



## FINAL REPORT

About the  
*Interparliamentary Hearing on Innovative Biodiversity  
and Marine Policies*



**17-19 September 2013  
San José  
Costa Rica**

**Convened by the World Future Council in cooperation with IUCN Regional Office for Mesoamerica and Caribbean Initiative and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)**

## CONTENTS

<b>1. Introduction</b>	<b>3</b>
<b>2. Concept and general results</b>	<b>3</b>
<b>3. Agenda and presentations</b>	<b>4</b>
<b>4. Summary</b>	<b>6</b>
<b>4.1 Summary Sessions 1-4: Biodiversity Laws, Effective Management and Financing</b>	<b>6</b>
<b>4.2 Summary Session 5: Marine and Coastal Biodiversity Conservation and Sustainable Use</b>	<b>9</b>
<b>5. Overall conclusions</b>	<b>15</b>
<b>6. Photos</b>	<b>16</b>
<b>7. List of participants</b>	<b>19</b>
<b>8. About the organizers</b>	<b>21</b>

November 2013

## 1. Introduction

The Mesoamerican region holds enormous biological treasures comprising seven percent of the planet's biodiversity. Yet, the UN has warned that the region could lose 33 percent of its biodiversity by 2050 due to environmental pressures and climate change. To ensure ecosystems remain healthy and provide the essential services that humans depend on, joint action and commitment on all levels is needed.

The international community has agreed upon ambitious biodiversity targets (Aichi Targets) and a strategic plan to reach the **Aichi Targets** until 2020 under the **Convention on Biological Diversity** (CBD). National governments are urged to take strong action to halt biodiversity loss, to promote its sustainable use, to safeguard ecosystems, species and genetic diversity and to enhance the benefits from biodiversity through participatory planning, knowledge management and capacity building. The conservation and sustainable use of **marine and coastal biodiversity** has been identified as one of the priority areas of action under the CBD Strategic Plan.

In the UN Decade on Biodiversity the World Future Council (WFC) celebrates exemplary biodiversity policies and laws with the Future Policy Award in cooperation with the Convention on Biological Diversity (CBD). The **Costa Rican Biodiversity Law 1998** is a comprehensive model applying the objectives of the CBD at the national level. The law was therefore awarded with the Future Policy Award in 2010. The WFC is working towards spreading the law and elements thereof to other countries. By convening an Interparliamentary Hearing the WFC, in close cooperation with Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and International Union for Conservation of Nature (IUCN) Mesoamerica and Caribbean Initiative, have offered a unique platform for discussion, knowledge transfer and capacity-building on innovative biodiversity and marine policies.

## 2. Concept and general results

The objectives of the project were to raise awareness amongst policymakers and practitioners for innovative biodiversity and marine policies, to exchange experiences and lessons learned as well as to contribute to the building of capacities to evaluate, pass or amend legislation and to safeguard the highest standards for the conservation and sustainable use of biodiversity and marine ecosystems.

Participating in the three-day workshop were 38 parliamentarians, ministry officials as well as academic and civil society experts from seven countries (Mexico, Belize, Honduras, Guatemala, El Salvador, Costa Rica, and St. Lucia). The hearing consisted of presentations sharing experiences and lessons learned, interactive discussions as well as working groups for in-depth evaluation aiming to develop strategies for further action on specific topics. The event provided an opportunity to review different perspectives on ecosystem-based management and discuss required technical, institutional and legal frameworks. With the kind support of the *Sistema Nacional de Áreas de Conservación* (SINAC - National System of Conservation Areas) a field trip to Carara National Park was organized to demonstrate and discuss the implementation of the Costa Rican Biodiversity Law (1998) on the ground.

General results include:

- Dissemination of information on biodiversity and marine policies and promotion of good practices and lessons learned concerning their implementation
- Enhanced awareness for the national and local implementation of biodiversity and marine policies
- Strengthened ties between ministry officials and parliamentarians working on biodiversity and marine policies

### **3. Agenda and presentations**

17 September 2013

#### **Welcome and Introduction to the Costa Rica Biodiversity Law 1998**

##### **Opening Address**

Hon. Vice Minister Ana Lorena Guevara, Ministry of Environment and Energy (MINAE)

##### **Welcome Address and Overview of the World Future Council's Future Policy Award**

Alexandra Wandel, Director World Future Council

##### **Welcome Address and Overview of Biodiversity Laws: Opportunities and Challenges at the Regional Level**

Dr. Grethel Aguilar Rojas, Regional Director, IUCN Regional Office Mesoamerica and Caribbean Initiative

##### **Welcome Address and Overview of GIZ's Work on Implementing the Convention on Biological Diversity**

Ilona Porsché, Head of Project Blue Solutions, GIZ

#### **Session 1: Good practices and lessons learnt in implementing the Costa Rican Biodiversity Law 1998**

##### **CONAGEBIO: Mainstreaming of Biodiversity in Costa Rica**

Marta Liliana Jiménez, Director Comisión Nacional para la Gestión de la Biodiversidad (CONAGEBIO)

##### **SINAC: Effective Management in Biodiversity Conservation**

Mba. Rafael Gutiérrez, Director Sistema Nacional de Áreas de Conservación (SINAC)

##### **Environmental Policy of the ICE and Environmental Management in Power Generating Projects**

Ana Cecilia Chaves Quirós, Center of Environmental Management at the Institute for Electricity and Information (ICE)

