

## **The Convention on Biological Diversity and Invasive Alien Species : From Rio to Bonn and Beyond**

*Session: The International Legal and Institutional Context for Pre-Import Screening of Animal Species in International Trade*

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**Introduction** In 1992, the largest-ever meeting of world leaders took place at the United Nations Conference on Environment and Development in Rio de Janeiro, Brazil. An historic set of agreements was signed at the "Earth Summit", including two binding agreements, the Convention on Climate Change, which targets industrial and other emissions of greenhouse gases such as carbon dioxide, and the Convention on Biological Diversity (CBD), the first global agreement on the conservation and sustainable use of biological diversity. The CBD has three main goals as follows. The conservation of biodiversity, Sustainable use of the components of biodiversity, and Sharing the benefits arising from the commercial and other utilization of genetic resources in a fair and equitable way

**Article 8(h)** The Convention text Article 8(h) reads that Each Contracting Party shall, as far as possible and as appropriate: (h) Prevent the introduction of, control or eradicate those alien species which threaten ecosystems, habitats or species

**Guiding Principles** An urgent need to address the impact of invasive alien species (IAS) was recognised, and established IAS as a cross-cutting issue at its 4th meeting. Interim Guiding Principles for implementing the Article 8(h) was adopted at the 5<sup>th</sup> Conference of the Parties. The decision of COP 6 included adoption of Guiding Principles for the Prevention, Introduction and Mitigation of Impacts of Alien Species that Threaten Ecosystems, Habitats or Species.

**Gaps and inconsistencies** At COP 7 (2004), it was decided that “specific gaps in the international regulatory frameworks at global, regional and national levels persist, notably in relation to species that are invasive, but do not qualify as plant pests under the regulations of international agreements

**Pathways** At COP8 (2006), further consideration was on the gaps and inconsistencies on the international regulatory framework. The following pathways were specifically concerned<sup>1</sup>;

- conveyances (e.g., vessels, floating timber, equipment and machinery, household goods, packaging and containers, waste materials, air transport vessels, tourist vessels, etc.), including any risk assessments or risk management measures that have been carried out for particular species or pathways
- Aquaculture/mariculture
- Ballast water
- Marine bio-fouling, particularly hull-fouling
- Civil air transport

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<sup>1</sup> UNEP/CBD/COP/8/27

- Military activities
- Emergency relief, aid and response
- International development assistance
- Scientific research
- Tourism
- Pets, aquarium species, live bait, live food and plant seeds
- Biocontrol agents
- Ex situ animal breeding programmes
- Inter-basin water transfer and navigational canals

### **In-depth Review on the implementation of Article 8(h)**

In the process of Operations of the Convention, the work on alien species that threaten ecosystems, habitats or species (referred to as invasive alien species) will be reviewed in depth at the 9th meeting of the Conference of the Parties in Bonn in May, 2008.

In 2005, the Millennium Ecosystem Assessment (MA) noted that over the past century, the impact of invasive alien species has been particularly high on islands, high and moderate in deserts and temperate and Mediterranean drylands. The predictive models used by the MA strongly suggested that, in the first half of this century, the impact of invasive alien species will grow in intensity in inland waters, coastal areas, boreal, tropical and temperate forests, and Mediterranean, grassland and savanna drylands. The impact will remain constant in the other ecosystems studied. In general, invasive alien species are becoming one of the major direct causes of biodiversity loss (including species extinctions) and changes in ecosystem services. Their occurrence and impact can be localized, trans-boundary or have a global impact.

