

The National Biodiversity Plan

Philip Buckley¹

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Abstract

This paper provides an outline of the background to, obligations and functioning of the Convention on Biological Diversity which Ireland ratified in 1996. The Department of Arts, Heritage, Gaeltacht and the Islands is preparing, in consultation with others, a National Biodiversity Plan to strengthen Ireland's commitment to the convention. The process of developing the plan and its possible content, which will address all areas, including forests, relevant to the conservation and sustainable use of biological diversity in Ireland, are outlined.

Keywords: Biodiversity, conservation, forests, national biodiversity plan, wildlife

Background to the Convention on Biological Diversity

The Convention on Biological Diversity (CBD) was adopted at the United Nations Conference on Environment and Development – the 'Earth Summit' – in Rio de Janeiro in 1992. The Convention was one of two legally binding instruments agreed at that Conference, the other being the Framework Convention on Climate Change.

The CBD came about because it was recognised that the earth's biodiversity was suffering serious losses and that existing international action was not adequate to deal with the problem. Biodiversity is important not only for ethical or intrinsic reasons, it is essential for humankind. Biological resources provide humans with numerous goods and services, from food, energy and materials to genetic material vital for crops and to develop medicines. To take just one example, half of all medicines are derived plants. The Convention recognises that biological diversity should be conserved for reasons of ethics, economic benefit and human survival (Secretariat of the Convention on Biological Diversity 2000)

Objectives and obligations of the Convention on Biological Diversity

The Convention is a framework convention requiring both national and international action. It has three overriding objectives, namely:

- the conservation of biological diversity;
- the sustainable use of its components; and
- the fair and equitable sharing of benefits arising from the use of genetic resources.

The Convention on Biological Diversity is a global and legally binding agreement for the conservation and sustainable use of biodiversity. It is arguably the most comprehensive environmental treaty to date. The Convention covers all ecosystems, species and genetic resources. In the Convention, biological diversity is defined as "the variability among liv-

¹ Heritage Policy and Legislation Division, Department of Arts, Heritage, Gaeltacht and the Islands, Dún Aímhígin, 43-49 Mespil Road, Dublin 4 (pbuckley@ealga.ie).

ing organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems”.

Biodiversity therefore comprises every form of life on earth and the ecosystems of which they are part. The Convention is concerned with both wildlife - though involving a much broader approach than traditional nature conservation - and with domesticated plants and animals. It interacts with a wide array of matters linked to biodiversity. A central focus of the Convention is the need to integrate biodiversity requirements with all other sectors. Specific obligations relate, inter alia, to: conservation both inside and outside protected areas; *ex-situ* conservation; impact assessment; identification and monitoring; sustainable use of ecosystems, species and other biological resources; research; education; access to and benefit sharing from genetic resources; access to and safe use of biotechnology; and the provision of adequate financial resources both nationally and internationally.

The Convention recognised the need to provide funds to developing countries in order to conserve the world's biodiversity. The financial mechanism established under the Convention is operated by the Global Environment Facility (GEF) under the guidance of the Conference of the Parties to the Convention (COP). By the end of 1999, the GEF had distributed over \$960 million for biodiversity related projects in more than 120 countries.

Continuous process

While the text of the Convention was agreed in 1992, it also put in place a 'living' global process to address the conservation and sustainable use of biological diversity. There is ongoing action by countries and also international organisations to implement the Convention. The Convention is also subject to continuous development to further define and agree what is required to achieve its objectives.

Ultimate authority for the Convention rests with the COP. It comprises all countries that have ratified the Convention and meets every one to two years. There is also a Subsidiary Body for Scientific Technical and Technological Advice (SBSTTA) – again composed of representatives of Parties – which advises the COP on scientific issues. Other expert groups and mechanisms have been established to consider and advance particular issues, including forest biological diversity. The Convention has a permanent secretariat which assists the COP and manages the day-to-day running of the Convention.

