate information-sharing for the Global Taxonomy Initiative? | |
| a) no | |
| b) yes | X |
| <i>If a developing country Party or Party with economy in transition -</i> | |
| 69. Has your country sought resources through the financial mechanism for the priority actions identified in the decision? | |
| a) no | |
| b) applied for unsuccessfully | |
| c) applied for successfully | |

Further comments on implementation of these decisions

Q 50. A workshop was held in Amsterdam in October 2000 on "the Global Taxonomy Initiative in the European Union." The objective was to lay the basis and divide up activities for the preparation of a short term, preliminary report for the European Commission.

Q52. A specific opportunity for financing taxonomic infrastructure was written into the EC's Fifth Framework Programme for Research, Technology and Demonstration. This resulted in several major collections-based projects, whose aims included the increase in availability of taxonomic information. These projects include "Biological Collection Access Service in Europe", "European Natural History Specimen Information Network", "European Register of Marine Species" (a project from the 4th Framework Programme), "Euro+Med PlantBase", and "Fauna Europaea". Projects with these aims currently under negotiation include "European Network for Biodiversity Information" and "EuroCat".

The Community is currently negotiating the European Network on Biodiversity Information (ENBI). This network will link all GBIF nodes in the western palaeartic region.

Outside the EU the EC has made available resources for specific projects to increase the availability of taxonomic information, for instance through support (with the Netherlands) to the Plant Resources of South East Asia (PROSEA) programme, to the CABI Forestry Compendium, and to the Fishbase database managed by FAO (www.fishbase.org).

Q53. Such opportunities will be possible under FP6, the Sixth Framework Programme of the European Community for research, technological development and demonstration activities (2002-2006).

Q54. The European Community does not possess or manage taxonomic collections; national collections are the responsibility of the EU Member States, who provide their long-term funding.

Q55. Such partnerships will be possible under the EC's Sixth Framework Programme for Research, Technological Development and Demonstration Activities (FP6) mentioned in Q53.

Q56. However voluntary codes of conduct have been developed within the EU.

Q 57. Mainly through its support to development programmes such as the EC-ASEAN Biodiversity Centre or WWF's People and Plants project.

Q58. Measures related to information availability are mentioned in Q52. They have not been reported on by the EC.

Q59. Not applicable. See Q54.

Q60. Under the 5th Framework Programme (FP5) several consortia were established to carry out EU-wide projects.

Q61. The International Co-operation (INCO) component within the EC's current Framework Research Programme provides funds for this purpose. The successor Programme (FP6) will have a similar provision.

Q62. Not specifically for taxonomy, but the EC's research programmes do provide opportunities to encourage the mobility of scientists, including taxonomists.

Q63. Initial stages at EU level. See Q50.

Q64. Not directly. See Q52 and Q54.

Q65. A specific opportunity for financing taxonomic infrastructure was written into FP5. See Q52.

Q68. In as much as the projects mentioned in Q52 are all regional networks.

Article 8 In situ conservation [excluding Articles 8h and 8j]

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|---|---|-------------|--|-------------|---|
| 70. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | X | b) Medium | | c) Low | |
| 71. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | | c) Limiting | X |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>The establishment of a European-wide network of areas of special interest for biodiversity conservation (Natura 2000) is one of the pillars of EC environmental policy. The LIFE-Nature budget line is aimed at supporting the Natura 2000 network through the co-funding of demonstration projects and networking events. Demand for financing always exceeds supply.</p> | | | | | |

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| 72. Has your country established a system of protected areas which aims to conserve biological diversity (8a)? | |
| a) system under development | X |
| b) national review of protected areas coverage available | X |
| c) national protected area systems plan in place | |
| d) relatively complete system in place | |
| 73. Are there nationally adopted guidelines for the selection, establishment and management of protected areas (8b)? | |
| a) no | |
| b) no, under development | |
| c) yes | X |
| d) yes, undergoing review and extension | |
| 74. Does your country regulate or manage biological resources important for the conservation of biological diversity with a view to ensuring their conservation and sustainable use (8c)? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) programme or policy in place | X |
| e) reports on implementation available | |

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| 75. Has your country undertaken measures that promote the protection of ecosystems, natural habitats and the maintenance of viable populations of species in natural surroundings (8d)? | |
| a) no measures | |
| b) some measures in place | |
| c) potential measures under review | |
| d) reasonably comprehensive measures in place | X |
| 76. Has your country undertaken measures that promote environmentally sound and sustainable development in areas adjacent to protected areas (8e)? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) reasonably comprehensive measures in place | |
| 77. Has your country undertaken measures to rehabilitate and restore degraded ecosystems (8f)? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| 78. Has your country undertaken measures to promote the recovery of threatened species (8f)? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| 79. Has your country undertaken measures to regulate, manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology (8g)? | |
| a) no measures | |
| b) some measures in place | |
| c) potential measures under review | |
| d) comprehensive measures in place | X |
| 80. Has your country made attempts to provide the conditions needed for compatibility between present uses and the conservation of biological diversity and sustainable use of its components (8i)? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) programme or policy in place | X |
| e) reports on implementation available | |

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| 81. Has your country developed and maintained the necessary legislation and/or other regulatory provisions for the protection of threatened species and populations (8k)? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) legislation or other measures in place | X |
| 82. Does your country regulate or manage processes and categories of activities identified under Article 7 as having significant adverse effects on biological diversity (8l)? | |
| a) no | |
| b) under review | |
| c) yes, to a limited extent | |
| d) yes, to a significant extent | X |
| <i>If a developed country Party -</i> | |
| 83. Does your country cooperate in providing financial and other support for <i>in-situ</i> conservation particularly to developing countries (8m)? | |
| <i>If a developing country Party or Party with economy in transition -</i> | |
| 84. Does your country receive financial and other support for <i>in situ</i> conservation (8m)? | |
| a) no | |
| b) yes (if so, please give details below) | X |

Decision II/7 Consideration of Articles 6 and 8 of the Convention

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| 85. Is action being taken to share information and experience on implementation of this Article with other Contracting Parties? | |
| a) little or no action | |
| b) sharing of written materials and/or case-studies | X |
| c) regional meetings | X |

Further comments on implementation of this Article

Q72. The EC 1979 Birds and 1992 Habitats Directives provide a framework for the establishment of a European network of special areas of conservation based on the ecosystem approach. This is known as the Natura 2000 network. The European Commission has the duty to ensure that sufficient areas of priority habitat types are designated and can request Member States to take necessary action to ensure that this is done. Based upon information provided by Member States, in December 2001 the Commission adopted a list of sites of Community importance for the Macaronesian biogeographical region. **This is the first region for which this measure has been taken under the Habitats Directive and means that these sites are now protected under Community law.**

Q74. Under the 1992 Habitats Directive EU Member States must endeavour to ensure the coherence of the Natura 2000 network by encouraging the management of features of the landscape which are of major importance for wild flora and fauna. The above Directives also protect priority plant and animal species, whether within conservation areas or outside them. The Common Fisheries Policy regulates fishing activities with a view to ensuring sustainability of the resource.

Q75. Apart from legislation aimed at protecting special areas for conservation referred to in Q72, EC Regulation 1257/99 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) provides for the funding of activities aimed at improving the natural environment (in an agricultural context) or at supporting environmental measures on farms in areas with environmental restrictions. Numerous other EC legislative and financial measures indirectly promote the protection of ecosystems, habitats and species through the reduction of air, water and soil pollution.

Q76. Regulation 1655/2000 concerning the financial instrument for the environment (LIFE) states in Recital 10 that “consideration should be given to . . . the role of buffer zones in the context of projects contributing to the implementation of NATURA 2000.”

The EC’s LEADER+ Rural Development programme has as one of its priorities enhancement of the NATURA 2000 network of special conservation areas.

EC Regulation 1257/99 on agri-environment measures does not explicitly prioritise areas adjacent to protected areas, but does require funding proposals to indicate the extent to which the strategy pursued takes account of all relevant international Community and national obligations in the field of the environment, including those relating to conservation of biodiversity.

Outside the EU, numerous Integrated Conservation and Development projects have been funded, addressing conservation needs in protected areas and livelihood needs of those who live close to or within such protected areas.

Q77. Depending on the location and circumstances, various financial instruments are available to support the rehabilitation or restoration of degraded ecosystems eg. the LIFE instrument, Agri-environment measures under the 1999 Rural Development Regulation, structural funds where there are also social and economic benefits.

Q78. As part of the Natura 2000 programme funding has been provided for the development of action plans for the most threatened species. Funding has also been provided for certain projects to promote the recovery of threatened species including, in some cases, land acquisition. Further measures are foreseen in the EC’s Biodiversity Action Plan for Nature Conservation.

Q79. Notably EC Directive 2001/18 on the deliberate release into the environment of genetically modified organisms.

Q80. Programmes and Policies in place (answer d) but also under development (answer c). EC Regulation 1257/99 provides for financial support for agri-environment measures from the European Agricultural Guidance and Guarantee Fund, thus contributing to increasing the compatibility between present day use (agriculture) and CBD objectives of biodiversity conservation and sustainable use . The establishment of an EU-wide legal framework for labelling of organic food has contributed to the expansion of organic farming within the EU.

The issue of compatibility between present uses and the conservation and sustainable use of biodiversity is a debate at the heart of the Common Fisheries Policy. The European Commission has made a number of proposals based on scientific information to limit catches in EU waters. These have been the subject of intense negotiation by Member States, with the finally agreed measures generally being less stringent than the original proposals. After an extensive consultation process the Commission put forward its proposals to reform the CFP in May 2002, with the general aim of ensuring the long term sustainability of the EU’s fisheries resource and a greater emphasis on an ecosystem approach, as opposed to single species management approach.

Q81. Full transposition to national law in EU Member States not yet fully completed in all Member States.

Q82. Regulates rather than manages. Numerous examples, for instance there is a considerable body of European Community environmental legislation aimed at reducing pollution and its impact on both human health and biological diversity. Legislation under the Common Fisheries Policy aims to prevent unsustainable fishing by limiting catches. Community funds are provided to help reduce uncontrolled forest fires, which can adversely affect biodiversity.

Q83. Yes. Numerous programmes in all continents.

Article 8h Alien species

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| 86. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | | b) Medium | X | c) Low | |
| 87. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | | c) Limiting | X |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>The relative priority is increasing from what was a low level. In 1998, the Community Biodiversity Strategy identified invasive alien species as an emerging issue of environmental importance. In March 2002, the European Council (Environment) recognised that the introduction of invasive alien species is one of the main recorded causes of biodiversity loss and the cause of serious damage to economy and health. It supported the use, as appropriate, of national, transboundary and international action. These include, as a matter of priority, measures to prevent such introduction occurring, and measures to control or eradicate those species following an invasion. Given that alien species do not respect borders and that within the EU there is freedom of movement of goods and people, the EC has a potentially important role in addressing the issue.</p> <p>Some resources are available within sectoral programmes, but there is as yet no horizontal programme on alien species.</p> | | | | | |

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| 88. Has your country identified alien species introduced? | |
| a) no | |
| b) only major species of concern | X |
| c) only new or recent introductions | |
| d) a comprehensive system tracks new introductions | |
| e) a comprehensive system tracks all known introductions | |
| 89. Has your country assessed the risks posed to ecosystems, habitats or species by the introduction of these alien species? | |
| a) no | |
| b) only some alien species of concern have been assessed | X |
| c) most alien species have been assessed | |
| 90. Has your country undertaken measures to prevent the introduction of, control or eradicate those alien species which threaten ecosystems, habitats or species? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |

Decision IV/1 Report and recommendations of the third meeting of SBSTTA

| | |
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| 91. Is your country collaborating in the development of projects at national, regional, sub-regional and international levels to address the issue of alien species? | |
| a) little or no action | |
| b) discussion on potential projects under way | X |
| c) active development of new projects | |
| 92. Does your national strategy and action plan address the issue of alien species? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |

Decision V/8. Alien species that threaten ecosystems, habitats or species

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| 93. Is your country applying the interim guiding principles for prevention, introduction and mitigation of impacts of alien species in the context of activities aimed at implementing article 8(h) of the Convention, and in the various sectors? | |
| a) no | |
| b) under consideration | |
| c) limited implementation in some sectors | X |
| d) extensive implementation in some sectors | |
| e) extensive implementation in most sectors | |
| 94. Has your country submitted case-studies to the Executive Secretary focusing on thematic assessments? | |
| a) no | X |
| b) in preparation | |
| c) yes | |
| 95. Has your country submitted written comments on the interim guiding principles to the Executive Secretary? | |
| a) no | X |
| b) yes | |
| 96. Has your country given priority to the development and implementation of alien invasive species strategies and action plans? | |
| a) no | X |
| b) yes | |

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| 97. In dealing with the issue of invasive species, has your country developed or involved itself in mechanisms for international co-operation, including the exchange of best practices? | |
| a) no | |
| b) trans-boundary co-operation | X |
| c) regional co-operation | X |
| d) multilateral co-operation | X |
| 98. Is your country giving priority attention to geographically and evolutionarily isolated ecosystems in its work on alien invasive species? | |
| a) no | |
| b) yes | X |
| 99. Is your country using the ecosystem approach and precautionary and bio-geographical approaches as appropriate in its work on alien invasive species? | |
| a) no | |
| b) yes | X |
| 100. Has your country developed effective education, training and public-awareness measures concerning the issue of alien species? | |
| a) no | X |
| b) some initiatives | |
| c) many initiatives | |
| 101. Is your country making available the information which it holds on alien species through the CHM? | |
| a) no | |
| b) some information | X |
| c) all available information | |
| d) information available through other channels (please specify) | |
| 102. Is your country providing support to enable the Global Invasive Species Programme to fulfil the tasks outlined in the decision and its annexes? | |
| a) no | |
| b) limited support | |
| c) substantial support | X |

Further comments on implementation of this Article

Q88. Most information on introduced species is compiled and held at the national or sub-regional level (see Thematic Reports submitted to the Secretariat by Member States). There are wide variations between the different Member States' knowledge bases (e.g. taxonomic groups covered) and tracking and monitoring procedures. Accessibility of information is not always satisfactory.

At the Community level, through the European Topic Centre on Nature Protection and Biodiversity, the first project is under way to collate national information (on introduced fish) to provide a regional statistical overview. The EUNIS database on species, habitats and sites is intended to progressively integrate data on a limited number of introduced species (consistent with the European Environmental Agency's objective to strengthen capacity for monitoring, data, information, assessment and reporting).

Q89. Two wild species are currently subject to import restrictions under CITES: the Red-eared slider *Trachemys scripta elegans* and the American Bullfrog *Rana catesbeiana*.

Q90. The Community has comprehensive measures for protection of animal and plant health against harmful organisms and disease: these cover introduction, surveillance, controlling spread and financial support for eradication by Member States. Existing rules are mainly focused on agricultural pests and diseases affecting livestock.

Three instruments specifically address risks that introduced species may present to wild native fauna or flora: Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora (Habitats Directive); Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive); Council Regulation 338/97/EC on the Protection of the Species of Wild Flora and Fauna by Regulating Trade Therein).

Existing rules related to species, habitats and ecosystems do not address control or eradication of invasive alien species. Where species or habitats identified under the Habitats Directive as being of Community interest are adversely affected, Community funding may be available to assist Member States in mitigation and restoration operations.

Q92. Mentioned in the EC Biodiversity Strategy. Briefly mentioned in the Agriculture and Development Cooperation Biodiversity Action Plans and covered in more depth in the Fisheries and Nature Conservation Biodiversity Action Plans.

Q93. Limited measures in place, others under consideration (answer b)).

Q96. But as stated in Q86 priority is likely to increase.

Q97. The Community collaborates with a variety of bodies with regard to reduction of risks associated with certain pathways as well as prevention and management directed at particular species. It is actively engaged at each of the following levels:

globally, through e.g. participation in development of legal measures for ballast water management (IMO), international phytosanitary standards (IPPC/EPPO) and codes of good practice for aquaculture;

regionally, through e.g. the Pan-European Biological and Landscape Diversity and engagement in invasive species work carried out by the Convention on the Conservation of European Wildlife and Natural Habitats;

sub-regionally, through e.g. regional seas instruments for the North-East Atlantic (OSPAR), Baltic Sea and the Mediterranean, each of which mandates prevention and management measures for marine introductions.

Q98. Notably islands within the EU. Eg the EC is cofunding, through the LIFE-Nature instrument, removal

of alien species in Madeira (see Portugal national report).

Q99. Given the free movement of goods and people within the EU, application of the ecosystem approach is of limited value. Use of the precautionary principle is generally endorsed by the EU, though it needs to be balanced against WTO rules on barriers to trade (where applicable).

Q101. Information system under development by the European Environment Agency.

Q102. Support to GISP Phase I through Community funding for the publication “A Guide to Designing Legal and Institutional Frameworks on Alien Invasive Species” (Shine, C., Williams, N. and Gündling, L.: IUCN Environmental Policy and Law Paper No. 40, 2000). Also support through EC-funded cooperative research programmes.

Article 8j Traditional knowledge and related provisions

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|---|--|-------------|---|-------------|---|
| 103. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | | b) Medium | X | c) Low | |
| 104. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | | c) Limiting | X |
| d) Severely limiting | | | | | |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>The Council Resolution of 30th November 1998 on Indigenous Peoples Within the Framework of the Development Cooperation of the Community and the Member States “reiterates the political will of the EU and its Member States to participate actively in the initiatives in the framework of the Convention on Biological Diversity for supporting local and indigenous peoples in their contribution to the conservation and sustainable use of biological diversity”. The EC recognises the contribution of traditional knowledge to the conservation and sustainable use of biodiversity, and the need to afford suitable protection to the knowledge, innovations and practices of indigenous and local communities that involve traditional lifestyles, in keeping with the conservation and sustainable use of biodiversity.</p> <p>The number of indigenous people within the EU is small and limited to two or three Member States (eg. Finland, Sweden, France (overseas departments and territories)). Relevant Community legislation is limited to a Protocol to the Instrument of Accession of Sweden and Finland to the EC, which allows for exclusive rights to be granted for the indigenous Sami people to reindeer husbandry within traditional areas, with the possibility for the extension of such rights linked to their traditional lifestyle.</p> <p>Outside the EU the Community provides support to indigenous and local communities through development cooperation programmes. An overview is provided in a Report of Progress of Working with Indigenous Peoples (COM(2002)291).</p> <p>Various EC financial instruments can provide financial resources e.g. the Human Rights, Tropical Forest and Environment in Developing Countries and NGO budget lines, though there is no specific funding for activities related to Article 8j.</p> | | | | | |

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| 105. Has your country undertaken measures to ensure that the knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity are respected, preserved and maintained? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |

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| 106. Is your country working to encourage the equitable sharing of benefits arising from the utilization of such knowledge, innovations and practices? | |
| a) no | |
| b) early stages of development | X |
| c) advanced stages of development | |
| d) programme or policy in place | |

Decision III/4 and Decision IV/9. Implementation of Article 8(j)

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| 107. Has your country developed national legislation and corresponding strategies for the implementation of Article 8(j)? | |
| a) no | X |
| b) early stages of development | |
| c) advanced stages of development | |
| d) legislation or other measures in place | |
| 108. Has your country supplied information on the implementation of Article 8(j) to other Contracting Parties through media such as the national report? | |
| a) no | X |
| b) yes – previous national report | |
| c) yes – CHM | |
| d) yes – other means (please give details below) | |
| 109. Has your country submitted case-studies to the Executive Secretary on measures taken to develop and implement the Convention's provisions relating to indigenous and local communities? | |
| a) no | X |
| b) yes | |
| 110. Is your country participating in appropriate working groups and meetings? | |
| a) none | |
| b) some | |
| c) all | X |
| 111. Is your country facilitating the active participation of representatives of indigenous and local communities in these working groups and meetings? | |
| a) no | X |
| b) yes | |

Decision V/16. Article 8(j) and related provisions

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| 112. Has your country reviewed the programme of work specified in the annex to the decision, and identified how to implement those tasks appropriate to national circumstances? | |
| a) no | |
| b) under review | X |
| c) yes (please provide details) | |
| 113. Is your country integrating such tasks into its ongoing programmes, taking into account the identified collaboration opportunities? | |
| a) no | X |
| b) not appropriate to national circumstances | |
| c) yes – to a limited extent | |
| d) yes – to a significant extent | |
| 114. Is your country taking full account of existing instruments, guidelines, codes and other relevant activities in the implementation of the programme of work? | |
| a) no | X |
| b) not appropriate to national circumstances | |
| c) yes – to a limited extent | |
| d) yes – to a significant extent | |
| 115. Has your country provided appropriate financial support for the implementation of the programme of work? | |
| a) no | |
| b) not appropriate to national circumstances | |
| c) yes – to a limited extent | X |
| d) yes – to a significant extent | |
| 116. Has your country fully incorporated women and women's organizations in the activities undertaken to implement the programme of work contained in the annex to the decision and other relevant activities under the Convention? | |
| a) no | |
| b) yes | X |
| 117. Has your country taken measures to facilitate the full and effective participation of indigenous and local communities in the implementation of the Convention? | |
| a) no | |
| b) not appropriate to national circumstances | |
| c) yes – to a limited extent | X |
| d) yes – to a significant extent | |

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| 118.Has your country provided case studies on methods and approaches concerning the preservation and sharing of traditional knowledge, and the control of that information by indigenous and local communities? | |
| a) no | X |
| b) not relevant | |
| c) yes – sent to the Secretariat | |
| d) yes – through the national CHM | |
| e) yes – available through other means (please specify) | |
| 119.Does your country exchange information and share experiences regarding national legislation and other measures for the protection of the knowledge, innovations and practices of indigenous and local communities? | |
| a) no | X |
| b) not relevant | |
| c) yes – through the CHM | |
| d) yes – with specific countries | |
| e) yes – available through other means (please specify) | |

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| 120.Has your country taken measures to promote the conservation and maintenance of knowledge, innovations, and practices of indigenous and local communities? | |
| a) no | |
| b) not relevant | |
| c) some measures | X |
| d) extensive measures | |
| 121.Has your country supported the development of registers of traditional knowledge, innovations and practices of indigenous and local communities, in collaboration with these communities? | |
| a) no | X |
| b) not relevant | |
| c) development in progress | |
| d) register fully developed | |
| 122.Have representatives of indigenous and local community organizations participated in your official delegation to meetings held under the Convention on Biological Diversity? | |
| a) not relevant | |
| b) not appropriate | X |
| c) yes | |

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| 123. Is your country assisting the Secretariat to fully utilize the clearing-house mechanism to co-operate closely with indigenous and local communities to explore ways that enable them to make informed decisions concerning release of their traditional knowledge? | |
| a) no | X |
| b) awaiting information on how to proceed | |
| c) yes | |
| 124. Has your country identified resources for funding the activities identified in the decision? | |
| a) no | |
| b) not relevant | |
| c) partly | X |
| d) fully | |

Further comments on implementation of this Article

Q105. Recital 55 of Directive 98/44/EC on the legal protection of biotechnological innovations constitutes a non-binding requirement on Member States to give particular weight to Article 8j of the Convention when bringing into force the laws, regulations and administrative provisions necessary to comply with the Directive.

Other measures have been mainly through support to capacity-building of indigenous communities in Africa, Asia and Latin America.

Q110. The Council Resolution of 30th November 1998 on Indigenous Peoples Within the Framework of the Development Cooperation of the Community and the Member States “reiterates the political will of the EU and its Member States to participate actively in the initiatives in the framework of the Convention on Biological Diversity for supporting local and indigenous peoples in their contribution to the conservation and sustainable use of biological diversity”.

Accordingly the EC has contributed to the work of the Ad Hoc Open-ended Intersessional Working Group on Article 8j, and supports the integration of the priority tasks of the 8j Work Programme into other CBD thematic programmes, including the development of synergies with the Bonn Guidelines on Access and Benefit-Sharing, the guiding principles on invasive species and work in progress on environmental impact assessment.

The EC is also involved in deliberations of the WIPO Intergovernmental Committee on Intellectual Property Rights, Genetic Resources, Traditional Knowledge and Folklore, and encouraged WIPO to develop an international regulatory system for the protection of traditional knowledge in synergy with the CBD and other international bodies.

In addition, the EC has participated in the work of UNCTAD, UNESCO, WTO and FAO and encourages continued convergence and dialogue between the CBD and these other fora on matters related to 8j.

Q114. Some account taken in support to indigenous communities through development cooperation.

Q115. Chiefly through development cooperation activities. Action 11 of the EC Biodiversity Action Plan for Economic and Development Cooperation states that the EC will support national capacity building on intellectual property rights in relation to biodiversity and to develop supportive laws for equitable benefit-sharing.

Q117. The EC has been supportive of progress in Task 2 of the Work Programme on 8j, on the development of appropriate mechanisms, guidelines, legislation or other initiatives to foster and promote the effective participation of indigenous and local communities in decision-making, policy planning and development and implementation, including at international levels. On a practical level it has supported sustainable use of biological diversity by indigenous and local communities through its development cooperation.

