

Convention on Wetlands (Ramsar, Iran, 1971)
3rd Meeting of the Ad Hoc Working Group on
Administrative Reform
Gland, Switzerland, 3 December 2009

Report of the 3rd Meeting of the Ad Hoc Working Group on Administrative Reform

Contracting Parties present: Argentina, Australia, Belgium, Brazil, Canada, Chile, Colombia, Dominican Republic, Ecuador, German, Ghana, Indonesia, Islamic Republic of Iran, Japan, Kenya, Mexico, Monaco, Niger, Panama, Paraguay, Republic of Korea, Romania, Slovenia, South Africa, Switzerland, USA, Uruguay, Venezuela.

Resource organizations: IUCN, UNEP

Agenda item 1: Introductory remarks

1. **The Co-Chair (Chile)** welcomed the participants and noted that this will be one of the most crucial meetings for the Working Group. He introduced Ms Miranda Brown of Australia, who is replacing Guy O'Brien as the other Co-Chair, and noted that she has been fully involved in the process for some time.
2. **The Co-Chair (Australia)** expressed great pleasure at joining the Group and looked forward to a fruitful meeting.
3. **The Co-Chair (Chile)** suggested deleting item 2 from the draft Agenda. With that amendment, the draft Agenda (DOC. WG-AR3-1) was adopted by consensus.

Agenda item 3: Report of the Secretary General

4. **The Secretary General** thanked the participants for sharing their time and wisdom. He said that a key condition to having the capacity to serve the Parties is to have a better understanding of the Convention by decision-makers, and thus the Secretariat focuses on communicating with many organizations, including those outside the Ramsar community. He explained that we have more and more partnerships within the UN organization, including most recently a programme of joint activities with UN Habitat, and we are taking steps towards common actions with the World Tourism Organization. He described the planned 1-7 February week of activities in Seychelles in association with World Wetlands Day and hoped for the participation of many important people from around the world.
5. The Secretary General continued that we need to explain how wetlands are vital for forests, especially in the context of climate change mitigation and adaptation. The steps being taken in climate change debates do not take sufficient account of the role of wetlands, and we constantly promote this message to other organizations. He noted that we have worked with UN Water to produce a one-page paper showing the importance of water for climate change, and he drew attention to the STRP's briefing paper on wetlands and climate change distributed in advance of the UNFCCC COP15 in Copenhagen.
6. He observed that, regardless of the Working Group's recommendations, the Parties need to have a better understanding of the importance of the Convention. He said that during

his recent travels he was encouraged to see decision-makers taking wetlands seriously and felt that Uruguay's offer to host COP12 in 2015 demonstrates that country's interest in helping the Convention to grow.

7. The Secretary General urged the participants also to consider how to improve support for the Convention in the countries. He urged them to remember the importance of the internship programme for the work of the Secretariat and the value of the STRP for the Convention, and to seek means to increase the capacity of the Secretariat as a whole
8. **The Co-Chairs** explained that they have asked the Secretariat staff not to be present, though staff members can be called in if needed. It is not a matter of secrecy, as the report of the meeting will be public, but merely so that participants will feel more comfortable discussing matters of staff salaries and conditions candidly.