The third National Report (2005) showed, out of the 136 countries that responded to the questions on invasive alien species. 39% of the respondents consider invasive alien species a high priority issue, 36% a medium priority, and the others a low priority. Implementation of prevention, control and mitigation measures is limited, essentially but in varying degrees depending on countries. Hindering facts identified in consultation with Global Invasive Species Programme, other relevant bodies and the analysis of MA are as follows.:

- Insufficient human, technical, institutional and logistical capacity for the prevention, eradication and control of invasive alien species, including *inter alia* phytosanitary and quarantine control, early detection and rapid response systems, field equipment, intersectoral planning, economic valuation, and integrated policy and legal frameworks;
- Limited institutional coordination at national, regional and international levels;
- Lack of political will and, consequently, lack of appropriate policies;
- Limited public awareness of the seriousness of threats posed by invasive alien species, their impacts on the environment, economy and human health, and the drivers of bio-invasion at public, political, planning and technical levels;
- Inadequate policy and legal frameworks, and lack of enforcement, bearing in mind that invasive alien species are a national, regional and global development problem, of which management should be mainstreamed into national strategies and action plans and national development planning; and
- Lack or limited financial resources for both short and long-term programmes.

In addition to the above, the views and information on experiences submitted from 27 of the Parties and the other government in response to the Notification 2006-116 (#56333), showed that development of national invasive species systems requires a significant degree of inter-agency and cross-sectors coordination. In some cases the relevant authority lies outside of the Ministry of the Environment.

The establishment of inter-agency coordinating mechanisms appears as a critical step in the early stages of planning national efforts to address invasive alien species.

National implementation, particularly in developing countries, it has largely relied on regional support networks, institutions and projects to acquire information, models and methodologies, and to catalyze internal work.

...In 2004 Guiding Principles for the Implementation of Article 8(h)2 was adopted by the Parties. Only ten Parties reported, in their third national reports, that they had mechanisms in place to coordinate national programmes for applying the Guiding Principles. A need exist to provide explicit examples and guidance on how to apply the Guiding Principles effectively.

In 2005, an Ad Hoc Technical Expert Group (AHTEG) was established to further clarify gaps and inconsistencies in the international regulatory framework for invasive alien species. The identified gaps were considered at the 8th Conference of the Parties, in which included pathways as listed in the above and inconsistency in terminology. The AHTEG also found that a significant general gap in the international regulatory framework to address animals that are invasive alien species but are not pests of plants under the International Plant Protection Convention (IPPC). This gap was considered by the 13th meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA13). The SBSTTA13 advised that invitation of IPPC, World organisation for animal health (OIE), the Committee on Sanitary and Phytosanitary Measures of the World Trade Organization (WTO), and Committee on Fisheries of the Food and Agriculture Organization of the United Nations to cover the issue of invasive alien species within their mandates and to consider expanding the mandates to consider ways and means for the provisions in the Sanitary and Phytosanitary Agreement of the WTO. The SBSTTA13 also advised to request the Executive Secretary to report on implementation of this decision, and decision VIII/27, and, if necessary, present options for further work to address these gaps to the SBSTTA at a meeting immediately prior to the 10th meeting of the Conference of the Parties.

In the context with the advices of SBSTTA13, this workshop is important opportunity to collate the information on one of the pathways considered at the 8<sup>th</sup> Conference of the Parties, which includes **pets, aquarium species, live bait, live food and plant seeds**. Secretariat of the CBD appreciates all the information on the practices related to the above. And if necessary and appropriate, an AHTEG would be established to suggest means, including practical guidance, for addressing the risks associated with the introduction of the organisms above. Further

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<sup>2</sup> Decision VI/23. One representative entered a formal objection during the process leading to the adoption of this decision and underlined that he did not believe that the Conference of the Parties could legitimately adopt a motion or a text with a formal objection in place. A few representatives expressed reservations regarding the procedure leading to the adoption of this decision (see UNEP/CBD/COP/6/20, paras. 294-324).

information on the in-depth review is available in the CBD document UNEP/CBD/COP/9/INF/32.

**And beyond** In 2009, International Day for Biological Diversity will celebrate under the theme of Invasive Alien Species. Collation of information and best practices for addressing the risks associated with the introduction of alien species as **pets, aquarium and terrarium species, and as live bait and live food and plant seeds** continues. AHTEG is planned to establish to develop an operational guide and tools based on the result of in-depth review. Collaboration with relevant international organisations and others including GISP will continue to assist further implementation of Article 8(h).