Article 9 Ex situ conservation

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| 125. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | | b) Medium | X | c) Low | |
| 126. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | | c) Limiting | X |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>Most Community support to ex-situ conservation has been concerned with agricultural biological diversity, and financed mainly through Regulation 1467/94 on the conservation, characterisation, collection and utilisation of genetic resources in agriculture. A new Regulation (COM 2001/617) is currently under consideration with a projected annual budget allocation of up to EUR 10 Million.</p> <p>Support has also been provided by the Community for the development of research infrastructure in the EU, such as biological information resources, particularly through networking activities.</p> | | | | | |

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| 127. Has your country adopted measures for the <i>ex situ</i> conservation of components of biological diversity <i>native</i> to your country (9a)? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| 128. Has your country adopted measures for the <i>ex situ</i> conservation of components of biological diversity <i>originating outside</i> your country (9a)? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| 129. If the answer to the previous question was yes, is this being done in active collaboration with organizations in the other countries (9a)? | |
| a) no | X |
| b) yes | |
| 130. Has your country established and maintained facilities for the <i>ex situ</i> conservation of and research on plants, animals and micro-organisms that represent genetic resources <i>native</i> to your country (9b)? | |
| a) no | X |
| b) yes – limited extent | |
| c) yes – significant extent | |

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| 131. Has your country established and maintained facilities for the <i>ex situ</i> conservation of and research on plants, animals and micro-organisms that represent genetic resources <i>originating elsewhere</i> (9b)? | |
| a) no | X |
| b) yes – limited extent | |
| c) yes – significant extent | |
| 132. If the answer to the previous question was yes, is this being done in active collaboration with organizations in the other countries (9a)? | |
| a) no | |
| b) yes | |
| 133. Has your country adopted measures for the reintroduction of threatened species into their natural habitats under appropriate conditions (9c)? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| 134. Has your country taken measures to regulate and manage the collection of biological resources from natural habitats for <i>ex situ</i> conservation purposes so as not to threaten ecosystems and <i>in situ</i> populations of species (9d)? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| <i>If a developed country Party -</i> | |
| 135. Has your country cooperated in providing financial and other support for <i>ex situ</i> conservation and in the establishment and maintenance of <i>ex situ</i> conservation facilities in developing countries (9e)? | |
| <i>If a developing country Party or Party with economy in transition -</i> | |
| 136. Has your country received financial and other support for <i>ex situ</i> conservation and in the establishment and maintenance of <i>ex situ</i> conservation facilities (9e)? | |
| a) no | |
| b) yes | X |

Further comments on implementation of this Article

Q128. Financial assistance has been given to programmes for the ex-situ conservation of agricultural crops found within the EU. Some of these crops originate from outside the EU but were introduced to Europe centuries ago.

Q129. No (only concerned varieties present in the EU). A recent review of the implementation of Regulation 1467/94 (see comments after Q126) suggested that increased conformity with CBD provisions was required. This will be addressed in a new programme currently under consideration (Commission Communication COM(2001)617).

Q130-131. The establishment and maintenance of facilities for ex-situ conservation is a responsibility of EU Member States rather than of the European Community.

Q133. The Birds Directive (79/409/EC) and Habitats Directive (92/43/EC) allow exemptions to be made to the general prohibition of capture of threatened species for the purposes of reintroduction of such species into their natural habitats. Reintroduction of threatened species is proposed in some species-specific Action Plans, prepared as guidance for the implementation of these Directives. Certain EC-funded projects have adopted measures for the reintroduction of threatened species into their native habitats, an example being the reintroduction of a rare freshwater mussel in Catalonia, Spain through the LIFE-Nature programme. Directive 1999/22 relating to the keeping of wild animals in zoos states that zoos shall participate in research from which conservation benefits accrue to the species and, where appropriate, where appropriate, engage in captive breeding, repopulation or reintroduction of species into the wild.

Q134. The Birds Directive (79/409/EC) and Habitats Directive (92/43/EC) prohibit the capture or uprooting of threatened species of Community interest. Some exemptions are permitted for reproduction or research though there are no specific references to collection for ex-situ conservation purposes.

The European Community has implemented the CITES Convention through Regulation EC 338/97 on the Protection of Species of Wild Fauna and Flora by Regulating Trade Therein. This restricts or prohibits the importation of threatened species as defined by CITES Annexes.

Q135. Limited support.

Article 10 Sustainable use of components of biological diversity

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| 137. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | X | b) Medium | | c) Low | |
| 138. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | X | c) Limiting | |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>The EC's commitment to sustainable development is illustrated by the adoption of sustainable development as one of its' overall objectives in the Amsterdam Treaty. Furthermore the EC's Sixth Environment Action Plan has as one of its objectives: "To ensure the consumption of renewable and non-renewable resources and the associated impacts do not exceed the carrying capacity of the environment and to achieve a decoupling of resource use from economic growth ..."</p> <p>Sustainable use is as the heart of the Water Framework Directive (EC Directive 2000/60) and is a major theme in the Commission's 2002 proposal for a revised Common Fisheries Policy. A forthcoming strategy on soil will also deal with sustainability of soil use.</p> <p>Resource availability from the Community budget is good for the fisheries and agricultural sectors, somewhat less abundant for forestry and other sectors depending on biological resources.</p> | | | | | |

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| 139. Has your country integrated consideration of the conservation and sustainable use of biological resources into national decision making (10a)? | |
| a) no | |
| b) early stages of development | X |
| c) advanced stages of development | |
| d) programme or policy in place | |
| e) review of implementation available | |
| 140. Has your country adopted measures relating to the use of biological resources that avoid or minimize adverse impacts on biological diversity (10b)? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| 141. Has your country put in place measures that protect and encourage customary use of biological resources that is compatible with conservation or sustainable use requirements (10c)? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |

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| 142. Has your country put in place measures that help local populations develop and implement remedial action in degraded areas where biological diversity has been reduced (10d)? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| 143. Does your country actively encourage cooperation between government authorities and the private sector in developing methods for sustainable use of biological diversity (10e)? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | X |
| d) programme or policy in place | |
| e) review of implementation available | |

Decisions IV/15. Relationship of the Convention with the Commission on Sustainable Development and biodiversity-related conventions

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| 144. Has your country submitted to the Secretariat information on tourism and its impacts on biological diversity, and efforts to effectively plan and manage tourism? | |
| a) no | |
| b) yes – previous national report | |
| c) yes – case-studies | |
| d) yes – other means (please give details below) | X |
| 145. Has your country submitted to the Secretariat information on biodiversity-related activities of the CSD (such as SIDS, oceans, seas and freshwater resources, consumption and production patterns)? | |
| a) no | X |
| b) yes - previous national report | |
| c) yes – correspondence | |
| d) yes - other means (please give details below) | |

Decision V/24. Sustainable use as a cross-cutting issue

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| 146. Has your country identified indicators and incentive measures for sectors relevant to the conservation and sustainable use of biodiversity? | |
| a) no | |
| b) assessment of potential indicators underway | X |
| c) indicators identified (if so, please describe below) | |

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| 147. Has your country assisted other Parties to increase their capacity to implement sustainable-use practices, programmes and policies at regional, national and local levels, especially in pursuit of poverty alleviation? | |
| a) no | |
| b) not relevant | |
| c) to a limited extent | X |
| d) to a significant extent (please provide details) | |
| 148. Has your country developed mechanisms to involve the private sector and indigenous and local communities in initiatives on sustainable use, and in mechanisms to ensure that indigenous and local communities benefit from such sustainable use? | |
| a) no | |
| b) mechanisms under development | |
| c) mechanisms in place (please describe) | X |
| 149. Has your country identified areas for conservation that would benefit through the sustainable use of biological diversity and communicated this information to the Executive Secretary? | |
| a) no | |
| b) yes | X |

Decision V/25. Biological diversity and tourism

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| 150. Has your country based its policies, programmes and activities in the field of sustainable tourism on an assessment of the inter-linkages between tourism and biological diversity? | |
| a) no | |
| b) to a limited extent | X |
| c) to a significant extent | |
| 151. Has your country submitted case-studies on tourism as an example of the sustainable use of biological diversity to the Executive Secretary? | |
| a) no | |
| b) yes | X |
| 152. Has your country undertaken activities relevant to biodiversity and tourism in support of the International Year of Ecotourism? | |
| a) no | X |
| b) yes | |
| 153. Has your country undertaken activities relevant to biodiversity and tourism in support of the International Year of Mountains? | |
| a) no | X |
| b) yes | |
| 154. Has your country undertaken activities relevant to biodiversity and tourism in support of the International Coral Reef Initiative? | |
| a) no | X |
| b) yes | |

155. Has your country established enabling policies and legal frameworks to complement voluntary efforts for the effective implementation of sustainable tourism?

a) no

b) to a limited extent

c) to a significant extent (please describe)

Further comments on implementation of this Article

Q139. As indicated in Q19, the Treaty of Amsterdam elevated sustainable development to one of the overall objectives of the European Community. One means to bring this about has been the “Cardiff process” of integration of the environment into key EC sectoral policies referred to in Q19.

Q140. Measures adopted include agri-environment measures mentioned elsewhere in this report (Q330-358). See also answers on impact assessment (Q194-215).

Q141. Financial support to farmers for costs associated with eg. upkeep of the landscape, maintenance of indigenous breeds of farm animals, reduced intensity farming with environmental benefits is available under the agri-environment measures of Council Regulation 1257/99 on Rural Development.

Certificates of Special Character issued under Regulation 2082/92 permit the identification by consumers of food products with specific characters resulting from their use of traditional raw materials or processes. Though not a condition of the Regulation, sustainable use of agri-biodiversity is often a feature of the production of such traditional foods products.

Q142. Agri-environment measures as indicated in Q141 and actions under the LIFE programme for nature conservation and the environment.

Q143. It should be borne in mind that within the EU most areas of high biological diversity, including many of the Natura 2000 Network sites, are under private ownership. Hence government-private sector collaboration at the level of land use is widespread.

In addition to the measures for partnership with the private sector at local level outlined under Q148, the EC’s research programme, which includes research into methods for the sustainable use of biological diversity, emphasises co-operation between academia and the private sector, in particular small and medium enterprises.

Q144. See Q151.

Q146. In its 2001 Communication on a European Strategy for Sustainable Development (COM 2001/264), the Commission indicated its intention to establish a set of biodiversity indicators for the EU by 2003. Related work is underway to establish biodiversity indicators for the EC Biodiversity Action Plans adopted in 2001.

Q147. The EC participates with UNDP, the UK’s Department for International Development and the World Bank in a “Poverty and Environment” initiative to highlight the linkages between poverty reduction and environmental management ahead of the WSSD. A Discussion Document was published early in 2002.

The EC finances a large number of development projects with government and non-governmental partners aimed at linking poverty reduction with the sustainable use of biological diversity, all of which have capacity-building components. In addition the EC’s research programme with developing countries funds research into the sustainable use of natural resources.

Q148. The EC LIFE-Environment programme funds demonstration projects on environmentally sustainable development and is open to private sector and civil society organisations, based on publication of a Call for Proposals on the internet.

The LEADER+ programme for integrated and sustainable rural development funds proposals from “Local Action Groups”, which must have a balanced and representative selection of partners drawn from the different socio-economic sectors in the area concerned. At least half the members of the Local Action

Groups must be from the private or non-governmental sectors. This programme has an annual budget of about 330 million Euro.

Q149. An important proportion of Europe's biological diversity is present in ecosystems which can only be maintained through sustainable use – for instance seasonally grazed pastures. Thus the EU's Natura 2000 network of special areas of conservation includes many areas whose management is based on sustainable use. Information on the Natura 2000 network is available on the EC-CHM website.

Q151. A report on sustainable tourism in relation to the EU Natura 2000 network of special conservation areas was commissioned by the EC and published in 2000 (available on the DG Environment website). It includes an annex with examples of good practice.

Q155. Provision is made to support agri-tourism under the Rural Development Regulation 1257/1999 and the LEADER+ programme. Tourism is a key economic sector in many EU coastal areas; the application by Member States of the EC's Integrated Coastal Zone Management strategy should help support sustainable tourism. Discussions are underway on an EU ecolabel for sustainable tourism.

Tourism policy is an area of limited Community competence, though it is influenced by related areas of greater Community competence such as environment and transport.

Article 11 Incentive measures

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|--|---|-------------|---|-------------|--|
| 156. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | X | b) Medium | | c) Low | |
| 157. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | X | c) Limiting | |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>Incentives are interpreted here as long term measures with positive financial benefits for recipients and widespread application, so as to differentiate them from grant schemes for pilot projects.</p> <p>Very substantial funds are provided from the Community budget to implement the Common Agricultural and Fisheries Policies, generally through incentive measures targeted at relevant sectors. These measures can have a direct or indirect impact on the conservation and sustainable use of biological diversity. Furthermore the EC also is also active in fields such as labelling schemes, which can act as incentives in the market place. The reconciliation of economic, social and ecological issues in the design and implementation of incentive measures for the implementation of Community policies is a high priority for the EC.</p> | | | | | |

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| 158. Are programmes in place to identify and ensure the adoption of economically and socially sound measures that act as incentives for the conservation and sustainable use of components of biological diversity? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) programmes in place | X |
| e) review of implementation available | |
| 159. Do these incentives, and the programmes to identify them and ensure their adoption, cover the full range of sectoral activities? | |
| a) no | |
| b) some sectors | X |
| c) all major sectors | |
| d) all sectors | |

Decision III/18. Incentive measures

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| 160. Has your country reviewed legislation and economic policies to identify and promote incentives for the conservation and sustainable use of components of biological diversity? | |
| a) no | |
| b) reviews in progress | X |
| c) some reviews complete | |
| d) as far as practically possible | |

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| 161.Has your country ensured the development of mechanisms or approaches to ensure adequate incorporation of both market and non-market values of biological diversity into plans, policies and programmes and other relevant areas, <i>inter alia</i> , national accounting systems and investment strategies? | |
| a) no | |
| b) early stages of identifying mechanisms | |
| c) advanced stages of identifying mechanisms | X |
| d) mechanisms in place | |
| e) review of impact of mechanisms available | |
| 162.Has your country developed training and capacity building programmes to implement incentive measures and promote private-sector initiatives? | |
| a) no | |
| b) planned | |
| c) some | |
| d) many | X |
| 163.Has your country incorporated biological diversity considerations into impact assessments as a step in the design and implementation of incentive measures? | |
| a) no | |
| b) yes | X |
| 164.Has your country shared experience on incentive measures with other Contracting Parties, including making relevant case-studies available to the Secretariat? | |
| a) no | |
| b) yes - previous national report | |
| c) yes – case-studies | |
| d) yes - other means (please give details below) | X |

Decision IV/10. Measures for implementing the Convention [part]

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| 165.Is your country actively designing and implementing incentive measures? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) measures in place | X |
| e) review of implementation available | |

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| 166.Has your country identified threats to biological diversity and underlying causes of biodiversity loss, including the relevant actors, as a stage in designing incentive measures? | |
| a) no | |
| b) partially reviewed | |
| c) thoroughly reviewed | X |
| d) measures designed based on the reviews | |
| e) review of implementation available | |
| 167.Do the existing incentive measures take account of economic, social, cultural and ethical valuation of biological diversity? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |
| 168.Has your country developed legal and policy frameworks for the design and implementation of incentive measures? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) frameworks in place | X |
| e) review of implementation available | |
| 169.Does your country carry out consultative processes to define clear target-oriented incentive measures to address the underlying causes of biodiversity loss? | |
| a) no | |
| b) processes being identified | |
| c) processes identified but not implemented | |
| d) processes in place | X |
| 170.Has your country identified and considered neutralizing perverse incentives? | |
| a) no | |
| b) identification programme under way | |
| c) identified but not all neutralized | X |
| d) identified and neutralized | |

Decision V/15. Incentive measures

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| 171. Has your country reviewed the incentive measures promoted through the Kyoto Protocol to the UN Framework Convention on Climate Change? | |
| a) no | |
| b) yes | x |
| 172. Has your country explored possible ways and means by which these incentive measures can support the objectives of the Convention on Biological Diversity in your country? | |
| a) no | |
| b) under consideration | x |
| c) early stages of development | |
| d) advanced stages of development | |
| e) further information available | |

Further comments on implementation of this Article

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| <p>Q159. Mainly agriculture, fisheries and rural development, to a lesser extent forestry.</p> <p>Q160. Further development will be undertaken under the Sixth Environmental Action Plan, in particular through voluntary schemes to recognise good environmental performance.</p> <p>The European Environment Agency published in 2001 an overview of Environmental Taxes in the EU and in other member countries of the EEA. At the EU level there are no fiscal policies in place to promote conservation and sustainable use of components of biological diversity. At Member State level fiscal environmental policies mainly concern taxation of energy and transport and to a lesser extent sources of pollution, thus having indirect positive impacts on biodiversity conservation and use.</p> <p>Q161. The review of the 5th Environmental Action Plan (EAP) found that incorporation of market and non-market values of biological diversity was an area where further work was needed – this is addressed in the 6th EAP.</p> <p>The development of an EU regime for environmental liability, as proposed in a recent draft Directive (COM(2002)17) including liability for damage to biodiversity may act as an incentive for conservation and sustainable use of biodiversity by making non-conservation of biological diversity costly.</p> <p>Q163. The design of incentive measures could be considered as a “plan” or “programme” covered by Directive 2001/42 on the Assessment of the Effects of Certain Plans and Programmes on the Environment. This Directive lists biodiversity as one of the factors to be considered in impact assessment. See also Q198.</p> <p>Q164. Studies available on European Commission, EEA and EC-CHM websites. The EC has also contributed to work in various groups within the OECD.</p> <p>Q165. Also b) in early stages of development. Most incentive measures are not specifically aimed at implementing the Convention but take a broader sustainable development approach ie integrating ecological (biodiversity and non-renewable resources), social and economic considerations.</p> <p>Q166. Also b) in early stages of development. See for example EC Biodiversity Action Plans; European Environment Agency reports.</p> <p>Q167. Though not necessarily in a systematic fashion</p> <p>Q168. See Q163. Community Guidelines on State Aid for Environmental Protection have been published in the Official Journal of the European Communities (OJ) 2001/C37/03 3.2.2001. The EC will be seeking to ensure that afforestation measures undertaken to obtain carbon credits under the Kyoto Protocol do not result in a reduction of biological diversity.</p> <p>Q170. Many identified but not all neutralized. Further research related to sustainability (including</p> |
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biodiversity conservation) and the Common Agricultural and Fisheries Policies will be undertaken under the 6th Research Framework Programme (2002-2006).

Article 12 Research and training

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| 173. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | | b) Medium | X | c) Low | |
| 174. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | | c) Limiting | X |
| d) Severely limiting | | | | | |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>Questions in this section have been answered on the assumption that they refer to research and training collaboration with developing countries and not activities carried out solely within the EU.</p> <p>Within its Research programme, the EC has a long-standing component of collaborative research with developing countries. There is a high degree of competition for research funds. A large proportion of funding is for research rather than for training. With the exception of some scholarships associated with particular projects, the EC does not have a scholarship programme for academic training.</p> | | | | | |

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| 175. Has your country established programmes for scientific and technical education and training in measures for the identification, conservation and sustainable use of biological diversity and its components (12a)? | |
| a) no | X |
| b) early stages of development | |
| c) advanced stages of development | |
| d) programmes in place | |
| 176. Has your country provided support to other Parties for education and training in measures for the identification, conservation and sustainable use of biological diversity and its components (12a)? | |
| a) no | |
| b) yes | X |
| 177. Does your country promote and encourage research which contributes to the conservation and sustainable use of biological diversity (12b)? | |
| a) no | |
| b) yes – limited extent | |
| c) yes – significant extent | X |
| 178. Does your country promote and cooperate in the use of scientific advances in biological diversity research in developing methods for conservation and sustainable use of biological resources (12c)? | |
| a) no | |
| b) yes – limited extent | |
| c) yes – significant extent | X |

If a developed country Party -

179. Does your country's implementation of the above activities take into account the special needs of developing countries?

a) no

b) yes, where relevant

X

Further comments on implementation of this Article

Q176. Bursaries are provided for up to 6 months for young researchers from developing countries to visit and conduct research in EU research institutions in connection with EU-funded collaborative research projects. Conservation projects funded through EU development cooperation have provided support for education and training in biodiversity, usually in the form of short courses.

Q177. Based on a forward-looking dialogue and equitable partnership, the European Community through INCO II - a component of the 5th Framework Program on Research and Development (1998-2002), has been supporting research related to the sustainable use of agricultural and agro-industrial production, human health and the sustainable management of natural resources in developing countries. The cooperation operates at bilateral, bi-regional and global levels and focuses on the specific opportunities and problems faced by countries undergoing the process of development, for which there are no solutions that can be found and transferred from industrialised countries. The role of this S&T cooperation is irreplaceable in developing the knowledge required and building upon constructive and objective use of research deliverables promoting socio-economic development and global competitiveness.

The evolution of scientific cooperation programs between the EU and the developing countries made it easier to draw up a Community strategy, which was adopted by the Council in 1997. This aims to mobilise the various existing instruments in scientific policy (the Framework Program) and in development policy (Development funds for the Mediterranean Area, Latin America and the European Development Fund (EDF)) to promote research and technological development (RTD) as an instrument of Community development policy

This move paved the way for integrating research with development aid by involving the EDF which supported the enhancement of research and technology transfer resources. It is a model for future complementary schemes between European RTD and foreign policy. In addition,, bilateral cooperation with specific emerging economies and industrialised nations, by means of scientific cooperation agreements provides researchers from those countries with the opportunity to take part in EU research projects. To date, over 20 scientific and technological cooperation agreements have been signed.

The Fifth Framework Programme (FP5) also includes an initiative to train researchers from developing countries. INCO-II's fellowship schemes allow talented young researchers from the developing countries, non-Member States in the Mediterranean region and emerging economies to work in European laboratories on projects co-financed by FP5. The programme enables researchers to learn new techniques or work on unfamiliar equipment, expanding their knowledge and skills to the benefit of their own country when they return.

Q179. A matchmaker service enables developing country research institutions to find relevant EU research partners. Regional research priorities are determined in dialogue with developing country governments. Internet connections are, however, essential to access all the relevant information.

Details of EU-Funded research projects carried out in partnership with non-EU/EFTA countries can be found at www.cordis.lu/inco2/home and searches can be done on terms such as biodiversity, sustainable use.

Article 13 Public education and awareness

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| 180. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | | b) Medium | X | c) Low | |
| 181. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | | c) Limiting | X |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>Competence for education policy lies primarily with Member States rather than with the European Community. The direct role of the Community is therefore relatively modest, emphasising the European dimension of environmental issues, promoting networking at the EU level, increasing awareness of EU legislation and providing materials of common interest to EU countries. Most EC-funded biodiversity conservation projects and programmes have an environmental education or awareness component, which cumulatively have a significant indirect impact.</p> | | | | | |

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| 182. Does your country promote and encourage understanding of the importance of, and the measures required for, the conservation of biodiversity (13a) through media? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |
| 183. Does your country promote and encourage understanding of the importance of, and the measures required for, the conservation of biodiversity (13a) through the inclusion of this topic in education programmes? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |
| 184. Does your country cooperate with other States and international organizations in developing relevant educational and public awareness programmes (13b)? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |

Decision IV/10. Measures for implementing the Convention [part]

| | |
|---|---|
| 185. Are public education and awareness needs covered in the national strategy and action plan? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |
| 186. Has your country allocated appropriate resources for the strategic use of education and communication instruments at each phase of policy formulation, implementation and evaluation? | |
| a) limited resources | |
| b) significant but not adequate resources | X |
| c) adequate resources | |
| 187. Does your country support initiatives by major groups that foster stakeholder participation and that integrate biological diversity conservation matters in their practice and education programmes? | |
| a) no | |
| b) yes | X |
| 188. Has your country integrated biodiversity concerns into education strategies? | |
| a) no | |
| b) early stages of development | X |
| c) advanced stages of development | |
| d) yes | |
| 189. Has your country made available any case-studies on public education and awareness and public participation, or otherwise sought to share experiences? | |
| a) no | |
| b) yes | X |
| 190. Has your country illustrated and translated the provisions of the Convention into any local languages to promote public education and awareness raising of relevant sectors? | |
| a) not relevant | X |
| b) still to be done | |
| c) under development | |
| d) yes | |
| 191. Is your country supporting local, national, sub-regional and regional education and awareness programmes? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |

If a developing country Party or Party with economy in transition -

192. When requesting assistance through the GEF, has your country proposed projects that promote measures for implementing Article 13 of the Convention?

| | |
|--------|--|
| a) no | |
| b) yes | |

Decision V/17. Education and public awareness

193. Does your country support capacity-building for education and communication in biological diversity as part of the national biodiversity strategy and action plans?

| | |
|------------------------------|---|
| a) no | |
| b) limited support | X |
| c) yes (please give details) | |

Further comments on implementation of this Article

Q183. Limited activities. Mainly through the production of classroom resource materials.

Q185. The EC Biodiversity Strategy and all Biodiversity Action Plans mention the need for activities to increase public awareness of biodiversity.

Q186. The resource in shortest supply for public involvement is often time.

Q187. Indeed major groups are the main beneficiaries of direct EC support for environmental education and training.

Q189. A major conference on European Environmental Education and Training was held in 1999, details available on the DG Environment web site.

Q191. Yes, to a limited extent, particularly at the regional (EU) level. The EC is funding the production of publications and other materials which can be used in educational programmes. An EC environmental website specifically aimed at young people is now online (www.europa.eu.int/comm/environment/youth). Recent EC legislation on zoos (Directive 99/22) establishes a licensing system which includes an obligation for zoos to promote public education and awareness in relation to the conservation of biodiversity.

