



WORKING GROUP HIGHLIGHTS: MONDAY, 13 JUNE 2005

The first meeting of the *Ad Hoc* Open-ended Working Group on Protected Areas (PAs) of the Convention on Biological Diversity (CBD) opened on Monday, 13 June, in Montecatini, Italy. Delegates convened in plenary and sub-working group sessions. Plenary heard opening statements and keynote presentations, and addressed organizational matters. Sub-Working Group I (SWG-I) addressed options for cooperation for establishing marine protected areas (MPAs) in areas beyond national jurisdiction. Sub-Working Group II (SWG-II) considered: options for mobilizing financial resources; and the process for reviewing implementation of the work programme on PAs.

PLENARY

OPENING STATEMENTS: Ettore Severi, Mayor of Montecatini, welcomed participants to the city and noted the fundamental contribution of PAs to biodiversity conservation.

Altero Matteoli, Minister of Environment and Territory of Italy, highlighted the country's biological and cultural diversity and PA system, and drew attention to the International Ligurian Sea Cetacean Sanctuary, created by Italy, France and Monaco, which includes the high seas.

Noting the lack of an international instrument to address the negative impact of human activities in the high seas, Aldo Cosentino, Director General for Nature Protection, Ministry of Environment and Territory of Italy, urged governments to find solutions to establishing PAs in the high seas. He said PA management in Italy concentrates on promoting historic and cultural heritage and ensuring human development through conservation and sustainable use of natural resources.

Letchumanan Ramatha, Under-Secretary of the Ministry of Natural Resources and Environment of Malaysia, speaking on behalf of COP-7 President, called for increasing PA coverage, and highlighted support to local communities, long-term financial sustainability of PAs, and their integration into broader land- and seascapes as key elements in the implementation of the work programme.

Hamdallah Zedan, CBD Executive Secretary, outlined challenges for achieving the 2010 target of significantly reducing biodiversity loss, including improving coverage, representativeness and management of the current PA system. He also thanked the Government and people of Italy for hosting the meeting.

UNESCO said that protection of natural sites under the World Heritage Convention aims both at conserving their biodiversity and contributing to the implementation of the Millennium Development Goals (MDGs), and drew attention to the joint development of toolkits for PA management by the World Heritage Centre and IUCN.

The CONVENTION ON MIGRATORY SPECIES (CMS) underscored its commitment, as a partner in implementing the work programme on PAs, to assisting Parties in establishing effective regional PA networks, and urged CBD Parties that have not yet done so to accede to the CMS.

Ghana, on behalf of the AFRICAN GROUP, underlined the need for: agreement on new and additional financial resources and establishment of a special trust fund for PAs; linkage of PA management to MDG implementation; effective cooperation for establishing regional PAs; immediate increase in PA coverage, particularly MPAs; and use of coastal guards to protect MPAs.

Panama, on behalf of the LATIN AMERICA AND THE CARIBBEAN GROUP, noted that PA sustainability can be achieved if instruments and resources are adequate and if local communities and civil society are sufficiently involved.

The Netherlands, on behalf of the EU, BULGARIA and ROMANIA, favored a bottom-up and participatory approach to PA selection and management. He highlighted, *inter alia*, the importance of: prohibiting destructive fishing practices in certain marine areas; strengthening the existing regional fisheries management organizations (RFMOs) and establishing new ones; and developing toolkits for the establishment of coherent national and regional PA systems.

The INTERNATIONAL INDIGENOUS FORUM ON BIODIVERSITY (IIFB) expressed disappointment that none of the background documents reflect COP-7 decisions to fully and effectively involve, and fully respect the rights of, indigenous and local communities in the establishment, management and monitoring of PAs.

WWF-Malaysia, on behalf of an NGO consortium, underscored: contribution of PAs to the achievement of MDGs; development of an evaluation matrix linked to the work programme timetables; immediate application of existing tools and feedback on their use by developing countries; identification of high seas areas requiring urgent protection; and improvement of knowledge of marine biodiversity in areas beyond national jurisdiction.

ORGANIZATIONAL MATTERS: Delegates adopted the agenda (UNEP/CBD/WG-PA/1/1) and organization of work (UNEP/CBD/WG-PA/1/1/Add.1) without amendment. Chaweevan Hutachareon (Thailand) was elected Rapporteur of the meeting. Karen Brown (Canada) and Orlando Rey Santos (Cuba) were elected Chairs of SWG-I and SWG-II, respectively.

KEYNOTE PRESENTATIONS: Nik Lopoukhine, Chair of the IUCN World Commission on Protected Areas, addressed key issues for implementing the work programme, stressing the need to clearly demonstrate the contribution of PAs to human well-being, including through recognizing the value of ecosystem services and linking PAs to MDGs.

Carlos Salinas, Director of the Peruvian System of PAs, noted that Peru has designated a total area of 17.7 million hectares as PAs. He said the CBD is a good tool to integrate biodiversity



conservation with poverty alleviation, and highlighted the importance of timely and adequate funding for PAs.

SUB-WORKING GROUP I

MARINE PROTECTED AREAS BEYOND NATIONAL JURISDICTION: Jacqueline Alder, Sea Around Us Project, presented on biodiversity in marine areas beyond national jurisdiction (UNEP/CBD/WG-PA/1/INF/1). On the basis of a map-based analysis of species distribution and threats, she concluded that key biodiversity-rich areas include the tropical Indo-Pacific, the Southern Ocean, seamounts and shelf areas in the Atlantic Ocean and seamounts associated with cold water coral areas.