Agenda item 4: Presentation of the IUCN and UNEP reports

9. **The IUCN representative** provided a brief presentation on the organization's response to the Working Group's questionnaire and noted that IUCN had answered the questions both as the Secretariat's host and as one of the Convention's International Organization Partners (IOPs). As an IOP, IUCN has no view about where the Secretariat should be hosted. He explained how IUCN interacts with Ramsar, chiefly through joint projects, with the head of the Water Programme, Mark Smith, as the focal point. He noted that there are opportunities for enhancing these interactions in various ways, e.g., through the IUCN regional offices.
10. Regarding the legal personality and hosting arrangement, he noted that since IUCN provides the legal personality it is necessary that the Secretariat must follow IUCN's internal control systems and regulations. He summarized the report's explanation of the services provided on a negotiated cost basis, and he clarified that it is not accurate to describe those costs as a 13% programme support cost (PSC) as in the United Nations system. The 13% figure was determined in a Ramsar Standing Committee decision, but is not binding upon IUCN; he explained that the charges are based on calculations of the services provided, number of staff, square metres of space (to estimate maintenance, cleaning, utilities, and other overheads). They add up presently to about 13% but that is not necessarily so.
11. He noted that IUCN is capable of continuing to host the Secretariat into the foreseeable future, with its new building nearly completed, but he conveyed the Director General's view that the IOP relationship should not change wherever it is hosted; IUCN will continue to try to improve that relationship.
12. **The representative of UNEP** distributed some appendices (13-18) that were not included in the report provided on the Web; she proposed not to repeat what is in the report, but rather to focus upon financial and staff issues. She noted that Ramsar is not operating in isolation but is a full part of the biodiversity cluster of MEAs; she reviewed some of the ways that Ramsar is playing its part in that common work, but still remains outside the UN umbrella. She felt that coming under that umbrella would increase the opportunities for interchange, cooperation, and communication in data transfer, scientific work, and discussions of common policy. She said that UNEP is at the centre of all of these common efforts. In particular, she discussed the following advantages under UNEP:

better access to funding; a network of regional offices; a specialized legal office; temporary strengthening from the UNEP secretariat to MEAs when needed; strengthened data management, for example, through WCMC; improved international environmental governance, rather than being left out of new common initiatives; and the possibility of better access to GEF funding and other potential sources that are available only to a UN organization.

13. Concerning staffing costs, she described the services provided by UNEP under the 13% PSC. She reported that UNEP studied the TOR of the Secretariat staff, classified them under UNEP's grading system (15 staff: 11 professional and 4 support), and applied the UN salary scale for comparative purposes. The salaries assigned in the table are for budgeting purposes, and frequently they can be lower in practice. Calculated in this way, the salary costs total about 4 million CHF, but some of those posts might fall under the 13% charge for programme support, so the total would be 3.7 million. Furthermore, she said, if the four interns were classified as P1 or P2, the cost would come to 700,000 CHF, but these positions could be filled more cheaply by other means, such as UN Volunteers, the JPO programme, or secondments. That would bring the staff total to 2.9 million CHF, or a range of 2.9 to 3.7 million depending upon how the internship issue would be solved. Thus she challenged the consultant's report that quoted the figure used at COP10 and said that these figures supersede the COP10 estimates, which were calculated without a classification exercise and at very short notice.
14. Concerning staffing issues, the UNEP representative stressed the importance of the Secretariat for the Convention and said that these human aspects are also significant. She said that Ramsar is a good convention and operates very well, and that is largely because of the dedicated staff (showing photos on screen). But she noted that if Ramsar were to join UNEP it could not pick and choose amongst the UN's rules and regulations. Under those rules, the staff posts would have to be advertised and the present staff would have to apply for those posts; the Executive Director is not able to waive that requirement. However, she could foresee an array of possible options for those who do not wish to join UNEP, for those nearing retirement, etc., and suggested the possibility of interim arrangements for some staff pending recruitment, as well as extensions for some as technical specialists. These are things that could be negotiated. She also noted that there would be benefits for future Ramsar staff, such as other career possibilities, mobility, etc.

Agenda item 5: Presentation of the independent review of the IUCN and UNEP reports

15. **The Co-Chair (Chile)** introduced Mr Kofi Addo, a consultant who has prepared a comparative review of the two reports, through the generosity of Australia.
16. **Mr Addo** described the TOR for his task, which called for a comparison of the two reports side-by-side to see which would be in a better position to help the Convention achieve its goals. He felt that UNEP provided a more thorough report, and he said that UNEP seemed to offer more opportunities, but also some restrictions. He reviewed his review's conclusions with regard to 1) institutional hosting; 2) enhancing implementation; 3) legal personality, which would not fundamentally change under either option; 4) staff issues; and 5) administrative services. He wished to correct the statement in para. 52 that salaries and benefits do "not show any major differences", noting that the UNEP service charge might cover some staff salaries.