Article 14 Impact assessment and minimizing adverse impacts

| | | | | | |
|---|---|-------------|---|-------------|----------------------|
| 194. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | X | b) Medium | | c) Low | |
| 195. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | X | c) Limiting | d) Severely limiting |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>The Community's role is mainly legislative, with Member States implementing agreed measures.</p> <p>Article 6 of the Amsterdam Treaty states that environmental protection requirements must be integrated into the definition and implementation of Community policies. Article 174 states <i>inter alia</i> that "Community policy on the environment shall aim at a high level of protection . . . on the principle that preventive action should be taken." Impact assessments are thus within the legal competence of the Community and are a high priority as a key means by which these obligations are translated into action.</p> <p>Environmental impact legislation is in the form of Directives which are transposed into national law and implemented by Member States. Resource availability is thus mainly determined at Member State level. Resources for impact assessments of significant EC-funded activities taking place outside the EU are usually budgeted as part of project preparation. Resources to assess the likely impact outside the EU of internal or external EU policy initiatives can be limited.</p> | | | | | |

| | |
|---|---|
| 196. Is legislation in place requiring an environmental impact assessment of proposed projects likely to have adverse effects on biological diversity (14 (1a))? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) legislation in place | X |
| e) review of implementation available | |
| 197. Do such environmental impact assessment procedures allow for public participation (14(1a))? | |
| a) no | |
| b) yes – limited extent | |
| c) yes – significant extent | X |
| 198. Does your country have mechanisms in place to ensure that the environmental consequences of national programmes and policies that are likely to have significant adverse impacts on biological diversity are duly taken into account (14(1b))? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) fully compliant with current scientific knowledge | X |

| | |
|---|---|
| 199. Is your country involved in bilateral, regional and/or multilateral discussion on activities likely to significantly affect biological diversity outside your country's jurisdiction (14(1c))? | |
| a) no | |
| b) yes – limited extent | |
| c) yes – significant extent | X |
| 200. Is your country implementing bilateral, regional and/or multilateral agreements on activities likely to significantly affect biological diversity outside your country's jurisdiction (14(1c))? | |
| a) no | |
| b) no, assessment of options in progress | |
| c) some completed, others in progress | X |
| b) yes | |
| 201. Has your country mechanisms in place to notify other States of cases of imminent or grave danger or damage to biological diversity originating in your country and potentially affecting those States (14(1d))? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) mechanisms in place | X |
| e) no need identified | |
| 202. Has your country mechanisms in place to prevent or minimize danger or damage originating in your State to biological diversity in other States or in areas beyond the limits of national jurisdiction (14(1d))? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) fully compliant with current scientific knowledge | X |
| e) no need identified | |
| 203. Has your country national mechanisms in place for emergency response to activities or events which present a grave and imminent danger to biological diversity (14(1e))? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) mechanisms in place | X |
| 204. Has your country encouraged international cooperation to establish joint contingency plans for emergency responses to activities or events which present a grave and imminent danger to biological diversity (14(1e))? | |
| a) no | |
| b) yes | X |
| c) no need identified | |

Decision IV/10. Measures for implementing the Convention [part]

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|---|---|
| 205.Has your country exchanged with other Contracting Parties information and experience relating to environmental impact assessment and resulting mitigating measures and incentive schemes? | |
| a) no | |
| b) information provided to the Secretariat | |
| c) information provided to other Parties | X |
| d) information provided on the national CHM | |
| 206.Has your country exchanged with other Contracting Parties information on measures and agreements on liability and redress applicable to damage to biological diversity? | |
| a) no | |
| b) information provided to the Secretariat | |
| c) information provided to other Parties | X |
| d) information provided on the national CHM | |

Decision V/18. Impact assessment, liability and redress

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| 207.Has your country integrated environmental impact assessment into programmes on thematic areas and on alien species and tourism? | |
| a) no | |
| b) partly integrated | X |
| c) fully integrated | |
| 208.When carrying out environmental impact assessments does your country address loss of biological diversity and the interrelated socio-economic, cultural and human-health aspects relevant to biological diversity? | |
| a) no | |
| b) partly | |
| c) fully | X |
| 209.When developing new legislative and regulatory frameworks, does your country have in place mechanisms to ensure the consideration of biological diversity concerns from the early stages of the drafting process? | |
| a) no | |
| b) in some circumstances | X |
| c) in all circumstances | |
| 210.Does your country ensure the involvement of all interested and affected stakeholders in a participatory approach to all stages of the assessment process? | |
| a) no | |
| b) yes - in certain circumstances | |
| c) yes - in all cases | X |

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| 211.Has your country organised expert meetings, workshops and seminars, and/or training, educational and public awareness programmes and exchange programmes in order to promote the development of local expertise in methodologies, techniques and procedures for impact assessment? | |
| a) no | |
| b) some programmes in place | X |
| c) many programmes in place | |
| d) integrated approach to building expertise | |
| 212.Has your country carried out pilot environmental impact assessment projects, in order to promote the development of local expertise in methodologies, techniques and procedures? | |
| a) no | X |
| b) yes (please provide further details) | |
| 213.Does your country use strategic environmental assessments to assess not only the impact of individual projects, but also their cumulative and global effects, and ensure the results are applied in the decision making and planning processes? | |
| a) no | |
| b) to a limited extent | X |
| c) to a significant extent | |
| 214.Does your country require the inclusion of development of alternatives, mitigation measures and consideration of the elaboration of compensation measures in environmental impact assessment? | |
| a) no | |
| b) to a limited extent | |
| c) to a significant extent | X |
| 215.Is national information available on the practices, systems, mechanisms and experiences in the area of strategic environmental assessment and impact assessment? | |
| a) no | |
| b) yes (please append or summarise) | X |

Further comments on implementation of this Article

196. In addition to directives previously noted, Article 6 of the Habitats Directive(92/43) requires Member States to assess the likely impact of any plan or project likely to affect sites designated or intended to be protected as special areas of conservation under the Directive or as special protection areas under the Birds Directive (79/409), so as to ensure that will not adversely affect the integrity of the site. Strict criteria apply for any exceptions to this requirement.

198. Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment mentions biodiversity as one of the environmental factors on which information should be provided in environmental (impact) reports. This Directive must now be transposed into national law by EU Member States. The Commission's Communication on a European Union Strategy for Sustainable Development (COM(2001)264 and the 6th Environment Action Plan both propose a strengthening of the assessment of the impact of new policy proposals on sustainable development and the environment (and by implication biodiversity). Where there are impacts outside the EU these should also be taken into account. This point is reinforced in the Communication "Towards a global partnership for sustainable development" (COM(2002)82). A new system for performing these assessments within the Commission is set out in a "Communication on Impact Assessment" COM 2002 (276).

Q199. Notably the impact of the Common Agricultural Policy on biological diversity in the accession countries once they join the European Union. Also EC Fisheries Agreements with third countries.

Q201. For dangers to the environment arising from industrial processes Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances applies. For the release of GMOs, Directive 2001/18 on the deliberate release into the environment of genetically modified organisms applies. EC veterinary and plant health legislation contains provisions for a Member State which identifies a danger to the environment to immediately notify the European Commission and other EU Member States. The UNECE Convention on Environmental Impact Assessment in a transboundary context (the Espoo Convention, signed and ratified by the EC) is also relevant there.

Q203. A Community civil protection programme is in place (Council Decision 1999/847/EC) as is a Community mechanism to facilitate reinforced cooperation in civil protection assistance (Council Decision 2001/792/EC, Euratom). The emphasis in these programmes is, however, primarily on the protection of persons. The Community is funding the development by the Joint Research Centre of a Natural and Environmental Disasters Information Exchange System (NEDIES).

Q204. In the Mediterranean basin the European Commission contributes to a pilot project for the creation of a EURO-MED system of prevention, mitigation and management of natural and man-made disasters. Work is ongoing also in the context of the UN/ECE Convention on the Transboundary Effects of Industrial Accidents.

Q205. Studies and workshop reports are published on the DG Environment website.

Q206. A White Paper (consultation document) on potential legislation concerning environmental liability was adopted by the European Commission in 2000 and a wide range of views were obtained from Member States and interested parties. Early in 2002 a proposal for a Framework Directive on environmental liability (COM 2002/17) was adopted by the EC and is currently before the Council and European Parliament. The proposal addresses liability and redress for damage to biological diversity.

Q208. The main relevant Directives: Directive 2001/42 on the assessment of the effect of certain plans and programmes on the environment and Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, as amended by Directive 97/11/EC, both mention the need to consider the factors listed in Q208 and the inter-relationship between them. Such assessments are carried out by the Member States and not the European Community institutions.

Q209. Directive 2001/42 on the Assessment of the Effect of Certain Plans and Programmes on the Environment requires Member States to conduct environmental assessments on plans and programmes likely to have significant environmental effects during the preparation of such plans and programmes and before adoption or submission to a legislative procedure. The likely impact on biological diversity is one of the factors to be considered.

Q210. The details of the process of stakeholder involvement are laid down by each EU Member State. Public participation in environmental decision-making will be strengthened further by the entry into force of the UN/ECE Convention on Access to Information, Public Participation and Access to Justice in Environmental Matters (the Aarhus Convention). The Council and European Parliament are currently considering a proposal to align relevant EC legislation to the Aarhus Convention (COM 2000/839).

Q211. The role of the EC in this context is mainly to identify and disseminate best practices amongst Member States.

Q214. Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, as amended by Directive 97/11/EC, states that information required in EIAs should include consideration of alternatives and measures to prevent, minimise or offset significant adverse effects on the environment.

Q215. The Commission reports at five yearly intervals on the implementation of the relevant Directives. In addition, the Commission places material on its Impact Assessment website on good practice, research and experiences on EIA and SEA (see <http://europa.eu.int/comm/eia/home/htm>)

Article 15 Access to genetic resources

| | | | | | |
|--|---|-------------|--|-------------|---|
| 216. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | X | b) Medium | | c) Low | |
| 217. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | | c) Limiting | X |
| d) Severely limiting | | | | | |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>Relevant to the EC's competencies on Agriculture, Trade and Environment and with important implications for biotechnology development. The EC believes that work on access to genetic resources and benefit-sharing (ABS) has important implications for, and should contribute to, the conservation and sustainable use of biodiversity.</p> <p>Various financial instruments are available eg. Tropical Forests and Environment in Developing Countries budget line, but no specific funding for Art 15 related activities.</p> | | | | | |
| 218. Has your country endeavoured to create conditions to facilitate access to genetic resources for environmentally sound uses by other Contracting Parties (15(2))? | | | | | |
| a) no | | | | | |
| b) yes – limited extent | X | | | | |
| c) yes – significant extent | | | | | |
| 219. Is there any mutual understanding or agreement in place between different interest groups and the State on access to genetic resources (15(4))? | | | | | |
| a) no | X | | | | |
| b) yes – limited extent | | | | | |
| c) yes – significant extent | | | | | |
| 220. Has your country an open participation planning process, or any other process in place, to ensure that access to resources is subject to prior informed consent (15(5))? | | | | | |
| a) no | X | | | | |
| b) early stages of development | | | | | |
| c) advanced stages of development | | | | | |
| d) processes in place | | | | | |
| 221. Has your country taken measures to ensure that any scientific research based on genetic resources provided by other Contracting Parties is developed and carried out with the full participation of such Contracting Parties (15(6))? | | | | | |
| a) no measures | X | | | | |
| b) some measures in place | | | | | |
| c) potential measures under review | | | | | |
| d) comprehensive measures in place | | | | | |

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| 222.Has your country taken measures to ensure the fair and equitable sharing of the results of research and development and the benefits arising from the commercial and other use of genetic resources with any Contracting Party providing such resources (15(7))? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| If so, are these measures | |
| a) Legislation | X |
| b) Statutory policy or subsidiary legislation | |
| c) Policy and administrative measures | |

Decision II/11 and Decision III/15. Access to genetic resources

| | |
|--|---|
| 223.Has your country provided the secretariat with information on relevant legislation, administrative and policy measures, participatory processes and research programmes? | |
| a) no | |
| b) yes, within the previous national report | |
| c) yes, through case-studies | |
| d) yes, through other means (please give details below) | X |
| 224.Has your country implemented capacity-building programmes to promote successful development and implementation of legislative, administrative and policy measures and guidelines on access, including scientific, technical, business, legal and management skills and capacities? | |
| a) no | |
| b) some programmes covering some needs | X |
| c) many programmes covering some needs | |
| d) programmes cover all perceived needs | |
| e) no perceived need | |
| 225.Has your country analysed experiences of legislative, administrative and policy measures and guidelines on access, including regional efforts and initiatives, for use in further development and implementation of measures and guidelines? | |
| a) no | |
| b) analysis in progress | X |
| c) analysis completed | |
| 226.Is your country collaborating with all relevant stakeholders to explore, develop and implement guidelines and practices that ensure mutual benefits to providers and users of access measures? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |

| | |
|--|---|
| 227.Has your country identified national authorities responsible for granting access to genetic resources? | |
| a) no | X |
| b) yes | |
| 228.Is your country taking an active role in negotiations associated with the adaptation of the International Undertaking on Plant Genetic Resources for Food and Agriculture? | |
| a) no | |
| b) yes | X |

Decision V/26. Access to genetic resources

| | |
|---|---|
| 229.Has your country designated a national focal point and one or more competent national authorities to be responsible for access and benefit-sharing arrangements or to provide information on such arrangements? | |
| a) no | |
| b) yes | X |
| c) yes, and Executive Secretary notified | |
| 230.Do your country's national biodiversity strategy, and legislative, administrative or policy measures on access and benefit-sharing, contribute to conservation and sustainable use objectives? | |
| a) no | |
| b) to a limited extent | X |
| c) to a significant extent | |
| Parties that are recipients of genetic resources | |
| 231.Has your country adopted administrative or policy measures that are supportive of efforts made by provider countries to ensure that access to their genetic resources is subject to Articles 15, 16 and 19 of the Convention? | |
| a) no | |
| b) other arrangements made | |
| c) yes | X |
| 232.Does your country co-operate with other Parties in order to find practical and equitable solutions supportive of efforts made by provider countries to ensure that access to their genetic resources is subject to Articles 15, 16 and 19 of the Convention, recognizing the complexity of the issue, with particular consideration of the multiplicity of prior informed consent considerations? | |
| a) no | |
| b) yes (please provide details) | X |
| 233.In developing its legislation on access, has your country taken into account and allowed for the development of a multilateral system to facilitate access and benefit-sharing in the context of the International Undertaking on Plant Genetic Resources? | |
| a) no | |
| b) legislation under development | |
| c) yes | X |

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| 234. Is your country co-ordinating its positions in both the Convention on Biological Diversity and the International Undertaking on Plant Genetic Resources? | |
| a) no | |
| b) taking steps to do so | |
| c) yes | X |
| 235. Has your country provided information to the Executive Secretary on user institutions, the market for genetic resources, non-monetary benefits, new and emerging mechanisms for benefit sharing, incentive measures, clarification of definitions, <i>sui generis</i> systems and “intermediaries”? | |
| a) no | |
| b) some information provided | X |
| c) substantial information provided | |
| 236. Has your country submitted information on specific issues related to the role of intellectual property rights in the implementation of access and benefit-sharing arrangements to the Executive Secretary? | |
| a) no | |
| b) yes | X |
| 237. Has your country provided capacity-building and technology development and transfer for the maintenance and utilization of ex situ collections? | |
| a) no | |
| b) yes to a limited extent | X |
| c) yes to a significant extent | |

Further comments on implementation of this Article

Q218. Various EU-wide initiatives have been funded to increase information availability on genetic resources through online databases. However the EC has not introduced rules governing access to genetic resources. One Member State – Netherlands - does not deem it necessary to secure sovereignty over its genetic resources. On the other hand Portugal has recently introduced legislation governing access and benefit sharing of genetic resources. In most of the EU access is subject to laws governing property, trespass, statutory protection of species, and site protection. Other areas of law, such as health and safety legislation, law concerning the handling of dangerous organisms and intellectual property rights are also relevant.

Q219. No agreement in place at EU level.

Q220. Not applicable to the EC since, in principle, access to resources is dealt with by Member States. See also Q 218 indicating a lack of specific legislative measures on access to genetic resources.

Q221. No specific measures, though as a general practice EC-sponsored research involving a country outside the EU requires the participation of a research institution from that country. The EC has sponsored some initiatives to develop voluntary policies in this area e.g. the Micro-organisms Sustainable Use and Access Regulation International Code of Conduct (MOSAICC). The institutional policies and codes of conduct of some European research institutions include commitments to joint research, including training, technical and scientific cooperation, as well as information exchange. It is common practice in the INCO II research projects for the partners to sign up a Consortium Agreement that foresees equitable sharing of benefits derived from the project.

Q222. Legislative measures: Recital 27 of Directive 98/44/EC (6 July 1998) on the Legal Protection of

Biotechnological Innovations encourages recognition of the geographical origin of biological material used in biotechnological inventions on patent applications, if such geographical origin is known. This helps to track compliance with prior informed consent and mutually agreed terms on which access to the resources was granted. Recital 27 is intended to aid interpretation of the Directive with respect to the implementation of the Directive's binding provisions.

Policy and Administrative Measures: No EU-wide measures. However a variety of European companies, ex situ collections and other research institutions adhere to their own institutional policies and codes of conduct.

Q223. The EC sponsored, together with Germany, an international workshop on "Best practices for access to genetic resources" held in Cordoba, Spain in 1998.

Q224. The EC provided support for the development of the voluntary Micro-organisms Sustainable Use and Access Regulation International Code of Conduct (MOSAICC) for culture collections. Under Action 11 of the EC Biodiversity Action Plan for Economic and Development Cooperation, the EC states that it will support national capacity building on intellectual property rights in relation to biodiversity and to develop supportive laws for equitable benefit-sharing.

Q226. The EC has actively participated in the process of development of the Bonn Guidelines on Access and Benefit-Sharing.

Q227. Not applicable to the EC.

Q229. Within the EC, the Directorate General for the Environment acts as a focal point for multilateral policy work on access and benefit-sharing.

Q230. Strategies and Action Plans in place but, as yet, limited legislative, administrative or policy measures.

The 1998 European Community Biodiversity Strategy addresses access and benefit-sharing and recommends that the Community should:

- (i) promote appropriate multilateral frameworks;
- (ii) promote guidelines for the bilateral co-operation on a voluntary basis, especially where only some countries have or need access to genetic resources in question;
- (iii) support countries of origin of genetic resources to develop national strategies on bio-prospecting and access, taking into account relevant multilateral frameworks and instruments.

The European Community Economic and Development Cooperation Biodiversity Action Plan lists actions related to 'Equitable Sharing of the Costs and Benefits from Biodiversity Use'. They aim to: support developing countries in defining biodiversity-related IPRs and formulating laws enabling equitable benefit-sharing; build the capacity of CBOs/ NGOs in negotiating benefits; support policy reviews and legal reforms to secure local ownership of and access to land and natural resources; and promote and support approaches to add value to biodiversity.

The EC Biodiversity Action Plan for Agriculture recognises that the main centres of agricultural biodiversity are in developing countries. It highlights compensation to local farmers who are the ultimate providers of this material, including access to enhanced material, and sharing of benefits arising from enhancement. Finally, it stresses the interlinkage with the benefit-sharing provisions of the Action Plan for Economic and Development Cooperation.

Q231. Recital 27, Directive 98/44/EC (6 July 1998) on the legal protection of biotechnological innovations encourages recognition of the geographical origin of biological material used in biotechnological inventions on patent applications.

Q232. The EC was actively involved in the development of the Bonn Guidelines on Access to Genetic Resources and Benefit-Sharing and in the negotiations concerning the International Treaty on Plant Genetic Resources for Agriculture.

Q233. In fact the limited development of legislation on access has been partly due to the desire to await the

finalisation of the International Treaty on Plant Genetic Resources for Food and Agriculture (IT). As the first legally binding instrument concerned with sustainable agriculture, the IT is considered as a landmark by the EU and is welcomed.

Q235. Some information provided through the international workshop on “Best practices for access to genetic resources” co-sponsored by the EC and Germany and held in Cordoba, Spain in 1998.

Q236. In response to Decision V/26, the EC and EU Member States submitted views on Intellectual Property Rights, access and benefits-sharing to the CBD Secretariat in a letter dated 2 February 2001.

Q237. Including support to the CGIAR (Consultative Group on International Agricultural Research).

Article 16 Access to and transfer of technology

| | | | | | |
|--|--|-------------|---|-------------|---|
| 238. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | | b) Medium | X | c) Low | |
| 239. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | | c) Limiting | X |
| d) Severely limiting | | | | | |
| Further comments on relative priority and on availability of resources | | | | | |
| Community competence on intellectual property rights is limited, hence the most relevant activities which can be reported on in this field relate to technology transfer and intellectual property rights in the context of cooperative research programmes co-funded by the European Community. | | | | | |

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| 240. Has your country taken measures to provide or facilitate access for and transfer to other Contracting Parties of technologies that are relevant to the conservation and sustainable use of biological diversity or make use of genetic resources and do not cause significant damage to the environment (16(1))? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| 241. Is your country aware of any initiatives under which relevant technology is transferred to your country on concessional or preferential terms (16(2))? | |
| a) no | X |
| b) yes (please give brief details below) | |
| 242. Has your country taken measures so that Contracting Parties which provide genetic resources are provided access to and transfer of technology which make use of those resources, on mutually agreed terms (16(3))? | |
| a) not relevant | |
| b) relevant, but no measures | |
| c) some measures in place | X |
| d) potential measures under review | |
| e) comprehensive measures in place | |
| If so, are these measures | |
| a) Legislation | X |
| b) Statutory policy or subsidiary legislation | |
| c) Policy and administrative arrangements | X |

| | |
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| 243. Has your country taken measures so that the private sector facilitates access to joint development and transfer of relevant technology for the benefit of government institutions and the private sector of developing countries (16(4))? | |
| a) no measures | X |
| b) some measures in place | |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| If so, are these measures | |
| a) Legislation? | |
| b) Statutory policy and subsidiary legislation? | |
| c) Policy and administrative arrangements? | |
| 244. Does your country have a national system for intellectual property right protection (16(5))? | |
| a) no | X (no EC system) |
| b) yes | |
| 245. If yes, does it cover biological resources (for example, plant species) in any way? | |
| a) no | |
| b) yes – limited extent | |
| c) yes – significant extent | |

Decision III/17. Intellectual property rights

| | |
|---|---|
| 246. Has your country conducted and provided to the secretariat case-studies of the impacts of intellectual property rights on the achievement of the Conventions objectives? | |
| a) no | |
| b) some | X |
| c) many | |

Further comments on implementation of this Article

Q240. Through scientific and technical cooperation programmes eg. technology transfer for the interpretation of satellite images of tropical forests.

Q242. a) Legislation. Recognition of the geographic origin of biotechnological innovations is addressed in Recital 27 of Directive 98/44 on the Legal Protection of Biotechnological Innovations which contributes to tracking compliance with prior informed consent and mutually agreed terms on which access to the resources was granted.

c) Policy and administrative arrangements. The EC Biodiversity Action for Agriculture highlights access to enhanced material as compensation to local farmers that are the ultimate providers of genetic material.

Voluntary institutional policies and codes of conduct of some European research institutions commit to joint research, including training, technical and scientific cooperation as well as information exchange.

Q243. No measures at the EU level in the context of biological diversity.

Q244. Strictly speaking the European Community does not have such a system (though a proposal has been made). All EU Member States are however Parties to the European Patent Convention (EPC) (not an EC institution). Hence EC legislation on intellectual property right protection can only be implemented through Member State legislation, which should in turn be compliant with the EPC.

Q245. Despite the previous answer, the Community has enacted some legislation on intellectual property rights related to biological diversity, notably Regulation 2100/94 on Community Plant Variety Rights, Directive 98/95/EC on Conservation Varieties and Directive 98/44 on the Legal Protection of Biotechnological Innovations.

Q246. A study on the relationship between the agreement on TRIPS and Biodiversity related issues was commissioned by the European Commission and is posted on the DG Trade website. An EC/Member States paper on the relationship between intellectual property rights and biodiversity was submitted to the CBD Secretariat on 5th February 2001. A Communication from the EC and Member States on the relationship between the CBD and TRIPS agreements was submitted to the World Intellectual Property Organization (WIPO) (document WTO IP/C/W/254 of 3 April 2001).

A series of meetings were held by the European Commission (DG Trade) during 2001 with EU civil society and private sector representatives on the TRIPS Agreements, where issues related to the relationship between the CBD and TRIPS were discussed.

