

Implementation of international biodiversity conventions in Central and Eastern Europe

- Summary -

The evaluation study on the implementation of certain biodiversity and nature protection related commitments was conducted in the following countries: Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia¹. The commitments examined were the followings:

- Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention); adopted on 2 February 1971, Ramsar
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), adopted on 3 March 1973, Washington
- Convention on the Conservation of Migratory Species of Wild Animals (CMS) (Bonn Convention), adopted on 23 June 1979, Bonn
- Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention), adopted on 19 September 1979, Bern
- Convention on Biological Diversity (CBD), adopted on 5 June 1992, Rio de Janeiro
- Pan-European Biological and Landscape Diversity Strategy (PEBLDS), adopted on 25 October 1995, Sofia
- Council Directive 79/409/EEC (EU Birds Directive)
- Council Directive 92/43/EEC (EU Habitats Directive)

The aim of this study was to find out, whether conventions signed and directives incorporated into national legislation provide an effective way to improve the state of nature. The template for the study included very specific questions targeted at the institutional structure, human capacities dedicated and the financial resources earmarked to the implementation of the international commitments in question. The study also presents the concrete results and improvements achieved due the obligations stipulated in these documents.

The state of nature conservation and the level of the implementation of these commitments differ significantly in these countries, but what they all agree in is that despite some remarkable achievements attained recently, there is still a long way to go. Depending on previous advance made by the different countries in the field of nature conservation, current circumstances and national priorities, there have been considerable steps forward in amending national legislation for incorporating international commitments, setting up comprehensive nature conservation strategies, involving sites and species under international conventions (Bern Convention, Bonn Convention, CITES, etc.), designating national ecological networks and Natura 2000 sites, promoting effective cooperation among the numerous stakeholders, etc. While acknowledging the significance of the progress made in the Central and Eastern European region, it should be also pointed out however that there are still some serious gaps in the institutional and legislative basis of national nature conservation, and even more in implementing the already undertaken international commitments.

¹ The national assessments are available on our website: www.ceeweb.org

The following concrete examples give a brief overview on the problems the region has to face with regards to nature conservation:

- Slovakia: Even seriously threatened species are considered by hunting law as game species and intensively hunted (e.g. wolf).
- Poland: EU Birds and Habitat Directives: 7% of Natura 2000 areas is conserved in national parks (all the national parks are to be included in the future network), 34% in landscape parks, 2% in nature reserves and almost 60% is not included in any of these forms of nature conservation, therefore they cannot be considered as protected areas. The fact that the majority of these areas is situated within the so called 'areas of conserved landscape' has no practical significance due to the very low dignity of this form of nature conservation.
- the Czech Republic: 44% of higher plants and 41% of vertebrate animals are under threat or already extinct in the Czech Republic. The percentage of threatened invertebrates can hardly be estimated. A considerable part of the species population of invertebrates has yet to be discovered. The situation is similar in the case of fungi.

The overall conclusion of the study was that the bottleneck for successful and effective implementation is the **lack of human and financial resources**.

And what are the underlying reasons of nature conservation issues being such a low priority? The first point is maybe the political will and commitment of decision-makers (or rather the lack of it), because according to these reports, the means and instruments sometimes are existing, but they are not used to their full potential. Of course the political climate of these countries is slightly different, depending on their position regarding EU accession. First round countries with their accession foreseen in 2004 (the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia) show – must show – a strong commitment towards the implementation of the EU directives, because they are obligated to comply with all EU legislation by the time of their accession if no derogation period has been requested and endorsed. The countries of the second round (Bulgaria and Romania) with the working hypothesis of 2007 as the date of their accession, have the target set and the objectives well defined as well, but nature conservation is still not placed appropriately in the list of priorities. Croatia has just started negotiating with the EU, and important favourable changes can be already observed, though the 'situation is far from perfect'.