The CBD also works closely with many other relevant international processes and agreements, including ones concerned with forests, such as the Intergovernmental Panel on Forests (IPF), the Intergovernmental Forum on Forests (IFF) and the upcoming UN Forum on Forests (UNFF).

A notable development has been the negotiation and adoption of a protocol to the Convention dealing with the international movement of living modified organisms (LMOs) derived from biotechnology (essentially GMOs) which may adversely affect biodiversity. This Cartagena Protocol on Biosafety represents a very significant, if not a landmark, development. It puts in place for the first time legally binding procedures to deal with transboundary movements of LMOs. Perhaps even more significantly and of importance for future developments, it both enshrines the precautionary approach as a principle of international law and establishes that biodiversity/environment issues are of equal importance to trade-related ones, such as WTO agreements, in the international arena. The Cartagena Protocol was adopted in January 2000. Ireland signed the Protocol at its opening for signature in May 2000.

Forests and the Convention on Biological Diversity

Forests and forest biological diversity have received considerable attention under the CBD. The Convention recognises that forests play a crucial role in the conservation of biodiversity. Forest biodiversity has been on all COP and SBSTTA agendas, and the COP has adopted a work programme on forest biodiversity. All countries are urged to contribute to this work programme. While the work programme has been mainly concerned with research and co-operation thus far, in the future it is likely to focus on practical action.

One particular priority agreed is the need for Governments to ensure that national forest programmes and biodiversity strategies are closely integrated. Countries are also urged to apply 'the ecosystem' or a holistic approach, as well as sustainable forest management to the management, conservation and use of forests. A recent consideration has been the need to ensure that the role forests play in respect of climate change is clearly compatible with the conservation of biodiversity.

EU and European level

The CBD is influential at the EU as well as the broader European level. The European Community is a Party to the CBD in its own right. As a consequence the EC has adopted a Community Biodiversity Strategy (European Commission 1998). This strategy, which addresses, inter alia, forestry, sets out a framework for integrating biodiversity needs into other community policies and instruments. It is being implemented inter alia through the preparation of specific Community Action Plans (on agriculture for example).

At the broader pan-European level, there is a process- the pan-European Biological and Landscape Diversity Strategy (PEBLDS) - dealing with biodiversity. It too includes forest biodiversity as an important focus.

Implementation of the Convention on Biological Diversity in Ireland

Ireland ratified the Convention on Biological Diversity in 1996. Implementation of the CBD in Ireland impinges on virtually all sectors. While nature conservation authorities and measures have a central role to play, all sectors must ensure that they deliver on their now clearly established responsibilities to provide for the conservation and sustainable use of biological diversity. Some sectors have particularly important roles. This includes, but is by no means limited to, the forestry sector (Buckley 2000).

The process of implementing the CBD in Ireland is not a matter of putting in place on a once off basis a particular measure or set of measures. Meeting the obligations of the Convention is a continuous process. It requires, and will continue to require, that biodiversity is provided for in developments in a wide range of areas as well as through the elaboration or adoption of specific biodiversity measures.

A major means of delivering the Convention in Ireland, as in most other countries, is through the preparation of a National Biodiversity Plan.

Process of developing the National Biodiversity Plan

The process of preparing a National Biodiversity Plan was initiated some time ago. While the Plan is being prepared by the Department of Arts, Heritage, Gaeltacht and the Islands- as the department with lead responsibility for the CBD in Ireland- the Plan will cover the work of other government departments. In order to conserve biological diversity and to fulfil the obligations of the CBD, it is essential that all relevant departments be involved. The Plan is being drafted in-house, specifically by the Heritage Policy Division.

As well as consultation between government departments and bodies, including the Heritage Council, the Minister for Arts, Heritage, Gaeltacht and the Islands decided it was essential to involve all interested parties in the preparation of the plan. Consequently public notices were placed in the national press inviting submissions to be considered in the preparation of the plan. Submissions were also directly requested from relevant organisations, third level institutions, and NGOs, representative of both conservation and sectoral interests. About fifty submissions were received and these were taken into account in preparing the draft plan.