Article 17 Exchange of information

| | | | | | |
|--|---|-------------|---|-------------|--|
| 247. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | X | b) Medium | | c) Low | |
| 248. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | X | c) Limiting | |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>Under Article 164 of the Amsterdam Treaty the European Community has an obligation to promote research cooperation both within and outside the EU, in addition to ensuring dissemination of the results of Community research. Information exchange is the basis for research cooperation and thus is part of virtually all EC-funded research programmes and projects.</p> | | | | | |

| | |
|--|---|
| 249. Has your country taken measures to facilitate the exchange of information from publicly available sources (17(1))? | |
| a) no measures | |
| b) restricted by lack of resources | |
| c) some measures in place | |
| d) potential measures under review | |
| e) comprehensive measures in place | X |
| <i>If a developed country Party -</i> | |
| 250. Do these measures take into account the special needs of developing countries (17(1))? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |
| 251. If so, do these measures include all the categories of information listed in Article 17(2), including technical, scientific and socio-economic research, training and surveying programmes, specialized knowledge, repatriation of information and so on? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |

Article 18 Technical and scientific cooperation

| | | | | | |
|---|--|-------------|---|-------------|----------------------|
| 252. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | | b) Medium | X | c) Low | |
| 253. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | X | c) Limiting | d) Severely limiting |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>In the context of the question international technical and scientific cooperation is understood as being cooperation with countries outside the EU rather than cooperation between EU Member States.</p> <p>The environment and/or natural resource management was a priority in the international component of the Community's Fifth Framework Programme for Research and will continue to be in the Sixth Programme (2002-2006).</p> | | | | | |

| | |
|--|---|
| 254. Has your country taken measures to promote international technical and scientific cooperation in the field of conservation and sustainable use of biological diversity (18(1))? | |
| a) no measures | |
| b) some measures in place | X |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| 255. Do the measures taken to promote cooperation with other Contracting Parties in the implementation of the Convention pay special attention to the development and strengthening of national capabilities by means of human resources development and institution building (18(2))? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |
| 256. Has your country encouraged and developed methods of cooperation for the development and use of technologies, including indigenous and traditional technologies, in pursuance of the objectives of this Convention (18(4))? | |
| a) no | |
| b) early stages of development | X |
| c) advanced stages of development | |
| d) methods in place | |

| | |
|---|---|
| 257. Does such cooperation include the training of personnel and exchange of experts (18(4))? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |

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|---|---|
| 258.Has your country promoted the establishment of joint research programmes and joint ventures for the development of technologies relevant to the objectives of the Convention (18(5))? | |
| a) no | |
| b) yes – limited extent | |
| c) yes – significant extent | X |

Decision II/3, Decision III/4 and Decision IV/2. Clearing House Mechanism

| | |
|--|---|
| 259.Is your country cooperating in the development and operation of the Clearing House Mechanism? | |
| a) no | |
| b) yes | X |
| 260.Is your country helping to develop national capabilities through exchanging and disseminating information on experiences and lessons learned in implementing the Convention? | |
| a) no | |
| b) yes - limited extent | |
| c) yes – significant extent | X |
| 261.Has your country designated a national focal point for the Clearing-House Mechanism? | |
| a) no | |
| b) yes | X |
| 262.Is your country providing resources for the development and implementation of the Clearing-House Mechanism? | |
| a) no | |
| b) yes, at the national level | |
| c) yes, at national and international levels | X |
| 263.Is your country facilitating and participating in workshops and other expert meetings to further the development of the CHM at international levels? | |
| a) no | |
| b) participation only | |
| c) supporting some meetings and participating | X |

| | |
|--|---|
| 264.Is your CHM operational | |
| a) no | |
| b) under development | |
| c) yes (please give details below) | X |
| 265.Is your CHM linked to the Internet | |
| a) no | |
| b) yes | X |

| | |
|--|---|
| 266. Has your country established a multi-sectoral and multi-disciplinary CHM steering committee or working group at the national level? | |
| a) no | |
| b) yes | X |

Decision V/14. Scientific and technical co-operation and the clearinghouse mechanisms (Article 18)

| | |
|--|---|
| 267. Has your country reviewed the priorities identified in Annex I to the decision, and sought to implement them? | |
| a) not reviewed | |
| b) reviewed but not implemented | |
| c) reviewed and implemented as appropriate | X |

Further comments on implementation of these Articles

Q249. Within the research community the EC's CORDIS website provides a vast amount of information on EC-funded research projects, including reports and pointers to sources of further information and funding opportunities through Calls for Proposals. The European Environment Information and Observation Network (EIONET) is a fast-developing gateway for environmental information from Community, Member State and NGO sources. Concerning legislation, including that relevant to the conservation and sustainable use of biodiversity, legislative proposals from the Commission and finally adopted Community legislation can be accessed by the public free of charge on the web.

Q256. Early stages of development of methods. Most research is undertaken through conventional scientific cooperation under the EC's Research Framework programme, but there are some examples of support to the development of indigenous and traditional technologies through EC-funded development cooperation projects e.g. pisciculture using native species in Amazonian Ecuador, Brazil; processing of non-timber forest products in Indonesia.

Q257. There are opportunities for on-the-job training and exchange of experts within the EC's Research programme which are available for researchers on biodiversity from non-EU countries.

Q258. All EC-funded research with non-EU countries is in the form of joint research programmes between two or more non-EU countries and two or more EU countries. See comments for Q177.

Q260. Mainly through activities within the EC LIFE programme and the European Environment Agency as well as through collaborative research programmes. Some opportunities for networking and exchange of best practices also in the LEADER+ rural development programme. The EC is assisting the development of such capabilities in the ASEAN region through support to the EC-ASEAN Regional Centre for Biodiversity Conservation.

Q261. DG Environment, European Commission. Development and maintenance of the CHM is performed for the Commission by the European Environment Agency.

Q262. At the European level.

Q264-265. European Clearing House Mechanism website at: <http://biodiversity-chm.eu.int>

Article 19 Handling of biotechnology and distribution of its benefits

| | | | | | |
|---|---|-------------|---|-------------|----------------------|
| 268. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | X | b) Medium | | c) Low | |
| 269. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | X | c) Limiting | d) Severely limiting |
| Further comments on relative priority and on availability of resources | | | | | |
| Very high public interest in the EU. | | | | | |

| | |
|---|---|
| 270. Has your country taken measures to provide for the effective participation in biotechnological research activities by those Contracting Parties which provide the genetic resources for such research (19(1))? | |
| a) no measures | X |
| b) some measures in place | |
| c) potential measures under review | |
| d) comprehensive measures in place | |
| If so, are these measures: | |
| a) Legislation | |
| b) Statutory policy and subsidiary legislation | |
| c) Policy and administrative measures | |
| 271. Has your country taken all practicable measures to promote and advance priority access on a fair and equitable basis by Contracting Parties to the results and benefits arising from biotechnologies based upon genetic resources provided by those Contracting Parties (19(2))? | |
| a) no measures | |
| b) some measures in place | |
| c) potential measures under review | X |
| d) comprehensive measures in place | |

Decision IV/3. Issues related to biosafety and Decision V/1. Work Plan of the Intergovernmental Committee for the Cartagena Protocol on Biosafety

| | |
|--|---|
| 272. Is your country a Contracting Party to the Cartagena Protocol on Biosafety? | |
| a) not a signatory | |
| b) signed, ratification in progress | X |
| c) instrument of ratification deposited | |

Further comments on implementation of this Article

Q271. The EC Biodiversity Action for Agriculture mentions the need for access to enhanced material as compensation to local farmers that are the ultimate providers of genetic material.

It is common practice in the INCO II research projects for the partners to sign up a Consortium Agreement that foresees equitable sharing of benefits derived from the project.

In February 2002 the European Commission adopted a proposal (COM(2002)85) for a Regulation on the Transboundary Movement of Genetically Modified Organisms aimed at completing the Community legislative framework in order to allow the Community to fully implement the Cartagena Protocol. This is currently under consideration by the Council and European Parliament.

Article 20 Financial resources

| | | | | | |
|---|--|-------------|---|-------------|----------------------|
| 273. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | | b) Medium | X | c) Low | |
| 274. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | X | c) Limiting | d) Severely limiting |
| Further comments on relative priority and on availability of resources | | | | | |
| <p>The European Community Development Policy (COM 2000/212) places poverty reduction as the over-arching objective and identifies six priority areas for development cooperation. The environment (and by implication biodiversity) is one of four cross-cutting issues to be integrated into all actions. It is thus becoming increasingly important to link biodiversity conservation and sustainable use activities to poverty reduction programmes if such activities are to be financed from EC development cooperation funds.</p> <p>Ear-marked funds for the environment are relatively limited, but the overall level of resources for development cooperation funds is good.</p> | | | | | |

| | |
|---|---|
| 275. Has your country provided financial support and incentives in respect of those national activities which are intended to achieve the objectives of the Convention (20(1))? | |
| a) no | |
| b) yes – incentives only | |
| c) yes – financial support only | |
| d) yes – financial support and incentives | X |
| <i>If a developed country Party -</i> | |
| 276. Has your country provided new and additional financial resources to enable developing country Parties to meet the agreed incremental costs to them of implementing measures which fulfil the obligations of the Convention, as agreed between you and the interim financial mechanism (20(2))? | |
| a) no | X |
| b) yes | |

| | |
|---|---|
| <i>If a developing country Party or Party with economy in transition –</i> | |
| 277.Has your country received new and additional financial resources to enable you to meet the agreed full incremental costs of implementing measures which fulfil the obligations of the Convention (20(2))? | |
| a) no | |
| b) yes | |
| <i>If a developed country Party -</i> | |
| 278.Has your country provided financial resources related to implementation of the Convention through bilateral, regional and other multilateral channels (20(3))? | |
| <i>If a developing country Party or Party with economy in transition -</i> | |
| 279.Has your country used financial resources related to implementation of the Convention from bilateral, regional and other multilateral channels (20(3))? | |
| a) no | |
| b) yes | X |

Decision III/6. Additional financial resources

| | |
|--|---|
| 280.Is your country working to ensure that all funding institutions (including bilateral assistance agencies) are striving to make their activities more supportive of the Convention? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |
| 281.Is your country cooperating in any efforts to develop standardized information on financial support for the objectives of the Convention? | |
| a) no | |
| b) yes (please attach information) | X |

Decision V/11. Additional financial resources

| | |
|--|---|
| 282.Has your country established a process to monitor financial support to biodiversity? | |
| a) no | X |
| b) procedures being established | |
| c) yes (please provide details) | |
| 283.Are details available of your country's financial support to national biodiversity activities? | |
| a) no | |
| b) not in a standardized format | X |
| c) yes (please provide details) | |

| | |
|--|---|
| 284. Are details available of your country's financial support to biodiversity activities in other countries? | |
| a) not applicable | |
| b) no | |
| c) not in a standardized format | X |
| d) yes (please provide details) | |
| <i>Developed country Parties -</i> | |
| 285. Does your country promote support for the implementation of the objectives of the Convention in the funding policy of its bilateral funding institutions and those of regional and multilateral funding institutions? | |
| a) no | |
| b) yes | X |
| <i>Developing country Parties -</i> | |
| 286. Does your country discuss ways and means to support implementation of the objectives of the Convention in its dialogue with funding institutions? | |
| a) no | |
| b) yes | |
| 287. Has your country compiled information on the additional financial support provided by the private sector? | |
| a) no | X |
| b) yes (please provide details) | |
| 288. Has your country considered tax exemptions in national taxation systems for biodiversity-related donations? | |
| a) no | X |
| b) not appropriate to national conditions | |
| c) exemptions under development | |
| d) exemptions in place | |

Further comments on implementation of this Article

Q276. Contributions to the interim financial mechanism are met at the EU level by contributions from EU Member States rather than from the Community budget.

Q280. Given the large number of regional and multilateral environmental conventions, plus other "cross-cutting issues" to be taken into account by officials in planning of activities, the most effective approach would appear to be to synthesise CBD obligations with those of other environmental conventions.

Q281. Through participation in the aid reporting work of the OECD-Development Assistance Committee.

Q285. "Funding institutions" are interpreted as banks or similar entities with significant loan portfolios, and not Community Funds for specific functions or the European Central Bank. The European Investment Bank is the chief funding institution of the EC under this definition. It has increased its investment in environmental infrastructure such as water and waste treatment, with indirect benefits for biodiversity and aims to have between a quarter and a third of its' portfolio in this sector. However other investments such as in transport infrastructure may have negative impacts on biodiversity.

Article 21 Financial mechanism

| | | | | | |
|---|--|-------------|--|----------------------|---|
| 289. What is the relative priority afforded to implementation of this Article and the associated decisions by your country? | | | | | |
| a) High | | b) Medium | | c) Low | X |
| 290. To what extent are the resources available adequate for meeting the obligations and recommendations made? | | | | | |
| a) Good | | b) Adequate | | c) Limiting | |
| | | | | d) Severely limiting | X |
| Further comments on relative priority and on availability of resources | | | | | |
| The European Community does not make financial contributions to the Financial Mechanism, as these are provided by EU member states. | | | | | |

| | |
|---|---|
| 291. Has your country worked to strengthen existing financial institutions to provide financial resources for the conservation and sustainable use of biological diversity? | |
| a) no | |
| b) yes | X |

Decision III/7. Guidelines for the review of the effectiveness of the financial mechanism

| | |
|--|---|
| 292. Has your country provided information on experiences gained through activities funded by the financial mechanism? | |
| a) no activities | X |
| b) no, although there are activities | |
| c) yes, within the previous national report | |
| d) yes, through case-studies | |
| e) yes, through other means (please give details below) | |

Further comments on implementation of this Article

| |
|--|
| <p>Q291. Increased emphasis within the European Investment Bank on investment in the environment, mainly in capital intensive areas indirectly affecting biodiversity such as water treatment, waste management, reduction of pollution.</p> <p>Increased collaboration with the financial mechanism (GEF) is mentioned in the EC's Development and Economic Cooperation Biodiversity Action Plan. The EC has provided funding for a EUR 15 million small grants programme for sustainable forest management in South-East Asia through an agreement with the UNDP/GEF Small Grants Programme.</p> |
|--|

Article 23 Conference of the Parties

| | |
|---|---|
| 293. How many people from your country participated in each of the meetings of the Conference of the Parties? | |
| a) COP 1 (Nassau) | 2 |
| b) COP 2 (Jakarta) | 2 |
| c) COP 3 (Buenos Aires) | 2 |
| d) COP 4 (Bratislava) | 4 |
| e) COP 5 (Nairobi) | 4 |

Decision I/6, Decision II/10, Decision III/24 and Decision IV/17. Finance and budget

| | |
|--|---|
| 294. Has your country paid all of its contributions to the Trust Fund? | |
| a) no | |
| b) yes | X |

Decision IV/16 (part) Preparation for meetings of the Conference of the Parties

| | |
|--|---|
| 295. Has your country participated in regional meetings focused on discussing implementation of the Convention before any meetings of the Conference of the Parties? | |
| a) no | |
| b) yes (please specify which) | X |
| If a developed country Party – | |
| 296. Has your country funded regional and sub-regional meetings to prepare for the COP, and facilitated the participation of developing countries in such meetings? | |
| a) no | |
| b) yes (please provide details below) | X |

Decision V/22. Budget for the programme of work for the biennium 2001-2002

| | |
|---|---|
| 297. Did your country pay its contribution to the core budget (BY Trust Fund) for 2001 by 1 st January 2001? | |
| a) yes in advance | |
| b) yes on time | |
| c) no but subsequently paid | X |
| d) not yet paid | |
| 298. Has your country made additional voluntary contributions to the trust funds of the Convention? | |
| a) yes in the 1999-2000 biennium | X |
| b) yes for the 2001-2002 biennium | |
| c) expect to do so for the 2001-2002 biennium | |
| d) no | |

Further comments on implementation of this Article

Q295. EU Coordination meetings are held prior to each COP which inter-alia discuss implementation of the Convention. The EC participates in these meetings together with EU Member States. In addition the EC has participated in the Riga and Budapest Conferences for the CEEC and Western Europe regions prior to COPs 5 and 6.

Q296. After COP IV asked for such meetings to be organised, the EC co-organised and financed a major share of expenses for the Riga Conference which brought together the CEEC and Western Europe sub-regions in 2000 in preparation for CoP5. Similarly the EC co-organised and co-funded the Budapest Conference in 2002 prior to COP 6.

Q297. Not possible to pay annual dues on 1st January under EC budget rules, as the EC financial year begins on the very same day.

Q298. Notably to help fund developing country participation in the meetings.

Article 24 Secretariat

299. Has your country provided direct support to the Secretariat in terms of seconded staff, financial contribution for Secretariat activities, etc?

a) no

X

b) yes

Further comments on implementation of this Article

Article 25 Subsidiary body on scientific, technical and technological advice

| 300. How many people from your country participated in each of the meetings of SBSTTA? | |
|--|---|
| a) SBSTTA I (Paris) | 1 |
| b) SBSTTA II (Montreal) | 1 |
| c) SBSTTA III (Montreal) | 1 |
| d) SBSTTA IV (Montreal) | 1 |
| e) SBSTTA V (Montreal) | 1 |

Further comments on implementation of this Article

Article 26 Reports

| | |
|--|---|
| 301. What is the status of your first national report? | |
| a) Not submitted | |
| b) Summary report submitted | |
| c) Interim/draft report submitted | |
| d) Final report submitted | X |
| If b), c) or d), was your report submitted: | |
| by the original deadline of 1.1.98 (Decision III/9)? | |
| by the extended deadline of 31.12.98 (Decision IV/14)? | X |
| Later (please specify date) | |

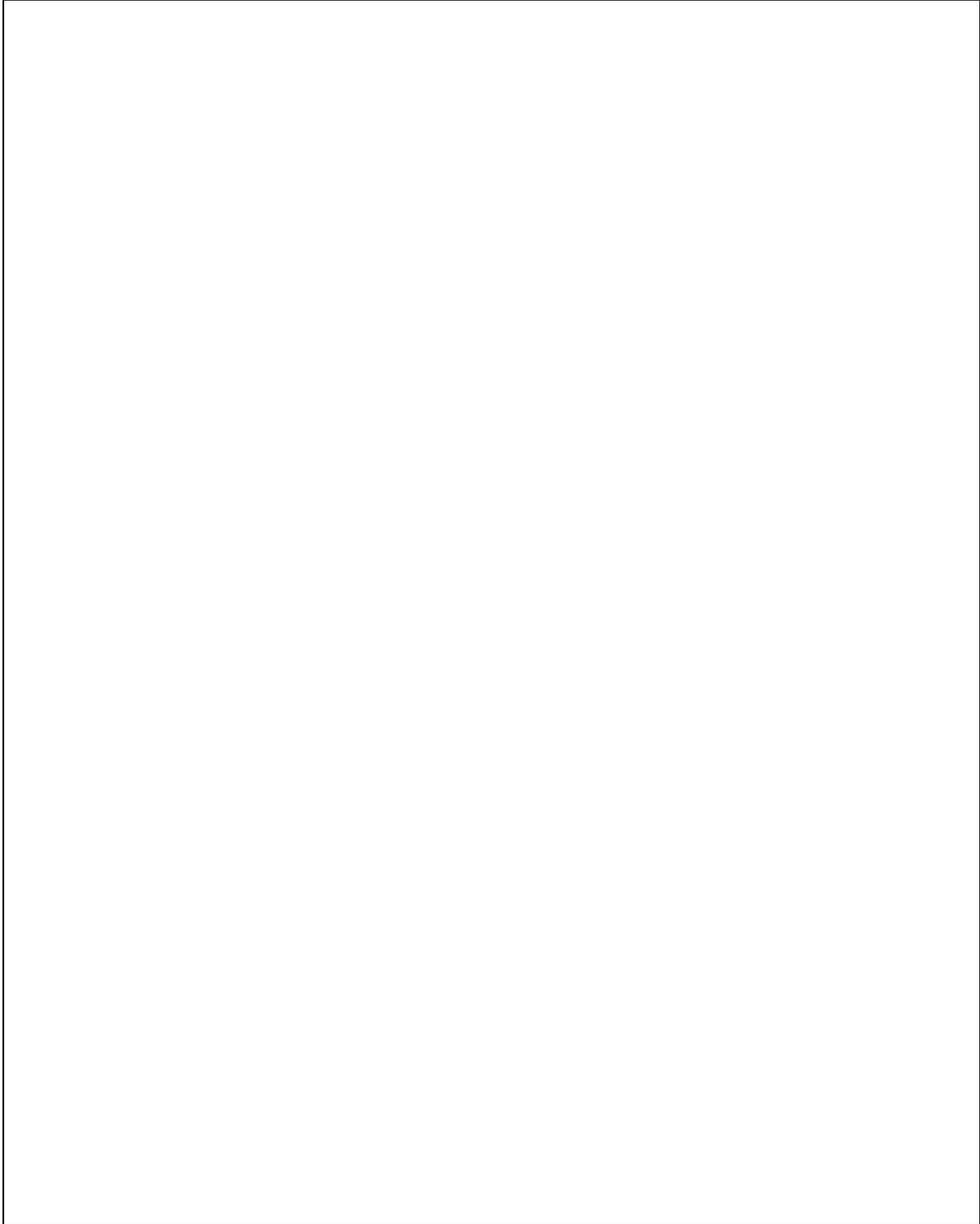
Decision IV/14 National reports

| | |
|---|---|
| 302. Did all relevant stakeholders participate in the preparation of this national report, or in the compilation of information used in the report? | |
| a) no | |
| b) yes | X |
| 303. Has your country taken steps to ensure that its first and/or second national report(s) is/are available for use by relevant stakeholders? | |
| a) no | |
| b) yes | X |
| If yes, was this by: | |
| a) informal distribution? | |
| b) publishing the report? | |
| c) making the report available on request? | |
| d) posting the report on the Internet? | X |

Decision V/19. National reporting

| | |
|---|---|
| 304. Has your country prepared voluntary detailed thematic reports on one or more of the items for in-depth consideration at an ordinary meeting of the parties, following the guidelines provided? | |
| a) no | |
| b) yes – forest ecosystems | X |
| c) yes – alien species | X |
| d) yes – benefit sharing | X |

Further comments on implementation of this Article



Decision V/6. Ecosystem approach

| | |
|---|---|
| 305. Is your country applying the ecosystem approach, taking into account the principles and guidance contained in the annex to decision V/6? | |
| a) no | |
| b) under consideration | |
| c) some aspects are being applied | X |
| d) substantially implemented | |
| 306. Is your country developing practical expressions of the ecosystem approach for national policies and legislation and for implementation activities, with adaptation to local, national, and regional conditions, in particular in the context of activities developed within the thematic areas of the Convention? | |
| a) no | |
| b) under consideration | |
| c) some aspects are being applied | X |
| d) substantially implemented | |
| 307. Is your country identifying case studies and implementing pilot projects that demonstrate the ecosystem approach, and using workshops and other mechanisms to enhance awareness and share experience? | |
| a) no | |
| b) case-studies identified | |
| c) pilot projects underway | X |
| d) workshops planned/held | X |
| e) information available through CHM | X |
| 308. Is your country strengthening capacities for implementation of the ecosystem approach, and providing technical and financial support for capacity-building to implement the ecosystem approach? | |
| a) no | |
| b) yes within the country | X |
| c) yes including support to other Parties | X |
| 309. Has your country promoted regional co-operation in applying the ecosystem approach across national borders? | |
| a) no | |
| b) informal co-operation | |
| c) formal co-operation (please give details) | X |

Inland water ecosystems

Decision IV/4. Status and trends of the biological diversity of inland water ecosystems and options for conservation and sustainable use

| | |
|--|---|
| 310. Has your country included information on biological diversity in wetlands when providing information and reports to the CSD, and considered including inland water biological diversity issues at meetings to further the recommendations of the CSD? | |
| a) no | |
| b) yes | X |
| 311. Has your country included inland water biological diversity considerations in its work with organizations, institutions and conventions affecting or working with inland water? | |
| a) no | |
| b) yes | X |
| <i>If a developing country Party or Party with economy in transition –</i> | |
| 312. When requesting support for projects relating to inland water ecosystems from the GEF, has your country given priority to identifying important areas for conservation, preparing and implementing integrated watershed, catchment and river basin management plans, and investigating processes contributing to biodiversity loss? | |
| a) no | |
| b) yes | |
| 313. Has your country reviewed the programme of work specified in annex 1 to the decision, and identified priorities for national action in implementing the programme? | |
| a) no | |
| b) under review | X |
| c) yes | |

Decision V/2. Progress report on the implementation of the programme of work on the biological diversity of inland water ecosystems (implementation of decision IV/4)

| | |
|--|---|
| 314. Is your country supporting and/or participating in the River Basin Initiative? | |
| a) no | |
| b) yes | X |
| 315. Is your country gathering information on the status of inland water biological diversity? | |
| a) no | |
| b) assessments ongoing | X |
| c) assessments completed | |
| 316. Is this information available to other Parties? | |
| a) no | |
| b) yes – national report | |
| c) yes – through the CHM | |
| d) yes – other means (please give details below) | |

| | |
|---|---|
| 317. Has your country developed national and/or sectoral plans for the conservation and sustainable use of inland water ecosystems? | |
| a) no | |
| b) yes – national plans only | |
| c) yes – national plans and major sectors | X |
| d) yes – national plans and all sectors | |
| 318. Has your country implemented capacity-building measures for developing and implementing these plans? | |
| a) no | |
| b) yes | X |

Decision III/21. Relationship of the Convention with the CSD and biodiversity-related conventions

| | |
|--|---|
| 319. Is the conservation and sustainable use of wetlands, and of migratory species and their habitats, fully incorporated into your national strategies, plans and programmes for conserving biological diversity? | |
| a) no | |
| b) yes | X |

Further comments on implementation of these decisions and the associated programme of work

Q305. The ecosystem approach is the basis for the Natura 2000 Network, which is the backbone of the EC's nature conservation policy. Natura 2000 aims to ensure the conservation of representative areas of all the main European ecosystems. It is also applying the ecosystem approach to water management through the Water Framework Directive and to coastal zone management through the Integrated Coastal Zone Strategy.

Q309. The basis of the Natura 2000 network of protected areas which is being established is the conservation of all the main ecosystems within the EU, regardless of national borders. Regional cooperation across borders is encouraged in the Regulation governing the Life-Nature budget line (see Q307) and in many other relevant EC financial instruments.

Both the international scientific cooperation programme (INCO II) and development cooperation have invested in the knowledge base and capacity building necessary to promote more generalised adoption and implementation of ecosystem-based approaches to the sustainable use of natural renewable resource systems. Examples in point concern a public information system on all fishes of the world and associated research into ecosystem modelling in support of scenario and management development, which focused specifically on the needs of developing and emerging economies and was based on intensive regional cooperation with and among partner country institutions in- and outside the EU.

Q310. EC Communication 1995: Wise use and conservation of Wetlands

Q313. Potential for synergies with actions to implement the 2000 EC Water Framework Directive.

Q314. Many of the elements proposed in the EC Water Framework Directive are coherent with the River Basin Initiative concept.

Q315. Existing assessments by Member States will be intensified as a result of the implementation of the 2000 Water Framework Directive. The EEA collects information from Member States to provide an EU overview. Through scientific cooperation with developing and emerging economies, research work is ongoing on documenting e.g. Eurasian inland water fish fauna and sharing of results in the public domain.

Q316. Information provision at Member State level in accordance with national legislation and guidelines,

compiled information is available from the European Environment Agency. The Water Framework Directive has provisions for public information and consultation (Article 14). Scientifically validated information e.g. on Eurasian inland water fish fauna will be made available through scientific publications and the global public FishBase website.

Q317. In accordance with the ecosystem approach, the EC does not have a single EU-wide plan for the conservation and sustainable use of inland water ecosystems but instead supports plans elaborated for major river basins, such as the Rhine or Danube-Black Sea.