#### **Session 2: Biodiversity financing - Successful examples from the region**

##### **Costa Rica: Fondo Nacional de Financiamiento Forestal (FONAFIFO)**

Jorge Mario Rodríguez, Director Fondo Nacional de Financiamiento Forestal (FONAFIFO)

##### **Guatemala: PINPEP and PINFOR**

Estuardo Roca, Regional Officer for Sustainable Business, IUCN Guatemala

##### **Mexico: Fondo Mexicano de Conservación a la Naturaleza (FMCN)**

Lorenzo de Rosenzweig, Executive Director FMCN

##### **Belize: Fees and financing mechanisms for Protected Areas**

Dr. José Courrau, Senior Officer IUCN Regional Office Mesoamerica and Caribbean Initiative

#### **Session 3. The Nagoya Protocol and Access and Benefit Sharing**

##### **Overview of the Nagoya Protocol and its Adaptation in the Region**

Dr. Jorge Cabrera Medaglia, Center for International Sustainable Development Law, Lead Counsel, Biodiversity Law

## **Contextualization of the Miskitu Indigenous Peoples Bioprotocol in Honduras. Exercising the Right to Free, Prior and Informed Consent (FPIC)**

María Pía Hernández, Coordinator for Biodiversity and Rights, IUCN Regional Office Mesoamerica and Caribbean Initiative

**18 September 2013**

### ***Field trip to National Park Carara***

#### **Session 4: Innovative Biodiversity Policies**

##### **Drafting Future Just Policies and Laws. A Toolkit for Parliamentarians and Policymakers**

Dr. Jorge Cabrera Medaglia, Center for International Sustainable Development Law, Lead Counsel, Biodiversity Law

**Working groups** (for summary see 4.1)

**19 September 2013**

#### **Session 5: Marine and Coastal Biodiversity Conservation and Sustainable Use**

##### **Setting the Stage:**

##### **Marine and Coastal Ecosystem-Based Management: Pre-Requisites for Achieving the Aichi Biodiversity Targets**

Dr. Tundi Agardy, Executive Director, Sound Seas

##### **The Future Policy Award 2012 on Oceans and Coasts. Lessons Learned regarding Legal Frameworks**

Janne Rohe, Policy Officer Sustainable Ecosystems, World Future Council

##### **Marine Spatial Planning as a Tool for Marine and Coastal Ecosystem-Based Management**

Dr. Jorge Jiménez, Director General, MarViva

##### **Examples from the Region:**

##### **Co-Management and Participatory Law Enforcement: Lessons Learned from the Gulf of California**

Benito Bermúdez, Regional Director Baja California and North Pacific, CONANP

##### **Lessons Learned Concerning People and Marine and Coastal Conservation: Strengthening Human Rights and Poverty Eradication**

Patricia Madrigal Cordero, CoopeSoliDar R.L.

##### **Applying an Ecosystem Services Perspective to Inform Decision Making Processes in Marine Spatial Planning: Lessons Learned from Belize**

Chantalle Clarke, Coastal Planner, Coastal Zone Management Authority and Institute, Belize

## **Broadening the View:**

### **Marine and Coastal Biodiversity in a Changing World: Integrating Climate Change Adaptation Options into Conservation and Sustainable Use**

Dr. Michael Schloenvoigt, Project Director BIOMARCC, GIZ Costa Rica

### **Working Together Across Fluid Borders: Regional Collaboration for Implementation of the Aichi Biodiversity Targets in the Marine and Coastal Realm**

Patricia Aquino, Manager, Environmental Health and Management Unit, Caribbean Public Health Agency

*Working Groups (for summary see 4.2)*

## **4. Summary**

### **4.1 Summary Sessions 1-4: Biodiversity Laws, Effective Management and Financing**

#### **Welcome and Inauguration**

The interparliamentary session was inaugurated by Ana Lorena Guevara, Deputy Minister of the Ministry of Energy and the Environment (MINAE) of Costa Rica. In her speech she highlighted the important role of diverse agents, including young people, civil society organizations, and local and regional councils, in the elaboration and enactment of the Costa Rican Biodiversity Law. Subsequently the Director of the World Future Council, Alexandra Wandel, gave a presentation on the Future Policy Award and an analysis of the Costa Rican Biodiversity Law which received the award in 2010 for meeting the 7 Principles for Future Just Lawmaking (see [http://www.worldfuturecouncil.org/fileadmin/user\\_upload/PDF/WFC-CISDL-Costa\\_Rica\\_BD\\_Law\\_paper-SPANISH-111114.pdf](http://www.worldfuturecouncil.org/fileadmin/user_upload/PDF/WFC-CISDL-Costa_Rica_BD_Law_paper-SPANISH-111114.pdf)). The Regional Director of IUCN Mesoamerica and Caribbean Initiative summarised attempts to promote legal frameworks for biodiversity conservation at a regional and international level and highlighted that much more still needs to be done in order to achieve the Aichi goals by 2020. At the same time, she showed the importance of establishing participatory mechanisms which take into account the role and rights of the local, indigenous and Afro-descendant communities. The inaugural panel was closed by Ilona Porsché, Head of Project 'Blue Solutions' at the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), who presented the initiative 'Blue Solutions', which provides a global knowledge network and capacity development platform to support country efforts to achieve the marine and coastal related Aichi Biodiversity Targets.