At this stage, the drafting of the plan is at an advanced stage, and a draft is the subject of consultation with key Departments. When the draft is finalised, it is anticipated that the Plan will be agreed by all government departments and approved by Government. It is expected that the National Biodiversity Plan will be published in 2001.

The Minister for Arts, Heritage, Gaeltacht and the Islands is also currently preparing a National Heritage Plan that will cover all aspects of the heritage including biodiversity. That Plan is also at an advanced stage. There has been a strong interaction between drafting processes and the two plans will be complementary.

Likely content of the National Biodiversity Plan

At this stage it is not possible to be definite about what will be in the plan given that it is still subject to consultation and agreement. However it is likely that the main focus will be on setting out future actions. These will be set out under a number of themes and in chapters covering key sectors. The draft table of contents is given in Box 1.

Box 1. *Draft table of contents of the National Biodiversity Plan.*

CONTEXT and INTRODUCTION

STRATEGIES and ACTIONS

Themes

- Integration of Biodiversity into Sectors
- Legislation
- Protected Areas
- Species Conservation
- Habitat Conservation
- Country-wide Conservation
- Conservation and Sustainable Use of Genetic Diversity
- Public Awareness and Education
- Knowledge
- Structures and Resources
- EU, Regional and International

Key Sectors

- Terrestrial Ecosystems: Agriculture
- Terrestrial Ecosystems: Forests
- Inland Waters
- Marine

DELIVERY, IMPLEMENTATION AND REVIEW

An overview of biological diversity in Ireland and the measures in place for its conservation has already been provided in Ireland's first national biodiversity report which was submitted to the Conference of the Parties in 1998 (Department of Arts, Heritage, Gaeltacht and the Islands 1999).

Some measures dealt with in chapters of the plan other than the one dealing with forests are also likely to be relevant to forestry. One such example is "Integration of Biodiversity into Sectors". Ensuring that all relevant sectoral plans, programmes and policies provide for biodiversity is a key obligation of the CBD and it will similarly be fundamental to the National Biodiversity Plan. One possible option under consideration is the subsequent development of sectoral biodiversity plans. The question of extending biodiversity planning to the local level is also being considered.

In relation to nature conservation legislation, a major recent development was the publication of the Wildlife (Amendment) Bill in 1999. This Bill, *inter alia*, sets out a statutory basis for the protection of Natural Heritage Areas (NHAs) which is to a large degree along the lines of that already provided for Special Areas of Conservation (SACs) under the European Communities (Natural Habitats) Regulations, 1997. The main objectives of the Bill are summarised in Box 2.

Box 2. *Objectives of the Wildlife (Amendment) Bill, 1999.*

The main objectives of the Wildlife (Amendment) Bill are to:

- provide statutory protection for Natural Heritage Areas (NHAs);
- improve a number of measures, or introduce new ones, to enhance the conservation of wildlife species and their habitats;
- enhance a number of existing controls in respect of hunting, which are designed to serve the interests of wildlife conservation, and introduce new powers to regulate commercial shoot operators who cater mainly for non-resident hunters;
- ensure or strengthen compliance with international agreements and, in particular, enable ratification of the Convention on International Trade in Endangered Species (CITES) and the African-Eurasian Migratory Waterbirds Agreement (AEWA);
- introduce statutory protection under wildlife legislation for geological and geomorphological sites;
- increase substantially, monetary fines for contravention of wildlife legislation and introduce prison sentences in addition to those fines;
- enable the Minister to act independently of forest legislation (for example in relation to the acquisition of land by agreement);
- strengthen the protective regime for Special Areas of Conservation (SACs) by putting it beyond doubt that protection will in all cases apply from the time of notification of proposed sites; and
- give specific recognition to the Minister's responsibilities in regard to promoting the conservation of biological diversity, in the context of Ireland's commitment to the UN Convention on Biological Diversity.

Forests and the National Biodiversity Plan

The Plan will consider both native woodlands and ‘plantation forests’.