The Framework Directive 2000/60 Establishing a Framework for Community Action in the Field of Community Water Policy is the sectoral plan of most immediate relevance. It will be transposed into national law of Member States by the end of 2003.

Q318. Limited activities at EU level.

Q319. The EC Biodiversity Action Plan for Nature Conservation fully integrates wetlands. The EU's Natura 2000 network is based on representative habitats and areas of importance for birds, many of which are migratory. Wetlands are well represented in the network. Other strategies giving specific consideration to wetlands are the EC's Integrated Coastal Zone Management strategy and the Short and Medium Term Environmental Action Plan under the Euro-Mediterranean Partnership. Finally the Water Framework Directive 2000/60 provides many opportunities to integrate wetlands in a holistic way into River Basin Management Plans.

Marine and coastal biological diversity

Decision II/10 and Decision IV/5. Conservation and sustainable use of marine and coastal biological diversity

| | |
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| 320. Does your national strategy and action plan promote the conservation and sustainable use of marine and coastal biological diversity? | |
| a) no | |
| b) yes – limited extent | |
| c) yes – significant extent | X |
| 321. Has your country established and/or strengthened institutional, administrative and legislative arrangements for the development of integrated management of marine and coastal ecosystems? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) arrangements in place | X |
| 322. Has your country provided the Executive Secretary with advice and information on future options concerning the conservation and sustainable use of marine and coastal biological diversity? | |
| a) no | X |
| b) yes | |
| 323. Has your country undertaken and/or exchanged information on demonstration projects as practical examples of integrated marine and coastal area management? | |
| a) no | |
| b) yes – previous national report | |
| c) yes - case-studies | |
| d) yes - other means (please give details below) | X |
| 324. Has your country programmes in place to enhance and improve knowledge on the genetic structure of local populations of marine species subjected to stock enhancement and/or sea-ranching activities? | |
| a) no | |
| b) programmes are being developed | |
| c) programmes are being implemented for some species | X |
| d) programmes are being implemented for many species | |
| e) not a perceived problem | |
| 325. Has your country reviewed the programme of work specified in an annex to the decision, and identified priorities for national action in implementing the programme? | |
| a) no | |
| b) under review | |
| c) yes | X |

Decision V/3. Progress report on the implementation of the programme of work on marine and coastal biological diversity (implementation of decision IV/5)

| | |
|--|---|
| 326. Is your country contributing to the implementation of the work plan on coral bleaching? | |
| a) no | |
| b) yes | X |
| c) not relevant | |
| 327. Is your country implementing other measures in response to coral bleaching? | |
| a) no | |
| b) yes (please provide details below) | X |
| c) not relevant | |
| 328. Has your country submitted case-studies on the coral bleaching phenomenon to the Executive Secretary? | |
| a) no | X |
| b) yes | |
| c) not relevant | |

Further comments on implementation of these decisions and the associated programme of work

Q320. A specific EC Biodiversity Action Plan has been adopted for the Fisheries sector. The conservation and sustainable use of marine and coastal biological diversity forms an integral part of the EU's Integrated Coastal Zone Management Strategy.

Q321. Arrangements based on the Common Fisheries Policy and, shortly, the EU Integrated Coastal Zone Strategy. Outside the EU, several international scientific cooperation projects (INCO II) addressed knowledge gaps and methodological problems associated with integrated coastal zone management. Some of these are now being followed up by investment at a larger scale to make use of the research results.

Q323. The European Commission initiated a large scale demonstration programme on Integrated Coastal Zone Management in 1995. Towards the end of the programme the main lessons learned were documented. This report and a number of studies undertaken were discussed in Members States and at the EU level. The main reports and a summary of the discussions is available at the DG Environment website. This formed the background to the development of the EU Integrated Coastal Zone Management Strategy. In addition the EC's LIFE programmes have funded demonstration coastal zone management projects involving the conservation and sustainable use of marine biodiversity.

Q325. Programme of work used in particular for prioritising research. An EC strategy for the conservation and protection of the marine environment is being developed which will take into account CBD provisions.

Q326. 1. Through interpretation of satellite meteorological data by the Joint Research Centre so as to map sea temperature changes and trends. 2. Financial support to the Indian Ocean Commission's Integrated Coastal Zone Management programme, which included the development of a Coral Reef Regional Action Plan and harmonised reef assessment methods.

Q327. Only indirectly through support for the implementation of the Kyoto Protocol.

The EC Biodiversity Action Plan for Fisheries provides a concise review of the current situation as regards marine biodiversity and practical action points, which will be taken into account in the current (2002) overall review of the Common Fisheries Policy. The policy tools at the disposal of the Community are considered to be adequate - the main needs are better scientific information on a broader range of fish species and public awareness/ political will to take long term decisions so as to achieve sustainable use.

Outside the EU a limited number of EC-funded development projects have supported marine biodiversity, eg. the International Centre for Living Aquatic Resources (ICLARM) executed an EC-funded project entitled “Fisheries and Biodiversity Management in ACP Countries”. Most of the Fisheries Agreements concluded between the EC and third countries include components to support research into fisheries stocks and ecosystem dynamics.

The EC’s Research Programme supports research into marine biodiversity both within the EU economic zone and in waters of non-EU countries. These can be consulted on the CORDIS website (www.cordis.lu). Examples include research into deepwater corals on the European continental shelf. Policy issues pertaining to sustainable use of tropical coral ecosystems, incl. aspects of coral bleaching, have also addressed through an INCO II sponsored international gathering the results of which have been published.

Agricultural biological diversity

Decision III/11 and Decision IV/6. Conservation and sustainable use of agricultural biological diversity

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| 329. Has your country identified and assessed relevant ongoing activities and existing instruments at the national level? | |
| a) no | |
| b) early stages of review and assessment | |
| c) advanced stages of review and assessment | X |
| d) assessment completed | |
| 330. Has your country identified issues and priorities that need to be addressed at the national level? | |
| a) no | |
| b) in progress | |
| c) yes | X |
| 331. Is your country using any methods and indicators to monitor the impacts of agricultural development projects, including the intensification and extensification of production systems, on biological diversity? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | X |
| d) mechanisms in place | |
| 332. Is your country taking steps to share experiences addressing the conservation and sustainable use of agricultural biological diversity? | |
| a) no | |
| b) yes – case-studies | |
| c) yes – other mechanisms (please specify) | X |
| 333. Has your country conducted case-studies on the issues identified by SBSTTA: i) pollinators, ii) soil biota, and iii) integrated landscape management and farming systems? | |
| a) no | |
| b) yes – pollinators | |
| c) yes – soil biota | |
| d) yes – integrated landscape management and farming systems | X |
| 334. Is your country establishing or enhancing mechanisms for increasing public awareness and understanding of the importance of the sustainable use of agrobiodiversity components? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) mechanisms in place | X |

| | |
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| 335.Does your country have national strategies, programmes and plans which ensure the development and successful implementation of policies and actions that lead to sustainable use of agrobiodiversity components? | |
| a) no | |
| b) early stages of development | |
| c) advanced stages of development | |
| d) mechanisms in place | X |
| 336.Is your country promoting the transformation of unsustainable agricultural practices into sustainable production practices adapted to local biotic and abiotic conditions? | |
| a) no | |
| b) yes – limited extent | |
| c) yes – significant extent | X |
| 337.Is your country promoting the use of farming practices that not only increase productivity, but also arrest degradation as well as reclaim, rehabilitate, restore and enhance biological diversity? | |
| a) no | |
| b) yes – limited extent | |
| c) yes – significant extent | X |
| 338.Is your country promoting mobilization of farming communities for the development, maintenance and use of their knowledge and practices in the conservation and sustainable use of biological diversity? | |
| a) no | |
| b) yes - limited extent | X |
| c) yes - significant extent | |
| 339.Is your country helping to implement the Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources? | |
| a) no | |
| b) yes | X |
| 340.Is your country collaborating with other Contracting Parties to identify and promote sustainable agricultural practices and integrated landscape management? | |
| a) no | |
| b) yes | X |

Decision V/5. Agricultural biological diversity: review of phase I of the programme of work and adoption of a multi-year work programme

| | |
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| 341. Has your country reviewed the programme of work annexed to the decision and identified how you can collaborate in its implementation? | |
| a) no | |
| b) yes | X |
| 342. Is your country promoting regional and thematic co-operation within this framework of the programme of work on agricultural biological diversity? | |
| a) no | |
| b) some co-operation | X |
| c) widespread co-operation | |
| d) full co-operation in all areas | |
| 343. Has your country provided financial support for implementation of the programme of work on agricultural biological diversity? | |
| a) no | |
| b) limited additional funds | |
| c) significant additional funds | X |
| If a developed country Party – | |
| 344. Has your country provided financial support for implementation of the programme of work on agricultural biological diversity, in particular for capacity building and case-studies, in developing countries and countries with economies in transition? | |
| a) no | |
| b) yes within existing cooperation programme(s) | X |
| b) yes, including limited additional funds | |
| c) yes, with significant additional funds | |
| 345. Has your country supported actions to raise public awareness in support of sustainable farming and food production systems that maintain agricultural biological diversity? | |
| a) no | |
| b) yes, to a limited extent | X |
| c) yes, to a significant extent | |
| 346. Is your country co-ordinating its position in both the Convention on Biological Diversity and the International Undertaking on Plant Genetic Resources? | |
| a) no | |
| b) taking steps to do so | |
| c) yes | X |

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| 347. Is your country a Contracting Party to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade? | |
| a) not a signatory | |
| b) signed – ratification in process | X |
| c) instrument of ratification deposited | |
| 348. Is your country supporting the application of the Executive Secretary for observer status in the Committee on Agriculture of the World Trade Organisation? | |
| a) no | |
| b) yes | X |
| 349. Is your country collaborating with other Parties on the conservation and sustainable use of pollinators? | |
| a) no | X |
| b) yes | |
| 350. Is your country compiling case-studies and implementing pilot projects relevant to the conservation and sustainable use of pollinators? | |
| a) no | X |
| b) yes (please provide details) | |
| 351. Has information on scientific assessments relevant to genetic use restriction technologies been supplied to other Contracting Parties through media such as the Clearing-House Mechanism? | |
| a) not applicable | |
| b) no | X |
| c) yes - national report | |
| d) yes – through the CHM | |
| e) yes – other means (please give details below) | |
| 352. Has your country considered how to address generic concerns regarding such technologies as genetic use restriction technologies under international and national approaches to the safe and sustainable use of germplasm? | |
| a) no | X |
| b) yes – under consideration | |
| c) yes – measures under development | |
| 353. Has your country carried out scientific assessments on <u>inter alia</u> ecological, social and economic effects of genetic use restriction technologies? | |
| a) no | |
| b) some assessments | X |
| c) major programme of assessments | |

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| 354. Has your country disseminated the results of scientific assessments on <u>inter alia</u> ecological, social and economic effects of genetic use restriction technologies? | |
| a) no | |
| b) yes – through the CHM | |
| c) yes – other means (please give details below) | X |
| 355. Has your country identified the ways and means to address the potential impacts of genetic use restriction technologies on the <u>in situ</u> and <u>ex situ</u> conservation and sustainable use, including food security, of agricultural biological diversity? | |
| a) no | X |
| b) some measures identified | |
| c) potential measures under review | |
| d) comprehensive review completed | |
| 356. Has your country assessed whether there is a need for effective regulations at the national level with respect to genetic use restriction technologies to ensure the safety of human health, the environment, food security and the conservation and sustainable use of biological diversity? | |
| a) no | |
| b) yes – regulation needed | X |
| c) yes – regulation not needed (please give more details) | |
| 357. Has your country developed and applied such regulations taking into account, <u>inter alia</u> , the specific nature of variety-specific and trait-specific genetic use restriction technologies? | |
| a) no | |
| b) yes – developed but not yet applied | |
| c) yes – developed and applied | X |
| 358. Has information about these regulations been made available to other Contracting Parties? | |
| a) no | |
| b) yes – through the CHM | |
| c) yes – other means (please give details below) | X |

Further comments on implementation of these decisions and the associated programme of work

Q329. An informal assessment was implicit in the formulation of the EC Biodiversity Action Plan for Agriculture. Agricultural biological diversity will be one of the elements considered in a mid-term review of the Common Agricultural Policy, which will start in the second half of 2002.

Q330. See 2001 EC Biodiversity Action Plan for Agriculture.

Q331. A recent review was presented in a Communication from the Commission: Indicators for the Integration of Environmental Concerns into the CAP (COM(2000)20). This was followed up by a new Communication from the Commission, COM(2001)144 - entitled: 'Statistical Information needed for Indicators to monitor the Integration of Environmental concerns into the Common Agricultural Policy'. The Communication outlines a large programme of indicator work, which has to be carried out in the future. Substantial funding for this project, named IRENA, has recently been granted.

Q332. At the EU level the EC funds studies, policy and methodological research and workshops to review and share experiences. The INCO II research programme has a high input in implementing -through bilateral, regional and global co-operation activities within the framework of the program of work on agricultural biological diversity.

Q334. Linked to the concept of quality in agriculture and supported by various labelling and marketing schemes.

Q335. References are made to the development of more sustainable and environmentally friendly agriculture in the Community's 6th Environmental Action Plan and 6th Research Framework Programme (both expected to be finalised by mid 2002) and in the 2001 Commission Communication on a European Union Strategy for Sustainable Development.

Some national agri-environment schemes makes funding for protection of rare species available. Furthermore, EU LIFE funds also contribute (see <http://europa.eu.int/comm/life/home.htm>).

More specific plans are to be found in the EC Biodiversity Action Plan for Agriculture.

A proposal for a Regulation on the conservation, characterisation, collection and utilisation of genetic resources in agriculture (replacing Regulation 1467/94) is currently being considered by the Council and European Parliament.

Q336. Mainly through agri-environment measures under Regulation 1257/99. At least one in seven EU farmers had an agri-environmental contract by 1998, representing over 20% of EU farmland.

Q338. The agri-environment measures described in Q336 are implemented by Member State administrations and the EC does not have direct control over the degree to which they mobilize farming communities collectively. However, various Member States have included environmental training into agri-environment schemes', In addition to the aforementioned measures, the EC's LEADER+ rural development programme is specifically oriented at mobilising rural communities in programmes of sustainable rural development, including the conservation and use of biological diversity.

Q339. Mainly through support to relevant research programmes, both within and outside the EU, through development cooperation programmes including support to the CGIAR system and through activities within the EU funded through Regulation 1467/94 on the conservation, characterisation, collection and utilisation of genetic resources in agriculture.

Q340. The EC contributes to work on this topic in the OECD and FAO. Several Action Points in the EC's Biodiversity Action Plan for Development and Economic Cooperation refer to an integrated approach to rural development, including domesticated and wild biodiversity. Numerous EU-funded development projects support developing countries in developing approaches to sustainable agriculture.

Q343. In fact rather than being additional, resources were obtained by reducing agricultural price support payments as part of the Agenda 2000 reform, shifting these resources into rural development funding.

Q345. For instance through regulations on labelling to identify regional food products with specific characteristics including characteristics based on local plant or livestock varieties.

Q350. However some relevant work is being carried out through research examining the role of pollinators

in the movement of pollen from crops, in the context of research into potential environmental impacts of genetically modified crops.

Q353-354. A new EU synthesis report carried out by JRC in the field of GMOs has recently been issued entitled: 'Scenarios for co-existence of genetically modified, conventional and organic crops in European agriculture'. The report can be downloaded from the web site:
http://www.jrc.cec.eu.int/download/GMCrops_coexistence.pdf

Q357. Only indirectly addressed through Directive 98/44 on the Legal Protection of Biotechnological Innovations, which includes a derogation which permits farmers to harvest and re-sow or reproduce patented genetic material (seed and animals) for use only on the farmers own land.

Q358. Formally communicated to CBD and WIPO.

The 2001 EC Biodiversity Action Plan for Agriculture provides a concise but comprehensive review of EC measures being undertaken on agricultural biodiversity.

Forest biological diversity

Decision II/9 and Decision IV/7. Forest biological diversity

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| 359. Has your country included expertise on forest biodiversity in its delegations to the Intergovernmental Panel on Forests? | |
| a) no | |
| b) yes | X |
| c) not relevant | |
| 360. Has your country reviewed the programme of work annexed to the decision and identified how you can collaborate in its implementation? | |
| a) no | |
| b) under review | X |
| c) yes | |
| 361. Has your country integrated forest biological diversity considerations in its participation and collaboration with organizations, institutions and conventions affecting or working with forest biological diversity? | |
| a) no | |
| b) yes – limited extent | |
| c) yes – significant extent | X |
| 362. Does your country give high priority to allocation of resources to activities that advance the objectives of the Convention in respect of forest biological diversity? | |
| a) no | |
| b) yes | |
| <i>For developing country Parties and Parties with economies in transition -</i> | |
| 363. When requesting assistance through the GEF, Is your country proposing projects which promote the implementation of the programme of work? | |
| a) no | |
| b) yes | |

Decision V/4. Progress report on the implementation of the programme of work for forest biological diversity

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| 364. Do the actions that your country is taking to address the conservation and sustainable use of forest biological diversity conform with the ecosystem approach? | |
| a) no | |
| b) yes | X |
| 365. Do the actions that your country is taking to address the conservation and sustainable use of forest biological diversity take into consideration the outcome of the fourth session of the Intergovernmental Forum on Forests? | |
| a) no | |
| b) yes | X |

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| 366. Will your country contribute to the future work of the UN Forum on Forests? | |
| a) no | |
| b) yes | X |
| 367. Has your country provided relevant information on the implementation of this work programme? | |
| a) no | |
| b) yes – submission of case-studies | |
| c) yes – thematic national report submitted | X |
| d) yes – other means (please give details below) | |
| 368. Has your country integrated national forest programmes into its national biodiversity strategies and action plans applying the ecosystem approach and sustainable forest management? | |
| a) no | |
| b) yes – limited extent | X |
| c) yes – significant extent | |
| 369. Has your country undertaken measures to ensure participation by the forest sector, private sector, indigenous and local communities and non-governmental organisations in the implementation of the programme of work? | |
| a) no | |
| b) yes – some stakeholders | X |
| c) yes – all stakeholders | |
| 370. Has your country taken measures to strengthen national capacities including local capacities, to enhance the effectiveness and functions of forest protected area networks, as well as national and local capacities for implementation of sustainable forest management, including restoration? | |
| a) no | |
| b) some programmes covering some needs | X |
| c) many programmes covering some needs | |
| d) programmes cover all perceived needs | |
| e) no perceived need | |
| 371. Has your country taken measures to implement the proposals for action of the Intergovernmental Forum on Forests and the Intergovernmental Panel on Forests on valuation of forest goods and services? | |
| a) no | |
| b) under consideration | X |
| c) measures taken | |

Biological diversity of dry and sub-humid lands

Decision V/23. Consideration of options for conservation and sustainable use of biological diversity in dryland, Mediterranean, arid, semi-arid, grassland and savannah ecosystems

| | |
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| 372. Has your country reviewed the programme of work annexed to the decision and identified how you will implement it? | |
| a) no | |
| b) under review | |
| c) yes | X |
| 373. Is your country supporting scientifically, technically and financially, at the national and regional levels, the activities identified in the programme of work? | |
| a) no | |
| b) to a limited extent | X |
| c) to a significant extent | |
| 374. Is your country fostering cooperation for the regional or subregional implementation of the programme among countries sharing similar biomes? | |
| a) no | |
| b) to a limited extent | X |
| c) to a significant extent | |

Further comments on implementation of these Decisions and the associated programme of work

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| <p>Q361. At the international level in its participation in UNFF, ITTO, FAO and the UN Framework Convention on Climate Change and in its' support to the Centre For International Forest Research (CIFOR). The EC's 1996 manual for development cooperation "Forests in Sustainable Development" includes biological diversity as two of its guiding principles and forest biodiversity issues are well covered in the detailed checklists in the manual. Within Europe through the Ministerial Conference for the Protection of Forests in Europe (www.mcpfe.org). An overview of EU positions on forest biodiversity in relevant international processes is available on the Belgian CHM website.</p> <p>Q362. A medium priority. Within the EU Regulation 1257/99 on Rural Development has a provision to allow for support for the sustainable management of woodlands of high environmental value and poor economic profitability. There are elements in the EC research programme e.g. on multifunctional management of forests which addresses aspects of biological diversity and furthermore a general biodiversity area where forests are covered in a number of projects. Furthermore, a Framework Regulation on Protection of Forests (in preparation) is planned to include biodiversity aspects.</p> <p>Outside the EU, Regulation 2494/2000 on Actions to Promote Tropical Forests and other Forest in Developing Countries provides resources of the order of 27 M EUR per year for the conservation and sustainable use of forest biological diversity. Further resources are available through the EC's main development cooperation instruments.</p> <p>Q364. However there are some issues to be explored if the ecosystem approach is applied in a European landscape where forests have been shaped by many centuries of interventions by man and individual forest holdings tend to be small.</p> |
|---|

Q365. A study has been commissioned to identify those Proposal for Action of the IFF most appropriate for implementation by the Community (as opposed to EU Member States). Many of these are in the area of development cooperation.

Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) states that support to forestry should contribute to the fulfilment of the undertakings given by the Community and the Member States at international level.

Q368. There is no “national” forest programme for the EU as a whole, in the sense understood by UNFF. However the EC Forest Strategy emphasises the need to integrate biodiversity conservation into sustainable forest management practices.

The Ministerial Conference on the Protection of Forests in Europe has a joint programme on forest biodiversity with the “Environment in Europe” Ministerial process, which has enriched both processes.

Q369. Within the EU the EC has limited competence on forest matters and hence most measures have been taken at the level of Member States. With respect to development cooperation on forest issues indigenous and local communities and NGOs have participated to a significant degree in implementation of EC-funded activities supportive of the programme of work; the private sector has had more limited participation.

Q370. Forest protected areas have been supported through both legislative measures and financial support as part of the EU Natura 2000 network. Capacity-building for general sustainable forest management within the EU has not been an area in which the EC has been very active. Resources for implementation of afforestation schemes and associated short term training are provided under the Rural Development Regulation 1257/1999.

Q372. Chiefly in terms of research needs.

Q373. Mainly through scientific and technical research. Some support through agri-environment measures under the Rural Development Regulation 1257/99, however the take-up of these measures has been low in the drier countries/ regions of the EU.

The degree of protection of (dry or mesic) grasslands within the EU is one of the environmental indicators used by the EEA in its’ assessments of the state of the environment for Europe.

Decision V/20. Operations of the Convention

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| 375. Does your country take into consideration gender balance, involvement of indigenous people and members of local communities, and the range of relevant disciplines and expertise, when nominating experts for inclusion in the roster? | |
| a) no | |
| b) yes | X |
| 376. Has your country actively participated in subregional and regional activities in order to prepare for Convention meetings and enhance implementation of the Convention? | |
| a) no | |
| b) to a limited extent | |
| c) to a significant extent | X |
| 377. Has your country undertaken a review of national programmes and needs related to the implementation of the Convention and, if appropriate, informed the Executive Secretary? | |
| a) no | X |
| b) under way | |
| c) yes | |

Please use this box to identify what specific activities your country has carried out as a DIRECT RESULT of becoming a Contracting Party to the Convention, referring back to previous questions as appropriate:

Elaboration of EC Biodiversity Strategy and Action Plans;
 Establishment of ECClearing House Mechanism;
 Increased consideration of the relationship between traditional knowledge and intellectual property rights;

Please use this box to identify joint initiatives with other Parties, referring back to previous questions as appropriate:

The EC is involved in numerous joint activities with Parties outside the EU. The European Environment Agency (EEA) has non-EU members who contribute to its work together with the EC and EU Member States. The EC participates in, and supports implementation of numerous regional or European environmental conventions and processes, including the Pan-European Biodiversity and Landscape Strategy process.

Beyond Europe, EC-funded research projects on biodiversity generally involve at least two countries outside the EU and at least two within the EU. Examples in point with particular emphasis on biodiversity and sustainable use are support for the development of a database on African seaweed species, research into indigenous fish species suitable for aquaculture in Asia, fisheries governance for food security - a North-South partnership, continued development of the public Fishbase information system. EC development policy favours regional cooperation and a number of such projects address the conservation and sustainable use of biological diversity, terrestrial and marine, most notably the EC-ASEAN Biodiversity Centre. In addition "bilateral" projects involving the EC and individual countries contribute to the implementation of the CBD.

Please use this box to provide any further comments on matters related to national implementation of the Convention:

The wording of these questions is based on the Articles of the Convention and the decisions of the Conference of the Parties. Please provide information on any difficulties that you have encountered in interpreting the wording of these questions

Questions 1 to 10 would more logically be situated within the sections on thematic areas (questions 310-374)

The Secretariat itself should be able to answer certain questions such as the number of representatives in national delegations to COP/ SBSSTA, on submission of information to the Secretariat or on the status of signature/ ratification of the Cartagena Protocol.

A total of 31 questions are devoted to agricultural biological diversity (questions 1-10; 305-374). This seems excessive compared with 4 to 12 questions for other work programmes.

Question 52 is a leading question, asking if support covers all known needs (for taxonomy) adequately. It is hard to think of a situation in any field of society where all known needs are covered adequately – indeed if this were the case it would probably indicate an economically inefficient allocation of resources. The inevitable response from such a question will be that support is not adequate to meet all known needs, but this is not a particularly helpful conclusion.

Some questions are effectively two in one, asking if reports/ case studies have been made and if they have been submitted to the Secretariat. Often the answer will be yes and no.