#### **Session 1: Good practices and lessons learnt in the enactment of the Biodiversity Act of Costa Rica (1998)**

In this session, representatives of different governmental institutions of the environmental sector presented aspects of the Biodiversity Law and its implementation in Costa Rica. Marta Liliana Jiménez, Director of the National Committee on Biodiversity Management (CONAGEBIO), expounded the administrative organization assigned with the management and conservation of biodiversity in Costa Rica. The Director of the National System of Conservation Areas (SINAC), Rafael Gutiérrez, presented the principles for the application of the law (prevention principle, precautionary principle, principle of environmental public interest, principle of integration and ecosystem-based management) as well as the structure and administrative organization of the National System of Conservation Areas, explaining the role of the national, regional and local councils. Ana Cecilia Chaves Quirós of the Costa Rican Electrical Institute (ICE) at the Center for Environmental Management described the environmental legislative framework of Costa Rica (Art. 50 of the Constitution, Biodiversity Act, Organic Environmental Law, Law of Forest Conservation, Forestry Law) and elucidated how this transcends the environmental management of electrical power generation projects.

## **Session 2: Financing for biodiversity conservation: Successful examples from the region**

The second session was dedicated to successful examples from the region regarding biodiversity financing. First, Jorge Mario Rodríguez, Director of the National Fund for Forest Financing (Fondo Nacional de Financiamiento Forestal - FONAFIFO), presented the application and impact of the payment program through environmental services in the forestry sector in Costa Rica and introduced the Sustainable Biodiversity Fund as another financing mechanism. The following presentation by Estuardo Roca, Regional Officer for Sustainable Business of IUCN Guatemala, described achievements and setbacks in the Forestry Incentive Program of the State (PINFOR) and the Incentive Program for Small Landowners in Forestry or Agroforestry Occupations (PINPEP) in Guatemala. The Executive Director of the Mexican Nature Conservation Fund (FMCN), Lorenzo de Rosenzweig, presented various innovative financing examples for conservation developed by FMCN in Mexico, including: sale of carbon credits by wood-saving stoves and solar cookers and sale of credits for (saved) yellow turtles. Last of all, José Courrau, Senior Officer at IUCN Mesoamerica and Caribbean Initiative outlined payments and financing measures for protected areas in Belize, explaining their implementation and the role of the Protected Area Conservation Trust.

## **Session 3: The Nagoya Protocol on the Access and Distribution of Benefits**

This session dealt with issues related to the access and distribution of benefits derived from biodiversity. Jorge Cabrera Medaglia of the Center for International Sustainable Development Law introduced the Nagoya Protocol on Access and Benefit Sharing, enacted by the CBD in 2010. In his presentation Jorge Cabrera outlined the basic structure of the protocol, principal elements (access, just and equitable participation, compliance and monitoring, traditional knowledge), tools and mechanisms for its implementation, its ratification status and its relation to other international treaties. María Pía Hernández, Coordinator for Biodiversity and Rights at IUCN Mesoamerica and Caribbean Initiative, described the process, implementation and monitoring of the Miskitu Indigenous Peoples' Bioprotocol in Honduras as an example of the application of the Law of Free, Prior and Informed Consent, which is a mechanism for just and equitable participation.

## **Session 4: Visionary Biodiversity Laws**

The fourth session offered the participants an interactive, open space for debate and exchange of ideas and experiences from their respective countries and diverse professional backgrounds, as well as to reflect on the preceding sessions in working groups. The session commenced with a presentation by Jorge Cabrera Medaglia of the Center for International Sustainable Development Law (CISDL) on tools for creating comprehensive biodiversity laws elucidating substantial aspects and prerequisites such as wide participation by all sectors including civil society and indigenous communities, information and education mechanisms, strong governance (strong legal measures and institutional structures), just and equitable distribution of benefits, monitoring measures, precautionary principle, prevention principle and ecosystem-based management.

(Please see training material for Parliamentarians on Biodiversity laws elaborated by Jorge Cabrera, the WFC and CISDL:

[http://www.worldfuturecouncil.org/fileadmin/user\\_upload/PDF/WFC\\_CISDL\\_Training\\_Materials\\_-\\_Future\\_Justice\\_in\\_Biodiversity\\_Laws\\_2012-COP11.pdf](http://www.worldfuturecouncil.org/fileadmin/user_upload/PDF/WFC_CISDL_Training_Materials_-_Future_Justice_in_Biodiversity_Laws_2012-COP11.pdf))

After the presentation the participants divided up into working groups to discuss the following questions:

- 1) What kind of measures, processes and norms have been successful in ensuring the conservation and sustainable use of biodiversity? Which opportunities exist to put these into practice in the different countries?

- 2) What are the main challenges and obstacles for biodiversity conservation and sustainable use from a legal and institutional perspective?
- 3) What are the main elements to strengthen the legal and institutional framework for biodiversity? How can comprehensive biodiversity laws contribute to improving biodiversity governance?
- 4) Which information needs exist? Which cooperation mechanisms are needed to progress in the design and the implementation of biodiversity policies and legislation?

A summary of the debates in the working groups follows (in the order of the questions).

**1) What kind of measures, processes and norms have been successful in ensuring the conservation and sustainable use of biodiversity? Which opportunities exist to put these into practice in the different countries?**

The importance of having multi-sectoral coordination, including diverse sectors and corresponding government departments (fishery, forestry, tourism, etc.) as well as a wide participation by multiple agents and interest groups for ensuring conservation and sustainable use of biodiversity was stressed. It is also essential that countries revise their existing environmental laws. In many cases there is a need to harmonize them and avoid contradictions or repetitions. There is no coherence in the integration of the laws in Central American countries, rather, they are developed independently (→ need for greater degree of coordination and integration at the regional level). Successful examples have followed bottom-up approaches. Communities implementing and managing conservation measures are strengthened in their ability to face biodiversity threats in their surroundings. Processes or measures which have been financed on a long-term basis have also been successful.