The integration of nature conservation considerations in all sectoral policies would be an essential step to the implementation of these agreements. However, actually not even nature conservation activities themselves are coordinated efficiently. The scope of the international commitments selected for this study shows a significant overlapping. This kind of duplication in most of the cases does not duplicate the effectiveness of implementation, but it is rather used as an excuse to shift the responsibility. Thus instead of taking advantage of the opportunity of a strong cooperation and a rational distribution of tasks on the field of overlapping issues, the lack of coherence and insufficient information flow results in the waste of already scarce (human and financial) resources. However, you can find good examples as well. Below you can read the relevant section of the Latvian report:

For the reasons of better coordination and use of resources, it has been decided that one unified biodiversity related strategy will be prepared for Latvia, incorporating also strategic goals of **Ramsar convention, Bonn convention, CITES convention** and regional conventions like **Bern** and the **Helsinki Convention**. It is approved as the National Programme on Biological Diversity. Sectors like Forestry, Agriculture, Fisheries, Transport, Energy have to integrate provisions from the National Programme in their strategies and programmes. Integration of requirements of other conventions in biodiversity

strategy and their simultaneous implementation helps to reach the goals of those documents in most efficient way.

The same insufficiency applies for the cooperation (exactly the lack of it) with the non-governmental sector. The inappropriate amount and quality of information due to the lack of scientific and monitoring systems on different components of biodiversity is a serious obstacle for proper evaluation and efficient implementation of biodiversity protection and nature conservation.

The following quotation from the National Strategy and Action Plan of Croatia illustrates the gravity of the problem:

Croatia belongs to the rare European countries that have not described its flora, mycoflora and fauna and is still lacking the essential popular science handbooks (the so called keys) for identification of species, even the translation of similar handbooks that apply to the entire Europe. [...] Without being familiar with the present state of biological taxa as one of the fundamental national wealth, they can be neither correctly evaluated nor properly protected. [...] The majority of Croatian national parks and other especially protected natural objects have neither the inventory of species living in the relevant area nor knowledge about the state of their population. Therefore it is difficult to apply the adequate approach to their management and protection.

Of course the situation is not that serious in all of the countries, still almost all reports stated that there is no effective monitoring, so an important part of the information is outdated, incomplete or difficult to access. Most of the involved NGOs call for enhanced cooperation between the non-governmental and the non-profit sector, since the synergy of available capacities may at least partially solve the acute lack of adequately qualified human resources. (For example, the data gathered by NGOs on wetlands and on waterfowls in Romania is not sufficiently used in the activities related to the implementation of the Ramsar Convention. The Ramsar Bureau and BirdLife International recently published a report 'Important Bird Areas and potential Ramsar Sites in Europe', according to the report there are 22 identified IBAs that fulfil the Ramsar criteria but lacking the designation in Romania.)

The opportunities of such cooperation have been recognised neither by governmental organizations, nor by scientists yet, with the exception of a few positive examples. In Estonia in the case of the Ramsar Convention six academic and 14 non-governmental organisations are more closely involved in wetland protection and management; and in Slovakia the preparation of the Natura 2000 network developed a unique cooperative mechanism among different stakeholders possessing relevant data. However, in this latter case the introduction of further measures is still needed in order to keep up cooperation in the future. The conclusion can be drawn that increased knowledge on species, habitats and landscapes, improved data management, the development of easy-to-use and publicly accessible databases and the promotion of GIS systems would improve the implementation of all biodiversity-related international commitments.

Not only the participation of NGOs should be fostered, but also local people and all other stakeholders should be involved in the communication and consultation process, especially with regards to the designation of Natura 2000 sites. Awareness raising would be crucial, targeted at a wider audience to increase the commitment of local communities in all nature conservation fields. A few examples, where such information campaigns could help to improve the situation:

- with respect to the Bern Convention:

- in Bulgaria major infringements are related to the encouragement of the use of prohibited means (poisoned baits) for regulating the numbers of wolves and other big predators, as well as the use of prohibited rodenticides.
- with respect to CITES:
 - in Romania the illegal fishing of sturgeons and illegal egg collecting are the most important threat to the sturgeon population;
 - in Poland the trade of species and derivative products included in the convention is still carried out semiofficially.