If your country has completed its national biodiversity strategy and action plan (NBSAP), please give the following information:

| | | | |
|--|--|----|--|
| Date of completion: | <i>4th February 1998</i> | | |
| If the NBSAP has been adopted by the Government | | | |
| By which authority? | <i>European Commission (College of Commissioners)</i> | | |
| On what date? | <i>4th February 1998</i> | | |
| If the NBSAP has been published please give | | | |
| Title: | <i>European Community Biodiversity Strategy</i> | | |
| Name and address of publisher: | | | |
| ISBN: | | | |
| Price (if applicable): | | | |
| Other information on ordering: | | | |
| If the NBSAP has not been published | | | |
| Please give full details of how copies can be obtained: | <i>Available on internet</i> | | |
| If the NBSAP has been posted on a national website | | | |
| Please give full URL: | <u>http://biodiversity-chm.eea.eu.int</u> | | |
| If the NBSAP has been lodged with an Implementing Agency of the GEF | | | |
| Please indicate which agency: | | | |
| Has a copy of the NBSAP been lodged with the Convention Secretariat? | | | |
| Yes | X | No | |

Please provide similar details if you have completed a Biodiversity Country Study or another report or action plan relevant to the objectives of this Convention

European Community Biodiversity Action Plans in the areas of Conservation of Natural Resources, Agriculture, Fisheries, and Development and Economic Co-operation.

Adopted by the European Commission on 28th March 2001.

Available at the EC-Clearing House Mechanism website: <http://biodiversity-chm.eea.eu.int>

Please provide details of any national body (e.g. national audit office) that has or will review the implementation of the Convention in your country

European Commission (DG Environment) – usually based on an independent consultancy evaluation. The Commission report is submitted to the relevant Community institutions for review/ endorsement.

**Second Report of the European Community
to the Conference of the Parties of the Convention on Biological Diversity**

General Overview

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1. Scope of the Review

The Second Report of the European Community to the Conference of the Parties of the Convention on Biological Diversity was prepared in accordance with the format provided by the Secretariat of the Convention on Biological Diversity (CBD) as adopted in the decision V/19 of the Conference of the Parties. In order to ensure consistency in the replies of the different Parties to the Convention and to obtain comprehensive information, the format provided by the Secretariat requested answers to 377 questions. This review is intended to complement the detailed report by providing a descriptive overview of the main initiatives and activities undertaken by the European Community (EC) relevant to the CBD, with an emphasis on those undertaken or proposed since the EC's First National Report in 1998.

It is important to note that many actions concerning the conservation and sustainable use of biodiversity are undertaken at the national or sub-national level and are reported on in the reports of the EU member states to the CBD. This review concerns actions taken at the European Community level, through EU legislation and policies and through programmes funded from the European Community budget.

The review is not intended to be exhaustive, but to describe the reasoning and main initiatives by which the Community is addressing issues related to biological diversity within the European Union and also outside it. As a review document any comments on the effectiveness of measures undertaken are drawn from publicly available documents.

The Cartagena Protocol on Biosafety was developed in the framework of the CBD (Article 19) but is not referred to in detail in this document.

2. Biodiversity in the EU

Biological diversity in Europe is relatively well studied at the level of plant and animal species, less well so at the level of insects and micro-organisms. However there is still much to be learnt about the spatial distribution of Europe's biodiversity, the interactions between components of biological diversity and, for many species, the environmental factors influencing their distribution and abundance.

The biological diversity present in Europe was profoundly affected by glaciation approximately ten thousand years ago, after which species recolonised Northern European areas. Man has altered the European landscape over several thousand years, reducing forest cover, draining marshes, creating open areas for crop cultivation and grazing and creating new urban environments. The slow rate of changes in these environmental conditions allowed biological diversity in Europe to adapt and develop special characteristics. This means that a number of ecological habitats are now dependent on human management. In the marine environment man's influence has been more recent, through urbanisation and other types of development in coastal areas as well as through increasingly advanced fishing technology and practices. The impact of these pressures on marine biodiversity and ecosystems is much less well understood than for terrestrial ecosystems. The scale and rate of change in environmental conditions in the last few decades have increased, however, and biological diversity has suffered the consequences.

In general, Southern European countries show the greatest diversity of plant and animal species – indeed the Mediterranean basin is an area of mega-diversity, with over 10% of the world's flowering plants. Europe has an important role in sustaining migratory species of birds from Eurasia and Africa, especially in its wetlands and forests. The isolated Atlantic islands of the Canary Islands, Azores, Madeira are particularly rich in endemic species. The species groups with highest endemism in Europe (i.e. only occurring in Europe) are amphibians, freshwater fish and reptiles.

A comprehensive review of the biodiversity situation in the EU is given in the 1995 European Environment Agency (EEA) publication - *Europe's Environment: The Dobris Assessment*. This was based on a detailed study of representative samples of habitat types throughout the EU². The EEA's 1999 report "*Environment in the European Union at the Turn of the Century*" provides an overview of trends in biodiversity in its chapter on Changes and Loss of Biodiversity. The picture painted is one of progress in conserving or restoring some threatened habitats and

² The CORINE Biotopes sites database

species and in reduction of certain forms of air pollution, which is offset by a continued loss of biodiversity in other habitats. Reasons for the overall negative trend include fragmentation of habitats, an intensification and simplification of agriculture and forestry in areas of comparative advantage, with abandonment of extensive forms of land use in more marginal areas, introduction of alien species (particularly aquatic species) and air pollution damage to forests. The report points out that in many cases recent positive policy developments have not yet led to substantial changes in trends in the conservation status of biological diversity.

The EEA's annual *Environmental Signals* reports provide the latest information on trends in biodiversity, based on key indicators. All the above reports and further relevant reports are available through the EC's CBD Clearing House Mechanism portal on the internet (<http://biodiversity-chm.eea.eu.int>).

3. Role of the European Community

3.1 Constitutional Framework

Under the **Treaty of Amsterdam**, which entered into force on 1st May 1999, the European Community's overall objectives include:

- a) sustainable economic development, and
- b) a high level of protection and improvement of the quality of the environment.

Article 6 states that “*environmental protection requirements must be integrated into the definition and implementation of the Community policies . . . in particular with a view to promoting sustainable development*”.

The European Community derives its **legal competence** for environmental policy from Articles 174 and 175 of the Treaty Establishing the European Community, as amended by the Treaty of Amsterdam. It is logical that there should be a European, as well as national, dimension to environmental policy, given that many environmental problems and solutions are transboundary in nature and are therefore best tackled at the EU level. The Treaty states that one of the objectives of EC environmental policy is to promote measures at the international level to deal with regional or worldwide environmental problems. The European Community legal competence on environmental issues also includes those areas where the EU has developed specific legislation within the general framework of the Treaty.

The Convention on Biological Diversity (CBD) was ratified by the European Community on 21st December 1993. An attached Declaration states that the Community alongside its Member States has competence to take actions aiming at the protection of the environment.

Apart from environmental policy, the European Community also has legal competence to deal with many other areas of policy relevant to the CBD, including agriculture, fisheries, trade, development cooperation, research, regional policy.

3.2 Means of implementation

One means by which policy is implemented is through legislation, which is binding on the Community and EU Member States. Legislation may be in the form of Regulations, which are directly applicable to Member States, or of Directives, which state the outcomes to be attained and require Member States to translate their provisions into national level legislation. A third form of legislation are Decisions, which are generally more operational in nature and are not discussed further. The Commission has the legal responsibility of ensuring that Regulations, Directives and Decisions are correctly implemented by Member States.

A second means to implement policy and achieve agreed objectives is through the execution of Community programmes. Total annual expenditure for the operation of the Community institutions and the execution of Community policies is set to rise from about 90 billion EUR in 2000 to 100 billion EUR in 2006, representing over 1% of EU GNP. The greatest areas of expenditure are in the areas of agriculture and economic and social cohesion – the latter provides support through investment in the poorer parts of the EU or areas with structural difficulties as

well as more general support for training. Many of the programmes and projects funded by the Community have an impact on biodiversity.

Community environmental policy is developed in the framework of multi-annual Environment Action Programmes. The 6th Environment Action Programme, agreed in 2002, will run until 2010.

3.3 Main European Commission Structures Relevant to Biological Diversity

As already explained in the first EC report, within the European Union the European Commission is responsible for ensuring that the CBD is implemented by the European Community. The Commission is organised in Directorates-General, a large number of which are involved in the implementation of CBD principles and programs of work.

DG Environment, responsible for Community environmental policy within the EU territory and at the international level, is in the lead for CBD matters. Other major actors are DG Agriculture, DG Fisheries, DG Research and Technology Development, the Joint Research Centre (JRC), DG Health and Consumer Protection, DG Internal Market, DG Regional Policy, DG Enterprise, the Statistical Office of the European Communities (EUROSTAT), DG Trade, EuropeAid Cooperation Office, DG Development, DG External relations and DG Enlargement..

The European Community also has a number of specialised advisory agencies which provide information and analysis.

Most relevant is the **European Environment Agency**, which provides comparable information on the environment at the European level, and scientific and technical support for policy formulation – it does not, however, have responsibility for policy development or implementation. The EEA is open to countries other than those of the European Union, for instance Norway, Switzerland and the accession countries. It hosts the European Community Clearing House Mechanism for Biological Diversity. Its work is supported by a network of specialised EU topic centres (eg. the European Topic Centre for Nature and Biodiversity), networks of expertise and national agencies nominated by Member States.

The Community Plant Variety Office(CPVO) implements and applies a system for the protection of plant variety rights that has been established by Community legislation as well as providing policy support. The system allows intellectual property rights, valid throughout the Community, to be granted for plant varieties. The CPVO is a Community institution with independent legal status and has been operating since April 1995.

4. Major EC Developments Since the First Report to the CBD

4.1 Introduction

This section reviews the main measures which have been taken by the EC which contribute to the implementation of the CBD. It concentrates on those measures taken since the first report to the CBD in 1998, though in some cases reference is made to measures taken earlier in order to provide necessary background. The section starts with a description of general measures, followed by sectoral policies, legislation and programmes. It further covers research, education and cooperation with Parties outside the EU.

4.2.1 Sustainable Development

One of the changes introduced by the Amsterdam Treaty, which was signed in 1997 and ratified in 1999, was to introduce the principle of sustainable development as an overall objective of the EC. Furthermore, a clause calling for the integration of the environment into other policies was elevated from a clause within the Article on environmental policy to an over-arching principle of the Treaty establishing the European Community.

As a response to these changes, the European Council set in motion in 1998 a process known as the “**Cardiff Process**” of **integration of the environment** into key sectors of Community policy, through the development of environment integration strategies for guiding the EU Council of Ministers when considering new sectoral policy proposals. This was reported on at the 2001 Gothenburg European Council meeting, but remains an ongoing process. The “Cardiff Process” has underscored the need to identify appropriate indicators in order to assess progress.

The European Commission published in 2000 a Global Assessment of the Community’s Fifth Environment Action Programme (1992-2000) which *inter alia* reports on the results of the Cardiff Process. It concludes that integration of environment (and biodiversity) considerations into sectoral policies remains a challenge, despite the efforts made. This theme is therefore taken up in the Sixth Environment Action Programme³ (2001-2010), with actions to ensure the environment is fully considered in the formulation of sectoral policies, backed up by scientific data and a broad dialogue with stakeholders and monitored through appropriate indicators.

As a contribution to the preparation of the World Summit on Sustainable Development (WSSD) to be held in Johannesburg in 2002, the European Commission recently issued two **Communications on sustainable development**, one focusing on internal policies⁴ and the other on the external dimension⁵. Both documents mention the need to tackle biodiversity loss and to develop relevant targets and indicators. The former sets a headline objective of halting the reduction in biodiversity loss in the EU by 2010, while the latter supports the UN’s Millennium Target objective of ensuring that current trends in the loss of environmental resources are effectively reversed at national and global levels by 2015. These two Communications form the basis for the EU Sustainable Development Strategy adopted by the EU Heads of State⁶

4.2.2 General Environmental Policies and Programmes

The framework for the Community’s work on the environment is established through multi-annual Environment Action Programmes. The period under consideration (1998-2002) covered the final part of the **Fifth Environment Action Programme** (1992-2000) and the start of the **Sixth Environment Action Programme**⁷ (2001-2010).

³ Communication from the Commission on the Sixth Environment Action Programme of the European Community. 'Environment 2010: Our future, Our choice' COM(2001)31

⁴ A Sustainable Europe for a Better World: A European Union Strategy for Sustainable Development. COM (2001)264

⁵ Towards a Global Partnership for Sustainable Development. COM(2002)82

⁶ European Council Conclusions, Gothenburg, 15-16 June 2001; Seville, 21-22 June 2002

⁷ Proposal for a Decision of the European Parliament and of the Council Laying Down the Community Environment Action Programme 2001-2010. COM(2001)29

A **global assessment**⁸ of the **Fifth Framework Programme** was published in 2000. It confirmed that the Community had made progress in developing its environmental policy and that this was starting to lead to improvements in the environment in certain areas. However, overall progress towards sustainability had been limited. It noted that progress had been made by Member States in the identification and notification of special areas of conservation, but that this had in many cases been at a much slower pace than had been anticipated. Positive developments concerning agri-environment measures under the Common Agricultural Policy were noted.

The **Sixth Community Environment Action Programme** has as one of its four main aims: *“protecting, conserving, restoring and developing the functioning of natural systems, natural habitats, wild flora and fauna with the aim of halting . . . the loss of biodiversity. . . both in the European Union and on a global scale.”* A target date of 2010 is set for halting the loss of biodiversity. It requests *“ensuring the implementation and promoting the monitoring and assessment of the Community’s biodiversity strategy and the relevant action plans, including through a programme for gathering data and information, developing the appropriate indicators, and promoting the use of best available techniques and best environmental practices”*. Over 25 more specific priority actions are laid down, including the extension of the Natura 2000 network of special areas for conservation to the Accession countries and to marine areas, implementation of Article 15 of the CBD on Access and Benefit Sharing, preventing and controlling the spread of alien species; developing thematic strategies on soil protection and on the marine environment; integrating biodiversity into the Common Fisheries and Agricultural Policies; encouraging certification of sustainably produced forest products; full implementation of the Cartagena Protocol.

Mention should also be made of a comprehensive range of other proposed environmental measures which will indirectly benefit the conservation and sustainable use of biodiversity, under the following broad objectives:

- A reduction in greenhouse gas emissions, in accordance with the Kyoto Protocol.
- Protection of the environment from damaging pollution (air, water, soil) and a reduction of noise pollution.
- Control of the use of pesticides and other chemicals in the environment.
- Increased efficiency of use of renewable and non-renewable natural resources and a reduction in volumes of waste.
- Enhanced dialogue with governments, civil society and the private sector on environmental issues in the candidate countries intending to join the EU.
- Action at the international level, including the implementation of international conventions related to the environment.

These proposed measures will build on a considerable existing body of EU environmental law, details of which are available on the DG Environment website.

The European Community participates in the **Pan-European Biological and Landscape Diversity Strategy** (PEBLS) process. This is an inter-governmental process involving European countries both within and outside the EU, one of whose aims is to encourage regional cooperation for the implementation of the CBD. Amongst its activities are work on biodiversity indicators and on a European Biodiversity Resourcing Initiative. It is also a useful mechanism for European (as opposed to EU) coordination prior to CBD meetings.

⁸ Global assessment –Europe’s environment: what directions for the future?
Office for Official Publications of the European Communities, Luxembourg, 2000

4.2.3. Biodiversity Strategy and Action Plans

The Commission adopted a Communication to the Council and the Parliament on a **European Community Biodiversity Strategy**⁹ in February 1998. The Council endorsed the Strategy in June¹⁰, as did the Parliament in October¹¹ of the same year. The overall objective of the strategy is to: “to anticipate, prevent and attack the causes of significant reduction or loss of biodiversity at the source. This should help both to reverse present trends in biodiversity reduction or losses and to place species and ecosystems, which includes agro-ecosystems, at a satisfactory conservation status, both within and beyond the territory of the Union”.

The Strategy proposes general measures to be pursued by the EC under four headings:

- Conservation and Sustainable Use of Biological Diversity
- Sharing of Benefits Arising Out of the Utilisation of Genetic Resources
- Research, Identification, Monitoring and Exchange of Information
- Education, Training, Awareness

It goes on to present objectives for biodiversity conservation and sustainable use in key sectors in which the Community is active:

- Conservation of Natural Resources
- Agriculture
- Fisheries
- Regional Policies and Spatial Planning
- Forests
- Energy and Transport
- Tourism
- Development and Economic Cooperation

Finally the Strategy discusses the development and implementation of Biodiversity Action Plans and other measures.

Four sectoral **Biodiversity Action Plans** were then prepared and adopted by the European Commission in March 2001¹². They were endorsed by various formations of the Council between June and November 2001¹³ and by the European Parliament in March 2002¹⁴. The sectors covered were: **agriculture; fisheries; nature conservation; economic and development cooperation**. They are discussed in more detail under the relevant headings in the following sections.

The sectoral Action Plans are evidence of the Community’s determination to integrate biological diversity considerations into sectoral strategies, in accordance with Article 6 of the CBD. In addition to presenting future objectives, they review the actions of the European Community relevant to biodiversity in the particular sector

⁹ Communication from the Commission to the Council and to the European Parliament on a European Community Biodiversity Strategy (COM(1998)42)

¹⁰ Council Conclusions of 21 June 1998

¹¹ European Parliament. Non legislative resolution A4-0347/98

¹² Communication from the Commission to the Council and the European Parliament on Biodiversity Action Plans in the areas of Conservation of Natural Resources, Agriculture, Fisheries and Development and Economic Cooperation. COM (2001) 162

¹³ Council Conclusions of 18th June (Fisheries); 19th June (Agriculture); 29th October (Environment); 8th November (Development).

¹⁴ European Parliament. Non legislative resolution A5-0063/2002

concerned. Preparation of the sectoral Action Plans has the advantage of promoting a high level of “ownership” of the Plans within the sector concerned.

4.2.4 *Environmental Impact Assessment and Environmental Liability*

One means to incorporate biodiversity into sectoral plans is through strategic environmental impact assessments of such plans during their development. Directive 2001/42 on **strategic environmental assessments**¹⁵ was adopted in 2001 and is now being transposed into national law in EU Member States. The Directive mentions biodiversity as one of the factors to be considered when examining the likely effects of measures being considered. The application of this Directive will help ensure that the potential environmental impact of policies and plans are examined in a coherent way across the EU. The European Commission demonstrated its commitment to this approach through Declaration 12 annexed to the Amsterdam Treaty, in which it undertakes to prepare environmental assessment studies when making proposals which may have significant environmental implications.

The above Directive differs from Directive 97/11 on the Assessment of Certain Public and Private Projects on the Environment, in that the latter represents the more well-established approach of examining environmental impact of specific projects. Directive 97/11 was reported on in the EC’s First Report to the Conference of the Parties of the CBD.

In addition Article 6 of the Habitats Directive (92/43) requires Member States to assess the likely impact of any plan or project likely to affect sites designated or intended to be protected as special areas of conservation under the Habitats Directive or as special protection areas under the Birds Directive (79/409), so as to ensure they will not adversely affect the integrity of the site.

While environmental impact assessments seek to minimise or avoid damage to the environment, what happens if such damage does occur? A White Paper (consultation document) on potential legislation concerning **environmental liability** was put forward in 2000 and a wide range of views were obtained from Member States and interested parties. Early in 2002 a proposal for a Framework Directive on Environmental Liability¹⁶ was adopted by the European Commission and is currently before the Council and European Parliament. Environmental damage is defined by reference to biodiversity protected at Community and national levels (protected areas and species), waters covered by the Water Framework Directive and human health when the source of the threat to human health is land contamination. Under the proposal liability for damage to biodiversity would be for the cost of restoration of the habitat or species to its previous conservation status, or for this to be done at an equivalent site. This implies that valuation of biological diversity would no longer simply be an academic exercise.

4.3 Access to Genetic Resources and Benefit Sharing

The EC has actively contributed to the negotiation of multilateral instruments and guidelines on Access to Genetic Resources and Benefit Sharing (ABS), notably the **CBD Bonn Guidelines** on Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits Arising out of their Utilisation, as well as the **FAO International Treaty on Plant Genetic Resources for Food and Agriculture**. International agreement on both these instruments paves the way for concrete measures on ABS to be developed by the EC and by EU Member States in the coming years.

The EC has also contributed to international deliberations over intellectual property rights and benefit-sharing in **other forums** including the **WIPO** Committee on Genetic Resources, Traditional Knowledge and Folklore and the **WTO** Agreement on Trade-Related Aspects of Intellectual Property Rights (**TRIPS**). During 2001 the Community,

¹⁵ Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment

¹⁶ Proposal for a Framework Directive on Environmental Liability with Regard to the Prevention and Remedying of Environmental Damage. COM(2002)17

together with EU Member States formally submitted its views on aspects of these issues to the CBD Secretariat¹⁷ and to the TRIPS Council¹⁸.

With respect to EC policy statements on access and benefit sharing the 1998 European Community **Biodiversity Strategy** (COM(98)042) notes the need for the Community to promote appropriate multilateral frameworks for ABS, to encourage the development of voluntary guidelines for ABS and to support countries of origin of genetic resources to develop national strategies on bioprospecting.

The 2001 **EC Biodiversity Action Plan for Economic and Development Cooperation** refers to the need to support capacity-building in developing countries so as to enable them to share the benefits of utilisation of genetic resources, including access to the enhanced material. The **EC Biodiversity Action Plan for Agriculture** highlights access to enhanced material by farmers, as the original providers of genetic resources.

The EC has yet to introduce comprehensive legislation governing ABS and related traditional knowledge. **Directive 98/44/EC (6 July 1998) on the legal protection of biotechnological innovations** is the only EC legal instrument that specifically takes into consideration ABS. Recital 27 to the Directive encourages patent applications to include information on the geographical origin of biological material. This provision seeks to support compliance with national legislation and contractual arrangements governing the acquisition and use of genetic resources.

Finally, various institutions, networks and companies within the EU have been involved in the development of **voluntary codes of conduct** to provide a framework for access and benefit-sharing arrangements. Amongst them, the EC supported the development of the Micro-organisms Sustainable Use and Access Regulation International Code of Conduct (MOSAICC) between 1997-1999. This was headed by the Belgian Co-ordinated Collections of Micro-organisms (BCCM), together with 16 organisations involved in microbiology, from the EU and around the world. It developed a voluntary code of conduct to facilitate access to microbial genetic resources in line with the CBD and other applicable national and international law, as well as making provisions for transfer of such material and benefit-sharing.

Various other EC legislative and policy measures potentially complement implementation of the CBD's provisions on access and benefit-sharing of genetic resources. These include measures governing agricultural genetic resources, including regulations and directives on **geographical indications** and **Community plant variety rights**.

¹⁷ European Commission, Directorate-General Environment. 'Intellectual property rights and access to genetic resources and the sharing of benefits arising from their use', Brussels, 2 February 2001.

¹⁸ Communication to the TRIPS Council from the EC and Member States on the relationship between the CBD and TRIPS Agreement, dated 3 April 2001

4.4 Research and Identification of Biodiversity

The EC has a substantial research programme, spending about 3.5 billion Euro a year. Research priorities are set on a multi-annual basis under Research Framework Programmes. The **Sixth Framework Programme, covering 2002-2006**¹⁹ was adopted by the Council and European Parliament on 27th June 2002. This includes a research component on sustainable development and global change which would include biodiversity. Research is also foreseen to support major EC policies such as the CAP or Common Fisheries Policy, which again could incorporate biodiversity.

Space does not permit an exhaustive account of the all the research projects being funded which are related to biodiversity. As an example, however, one area of research relevant to the CBD is the development of research infrastructure to encourage information-sharing on taxonomy. These projects include “Biological Collection Access Service in Europe (BioCASE)”, “European Natural History Specimen Information Network”, “European Register of Marine Species”, “Euro+Med PlantBase”, and “Fauna Europaea”. The Community is currently negotiating the European Network on Biodiversity Information (ENBI). This network will link all Global Biodiversity Information Facility (GBIF) nodes in the western palaeartic region. Amongst other work being supported is work on microbial biodiversity and on extremophiles.

Environmental datasets on forestry, catchments and river networks with importance for future biodiversity monitoring are being produced by the European Community’s Joint Research Centre (JRC).

A component of the EC’s Fifth Research Framework Programme (1998-2002) is dedicated to **scientific cooperation with countries outside the EU** – (INCO II). Emphasis has been given to the development of EU-South research partnerships, mobilising local scientists and helping to strengthen local research and development potential to create the human capital necessary for sustainable development. Research priorities vary by region, but research into the sustainable management of natural resources features as a research priority in all cases. Activities in this part of the programme concentrate on improving the productivity of renewable resources and on promoting a sustainable relationship between population growth, food production and ecosystems. Details of EU-Funded research projects in the INCO II programme can be found at www.cordis.lu/inco2/home - searches can be done on terms such as biodiversity, sustainable use.

The 2001 Communication on the International Dimension Of The European Research Area²⁰ proposes closer research relationships not only with candidate accession countries and the countries of the European Economic Area, but also with the partner countries of the Mediterranean, the Balkans, Russia and the New Independent States, developing countries, emerging economies and industrialised countries. Thus the International scientific and technological co-operation budget has been increased by 25% for the Research Framework Programme 2002-2006.

The outlined strategy encourages the pooling of the scientific and technological resources of the EU and of third countries in initiatives that provide a response to significant world problems of concern to the Community. Among those listed is environmental safety – defined as greenhouse effects, desertification, biodiversity and natural resources.

¹⁹ Decision No 1513/2002/EC of the European Parliament and of The Council of 27 June 2002 concerning the Sixth Framework Programme of the European Community for research, technological development and demonstration activities, contributing to the creation of the European Research Area and to innovation (2002 to 2006)

²⁰ COM(2001)346

The EU plans to raise its profile to address major global challenges, of which one is sustainable development (defined in terms of biodiversity, desertification, climatic change, and forest management). It will do this by setting up a forum to co-ordinate partnerships, with representatives of the Member States appropriate international organisations, and the Community's scientific, foreign policy, development aid and research experts.