**2) What are the main challenges and obstacles for biodiversity conservation and sustainable use from a legal and institutional perspective?**

One of the challenges is the lack of institutional capacity, monitoring and adequate funding, primarily in the environmental ministries. Again, another aspect is the lack of coordination among the different sectors and government departments. It was mentioned that in many cases there is a hierarchy of government departments (also with regard to funding). Environmental issues would have to be a priority on the agenda of every country, and not only a secondary or obligatory subject. In many cases it is a lack of political will to place common or public goods above others, which often derives from corruption between the private and public sector. Biodiversity laws may interfere with private interests (and in turn, private interests may influence political processes). A true understanding of the value of natural capital in the local, national and regional context is often lacking. The participants agreed that more educational processes need to be initiated and that it is of utmost importance that indigenous communities form part of these (and other) processes.

**3) What are the main elements to strengthen the legal and institutional framework for biodiversity? How can comprehensive biodiversity laws contribute to improving biodiversity governance?**

It was mentioned that strengthening and harmonizing legal frameworks at regional levels must take priority. The Central American Environment and Development Committee (CCAD) has succeeded in including the harmonization of the Closed Season for the Fishing of the Spiny Lobster and the Excluder Devices for Marine Turtles into the legal norms of every country. The participants also recognized the necessity of coordinating the regulations for protecting resources and terrestrial ecosystems, for example for the traffic of bird species or illegally extracted wood. It was also

considered vital to amend existing legislation in line with international agreements. Schemes for monitoring and evaluation of the legal and institutional frameworks for ensuring adaptive management for the conservation of biodiversity are also necessary. The parties also agreed that it is important to adapt the legal frameworks (and the institutions they create) to the local, national and regional level.

**4) Which information needs exist? Which cooperation mechanisms are needed to progress in the design and the implementation of biodiversity policies and legislation?**

It is necessary to obtain more information about the costs of biodiversity loss and natural capital in general in order to integrate this data in national accounting (→ natural capital vs. GDP). From the legislators' perspective there is a need for information or comparative analysis of biodiversity laws in order to see their efficiency and clarify what other countries are doing for the protection of shared resources. The development of international standards or criteria would be useful. In general it was considered important to obtain more information and data on multiple and cumulative risks to biodiversity. On the other hand, the participants agreed that it is important that cooperation mechanisms between different government departments are strengthened. The Central American Parliament (PARLACEN) was also mentioned as another mechanism for cooperation and harmonization of environmental laws in the region.

**4.2 Summary Session 5: Marine and Coastal Biodiversity Conservation and Sustainable Use**

**Overview**

The Latin America / Caribbean region is well-endowed with marine and coastal biodiversity; all nations reap the benefits from these ecosystems, which are increasingly under threat. To address the inherent challenges in safeguarding marine biodiversity and the valuable ecosystem services arising from coastal and marine systems, over 30 parliamentarians, public sector officials and civil society experts from the Mesoamerica and Caribbean region participated in a full day exploring innovative approaches to conserving and sustainably managing marine biodiversity. Participants came from Mexico, Belize, Honduras, Guatemala, El Salvador, Costa Rica, and St. Lucia.

The objective of the workshop was to review marine management approaches that have allowed countries to practice Ecosystem-Based Management (EBM), thereby making marine management more effective and development more sustainable. These innovative approaches were cast in the light of the commitments of all countries represented to meet the Aichi Targets of the Convention of Biological Diversity. These targets are discussed in detail below, especially regarding those that have particular relevance for coastal and marine systems.

The morning of the workshop was dedicated to presentations, including introductory talks on EBM and descriptions of how innovative concepts had been put into practice by countries throughout the region. Tundi Agardy of Sound Seas began with a brief overview of EBM principles, setting the stage for the rest of the day's discussions. Janne Rohe, Policy Officer for Sustainable Ecosystems at the World Futures Council, provided comprehensive background on marine biodiversity, threats to it, and the need for good policies, many of which have been recognized by the organization in its annual Future Policy Award. Jorge Jimenez, Director General of MarViva, then followed with an overview of Marine Spatial Planning (MSP), describing in detail how it had been applied and to what end in Costa Rica.

Following a break, Benito Bermudez, Regional Director for Baja California and North Pacific of CONANP (Mexican Commission for National Parks), then presented a co-management initiative from the Gulf of California, in which fishing cooperative members take part in decision-making regarding fisheries management, and take on surveillance and enforcement roles alongside government.

Afterwards, Patricia Madrigal Cordero from Coope SoliDar (Costa Rica) stressed that conservation could not take place in the absence of considerations of human rights, equity, and poverty reduction. Chantalle Clarke, Coastal Planner with the Belize Coastal Zone Management Authority and Institute, described planning undertaken by Belize, aided by ecosystem services valuation and use of the Marine InVest model, which allows decision makers to evaluate various scenarios of development and the attendant costs and benefits vis a vis ecosystem services.