Beside the necessity to raise the general level of awareness, governments and legislation have also an important role to play. Though well-informed citizens can act responsibly, it would be the government's task to establish and enforce deterrent sanctions, which is missing in all of the above examples. Moreover even governments so far did fail with complying their commitments undertaken by signing different international agreements in the following areas as well:

- in the Czech Republic one of the ten Ramsar Sites on the international Ramsar list is still unprotected, though pursuant to the **Ramsar Convention** all Ramsar Sites should be protected in accordance with national law;
- in the Czech Republic the *National Biodiversity Strategy* – a goal defined in the **Convention on Biological Diversity** – is still unfinished, in spite of being twice financed by GEF;
- in Hungary the *National Biodiversity Strategy and Action Plan* is also not adopted yet, claimed to be under revision at the Hungarian Academy of Sciences since early 2000, when the preparation and consultation phase was finished with a wide-scale involvement of different stakeholders;
- in Slovenia several parts of the **Convention on Biological Diversity** are more or less ignored in the legislation;
- in Bulgaria the National Plan for priority actions on the protection of the most significant Bulgarian wetlands, elaborated in 2000, is not concrete and grounded enough, so it cannot be used for management and planning as stipulated in the **Ramsar Convention** under Article 3.1 on 'wise use'.

The next problem, which governments and all other stakeholders face even after imposing the relevant legislation, is the lack of financial resources. Below a few examples from the reports can be seen to illustrate the seriousness of the problem

- Slovenia: Ministry of the Environment, Spatial Planning and Energy (MESPE) has a single budget line 'UKREPI ZA OHRANJANJE BIOTSKE RAZNOVRSTNOSTI' ('Measures for protection of biodiversity') for the implementation of all biodiversity related conventions and directives. For 2003 that is 40 million SIT (175.000 EUR).
- Estonia: The revised NEAP for 2001-2003 (adopted in 2001) defines the maximum number of nature conservation activities to be financed from national budget and international funds. The total cost is estimated to be 22 million EUR over a three-year period. This is 3–4 times more than available from state budget.
- Romania: Lack of national financial means for supporting activities concerning the Birds and the Habitat Directives as well as the drawing up of the Natura 2000 network is (along with the time shortage and lack of adequately qualified human resources) the main obstacle for the implementation.

So what shall be done? Instead of any further explanation, please read the following statement. It might give you a hint on how to proceed...

STATEMENT
of the NGO meeting convened by CEEWEB,
organized by Green Balkans in preparation for the
Ministerial Meeting 'Environment for Europe'
in Kyiv, Ukraine, 21-23 May, 2003

In the course of the Regional Preparatory NGO Conference on Biodiversity held in Plovdiv, Bulgaria on April 10-11, 2003, 45 delegates from the countries as follows: Bulgaria, Croatia, the Czech Republic, Hungary, Latvia, Lithuania, Macedonia, Moldova, Romania, Slovakia and Ukraine endorsed the following statements addressed to the governments of the Central and Eastern European countries:

Considering the vital contribution of NGOs to the protection of biological diversity;

Acknowledging the legislation reform completed in most of the CEE countries, but requiring further institutional reforms for enhancing the capacity of governments to fulfil their responsibilities;

Recognizing the role of NGOs to engage in critical analysis of governmental activities with regard to complying with their commitments in the field of biodiversity protection and to applying pressure on the Convention Secretariats to evaluate national reports;

Stating that the Secretariats should employ more stringent criterion in the evaluation of national reports and provide public access to these evaluations;

Taking note of the lack of intersectoral integration at the highest state level mandated by Article 6 of the Convention on Biological Diversity;

Requesting governments to give biological diversity and its value a higher priority at all levels of their activities;

Our recommendations concerning biodiversity related international agreements:

1. We urge all countries to become party and ratify all relevant environmental conventions and agreements to achieve a truly Pan-European coverage.
2. With the act of ratification and for all already ratified conventions the government should have an action plan together with financial resources identified.
3. Environmental and other relevant ministries and authorities have to be supported by governments and international institutions in order to fulfil relevant obligations in the spirit of the Environment for Europe process.
4. It is imperative to involve representatives of civil society in the formulation and development of plan for implementation from the inception phase.
5. The plan of implementation should consider and build upon already ratified agreements in order to enhance synergy and to avoid overlaps.
6. National steering committees, representing governmental and non-governmental sectors, should be established in order to ensure the implementation of international agreements.
7. The ministries should ensure that NGOs are included in government delegations to Conferences of the Parties.
8. It is necessary to establish and to facilitate regular consultation, exchange of information and closer cooperation between different national focal points.