Perhaps the key priority thematic area from the point of view of biodiversity is 'Sustainable development, global change and ecosystems'. Here, activities aim at:

- strengthening the scientific and technological capacities needed to implement sustainable development,
- mitigating or reversing current adverse trends
- controlling global change and preserving the equilibrium of ecosystems.

A sub-theme on 'Global change and ecosystems' proposes research 'in close liaison with the relevant international research programmes and in the context of relevant protocols such as Kyoto and Montreal'. The sub-theme also notes the need for research on the impact of greenhouse gas emissions on climate, ozone depletion and carbon sinks (oceans, forests and soil); on biodiversity and ecosystems; on strategies for sustainable land management, including coastal zones, agricultural land and forests.

Thus there are a wide variety of opportunities for international research which focuses both directly and indirectly on biodiversity.

4.5 Monitoring, Information, and Public Participation

One of the action points in the Sixth Community Environment Action Programme (2001-2010) is the development of a programme for gathering better data and information on nature and biodiversity, involving organisations like the European Environment Agency and the national statistical agencies.

The need to develop indicators to assess performance in biodiversity conservation is mentioned in the 2001 Communication on a European Strategy for Sustainable Development (COM 2001/264), with a deadline of establishment of a set of indicators for the EU by 2003. Organisations such as the OECD and UNEP are already involved in such programmes, and some work has been carried out under the Pan European Biodiversity and Landscape Strategy (PEBLS). The Joint Research Centre (JRC) is also conducting research on landscape typology and indicators for nature protection. Nevertheless there are considerable conceptual and practical difficulties in developing such indicators.

A major positive development since the First EC Report to the CBD in 1998 is the accelerated development of the European Environment Agency (EEA) as a fully operational focal point for monitoring and reporting on the state of the environment in Europe. Some adjustments were made in 1999 to strengthen its mandate through Regulation 933/1999, amending Regulation 1210/90. The EEA maintains a European Environment Information Observation Network (EEIONET), which is composed of experts at national level as well as specialised topic centres.

The EEA works with EUROSTAT, EU Member States governments and other European partner countries and with international organisations to develop harmonised methods for monitoring environmental variables across Europe, enabling it to paint a European-wide picture of trends in biodiversity and other environmental parameters. In addition to monitoring functions it also produces reports on specific topics, such as a recent report entitled "Towards a Global Biological Information Infrastructure". All the EEA reports are available to download free of charge on its website: www.eea.eu.int The EEA also houses the EC's CBD Clearing House Mechanism (<http://biodiversity-chm.eu.int>).

Harmonisation of information for Natura 2000 sites has greatly assisted the process of the adoption of sites by the Commission and the databases being created will allow future monitoring of sites and analysis of overall trends. Under the Sixth Environment Action Plan two major programmes will be developed concerning remote sensing and the environment: the INSPIRE programme (Infrastructure for Spatial Information in Europe) and the Global Monitoring for Environment and Security programme (GMES). The INSPIRE programme aims to establish a

harmonised European spatial information structure for environmental monitoring, and ultimately a common framework for all spatial information – thus facilitating transboundary and cross-sectoral work. The GMES programme will provide information on the European and global environment. A key component of the GMES programme is the 2.3 billion Euro ENVISAT satellite launched by the European Space Agency (not an EC agency) in 2002.

With respect to public participation, a major development is the EC's signature of the United Nations Economic Commission for Europe **Aarhus Convention** on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. A number of proposals have recently been adopted by the Commission²¹, or are in preparation, to implement the three pillars of the Aarhus Convention. These concern measures to be taken at the level of EU Member States and of the Community Institutions. Their eventual adoption by the Council and European Parliament will allow the EC to ratify the Convention.

A Community Action Programme promoting non-governmental organisations primarily active in the field of environmental protection was adopted in March 2002 and will provide financial resources for such civil society organisations to contribute to the development and implementation of EC environmental legislation.

One recommendation of the Biodiversity Action Plans that has already been carried out is the establishment of a consultative EU Biodiversity Expert Group, comprising experts from EU Member States and from private sector and NGO sectors.

4.6 Education and Awareness-Raising

Competence for education policy lies primarily with Member States rather than with the European Community. Nevertheless the Community is aware that positive environmental change will not come about solely through legislation or investment but also through changes in public attitudes and lifestyles. Hence DG Environment has an environmental education programme, consisting mainly of the production and publication of materials for use in schools and also aimed at the general public. A specific environment web site for young people has been established on the DG Environment website.

Most EC-funded biodiversity conservation projects and programmes have an environmental education or awareness component, which cumulatively have a significant indirect impact.

4.7 Sectoral Measures for the Conservation and Sustainable Use of Biodiversity

4.7.1 Conservation of Natural Resources

The main proposals in the EC's Sixth **Environment Action Programme** include "*ensuring the implementation and promoting the monitoring and assessment of the Community's biodiversity strategy and the relevant action plans, including through a programme for gathering data and information, developing the appropriate indicators, and promoting the use of best available techniques and best environmental practices*". It also proposes, *inter alia*, the extension of the Natura 2000 network to include marine sites and that all designated Natura 2000 sites have management plans by 2004. A new strand of environmental policy on soil is also proposed, which will provide another perspective from which to understand ecosystem functioning.

The 1998 EC **Biodiversity Strategy** emphasises full implementation of the Birds and Habitats Directives. Outside the areas selected for the Natura 2000 network it proposes taking full advantage of the Water Framework Directive (still under discussion at that time). These themes were developed in the 2001 **Biodiversity Action Plan for the Conservation of Natural Resources**, which proposes approximately 70 actions along four main lines:

²¹ For instance a Directive has been proposed to strengthen public information and participation in environmental impact assessment (COM(2000)839).

Conservation of threatened habitats and species – mainly in the framework of existing conservation legislation.

An increase in biodiversity conservation within the land and water use sectors, with a focus on river basin management, wetlands and soil conservation.

Policies to address biodiversity loss across the whole territory – this has the greatest number of actions, addressing eg. the Common Agricultural and Fisheries Policies and other programmes involving significant Community expenditure; ensuring biodiversity is adequately taken into account in general environmental legislation and policies; policies directly addressing genetic resources, ex-situ conservation and biotechnology; measures to identify and minimise risks from invasive alien species.

Ensuring biodiversity considerations are fully considered and synergies exploited in actions to implement multilateral environmental agreements such as those on climate change, desertification, regional conventions, including streamlining of reporting.

The central pieces of legislation for the EC's activities in nature conservation are the 1979 **Birds Directive**²² and the 1992 **Habitats Directive**²³. These require Member States to identify key habitats for bird species listed under the Birds Directive as well as habitats in ecosystems identified in the Habitats Directive. Management plans are then to be drawn up and implemented and measures put into place to avoid damage to the identified sites. Action plans are also to be drawn up for threatened species listed in these Directives.

The first step in implementation of the above Directives is the **notification** by Member States to the Commission of **Special Protection Areas** (Birds Directive) or **Sites of Community Interest** (Habitats Directive). The notification stage is now reaching completion for most EU countries. This represents a considerable achievement; however it has taken much longer than had been anticipated (20 years for the Birds Directive) and in some cases has involved legal cases being taken against certain Member States for failure to fully implement the Directives. By April 2002 a total of 2827 sites had been notified under the Birds Directive and 14900 under the Habitats Directive, the latter representing 437000 square km, or **13.7%** of the EU territory (Source: Natura 2000 Barometer, DG Environment web site). Following assessment by the Commission, and subject to the relevant habitat types being sufficiently represented, the list of sites submitted by Member States is adopted by the Commission. This step was recently carried out for the Macaronesian region²⁴ (Azores and Canaries). Once adopted by the Commission, the sites are protected under Community law. The ultimate objective of the Directives is the establishment of a network of conservation areas across the EU, safeguarding the most vulnerable species and ecosystems – termed the **Natura 2000 network**.

Recent information on implementation of the Birds Directive is available in a Commission Report²⁵. The report states that almost 25% of species regularly observed in Europe have undergone a substantial decline in numbers over the last 20 years, the main reason being habitat destruction due to more intensive agriculture and damage to wetlands.

In 2000 a new Regulation was adopted to provide Community support to the Natura 2000 network, the **LIFE III Regulation**²⁶. Up to 640 million EUR will be provided for environmental projects over 2000-2004, of which just under half is directed at nature protection on Natura 2000 sites. The Regulation allows for participation of the accession countries and also has a small component aimed at non-accession countries bordering the Mediterranean

²² Directive 79/409 on the Conservation of Wild Birds

²³ Directive 92/43 on the Conservation of Natural Habitats and Habitats of Species

²⁴ Commission Decision of 28th December 2001 adopting the list of sites of Community importance for Macaronesian biogeographic region, pursuant to Council Directive 92/43.

²⁵ Report on the Application of Directive 79/409 on the Conservation of Wild Birds. Update for 1996-1998. COM(2002)146

²⁶ Regulation 1655/2000 Concerning the Financial Instrument for the Environment

and Baltic seas. A database of projects funded under the LIFE Regulation can be consulted on the DG Environment website.

Apart from the LIFE instrument, various other EU financial instruments can be used for biodiversity conservation, if a link can be made to EC environmental policy or legislation. These include the LEADER+ and INTERREG programmes as well as Structural Funds such as the Cohesion Fund. However uptake of these opportunities has been limited. More explicit environmental references in such instruments may be required, such as are found in the Regulation establishing the LEADER + programme, which makes clear reference to support for the Natura 2000 network.

The Community has passed legislation²⁷ to allow full implementation of the Convention on International Trade in Endangered Species (CITES) which serves to prevent trade in endangered plant or animal species or in species which could adversely affect biodiversity in the receiving country. Detailed rules for the implementation of the above Regulation were adopted in 2001²⁸.

While the CITES Regulation provides one means of controlling the introduction of known invasive species from outside the EU, the free movement of people and goods within the EU presents some risks for the spread of invasive alien species. A potentially significant judgement of the European Court of Justice in December 1998 ruled that certain constraints to the free movement of goods (bees in this case) could be justified on the grounds of protection of health of animals or plants (Article 30 of the Treaty). This applied to a sub-species of bee native to a Danish island and the prohibition of introduction of non-native bees – how far the principle could be extended has yet to be tested.

The 1999 **Zoos Directive**²⁹ establishes a licensing system for zoos and a number of criteria which zoos need to meet. Amongst the measures which zoos need to implement are: *participating in research from which conservation benefits accrue to the species, and/or training in relevant conservation skills, and/or the exchange of information relating to species conservation and/or, where appropriate, captive breeding, repopulation or reintroduction of species into the wild.*

4.7.2 Agriculture/ Rural Development

The European Community Sixth **Environment Action Programme** 2001-2010 makes a number of references to agriculture, setting objectives of further integrating environment and landscape protection and restoration into agricultural policy. Agriculture is also tackled in the 1998 EC **Biodiversity Strategy**, which lists 14 objectives in this field, including activities to promote the Global Plan of Action³⁰, ex-situ and in-situ conservation of genetic resources of potential value for food and agriculture, addressing polluting practices in agriculture, support for farming methods favourable for biodiversity conservation, attention to policy coherence to ensure that legislation does not obstruct the conservation of genetic resources and to ensure that agriculture –related trade policies respect the needs for conservation and sustainable use of biodiversity.

The **Biodiversity Action Plan for Agriculture** (COM(2001)162) identifies some concrete priorities within the existing CAP, concerning for example: degree of intensification of farming practices ; positive measures to promote biodiversity, including linear features (hedges, wildlife corridors); action to conserve local or threatened livestock

²⁷ Council Regulation 338/97/EC on the Protection of the Species of Wild Flora and Fauna by Regulating Trade Therein

²⁸ Regulation 1808/2001 of 30 August 2001 Laying Down Detailed Rules Concerning the Implementation of Council Regulation 338/97 on the Protection of Species of Wild Flora and Fauna by Regulating Trade Therein

²⁹ Directive 1999/22/EC relating to the keeping of wild animals in zoos

³⁰ Global Plan of Action for the Conservation and Sustainable Use of Plant Genetic Resources for Food and Agriculture

breeds or plant varieties; targeted actions aimed at conserving agri-biodiversity in the enlargement countries; the above being supported by research, training and education.

European Community support to the agriculture and rural development is carried out through the Common Agricultural Policy (CAP), which, as the name implies is an EU-wide policy framework for support to agriculture. The main financial instrument for the implementation of the CAP is the European Agricultural Guidance and Guarantee Fund (EAGGF). EAGGF resources are used to meet a number of objectives under corresponding Regulations. The EAGGF operates within an overall financial framework set for 2000-2006.

Several of the main Regulations adopted in 1999 governing agricultural payments mention the need to ensure that environmental standards are met and some include provisions which can favour biodiversity conservation, eg. concerning the management of set-aside (fallow) schemes, non-intensive livestock grazing schemes. Furthermore Council Regulation 1259/1999³¹ allows Member States to make payments to farmers conditional on environmental standards being met.

Within the EU there has been considerable debate on the “greening” of the CAP, with a general consensus that the role of farming within Europe is not simply agricultural production but includes other “public goods” such as the maintenance of landscapes and the management of habitats favourable for biodiversity conservation. This had been recognised in the 1992 reform of the CAP and resulted in several Regulations on eg. forestry and agri-environmental measures. It was further recognised in the **1999 “Rural Development” Regulation** 1257/99³² which consolidated many of the 1992 measures and expanded them. The latest detailed rules for the application of this Regulation were adopted in 2002³³. Amongst the measures that can be funded are: agricultural methods favourable for the environment, compensatory payments for farmers in areas with environmental restrictions, support for farmers raising rare livestock breeds or growing local or regional plant varieties under threat of genetic erosion, grants for afforestation and forest management. Payments for agri-environment measures under this Regulation are of the order of EUR 2 billion per year. In order to access the funds, Member State authorities are required to draw up Rural Development Plans. These should explain “*the extent to which the strategy takes account of all relevant international Community and national obligations in the field of the environment, including those relating to sustainable development, in particular the quality and use of water, conservation of biodiversity including on-farm conservation of crop varieties, and global warming.*”³⁴

The development of **agri-biodiversity indicators** to measure progress under the measures described above was described in a Communication on Indicators for the Integration of Environmental Concerns into the Common Agricultural Policy³⁵. This has been followed up by a Communication on ‘Statistical Information needed for Indicators to monitor the Integration of Environmental concerns into the Common Agricultural Policy’³⁶ which outlines steps required to improve understanding and monitoring of the impact of policies on the environment and biodiversity in agricultural areas. This topic is also referred to in the EC Biodiversity Action Plan for Agriculture.

The **LEADER+** Programme for Rural Development, also funded from the EAGGF, provides support for bottom-up integrated rural development initiatives organised by Local Action Groups, of whom no more than half should be government officials. One of the objectives of the programme is to enhance the value of sites of Community

³¹ Council Regulation (EC) No 1259/1999 establishing common rules for direct support schemes under the common agricultural policy

³² Regulation No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations

³³ Regulation (EC) No 445/2002 of 26 February 2002 laying down detailed rules for the application of Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF)

³⁴ Art. 6 of Annex II to Regulation 445/2002 (see above)

³⁵ COM(2000)20

³⁶ COM(2001)144

interest (for conservation) under the Natura 2000 network. This can be done by working in buffer zones or developing sustainable rural tourism initiatives, including the expanding agri-tourism sector. The programme also has a networking component to build up a lesson-learning capacity. Expenditure is of the order of 300 million EUR per annum.

In addition to these general measures, the Community has also recently implemented more technical measures relevant to agri-biodiversity, dealing with the conservation of genetic resources and with seed characterisation and labelling.

Conservation of agri-biodiversity, in particular *ex-situ* conservation, has been directly addressed through Regulation (EC) n°1467/94³⁷. Implementation of the Regulation was reviewed by an independent expert group and the report was annexed to a 2001 Proposal from the Commission for a new **Regulation on the conservation, characterisation, collection and utilisation of genetic resources in agriculture**³⁸. The proposed Regulation aims to establish a programme for action to replace the one established by the 1994 Regulation. Compared to other programmes in the agricultural sector this one is relatively modest, with about 10 M EUR per year from the EAGGF. Certain concerns raised in the report, for instance on the need to more directly take into account CBD provisions and to develop policy as well as scientific research have been taken into account in the proposed Regulation, which has a strong emphasis on the facilitation of coordination on scientific and policy matters, on supporting the Biodiversity Action Plan for Agriculture and allows for greater participation by NGOs. The proposed Regulation foresees the establishment of a Committee on Genetic Resources in Agriculture, composed of representatives of the EU Member States and of the European Commission. It is currently under consideration.

Given the free movement of goods within the EU, it has been necessary to regulate agricultural seed quality and marketing through Community legislation in order to ensure quality and phytosanitary criteria are met; this legislation has been developed since the 1960s. A Community-wide system of **plant variety rights** was established in 1994³⁹ and reported on in the First Community Report to the CBD. This system provides a means of registering plant varieties throughout the EU provided that the varieties meet criteria of distinctness, uniformity and stability.

In 1998 the EC adopted Directive 98/95/EC⁴⁰ amending various species-specific Directives on seeds and the Common Catalogue of Varieties of Agricultural Plant Species. The Directive introduces some opportunities for marketing of varieties and landraces of agricultural crop species which are naturally adapted to local and regional conditions and which are threatened by genetic erosion, allowing for greater flexibility to be exercised in the acceptance criteria for the variety or mixtures of species to be registered.

Following considerable (and ongoing) public debate in Europe on **Genetically Modified Organisms** (GMOs), also known as Living Modified Organisms (LMOs), new legislation has been passed regulating the release of GMOs into the environment. While this legislation is not specific to the agricultural sector (applying also, for instance to genetically modified fish), it is mentioned here since agriculture is the sector most affected. **Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC** provides the overall framework (with effect from 17 October 2002), based on the

³⁷ Council Regulation No. 1467/94 on the conservation, characterisation, collection and utilisation of genetic resources in agriculture

³⁸ Proposal for a Council Regulation on the conservation, characterisation, collection and utilisation of genetic resources in agriculture and amending Regulation (EC) No 1258/1999. COM(2001)617

³⁹ Regulation 2100/94 on Community Plant Variety Rights

⁴⁰ Council Directive 98/95/EC of 14 December 1998 amending, in respect of the consolidation of the internal market, genetically modified plant varieties and plant genetic resources, Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 69/208/EEC, 70/457/EEC and 70/458/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed and on the common catalogue of varieties of agricultural plant species

precautionary principle, whereby only authorised GMOs can be released into the environment. Provisions are made for notification, environmental risk assessment, public consultation, labelling and marketing of GMOs and for scientific and ethical review of proposed releases of GMOs. In addition and following the signature of the Cartagena Protocol on Biosafety, the European Commission adopted in February 2002 a Proposal (COM(2002)85) for a **Regulation on the Transboundary Movement of Genetically Modified Organisms** aimed at completing the Community legislative framework in order to allow the Community to fully implement the Cartagena Protocol. This is currently under consideration by the Council and European Parliament.

4.7.3 *Fisheries and the Marine Environment*

The EC's **Sixth Environment Action Programme**⁴¹ 2001-2010 recognises the need to fully integrate environmental considerations during the reform of the CFP. However it goes beyond this to identify further actions required to ensure a healthy marine environment, particularly to reduce marine pollution and eutrophication and to extend the Natura 2000 network of representative natural areas and eco-systems to marine areas. In order to achieve these objectives it is proposed that Integrated Coastal Zone Management strategies be implemented.

A 2000 **Communication on Integrated Coastal Zone Management**⁴² reviews experience with this approach in a pilot phase since 1995 and proposes that it be extended to all the EU's coastal areas. This was followed up by a **Recommendation** for Member States to develop complementary national strategies for Integrated Coastal Zone Management (ICZM), which in May 2002 was in the final stage of adoption by the Council and European Parliament. Such strategies will help overcome the problems of lack of coordination of the many different agencies and interests which are often involved in coastal areas and thus allow more effective action on cross-cutting issues such as marine biodiversity.

The 1998 **EC Biodiversity Strategy** puts forward four broad objectives for the fisheries sector. These objectives are aimed at the conservation and sustainable use of fish stocks and fish breeding grounds through technical measures directly affecting fish stocks, such as mesh size, through a reduction in the impact of fisheries practices on non-target species and marine and coastal ecosystems and through careful location and management of aquaculture facilities.

A specific **Biodiversity Action Plan for Fisheries** (COM(2001)162) was adopted in 2001. It covers both marine fisheries and aquaculture. The Plan advocates an increased emphasis on sustainable development objectives in the 2002 Review of the Common Fisheries Policy; a reduction of fishing pressure on commercially exploited species; a reduction of the impact by fisheries on non-target species and habitats; an improved framework for research and monitoring of fisheries management; research into fisheries biodiversity and key habitats. Concerning aquaculture the main objectives are to reduce the environmental impact of aquaculture installations, to limit the introduction of non-indigenous fish species and to conduct relevant research. While focused mainly on EU fisheries, the Action Plan mentions the need to ensure that fisheries policies and instruments do not cause damage to the environment of third countries or areas beyond the limits of national jurisdiction.

The main legal instrument governing the **Common Fisheries Policy** (CFP) is Regulation (EC) No 3790/92 Establishing a Community System for Fisheries and Aquaculture. The CFP is implemented at the EC level mainly through the **Financial Instrument for Fishery Guidance** under Regulation 2792/1999, with an annual budget of the order of 500 million EUR. In addition about EUR 270 million a year is spent through Fisheries Agreements with non-EU countries in return for access for EU fishing vessels to their coastal waters.

⁴¹ Communication on the Sixth Environment Action Programme of the European Community

'Environment 2010: Our future, Our choice COM(2001)29

⁴² Communication on Integrated Zone Management. A Strategy for Europe. COM(2000)547

A series of **Communications** related to **environmental aspects of the CFP** were adopted between 1999 and 2001, namely:

- Communication on Fisheries Management and Nature Conservation in the Marine Environment (COM/1999/363)
- Communication on Application of the Precautionary Principle and Multi-annual Arrangements for Setting Total Allowable Catches. (COM/2000/803)
- Communication on Elements of a Strategy for the Integration of Environmental Protection Requirements into the Common Fisheries Policy (COM/2001/143)

In addition a Communication on **Fisheries and Poverty Reduction** (COM/2000/724) explored how EU fisheries and development policies could better contribute to sustainable poverty reduction objectives, including capacity-building in developing countries for improved monitoring of their fish stocks.

The above Communications and subsequent stakeholder consultation fed into a Commission **Green Paper⁴³ on the future of the CFP** which was adopted in 2001. This Paper and the reactions received to it in turn formed the basis for a **Commission Proposal to reform the CFP**, put forward in May 2002, which proposes ambitious changes to the way in which fisheries are managed in EU waters in order to ensure long-term sustainability of the resource. The proposals aim to ensure:

- responsible and sustainable fisheries and aquaculture activities that contribute to healthy marine ecosystems;
- an economically viable and competitive fisheries and aquaculture industry which will benefit the consumer;
- a fair standard of living for those who depend on fishing activities.

Environmental aspects of the proposal are to:

- refocus management on a more long-term approach to securing sustainable fisheries with high yields;
- manage fishing effort in line with sustainable catching opportunities, which will require an immediate and significant reduction of fishing effort;
- incorporate environmental concerns into fisheries management, in particular by contributing to biodiversity protection;
- move towards an ecosystem-based approach to fisheries management;
- make the best use of harvested resources and avoid waste;
- support the provision of high-quality scientific advice.

The proposals involve a substantial reduction in the EU fishing capacity and some tough decisions by Member States. However it is felt they are necessary in order to guarantee the ecological health of the EU's marine resources and their sustainable utilisation in the medium to long term. The environmental aspects are congruent with the CBD, and represent the beginning of a shift from focusing on the population biology of commercial fish species to a more holistic ecosystem approach.

Fisheries and marine biodiversity management is one of the sectors in which **transboundary cooperation** is most necessary. The EC works with numerous international organisations and conventions to address the conservation and sustainable use of marine biological resources, amongst which some are mentioned below:

The Convention for the Protection of the **Mediterranean Sea** against Pollution (Barcelona Convention). In 1999 the EC adopted a Protocol to the Convention concerning specially protected areas and biological diversity in the Mediterranean⁴⁴. This protocol takes a similar approach to the EC's Habitats Directive, involving the

⁴³ COM(2001)135 of 20 March 2001

⁴⁴ Official Journal L 322 14/12/1999 P. 0003-0017

establishment of Specially Protected Areas of Mediterranean Importance (SPAMIs) in coastal zones or the high seas.

The Convention for the Protection of the Marine Environment of the **Northeast Atlantic** (OSPAR Convention). The EC ratified Annex V of the above Convention in 2000⁴⁵. This Annex deals specifically with the protection and conservation of the ecosystems and biological diversity of the maritime area and makes direct references to the CBD.

The Convention for the Protection of the Marine Environment of the **Baltic Sea** Area (Helsinki Convention). This Convention addresses marine biodiversity conservation within an overall sustainable development perspective (Agenda 21).

The Community has been providing support to EU Member States and to neighbouring countries through an environmental programme in the **Danube basin and the Black Sea**, working with the International Convention for the Protection of the Danube and the Black Sea Convention. This is described in a recent Communication on Environmental Cooperation in the Danube-Black Sea⁴⁶

The Community participates in the work of the International Maritime Organization to develop a legal instrument for the control of ships' ballast and water, with the aim of controlling this vector for the introduction of alien invasive species. It also participates in the work of the IMO aimed at developing a legally binding Convention on the Control of Harmful Anti-Fouling Systems on Ships. The chemicals used in such systems can be particularly harmful to marine biodiversity. In this context a Regulation has been proposed by the Commission (COM(2002)396) aiming to ban the use of organostanic compounds by EU ships and ships visiting EU ports.