In the final of the morning plenary presentations, Michael Schloenvoigt, Project Director for BIOMARCC, GIZ in Costa Rica, described how adaptation to climate change is integrated into coastal and marine management based on an assessment of vulnerability to climate change using the MARISCO approach. Finally, Patricia Aquing, Manager of the Environmental Health and Management Unit of the Caribbean Health Agency, described the frameworks for cooperative and collaborative management throughout Mesoamerica and the Caribbean.

### **The Aichi Targets and Marine Biodiversity**

The workshop discussions were focused on the commitments made by countries in the region to meet the Aichi Targets, and safeguard biodiversity for the benefit of present and future generations. The Aichi Targets, agreed by signatories to the Convention on Biological Diversity (CBD), are grouped into three strategic goals:

***Strategic Goal A: Address the underlying causes of biodiversity loss by mainstreaming biodiversity across government and society;***

***Strategic Goal B: Reduce the direct pressures on biodiversity and promote sustainable use;***  
and

***Strategic Goal C: To improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity***

Within these, there are four Aichi Targets (of 20) that have particular relevance to the safeguarding of marine and coastal biodiversity, though all may be said to relate to biodiversity conservation overall, and therefore all have bearing on interconnected marine systems and services. These four are:

#### **Target 6**

By 2020 all fish and invertebrate stocks and aquatic plants are managed and harvested sustainably, legally and applying ecosystem based approaches, so that overfishing is avoided, recovery plans and measures are in place for all depleted species, fisheries have no significant adverse impacts on threatened species and vulnerable ecosystems and the impacts of fisheries on stocks, species and ecosystems are within safe ecological limits.

#### **Target 8**

By 2020, pollution, including from excess nutrients, has been brought to levels that are not detrimental to ecosystem function and biodiversity.

#### **Target 9**

By 2020, invasive alien species and pathways are identified and prioritized, priority species are controlled or eradicated, and measures are in place to manage pathways to prevent their introduction and establishment.

#### **Target 10**

By 2015, the multiple anthropogenic pressures on coral reefs, and other vulnerable ecosystems impacted by climate change or ocean acidification are minimized, so as to maintain their integrity and functioning.

[Target 7, with its inclusion of aquaculture, can also be said to be relevant.]

Countries have struggled with how to meet their commitments, as the years to the deadline (2020) are ticking away. To be successful, countries must make targeted investments in conservation effort, identifying the most critical pressures that cause biodiversity loss. Measures taken must be truly effective; 'paper parks' and other superficial management efforts will not allow countries to meet their commitments.

A newfound appreciation for the roles that marine and coastal ecosystems play in human well-being and welfare into the future has made countries alert to new and better management approaches. The workshop participants, having benefited from presentations describing the rationale for adopting new approaches for marine biodiversity conservation, and having heard explicit examples of putting these approaches into practice, then rolled up their sleeves to consider recommended actions for their governments.

### **Afternoon Working Break-Out Groups**

Participants were asked to reflect on the day's presentations and think of ways that these approaches to achieving EBM could manifest in their own countries.

Working groups were asked to first consider benefits and challenges inherent in the approaches that were presented in plenary. Four main approaches to more effective marine biodiversity conservation were considered:

- *Coastal and Marine Spatial Planning* (mapping uses, reducing conflicts, assessing vulnerabilities)
- *Scenario Development and Trade-Off Analysis* (using an ecosystem services focus, with valuation and use of models)
- *Community-based decision-making* (Ground up articulation of a vision, finding ways to equitably share benefits)
- *Co-management* (taking on monitoring and enforcement responsibilities)

These four approaches were combined to create two foci for the working groups:

- 1) CMSP and Scenarios
- 2) Community-based Decision-Making and Management

Specifically, participants in each of the two working groups considered:

- 1) What are the benefits of this approach?
- 2) What needs to be in place to make use of this approach possible?
  - information
  - institutional structures and governance arrangements
  - legislation
  - funding, human resources, technology, etc.

Both groups considered climate change adaptation and opportunities for transboundary or regional cooperation as well. A summary of discussions/ findings is given below.

## Q1. What are the benefits of utilizing these approaches and elements of success?

Successful legislative frameworks seem to be those that have been **bottom-up**; with community adopting legislative measures (or less formal arrangements that are consistent with the intent of legislation) and developing or enhancing stewardship for marine and coastal areas and the ecosystem services they provide. Such a bottom-up connected to top-down focus on marine ecosystems strengthens the communities in their ability to face threats to its biodiversity.

Despite complex geopolitical arrangements in this region, **multi-sectoral coordination** (across fisheries, forestry, tourism, etc. ministries) and **multi-stakeholder participation** in marine biodiversity protection is possible. It is important, however, that short term, medium term, and long term goals in coastal and marine management are defined and communicated clearly.

Participants agreed that long term **funding** for marine management/ biodiversity protection is needed. To this end, ecosystem services can provide a way to 'market' the values of marine biodiversity and identify opportunities for public / private partnerships and innovative financing mechanisms.

The group agreed it was important that initiatives be **monitored** to see if objectives are being met. Prior to being implemented, time needs to be invested in communicating in a smart way about the benefits these initiatives bring. The monitoring should therefore focus in part on whether these benefits are actually being delivered over time, and how the benefits flow to recipients/ stakeholders.

There was much discussion throughout the workshop on the ways the seeds for innovative approaches can take root, and how the initiatives can come to scale to meet the scope of the challenges. It was agreed that **demonstration projects**, even if small scale, can do much to raise awareness, generate political will, and catalyze the establishment of legislative frameworks that can then create other, or larger scale, initiatives. The example of Caricom was given as a regional exchange whereby local level successes can power region-wide forward progress.