Native forests

The majority of forest in Ireland today is comprised of plantations of recent origin. Native woodlands are the rarest of the major habitat types in Ireland. It is estimated that less than 20,000 ha of semi-natural native woodland still exist in Ireland. Substantial areas of these are included in conservation areas, whether state-owned (nature reserves and National Parks for example) or subject to protection as designated or proposed NHAs or SACs. Requirements being examined in relation to native woodlands include:

- ensuring that all appropriate native woodlands are included in, and effectively conserved through, the protected area network;
- continuing or expanding active management, including in relation to non-native species; and
- inventory and research.

Plantation forests

Forestry is no longer viewed as being solely about the production of wood. Whether at the international or pan-European levels, it is now accepted that forestry must provide, inter alia, for biodiversity. The significant expansion in Irish forestry that is currently underway represents both a challenge and an opportunity in this regard. Forestry and biodiversity should not be viewed as being in competition or being mutually exclusive. On the contrary, with the right policies and measures they can be mutually supportive – forestry can be good for biodiversity, and biodiversity can be good for forestry.

In the case of Irish forestry, an unavoidable consideration is the proportion of broad-leaf species in the forest estate. The current target for broadleaf species is 20% of annual afforestation (Department of Agriculture, Food and Forestry 1996). From the perspective of biodiversity, this target needs to be increased substantially.

Ensuring that ecologically important sites are not adversely affected by forestry is vitally important. It is fair to say that forestry’s recent record in this regard is good – probably better than some other sectors. There are effective mechanisms and procedures, including close co-operation between the Forest Service and the Department of Arts, Heritage, Gaeltacht and the Islands to ensure that forestry does not impact negatively on NHAs, SACs, Special Protection Areas (SPAs), etc.

Knowledge of what biodiversity Ireland’s new forests actually support is very scant. While a limited number of studies have been completed or are underway, there is much that needs to be done. The National Biodiversity Plan, or the process it puts in train, will address this need.

A variety of other forest and biodiversity issues are being looked at in the process of preparing the National Biodiversity Plan. These relate both to existing or planned actions and to new initiatives. Issues being considered include:

- forest guidelines, including specific ones for biodiversity;
- the role of existing woodland schemes;
- forest legislation;
- how to protect specific biodiversity outside of protected areas;
- the need to increase the use of native species.

Conclusion

To date the Convention on Biological Diversity has been ratified by more than 176 countries. Ireland ratified the Convention in 1996. Though a relatively young convention, it has already established itself as being essentially the 'mother of all' nature/biodiversity-related conventions, both in terms of its virtually universal support and its comprehensive scope. It sets the defining framework within which nature conservation and other issues relevant to biodiversity must be addressed from now on – whether at the international, EU, or national level.

One fundamental aspect is that all relevant sectors must provide properly for biodiversity. This is true of forestry in Ireland. The National Biodiversity Plan which is in preparation will seek to do this, through building on the various initiatives currently underway in the Irish forestry sector and by bringing forward further specific actions.

REFERENCES

- Buckley, P. 2000. The Convention on Biological Diversity and its implementation in Ireland. In *Biodiversity: The Irish Dimension*. Ed. Rushton, B. S., Royal Irish Academy, Dublin, pp 1-14.
- Department of Agriculture Food and Forestry. 1996. *Growing for the Future: A Strategic Plan for the Development of the Forestry Sector in Ireland*. Forest Service, Department of Agriculture, Food and Forestry, Government Publications Sales Office, Dublin.
- Department of Arts, Heritage, Gaeltacht and the Islands. 1999. *National Report Ireland. First National Report on the Implementation of the Convention on Biological Diversity by Ireland, 1998*. Department of Arts, Heritage, Gaeltacht and the Islands, Dublin.
- European Commission. 1998. *Communication of the European Commission to the Council and to the Parliament on a European Community Biodiversity Strategy*. (COM (98) 42). European Commission Brussels.
- Secretariat of the Convention on Biological Diversity. 2000. *Sustaining Life on Earth*. CBD Montreal.