17. He observed that there would also be transition issues involved in a move to UNEP, such as the possibility of contract termination indemnities. Though it is premature to predict the results of negotiation with the Executive Director of UNEP, any such costs would have to be borne by the Convention, not by UNEP or IUCN. He noted that under Article 8.1 of the Convention, IUCN was mandated to host the Secretariat until such time as the COP decided otherwise. Of the nine problems noted by some Secretariat staff in DOCs. SC36-15 and SC37-2, he felt that only one was solved and eight remain under the IUCN option, whereas under the UNEP option, five were solved and two likely solved. He felt that the Working Group would need to decide which of the two organizations would be better able to help achieve the Convention's goals.
18. **The IUCN representative** again clarified that IUCN does not charge a 13% PSC, but instead negotiates charges based on analysis of the costs to IUCN of providing services to the Secretariat.
19. **The Co-Chair (Australia)** invited the participants to make general comments concerning the presentations and reports in order to help to structure further discussion.
20. **Canada** explained that Canada approaches the question from the point of view that they are very satisfied with the work of the Secretariat and the progress of the Convention, and must first ask what is the value added by changing the present situation? She noted that the present staff is very dedicated and asked what would the effect of a change be on staff morale and performance during the transition period, which could be quite disruptive? She indicated that it would be impossible to make such a decision without being entirely clear on the financial implications of a change, and there are many questions still unanswered. She asked what further benefits would there be for the Parties' own implementation of the Convention that are not present now? She noted that there is already a great deal of collaboration and integration between Ramsar and the UN-based MEAs, and that access to funding is common problem for the other MEAs as well.
21. In summary, Canada characterized the decisions to be made in terms of three key issues: 1) the impact of transition, 2) the still undefined financial costs, and 3) what benefits would arise from such a disruptive change.
22. **The Co-Chair (Australia)** indicated that the Working Group has been tasked to decide between two options, but that under the IUCN option there would have to be some additional improvement to the status quo. Resolution X.5 did not include the status quo itself as one of the options and called for improvements.
23. **Germany** felt that additional benefits would include the potential for a UNEP-administered Secretariat to be more integrated with the other MEAs, with more potential synergies, if Ramsar were fully part of that system. Under the negotiations for the International Environmental Governance (IEG) process under the UN General Assembly, there is the potential to cluster MEAs in a highly integrated way along thematic and administrative lines, and Ramsar should not miss the opportunity to be part of that. She noted that cost and staff issues are of great concern, and Germany would have further questions.
24. **Argentina** reported that Argentina is very happy with the implementation of the Convention so far and that the need for change has not been demonstrated, and he felt

that the information supplied so far provides an insufficient basis for decision, especially concerning costs and the Parties' contributions. He felt that there should be better ways of comparing the two options, and he highlighted questions about the future of the Secretariat's relations with the IOPs and with the Danone/Evian project. He sought further information about the transition costs and about the specific benefits that could be predicted, not only for the Secretariat, but also for the Parties' implementation.