Practitioners stressed that it was necessary to understand the problem before solving it – therefore studies to **determine the causes of biodiversity loss** were important in order to be able to understand threats and drivers of threats. At the same time, it was necessary to have a good understanding of existing laws, thereby identifying the need for further legislation.

## Q2. What are the constraints?

Apropos the last statement above, many participants felt the understanding and documentation of root causes of marine biodiversity loss need to improve. Similarly, there was little true understanding of the **value of natural capital** in the context of local, national, and regional interests.

In general, it was agreed that environmental ministries were marginalized and weaker than they need to be. Limited **capacity to do effective management** (including planning, implementation, enforcement, and monitoring) has not been addressed with sufficient funding to build capacity. At the same time, the responsibilities of different ministries is not generally clear enough, and because effective marine and coastal management requires coordinated action of many different agencies/ institutions, this **lack of clarity of responsibilities** is an impediment.

Participants also cited a lack of **political will for the public good**, sometimes derived from corruption between private and public sectors. There is a recognition that biodiversity laws can sometimes interfere with private profit, while private profit can influence political processes. Additionally, political parties newly in power do not want to or are unable to adopt the policies of previous administrations. The result is that not enough engagement by the highest level of politicians exists; without this engagement, marine biodiversity remains a low priority.

### Q3. What are the main elements to strengthen the legal and institutional framework?

Reviewing and **updating existing legislation** (in line with international commitments) is crucial for building a strong foundation for marine biodiversity protection. Honest appraisals of the situation, including governance assessments, can then lead to strong governance and a true constituency for biodiversity.

The **integration** of ministries, academics, private sector, public participation (e.g. a council, committee) is also necessary for addressing the complex causes of marine biodiversity loss, and inequity in sharing of benefits from marine and coastal biodiversity protection. **Public-private partnership** opportunities can and should be identified and capitalized upon.

Legislative frameworks need to be at **various scales**: local, national, regional – making institutions and creating legislation appropriate to the scale. At the same time, **leadership** is critical.

Finally, **monitoring and evaluation** is required, and the only way to create systems that can adapt appropriately. One participant coined this “**ruthless adaptive management**” - requiring adequate capacity to be able to make course adjustments.

### Q4. Which information must exist to support more effective management? Which cooperation mechanisms are needed?

Taking stock of *what management agencies are managing* for is a prerequisite for developing good legislative frameworks and implementing effective management. Participants stressed that scientists (social and natural) should deliver **usable data for decision-making**. One aspect of this is data that support determining the **opportunity costs of biodiversity loss**. Information is also needed to be able to count **biodiversity and natural capital in national accounting** (green growth versus GDP).

Clearly, because environmental change is occurring so rapidly in our natural world, dealing with **shifting baselines** will be required. Also, since all coastal and marine ecosystems suffer from multiple simultaneous threats, understanding **multiple cumulative threats** is paramount.

Participants also thought there was a need to undertake a comparative analysis between countries of legislative performance (benchmarking), using **international indices, criteria and standards**. This comparative analysis could be done periodically throughout the region.

## Country Team Recommendations

After these working groups, participants grouped themselves into **country teams** to consider:

*What can be done with the given situation in my country now to advance the use of these approaches and improve marine and coastal biodiversity protection?*

Participants discussed immediate next steps that could be taken to foster better legislative frameworks for marine biodiversity protection. Their findings are presented in the alphabetical order:

### **Belize**

Belize participants stressed the immediate goal is the formal adoption of the Belize Coastal Management Plan, perhaps by the end of 2013. Their second priority is the adoption of a co-management agreement that formalizes co-management opportunities that currently exist only in marine protected areas.

## ***El Salvador***

Participants from El Salvador stressed that a coastal management policy was needed in the country, and tantamount to that was obtaining funding to plan and implement that policy.

## ***Guatemala***

The participants from Guatemala felt that consolidation of legislative structures at the local and national level was needed, and that this could contribute to learning lessons about coastal management and marine protected areas.

They also stressed the need to foster development of participatory planning in rural development.

## ***Honduras***

Participants from Honduras spoke to the need for a framework law for marine resources, as part of coastal and marine policy. Concurrently the development of a Biodiversity Law was needed. Honduran participants also felt the need to do economic valuations of ecosystem services was great, to raise awareness and generate political will to implement strong laws.

## ***Mexico***

Mexican participants reflected on the wide array of legislative arrangements for marine and coastal biodiversity protection, and stressed the need for legislative harmonization of environmental laws, including waste management, wildlife laws, fisheries, protected areas, etc. Mexico is currently working on a coastal management framework, but needs legislation proposed that can strengthen laws and make management effective. Mexican participants felt that marine and coastal biodiversity institutions needed to be strengthened by more adequate funding; without funding participants said the efforts were “conversation, not conservation”.

## **[Germany]**

German institutions are present in the region building capacity and providing technical advice to countries. German bilateral support could further countries' aims in the form of flexible funding, for example for studies or demonstration projects that can raise awareness and generate political will. Further, regional cooperation and knowledge transfer can be supported; one example is that Germany will support the Fourth Mesoamerican Congress on Protected Areas in 2014.

