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*Présidence luxembourgeoise
du Conseil de l'Union européenne*

Brussels, 31 May 2005

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

Dear Mr Zedan,

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

Yours sincerely,

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Soledad Blanco
European Commission

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

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

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

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

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

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

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

The EU would also like to emphasise the importance of **regional (e.g. EU, Pan-European) and sub-regional mechanisms** and cooperation in regard to implementation. The EU is presently reviewing priority objectives and detailed targets designed to meet the EU commitment to ‘halt the decline of biodiversity by 2010’¹, and to optimise the EU contribution to the global commitment to ‘the achievement by 2010 of a significant reduction in the current [2002] rate of loss of biological diversity.’ This review includes the assessment of the implementation, effectiveness and appropriateness of the European Community Biodiversity Strategy² (ECBS) and its four Biodiversity Action Plans³ (BAPS) and to identify priorities towards meeting the 2010 commitments.

¹ Presidency Conclusions, Goteborg Council, 15 and 16 June 2001. SN/200/1/01 REV1, page 8.
<http://ue.eu.int/newsroom/newmain.asp?lang=1>

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The outcomes could be

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

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

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

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

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

The outcome should be clear recommendations on how to

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

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

At COP7, the EU stated that it had “already submitted a proposal to the Chair of the COP Bureau last (i.e. 2003) November on how to improve operations of the Convention” and asked to “establish an **ad hoc high level advisory group** of around 20 high level experts which would analyse and assess the existing processes under the CBD and would propose improvements to the effectiveness of these processes. The advisory group should give special emphasis to improving on-the-ground implementation and effectiveness of the CBD in achieving the 2010 target.” While this work is now a task for the WG on Implementation, it still can be argued that innovative ideas for such improvements could be more effectively discussed by a smaller group of high level experts. There is however a risk of lack of transparency, participation, ownership and commitment.

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

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

Issues to be addressed include:

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

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

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

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

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

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

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

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

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

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

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

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

- **National Focal Points**

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

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

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

- **The Secretariat**

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

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

- **The Clearing House Mechanism**

WG-Implementation should

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

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

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

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

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

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

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

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

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

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

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

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

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

- **Outreach to civil society**

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

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

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

