

Submission of the Government of Australia

Comments on draft format for monitoring and reporting contained in annex to document UNEP/CBD/ICCP/2/4

Australia supports the structure of the draft format (the helpful 'yes/no' question form and optional 'comment' fields), noting that it is similar to that developed for reporting on the Convention on Biological Diversity.

Of concern, however, is the inclusion of questions which are formulated in a way which prejudices the manner in which countries will choose to implement their obligations under the Protocol. Questions 14 to 16 for example, assume a centralised monitoring role for government that is beyond the requirements of the Protocol. These questions need to be deleted.

Also of concern to Australia (and commented upon by a number of developing countries at ICCP2) is the level of detail included in the draft format that may make it unduly burdensome for countries to complete, and which goes well beyond the requirements of Article 33. Article 33 stipulates that measures taken to implement the Protocol must be reported by Parties to the COP/MOP.¹ The key objective of the article is to gain this factual information. However, the draft format seeks performance information on the effectiveness of the measures, compliance information and a variety of statistical information in addition to information on measures taken.

Australia therefore recommends deletion of elements of the questionnaire that go beyond eliciting identification of measures undertaken to implement the Protocol. In this way a core set of questions pertinent for meeting the actual reporting obligation under Article 33 would be retained. This streamlined questionnaire would be considerably less burdensome to complete and hence more likely to be used. (Non-core questions include, for example: 2, 8, 13, 15, 16, 18, 19, 20, 24, 25, 31, 44, 57, 58, 59, 60, 61, 62, 63, 64.)

At the very least, the non-core questions should be separated out (eg appended) to encourage countries to focus on questions relevant for meeting the actual reporting requirement of Article 33.

Australia also considers it important to explicitly indicate that the questionnaire is a guide to assist countries to meet their obligation under Article 33. It will be for Parties to determine whether and to what degree they utilise it. We note that this is implicit in the title of the annex; "Guidelines...", but consider that a clearer statement would be desirable to avoid any possible confusion.

In view of the short timeframe for submitting comments on the draft format, detailed comments on specific questions have not been provided. These may be submitted separately at a later date.

Australia recommends keeping the format under review by the COP/MOP so that those using the format will have the opportunity to indicate any shortcomings and make suggestions in the light of experience.

¹ Article 33 states that Parties shall "report to the Conference of the Parties serving as the meeting of Parties to this Protocol on measures that it has taken to implement the Protocol" while article 26 of the CBD requires; "reports on measures ...taken for the implementation of the provisions of this Convention and their effectiveness in meeting the objectives of the Convention". (That is, the Protocol does not require Parties to report to the COP/MOP on the effectiveness of the measures they have taken to implement the Protocol.)