## **Conclusions**

The following actions are thought to be key in orienting the Mesoamerican and Caribbean region towards more effective ecosystem-based management that reduces marine biodiversity loss and safeguards the services upon which the people of the region depend:

- ***Raise awareness***
  - *Draw attention to existing commitments, including Aichi targets*
  - *Highlight the values of coastal and marine ecosystems, including Ecosystem Services*
  - *Speak to vulnerabilities by stressing risks can be reduced*
- ***Generate political will***
- ***Use & customize available tools***
- ***Learn from each other***
- ***Work together at the regional level***

## 5. Overall conclusions

The interparliamentary hearing served to disseminate information and to exchange experiences and lessons learnt on measures, policies and innovative legislation for conserving and using biodiversity as well as coastal and marine ecosystems in the region in a sustainable manner. The importance of biodiversity as a foundation for the health of ecosystems and their capacity to provide the essential services on which human beings depend was recognized.

In particular the participants recognized the need to:

- harmonize **environmental laws** in their countries and advance legislation for the conservation and sustainable use of biodiversity
- secure adequate **funding** and establish financing mechanisms for the management of biodiversity
- establish mechanisms of **intersectoral collaboration** to address biodiversity threats across the lines and across different sectors and/or government departments
- integrate **local and indigenous communities** in the planning, implementation and evaluation of the management of biodiversity

The immense value of healthy **coastal and marine ecosystems**, which support coastal communities and contribute to the economic vitality of the countries, was recognized. Nevertheless, these ecosystems are increasingly at risk and more effective management approaches are needed. **Marine Spatial Planning** (MSP) allows countries to focus on areas of particular importance for the goods and services delivered by nature. Community-based decision-making that allows for **co-management** and enhanced stewardship, have particular potential to successfully safeguard coastal and marine biodiversity. Planning and implementing such approaches throughout the region will result in a reduction in user conflicts, enhancement of ecosystem health, continued delivery of services of value, and a way to create benefits flows that are equitable.

### **Participants' concluding remarks:**

**Maria Isabel Ortiz Mantilla**, President of the Mexican Chapter of the Global Legislators Organization for a Balanced Environment (GLOBE) and Federal Deputy, put the result in a nutshell: "Given the rich biodiversity in Mesoamerica, it is urgent that policymakers establish strong governance over biodiversity in line with the Strategic Plan for Biodiversity 2011-2020 and its 20 Aichi Biodiversity Targets. Governments, business and citizens need to take responsibility to halt biodiversity loss in the interest of current and future generations and enhance awareness raising and education, financial means and monitoring mechanism to secure the basis of our livelihoods."

**Lourdes Palacios**, Member of Parliament of El Salvador added: "The hearing gave the possibility to learn about successful country experiences such as Costa Rica's Biodiversity Law, which demonstrates the political will to save biodiversity. For legislators in El Salvador it is important to join efforts internally as well as with regional institutions to reinforce and promote laws for the protection of biodiversity."

**Chantalle Clarke**, Coastal Planner at the Coastal Zone Management Authority and Institute in Belize, said: "The hearing provided an interactive forum to showcase and learn about exemplary innovative strategies and policies for marine biodiversity conservation from Mesoamerica. Belize was extremely happy to share its experiences with quantifying the importance of its natural capital, and using that information to maintain biodiversity while promoting social and economic well-being. It is hoped that participating countries will embrace the innovative strategies to help them meet the Aichi targets by 2020."

6. Photos







## 7. List of participants

	Country	Name	Organization/ Institution	Position
1	Belize	James Azueta	Belize Fisheries Department	Fisheries Officer Ecosystems Management Unit
2	Belize	Chantalle Clarke	Coastal Zone Management Authority and Institute	Coastal Planner
3	Belize/Costa Rica	José Courrau	Unión Internacional para la Conservación de la Naturaleza	Senior Officer IUCN Mesoamerica
4	Caribe/ St Lucia	Patricia Aquing	Caribbean Public Health Agency	Unit Manager
5	Costa Rica	Hon. Ana Lorena Guevara	Ministerio de Ambiente y Energía (MINAE)	Viceministra
6	Costa Rica	Rafael Gutiérrez	Sistema Nacional de Áreas de Conservación	Director
7	Costa Rica	Eugenia Arguedas	Sistema Nacional de Áreas de Conservación	Gerencia de Areas Silvestres Protegidas, Programa Marino Costero
8	Costa Rica	Marta Liliana Jiménez	Comisión Nacional para la Gestión de la Biodiversidad	Director
9	Costa Rica	Jorge Mario Rodríguez	Fondo Nacional de Financiamiento Forestal	Director
10	Costa Rica	Ana Cecilia Chaves Quirós	Instituto Costarricense de Electricidad (ICE)	Centro de Servicio Gestión Ambiental
11	Costa Rica	Dr. Rodrigo Gámez Lobo	Instituto Nacional de Biodiversidad (INBio)	Presidente
12	Costa Rica	Dr. Grethel Aguilar	Unión Internacional para la Conservación de la Naturaleza – Oficina Regional para Mesoamérica y el Caribe	Directora Regional
13	Costa Rica	María Pía Hernández	Unión Internacional para la Conservación de la Naturaleza – Oficina Regional para Mesoamérica y el Caribe	Coordinator for Biodiversity and Rights