Lee Kimball, IUCN, presented on the legal regime of marine areas beyond national jurisdiction and options for international cooperation in establishing MPAs (UNEP/CBD/WG-PA/1/INF/2). She highlighted the UN Convention on the Law of the Sea (UNCLOS) as an international legal framework and several legal mechanisms that support protection of marine resources beyond national jurisdiction. She identified problems in achieving comprehensive protection of the marine environment through MPAs and outlined options to advance cooperation within the existing legal regime or through development of new legal mechanisms.

Following a brief discussion on the presentations, the Secretariat introduced background documents (UNEP/CBD/WG-PA/1/2 and UNEP/CBD/WG-PA/1/INF/1 to 3).

Many delegates supported: a strong scientific basis and CBD's role in improving scientific information; the precautionary and ecosystem approaches, as well as an integrated approach; and use of existing legal instruments.

The EU proposed short- and medium-term responses to preserving marine biodiversity beyond national jurisdiction, and highlighted the CBD's role in proposing procedures and criteria for high seas MPAs and establishing registers of marine areas requiring protection. With GREENPEACE, he supported developing an implementing agreement under UNCLOS. TANZANIA supported amending the CBD to extend protection to marine areas beyond national jurisdiction.

ARGENTINA noted that the scope of restrictions imposed by MPAs should be specified, and opposed references to the Southern Atlantic and Southern Oceans in the list of priority areas for establishing MPAs. CANADA identified the UN General Assembly (UNGA) as the primary forum to discuss international governance aspects.

NORWAY, supported by ICELAND, highlighted: specific and targeted MPAs; focus on illegal, unreported and unregulated fishing, surveillance and control, and flag State responsibility; and strengthened RFMOs. She suggested the meeting's results be forwarded to the working group established by UNGA to study issues on marine biodiversity beyond national jurisdiction.

COLOMBIA said the issue should be discussed under UNCLOS and, supported by CUBA, suggested a step-by-step approach to establishing MPAs. INDIA prioritized regional arrangements for setting up and managing MPAs. ECUADOR and JAPAN favored strengthening national MPA systems. ECUADOR called for information on economic and social aspects relating to MPA establishment in the high seas and, supported by BRAZIL, requested that the background documents be considered as preliminary. JAPAN stressed involvement of all stakeholders. AUSTRALIA supported establishing criteria for identification of areas and objectives.

The UN FOOD AND AGRICULTURE ORGANIZATION highlighted the need to consider a range of tools to conserve marine biodiversity. UNESCO highlighted the Mid-Atlantic Ridge System as an example of international cooperation on protecting a natural feature spanning both the high seas and areas within national jurisdiction. GREENPEACE called for an UNGA moratorium on deep sea bottom trawling.

SWG-I Chair Brown said a Chair's text containing draft recommendations will be prepared.

SUB-WORKING GROUP II

FINANCIAL RESOURCES: The Secretariat introduced the background document on options for mobilizing financial resources (UNEP/CBD/WG-PA/1/3).

CANADA, supported by AUSTRALIA, highlighted the importance of strong government commitment to the work programme, and encouraged civil society to access funding from industry. AUSTRALIA and MEXICO called for more effective use of existing resources rather than creating new ones. The EU, supported by NEW ZEALAND, said the market values of biodiversity should be further explored to generate funds for PAs. He emphasized that the work programme should become a political priority in developing countries. NEW ZEALAND cautioned against restricting local people's access to PAs with a "user pays" mechanism, and emphasized that income generation should significantly outweigh transaction costs.

MADAGASCAR called for further strengthening the Global Environment Facility (GEF). MALI noted the need for funding to implement regional and subregional PA management programmes. BOLIVIA called for incorporating work on PAs into actions to combat poverty and meet the MDGs. INDIA emphasized the role of multilateral financial mechanisms and, supported by PALAU, called for country-specific and demand-driven strategies. THAILAND called for organizing workshops in developing countries on financial management. URUGUAY emphasized the need to increase bilateral aid with respect to PAs, and called for PAs to be included in the Clean Development Mechanism. SWITZERLAND called for increasing public-private partnerships.

The IIFB expressed concern on the use of controversial financial mechanisms that affect indigenous peoples' rights and livelihoods. The NATURE CONSERVANCY suggested creating, by the end of 2005, a GEF-led early action fund as a short-term funding option, and a financial commitments conference in 2008 to address long-term funding needs for implementing the work programme. GREENPEACE emphasized that donor countries should ensure a significant increase in funding for the fourth GEF replenishment.

SWG-II Chair Santos said a Chair's text will be prepared.

WORK PROGRAMME REVIEW: The Secretariat introduced the document on the process for the review of implementation of the work programme (UNEP/CBD/WG-PA/1/5). NEW ZEALAND expressed concern over diverting limited resources to reporting. The EU proposed developing an evaluation matrix, including criteria for assessing information, materials needed, and possible sources of information. GRENADA called for financial resources for report writing. The IIFB called for participation of local and indigenous communities in reporting. SWG-II Chair Santos said a Chair's text will be prepared.

IN THE BREEZEWAYS

Convening in the wake of last week's sixth meeting of the Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS) held in New York, CBD delegates have brought their negotiating positions on MPAs to Montecatini. With highly polarized views on how to proceed with the issue of MPAs in areas beyond national jurisdiction, including which forum should take the lead in addressing it, some delegates expressed concern that the Working Group meeting may experience the UNICPOLOS syndrome of late-night-carefully-negotiated-compromise-texts. While some have been garnering support for an implementing agreement under UNCLOS, others remained optimistic that CBD will find its niche in addressing high seas MPAs, albeit not as a leading agency. Whatever the outcome, and following a breezy first-day discussion on financing options in SWG-II, MPAs are expected to dominate this week's deliberations.