4.7.4 *Forests*

The European Community is committed to implement the (now expanded) CBD work programme on forest biological diversity. Although forestry issues are mainly dealt with by the EU Member States, the Community's involvement in areas such as agriculture and rural development, the environment, trade, research, regional and industrial policy and development cooperation means that it nevertheless has an important role to play and an influence on policy relating to forest biodiversity.

Over a third of the EU's land surface has forest cover and this is increasing by about 1% every three years. Security of ownership of forests through property regimes helps ensure long term investment is made; effective enforcement of forest laws is a further incentive for a long term approach, preventing the potential liquidation of forests for quick profits. While there are important areas of monospecific forest plantations in parts of the EU, the bulk of the forest resource is managed semi-natural forest – very little is completely unaltered by man. Forest clearance was more severe in some forest types than other, hence certain forest types such as riverine forests now only exist as remnants, posing a challenge for forest restoration.

An overview of trends in forest biodiversity in Europe is provided in the Environmental Signals 2002 report of the European Environment Agency (EEA) – available at their website: www.eea.eu.int. The report notes that the increase in forest area does not necessarily lead to an increase in biodiversity - this depends on the type of forests planted or regenerated and the land use they replace. Felling is less than forest growth, indicating sustainable use of the resource. While there is a trend towards increased forest protection under legal instruments such as the Habitats Directive, in some areas forest fragmentation due to infrastructure development or repeated forest fires is having a negative impact on biodiversity. Furthermore atmospheric pollution is resulting in a deterioration of forest health in many areas, with about a quarter of sample trees considered to be damaged.

⁴⁵ Official Journal L 118 19/05/200 P. 0045-0047

⁴⁶ Communication on Environmental Cooperation in the Danube-Black Sea. COM(2001)615

The main forum for European coordination on forests is the **Ministerial Conference for the Protection of Forests in Europe** (MCPFE, website www.mcpfe.org). This is an inter-governmental process which includes 41 European countries and in which the EC participates. A number of Resolutions on Forest Biodiversity have been passed by the MCPFE for implementation by the participants. A joint programme on forest biodiversity has been set up with the Pan-European Landscape and Biodiversity Strategy (PEBLS). Relevant EC research activities are discussed in the section on Research. However in the context of the MCPFE it is worth mentioning the supportive role that has been played by EC-funded forest research.

The (then) Belgian Presidency of the EU prepared a comprehensive document entitled *Forest Biological Diversity – Inventory of EU Policy and EU Positions in multilateral agreements*. As the title suggests, this compiles EU position statements in various international forums including the CBD and the UNFF. This document was updated in April 2002 and is available on the Belgian CHM website⁴⁷.

Two Communications in 1998 dealt with EC policy on forest biodiversity within the EU: one from a forest perspective - the EC **Forestry Strategy**⁴⁸, and one from a biodiversity perspective - the EC **Biodiversity Strategy**⁴⁹. Recommendations of the Forestry Strategy centre on technical forest management measures to increase biodiversity, the need to define protected forest areas under the Natura 2000 framework, research and data collection and the on-going development of Criteria and Indicators to provide a basis for assessment of progress towards sustainable forest management. The forests component of the EC Biodiversity Strategy includes these considerations but also mentions the need to ensure that afforestation does not reduce biodiversity eg. of grasslands, the development of methods for biodiversity assessment, implementation of relevant MCPFE Resolutions and research into potential effects of climate change.

The 2001 **Biodiversity Action Plan for Conservation of Natural Resources**⁵⁰ includes specific action points to ensure that the Natura 2000 network of special areas of conservation includes a coherent network of forest areas; to encourage credible forest certification schemes; to ensure that forest-related activities undertaken in the light of the Kyoto Protocol favour the conservation and sustainable use of biodiversity, and to integrate the CBD work programme on forests into UN Forum on Forests and Pan-European forests processes. The 2001 **BAP for Development Cooperation**⁵¹ also notes the potential for certification systems to contribute to sustainable use of forest biodiversity. The 2001 **BAP for Agriculture**⁵² emphasises opportunities for forest establishment and management through agri-environment payments for farmers.

In addition in 1999 a Communication on **Forests and Development** was adopted⁵³. The Communication noted the important influence on forests and their biodiversity of extra-sectoral policies, such as agriculture, transport, taxation and the need to resolve conflicts between stakeholders competing for the forest resource.

The EC also provides support for forest biodiversity through a number of legislative instruments and associated programmes.

- Regulation 3528/86 on the **Protection of the Community's Forests against Atmospheric Pollution**, extended until end 2002. Annual budget approx. 6 M EUR.
- Regulation 2158/92 – on the **Protection of the Community's Forests against Fires**, also recently extended to the end of 2002. Annual budget approx. 10 M EUR.

⁴⁷ <http://bch-cbd.naturalsciences.be>

⁴⁸ Communication on a Forestry Strategy for the European Union. COM(1998)649

⁴⁹ Communication on a European Community Biodiversity Strategy. COM(1998)42

⁵⁰ Communication from the Commission to the Council and the European Parliament on Biodiversity Action Plans in the areas of Conservation of Natural Resources, Agriculture, Fisheries and Development and Economic Cooperation. COM (2001) 162

⁵¹ *ibid*

⁵² *ibid*

⁵³ Communication on the EC Approach to Forests and Development COM(1999)554

- Regulation 1615/89 Establishing a **European Forestry Information and Communication System** (EFICS), as amended, most recently by Regulation 1100/98, and due to expire at the end of 2002. Annual budget of about 1 M EUR.
- The **Birds** (79/409) and **Habitats Directives** (92/43). Regulation 1655/2000 provides Community funding of approximately 60 M per annum to assist Member States in the implementation of these Directives.

In 2002 the Commission made a Proposal (COM(2002)404) for a new Regulation to replace the Regulations on the Protection of the Community's forests against fire and against atmospheric pollution (referred to above). The proposed "Forest Focus" Regulation concerning Monitoring of Forests and Environmental Interactions in the Community, while continuing actions on monitoring of forest fires and atmospheric pollution, would also provide support for monitoring of forest biodiversity, soils, climate change and carbon sequestration.

As discussed in the section on Nature Conservation, the EU's Natura 2000 network of special areas of conservation has steadily increased, and now includes over 7800 proposed sites in forest habitat types.

One change since 1998 has been the adoption in 1999 of a new **Rural Development Regulation**⁵⁴, funded from the EAGGF and discussed earlier under Agriculture. This continues support for afforestation by farmers provided under a previous 1992 Regulation, but includes strengthened provisions for forest management measures, particularly where these relate to the "protective and ecological role of forests". An independent evaluation report on forest measures undertaken through the 1992 Regulation was published in 2001⁵⁵. It found that considerable achievements had been made, notably in afforestation of about 1 million ha and improved management of a further 100,000 ha, with a generally positive impact on biodiversity. However, the degree of consideration of biodiversity issues varied between Member States (notably in relation to plantations of exotic species) - clearer guidance could potentially improve the impact on biodiversity of the forestry activities funded.

Council Directive 1999/105/EC on the **marketing of forest reproductive material** updates previous Directives and provides a framework for Member States to identify the genetic origin of tree seed and other reproductive material such as cuttings, including geographic provenance, and label the material accordingly, thus contributing to forest biodiversity conservation at the genetic level.

In the field of economic and development cooperation, new Regulations relevant to forest biodiversity have been adopted for measures in support of **Tropical Forests** and Other Forests in Developing Countries and for Support of Agriculture and Rural Development in Accession Countries (**SAPARD**).

The Tropical Forests Regulation, as the name implies, is specifically oriented to the conservation and sustainable use of forest biodiversity in developing countries, with a budget of the order of 30 M EUR per annum. This is mainly used to fund small to medium sized projects carried out by NGOs but larger projects are also funded, including over 70 M EUR committed over recent years for projects in the Pilot Programme to Conserve the Brazilian Rainforest (PPG7) and a 15 M EUR EC-UNDP Small Grants Programme for Sustainable Forest Management in South-East Asia.

Development cooperation activities for conservation and sustainable use of forest biodiversity are also funded through other EC financial instruments; these are discussed in the section on Economic and Development Cooperation, as is the SAPARD programme.

The EC is committed to implementing the CBD expanded work programme on forest biodiversity. For example, as a major importer of tropical and other timber and with competence for trade, it has already begun to examine ways to address trade in forest products whose harvest has not been authorised, in accordance with para 19(e) of CBD

⁵⁴ Regulation No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations

⁵⁵ Evaluation of the Community Aid Scheme for Forestry Measures in Agriculture of Regulation 2080/92. Institute for Forestry Development, March 2001.

COP6 Decision on Forest Biological Diversity. The European Community will reflect carefully on the work programme so as to identify further priority actions to be taken in the near future.

4.7.5 *Inland Water Ecosystems*

A combination of EU and national **regulation**, improved **technology** and **investment** from the EC, Member State governments and the private sector has meant that overall trends in the **quality of water** in European rivers indicate a significant **improvement** over the past 25 years. Thus fish can be found in the Thames and the Rhine where before there were none. Organic pollution from sewage, pulp mills, silage and slurry from agriculture has been one of the most damaging types of pollution since it causes a reduction in oxygen levels in water, “suffocating” all aquatic life. However, organic pollution is declining, as is phosphate pollution. In some areas nitrate levels have not fallen significantly however, due to fertiliser use in agriculture or to persistent pollution from untreated urban waste waters. Levels of water consumption do not exceed supply in most of Northern Europe, but in parts of Southern Europe there are concerns about declining aquifer levels due to over-exploitation, with irrigation being the most important water use.

EC environmental legislation on water quality developed over 25 years in response to identified problems in specific sectors. The cumulative effect was a rather piecemeal collection of legislation lacking a holistic perspective and in which qualitative aspects received much more attention than quantitative aspects. Quantitative aspects such as adequate summer stream flow are of course of equal importance to the quality of the water for aquatic biodiversity.

This led to the development of a landmark piece of EU environmental legislation: the **Water Framework Directive⁵⁶**, which will be transposed into national law of Member States by 2003. The Directive consolidates existing legislation, such that seven “first generation” Directives and Decisions are to be repealed.

Amongst the five overall objectives of the Directive is the “*prevent further deterioration and protect and enhance the status of aquatic ecosystems and, with regard to their water needs, terrestrial ecosystems and wetlands directly depending on the aquatic ecosystems*”

The building blocks of the Directive are River Basin Districts, which may be within one or several EU Member States. Member States are required to delineate such River Basin Districts and to produce Management Plans for each of them. Monitoring systems must be set up; composition and abundance of aquatic flora and fauna (i.e. aquatic biodiversity) will be one of the key elements for the assessment of water quality. Ambitious targets are set for low levels of pollution within 7-15 years. The Directive includes references to specific measures to ensure “good” water status (quality and quantity) of special areas designated under the Habitats Directive and other relevant legislation in which water is an important feature.

The EC Sixth **Environment Action Programme 2001-2010** has an objective related to the sustainable use and high quality of water. This includes priority actions to ensure the effective implementation of the Water Framework Directive and to ensure the integration of the concepts and approaches of the Directive in other Community policies.

The EC’s 2001 **Biodiversity Action Plan for Fisheries** covers aquaculture in freshwater as well as marine biodiversity. It notes the potential for damage to aquatic biodiversity that aquaculture installations can bring about. These can be general environmental impacts, such as high levels of nutrients or of veterinary products in the water, or direct impacts on biodiversity, through the escape of farmed fish and possible genetic contamination of related subspecies (eg. salmonids) or through the introduction of associated fish diseases. Proposed measures include a review of legislation, technical measures to reduce risk and technical and ecological research.

The EC’s 2001 **Biodiversity Action Plan for the Conservation of Natural Resources** covers freshwater biological diversity in some detail. The Action Plan recognises the opportunities in the Water Framework Directive

⁵⁶ Directive 2000/60 Establishing a Framework for Community Action in the Field of Community Water Policy

for biodiversity to be an integral part of the planning process and various actions are put forward to achieve this, particularly in the context of the River Basin Management Plans. The Plan also identifies opportunities to address wetland biodiversity through the Integrated Coastal Zone Strategy (see previous section on fisheries), given that many wetlands are in coastal zones, in addition to activities under the Water Framework Directive and the Natura 2000 Network.

Wetlands are proportionally well represented in the EU's Natura 2000 network of protected areas and in the associated LIFE-Nature programme. This is due in part to the importance they have for migratory birds, many of which are covered by the 1979 Birds Directive (see next section). Wetlands are also a priority in the Short and Medium Term Environmental Action Plan under the Euro-Mediterranean Partnership.

4.7.6. Cooperation

This section reviews economic and development cooperation activities; international cooperation on research is mentioned above under Research.

Policy Framework

In 2000 the European Commission adopted the first comprehensive **EC Development Policy**⁵⁷. This places poverty reduction as the over-arching objective of development cooperation and identifies six main sectors in which the Community will concentrate its' resources. Environment is considered as a cross-cutting issue to be incorporated into all sectors of development cooperation, though biodiversity is not specifically mentioned.

In addition to development cooperation the Community provides resources for economic cooperation, which can also be of relevance to biodiversity, for instance private sector cooperation on clean technologies for the reduction of atmospheric or water pollution.

Policies at the regional level are set in the context of regional processes and policies such as the ACP-EU Council of Ministers, the EU-Latin America and Caribbean Summits, the Barcelona Process (Mediterranean), the Communication Europe and Asia: A Strategic Partnership (COM(2001)469).

As part of the "Cardiff Process" the European Commission issued a Communication in 1999 entitled '**Integrating environment and sustainable development into economic and development cooperation - Elements of a comprehensive strategy**' (COM(1999)499). This proposed some concrete measures to address the challenge of better integration of environmental factors in the EC's development cooperation.

The 1999 Communication was followed up by a Commission Staff Working Paper entitled '*Integrating the Environment into EC Economic and Development Cooperation*' (SEC(2001)609). This restated the relationship between environment and poverty reduction in the light of the 2000 EC Development Policy, mentioned above and went on to provide further details about measures to be undertaken to improve the integration of environment into economic and development cooperation.

One of the tools for achieving the objectives stated above is an **Environment Integration Manual**. A comprehensive draft manual has been produced and is being field tested during 2002. It is available online at the DG Development website and includes a summary of the CBD and guidance on issues such as in-situ and ex-situ conservation, protected areas as well as sector-specific guidance eg. transport infrastructure.

The 1998 EC **Biodiversity Strategy** states a number of objectives for development and economic cooperation, including better mainstreaming of environmental issues into all sectors, support for sustainable natural resource

⁵⁷ Communication from the Commission to the Council and the European Parliament. The European Community's Development Policy. COM(2000)212. Endorsed in a joint Council-Commission Declaration at the Development Council meeting of 10th November 2000.

management, providing a sufficient level of overall funding for biodiversity and complementarity and coordination with other donor programmes and the GEF.

The 2001 **Biodiversity Action Plan for Economic and Development Cooperation**⁵⁸ contains a total of 18 action points, structured broadly along the lines of the CBD. It acknowledges the importance of increasing capacity for integrating biodiversity into development cooperation, not only within developing countries but also within the EC's structures. In addition to action points on protected areas, sustainable use of biological diversity and assistance with national biodiversity strategies, it mentions access and benefit sharing arrangements, environmental impact assessments, research, education and training.

Box: The Challenge of Integrating Poverty Alleviation and Biodiversity Concerns

Both EC development policy and general donor trends currently focus strongly on poverty reduction, as expressed in the Millennium International Development Targets. Increasingly, funding for development cooperation programmes must be justified in terms of their impact on sustainable poverty reduction. This represents a challenge for biodiversity funding. It is essential to use experience gained and lessons learnt on how to **integrate biodiversity into development and poverty reduction**, based on the valuable work funded on biodiversity in recent years by the Community, as well as by other bilateral and multilateral donors. Furthermore, given that the bulk of financial resources are always likely to be allocated to sectors other than biodiversity it is essential to "**mainstream**" **biodiversity into other sectors** such as health, education or transport. These two considerations imply that in order to be funded, many national BAPs need closer linkage to such mechanisms as national strategies for sustainable development (NSSDs) or better still, in the case of the poorest countries, to **Poverty Reduction Strategy Programmes (PRSPs)**.

One way in which the EC has attempted to address this issue is through the Biodiversity in Development Project (BDP), which was a partnership of the European Commission, DFID and IUCN, supported by biodiversity experts in EU development agencies and in developing countries. The project emphasises the use of biodiversity to contribute to, rather than compete with, poverty eradication efforts by considering conservation and sustainable use of biodiversity in the context of sustainable development and poverty reduction. Looking at the underlying causes of both biodiversity loss and poverty, the similarities are clear – centralised planning, access and ownership constraints, unregulated markets and weak political voice.

The project's publication : *Strategic Approach for Integrating Biodiversity in Development Cooperation* addresses the issue of integrating biodiversity more fully into development cooperation policy and practice. This and other project publications, including sectoral guidelines, are available to download at <http://wcpa.iucn.org/wcpainfo/news/biodiversity.html>)

The EC is also a partner with UNDP, DFID and the World Bank in the **Poverty and Environment** initiative, which is conducting case studies and policy research in this area as an input to the World Summit on Sustainable Development. Further information at: <http://www.undp.org/seed/pei/>

Developments Concerning EC Financial Instruments for Cooperation

The European Community's economic and development assistance to non-EU countries is provided through a number of **financial instruments**. The bulk of financial resources flow through general instruments for specific regions, namely the African, Caribbean and Pacific group –European Development Fund under the Cotonou Convention, Asia and Latin America – (ALA Regulation⁵⁹), Mediterranean (MEDA Regulation⁶⁰), the former

⁵⁸ (COM(2001)162).

⁵⁹ EC Regulation 443/92

⁶⁰ EC Regulation 1488/96

Soviet republics and Mongolia (TACIS Regulation⁶¹), Balkans⁶². In addition there are a number of thematic budget lines such as for environment, tropical forests and NGO co-financing. All of the instruments provide for interventions in the field of environment.

A new Regulation governing financial assistance to countries in Asia and Latin America was proposed by the Commission in July 2002 (COM(2002)340). At the time of writing it was still under consideration by the Council and European Parliament.

The most significant changes to the financial instruments since 1998 have been the introduction in 1999 of additional programmes for the Accession countries: ISPA (Instrument for Structural Policies for Pre-accession) and SAPARD (Special Accession Programme for Agriculture and Rural Development) and the signing of the Cotonou Agreement with ACP countries in 2000. In 2000 three financial instruments dealing with environment and tropical forests were renewed through the adoption of new Regulations. .

The **ISPA⁶³** programme provides investment in the fields of environment and transport (split 50:50) in order to speed up the compliance in accession countries with EU legislation in these sectors. The major investments in the environment sector are in waste-water treatment, thus contributing indirectly to CBD objectives in freshwater biodiversity. The **SAPARD⁶⁴** programme is aimed at helping solve priority problems in agriculture and rural development and in assisting the accession countries to incorporate and implement relevant EU legislation. Amongst the priority measures a number can contribute to sustainable use of biodiversity eg. forestry and agri-environment measures as well as to controlling the introduction of alien species.

The **Cotonou Agreement** provides the framework for EC development cooperation with ACP countries for the next 20 years. It is in the process of ratification. Article 32 refers to the environment and natural resources, including support to mainstreaming of the environment and specific measures for eg. protection of fragile ecosystems. A Compendium on Cooperation Strategies attached to the Agreement has a section on Environment, which mentions *inter-alia* the need to pay particular attention to multilateral environmental agreements such as the CBD in the formulation of country strategies and indicative programmes.

In addition to the changes in the major financial instruments noted above, 2000 saw the renewal of three Regulations specifically aimed at cooperation on the environment: the Environment in Developing Countries Regulation⁶⁵, the Tropical Forests Regulation⁶⁶ and the LIFE Regulation⁶⁷. Compared to its preceding Regulation, the **“Environment” Regulation** places greater emphasis on mainstreaming environmental and biodiversity considerations into the development process. The new **Tropical Forests Regulation** widened its coverage to include forests in developing countries outside the tropics. It incorporates many CBD concepts, including references to prior informed consent and special consideration of “forest dependent” people i.e. indigenous and local communities. The **LIFE Regulation** covers environmental activities within the EU and in neighbouring countries. Accession countries can participate in the main programmes, including the Nature programme aimed at the conservation of flora and fauna, while countries bordering the Mediterranean and Baltic Sea which are not accession countries can participate in a LIFE Third Countries programme of pilot/ demonstration projects.

⁶¹ EC Regulation 99/2000

⁶² EC Regulations 2666/2000 and 2667/2000

⁶³ EC Regulation 1267/99

⁶⁴ EC Regulation 1268/99

⁶⁵ Regulation (EC) No 2493/2000 on measures to promote the full integration of the environmental dimension in the development process of developing countries

⁶⁶ Regulation EC 2494/2000 on Measures to Promote the Conservation and Sustainable Management of Tropical Forests and Other Forests in Developing Countries

⁶⁷ Regulation EC 1655/2000 Concerning the Financial Instrument for the Environment

Programming and Projects

The EC has an extensive portfolio of projects supporting the aims of the CBD, whether as a main objective, such as projects to assist protected areas, or as a secondary objective, eg. biodiversity components within rural development programmes. Given the above it is difficult to precisely attribute project or programme expenditure on biodiversity. In the 2001 EC Biodiversity Action Plan for Economic and Development Cooperation it is estimated that about 3% of EC cooperation is directly related to biodiversity conservation and sustainable use. Given a total annual budget for cooperation of about EUR7 billion this amounts to about 200 million EUR per annum. Of this, about 70 M EUR is “ring-fenced” for environment through the three financial instruments renewed in 2000 (Environment, Tropical Forests and LIFE Third Countries instruments) with the balance coming from the main financial instruments for development cooperation such as the European Development Fund (ACP), ALA, MEDA and TACIS budget lines.

Since the early 1990s the EC has been an important donor for tropical forests, with activities centred on the humid tropics (Brazil, Central Africa, Indonesia) and expenditure in the late 90s approaching 100 M EUR per annum. As a regional integration organization the EC encourages regional cooperation, of which perhaps the most relevant example is the EC-ASEAN Biodiversity Centre. A substantial proportion of the cooperation on biodiversity is executed through direct grants to civil society organizations, including Southern NGOs and organisations working with indigenous populations.

Given the lead-in time for development programmes, the impact of the policy developments listed above on funding for conservation and sustainable use of biodiversity is not yet clear. Indications of cooperation priorities for individual developing countries can be found in Country Strategy Papers drawn up during 2000-2002 for ACP and other developing countries. These are available to download on the websites of DG Development (for ACP countries) and of DG External Relations (for non-ACP countries).

5. Conclusions

The adoption in 2001 of sectoral Biodiversity Action Plans (BAPs) for key sectors affecting biological diversity marked an important step for the EC to implement the CBD. The BAPs serve as building blocks for Community action on biodiversity and have been integrated into broader strategies, such as the EC’s Sixth Environment Action Programme and the EC’s Sustainable Development strategy. The BAPs for Agriculture and for Fisheries have been taken into account in the Commission’s proposals for review of of the Common Fisheries and Agriculture Policies in 2002.

The EC’s renewed commitment to sustainable use and conservation of biological diversity is shown by the fact that biodiversity figures prominently in the Sixth Community Environment Action Programme (2002-2010), which refers specifically to implementation of the BAPs, and in the Community’s Sustainable Development Strategy. Both of these recent initiatives reiterate the target of halting biodiversity loss in the EU by 2010. The development of biodiversity indicators will help track progress in meeting this headline objective, as well as in monitoring more specific aspects of biological diversity. The rapid development of the European Environment Agency in recent years means that the EC now has a greatly increased capability to monitor, at the European level, trends in biodiversity and the factors affecting these trends.

Regarding **nature conservation**, Member State action on establishing the Natura 2000 network of special conservation and protection areas has been slower than had been foreseen initially, but progress has nevertheless been made. The Natura 2000 network is close to being completed, at least in an initial form, with the first list of sites of Community interest for one eco-region having been formally adopted in 2001. However, in order to avoid “islands” of biodiversity the Natura 2000 sites need to be integrated into the broader landscape (or in some cases seascape). Further integration of biodiversity conservation concerns into policies such as agriculture and fisheries (both currently under review) and greater attention to the spatial dimension of policy coherence can contribute to this objective.

Two recent major environmental initiatives of the EC: the Water Framework Directive and the Integrated Coastal Zone Management Strategy have adopted an **eco-system approach**. While the adoption of such an approach may

not have been directly due to the influence of the CBD, it reflects the same reasoning as the CBD, namely that living ecosystems need a holistic approach if they are to be effectively managed and conserved.

There have been relatively few developments on **access to genetic resources and benefit sharing**. However, with the agreement reached in 2002 on the International Treaty on Plant Genetic Resources for Food and Agriculture and the adoption of the Bonn Guidelines on Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits Arising out of their Utilisation by the Sixth Conference of the Parties to the CBD, the international framework for policy development is now clearer. One of the action points in the 6th EC Environment Action Programme is to promote at a global level fair and equitable sharing of benefits arising from the use of genetic resources, so policy developments in this area are likely in the near future.

The Community has thus taken considerable strides since the First Report to CBD to fully incorporate biological diversity in its environmental and sectoral policies. Indirect support for biodiversity has also been provided through legislation to regulate pollution and reduce consumption of non-renewable resources, particularly through recycling. Amongst the biggest challenges faced by the EC to effectively implement the CBD are to further develop ways to work across disciplinary and institutional boundaries within the Community institutions and in Member States and to encourage broader societal changes within the EU, such as in patterns of production and consumption, through a genuine sustainable development approach.