14	Costa Rica	Lucila Arias	Unión Internacional para la Conservación de la Naturaleza – Oficina Regional para Mesoamérica y el Caribe	
15	Costa Rica	Dr. Michael Schloenvoigt	Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)	Director Proyecto BIOMARCC
16	Costa Rica	Dr. Jorge Cabrera Medaglia	Center for International Sustainable Development Law	Lead Counsel Biodiversity Law
17	Costa Rica	Patricia Madrigal Cordero	Coope SoliDar R.L.	
18	Costa Rica	Dr. Jorge Jiménez	MarViva	Director General
19	Costa Rica	Silvia Charpentier	Asociación Costa Rica Por Siempre	
20	El Salvador	Ulises Pérez	Ministerio de Medio Ambiente y Recursos Naturales	Gerente de Recursos Biológicos
21	El Salvador	Nery Díaz	Asamblea Legislativa de El Salvador	Comisión de Medio Ambiente
22	El Salvador	Lourdes Palacios	Asamblea Legislativa de El Salvador	Comisión de Medio Ambiente
23	Guatemala	José Luis Echeverría	Consejo Nacional de Areas Protegidas (CONAP)	Director de la Oficina Técnica de Biodiversidad de CONAP
24	Guatemala	Mario Díaz Anzueto	Ministerio de Ambiente y Recursos Naturales (MARN)	Director de Biodiversidad
25	Guatemala	Estuardo Roca	Unión Internacional para la Conservación de la Naturaleza	Specialist on Economic Incentives
26	Honduras	David Jaén	Secretaría de Recursos Naturales y Ambiente (SERNA)	
27	México	Lourdes Adriana López Moreno	Cámara de Diputados de México	Presidenta Comisión de Medio Ambiente y Recursos Naturales
28	México	Marisa Ortiz Mantilla	Cámara de Diputados de México	Presidenta GLOBE Mexico

29	México	Lorenzo de Rosenzweig Pasquel	Fondo Mexicano de Conservación a la Naturaleza	Director Ejecutivo
30	México	Benito Bermúdez	Comisión Nacional de Areas Protegidas (CONANP)	Director Regional Baja California y Pacífico Norte
31	México	Wolfram Heise	Deutsche Gesellschaft für Internationale Zusammenarbeit	
32	Regional (based in El Salvador)	Bessy Aspra	Comisión Centroamericana de Ambiente y Desarrollo	
33	Germany	Alexandra Wandel	World Future Council	Director
34	Germany	Janne Rohe	World Future Council	Policy Officer Sustainable Ecosystems
35	Germany	Lorena Fischer	World Future Council	Policy Officer for Food Security
36	Germany	Ilona Porsché	Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)	Head of Project Blue Solutions
37	Germany	Valeria Bers	Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)	Advisor
38	USA	Tundi Agardy	Sound Seas	Director

## **7. About the organizers**

The **World Future Council** addresses challenges to our common future and provides policy makers with effective policy solutions. Through in-depth research, capacity building and knowledge transfer we seek to support ‘future just’ policy solutions around the globe on issue related to: sustainable ecosystems, climate and energy, peace and disarmament, future justice as well as sustainable economies. Through our Future Policy Award on Food Security in 2009, Biodiversity in 2010, Forests in 2011 and Oceans and Coasts in 2012, we have been identifying and celebrating policies that successfully protect and sustainably manage the earth’s vital ecosystems. After the Awards, we enter a phase of political engagement by convening interparliamentary hearings to raise awareness, share lessons learnt and enable knowledge transfer about best practices and innovative policies among legislators and practitioners. The Council consists of 50 respected personalities from all five continents. The World Future Council is registered as a charitable foundation in Hamburg, Germany, where its head office is located. Please see: [www.worldfuturecouncil.org](http://www.worldfuturecouncil.org) and [www.futurepolicy.org/oceans](http://www.futurepolicy.org/oceans). Contact: Janne Rohe, Policy Officer Sustainable Ecosystems: [janne.rohe@worldfuturecouncil.org](mailto:janne.rohe@worldfuturecouncil.org)

The **International Union for Conservation of Nature (IUCN)** is the world's oldest and largest global environmental organization it has been operating since 1948 at global level comprising 81 sovereign states, 120 government agencies, 800 plus NGOs, and approximately 10,000 scientists and experts from 181 countries in a unique international alliance. The IUCN seeks to influence, encourage and assist all peoples and societies of the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable. In the Mesoamerican region IUCN has been working for more than 30 years through the Regional Office for Mesoamerica and the Caribbean Initiative (ORMA –CI). It has extensive experience in areas related to integrated management of water resources, integrated management of watersheds associated with protected areas, biodiversity, forests, gender mainstreaming, wetlands and coastal areas, and environmental law, environmental impact assessments, community involvement projects, initiatives on ecosystems and livelihoods, social equity activities, and transboundary ecosystem management approaches, especially locally. IUCN has a track record of working with partner organizations in Mesoamerica at different levels such as grassroots, community based, governments, local, regional and international NGO's, regional representative institutions as well as knowledge and academic institutions, including universities and research centers.

The **Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH** is a German federal enterprise that operates in more than 130 countries worldwide to support the German Government in achieving their objectives in the field of international cooperation for sustainable development. The conservation and sustainable use of biodiversity for the benefit of the poor and for human well-being is one of the priority areas of German development policy. GIZ implements a large portfolio of bilateral and regional projects around Planet Ocean that enable partners to implement the CBD Strategic Plan for Biodiversity in the field of marine and coastal biodiversity. On the supra-regional level, the Blue Solutions project offers a global knowledge network and capacity development platform to support country efforts to achieve the marine and coastal related Aichi Biodiversity Targets. Blue Solutions is implemented by GIZ in direct partnership with GRID-Arendal, IUCN and UNEP. Funding for the project is provided by the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) through its International Climate Initiative (ICI).