25. **The USA** supported Canada and Argentina and felt that the presentations had left many issues still unclear. The objective is to find solutions for perceived problems, but it is not true that the original problems have not been solved; in previous meetings, most of the cited problems have been seen to have been solved or merely theoretical. This is a case of a solution in search of a problem, and there is a risk of replacing one set of problems with another, as working within the UN would probably present problems of its own. She felt that joining UNEP might not guarantee greater international recognition, as the Convention might be subsumed into the much larger bureaucracy and lose some of the independence. She recalled that there are no guarantees for the dedicated staff, and she noted that the Secretariat already has a great many partnerships and collaborative relationships, and it is not clear that joining UNEP would bring any more. She noted that if there were increased funding opportunities for Ramsar under UNEP, those funds would have to come from somewhere else.
26. **Ghana** felt that the progress made so far on these questions has been good but that some issues remain unresolved. For the record, she said, Ghana does not believe that we are preferring one organization over another but rather working for the long-term future of the Convention. She felt that IUCN has shown that it will not take any significant additional steps to improve the situation, but that if it should no longer be the host, that will not affect its IOP relationship. She observed that IUCN does not have privileges under the Vienna Convention on the Law of Treaties and asked how that has affected Ramsar in the past. She asked how much money has been transferred by IUCN to Ramsar.
27. Ghana felt that a clear change would raise the "image" of the Convention and that, under UNEP, there would be better media attention to Ramsar and wetlands. Ramsar is little known and that may be because it is under an NGO; the governments would pay more attention to Ramsar if it were not under an NGO. She noted that staffing and relocation issues are important, but the priority should be on how well known Ramsar is around the globe, and how recognition would help implementation. She felt that Ramsar should have been under the UN from the beginning, though it was too early for that, and that it is long overdue to find its rightful place.
28. **Mexico** agreed with Canada and Argentina that the primary issue is what added value would be achieved by making a change, and she called for a fuller picture of any transition and its costs and the effect on the Parties' contributions.
29. **Panama** felt that the process was positive for the Convention and that the Convention needs to improve. He suggested that, after a decision has been made, we come back to it in five or seven years and evaluate it.
30. **Belgium** expressed the view that the legal issues had been fairly well explained but financial questions remain. The issue of the interns, for example, might seem to be a minor one, but there hasn't been a clear answer from UNEP. Concerning possible relocation, he

felt that there was a tension between assisting the Convention in carrying out its mission and the suggestion of additional offers to host the Secretariat, and he asked whether there had been any consideration of combining the advantages of joining UNEP with continuing to lease the facilities and services from IUCN.

31. **Kenya** agreed with Ghana and Germany that wetlands are very important for the environment and that therefore Ramsar belongs under UNEP as a major actor. This is the right opportunity to become integrated into international environmental governance (IEG).
32. **Germany** said that both reports are very clear and exhaustive and noted that the mandate of the Working Group is the result of a COP decision to investigate not only immediate actions on certain problems but also more general questions that are critical for the future of the Convention (i.e., the reasons for and the benefits of a change in the status quo for the Secretariat and for Contracting Parties). Germany does not feel that working within the UN brings with it a new set of problems. She indicated that Germany is at the highest political level supporting the activities of UNEP and believes that UNEP is the right forum to deal with International Environmental Governance, including the Ramsar Convention and the protection of wetlands.
33. **Switzerland** stressed the important point that, with either option, the Secretariat's legal status will always be derived from its host organization. She noted that there are two levels of considerations: 1) the political (the Convention's role in IEG) and 2) implementation. She felt that the consultant's report showed that joining UNEP would increase the Convention's visibility, bring access to UNEP services regarding compliance, training, and traveling. She reported that the Consultative Group of Ministers on International Environmental Governance (IEG), which met in Rome in October 2009, drew up a set of options for improving IEG, among which are that enhancing linkages and synergies between MEAs should continue. An invitation was made to the COPs of the biodiversity-related conventions to launch a synergies process among them, taking into account the lessons learned from the chemicals and waste conventions, noting that none of this specifies United Nations MEAs, just MEAs. This will be further discussed during the next UNEP Governing Council in February 2010. She felt that Ramsar should be part of this process. Switzerland drew attention to the synergies to be achieved both in Gland with IUCN, as a possible Ramsar IOP, and in Geneva with UNEP, especially since it also provides a UNEP administrative centre.
34. **South Africa** observed that it is awkward to be an intergovernmental process under an NGO, that it sounds bizarre. He said that we need to respect the intention of the COP in its Resolution and that we cannot pretend that the IEG consultations are not going on, because they will have an impact on the Convention.
35. **Canada** indicated that Canada supports UNEP and is not suggesting that the door should be closed on the UNEP option. Rather she is asking whether and how such a move would improve Ramsar implementation on the ground and result in greater protection for wetlands. We need to assure ourselves that that is what will happen, so we must ask what are the concrete, rather than the bureaucratic, advantages?
36. **Indonesia** appreciated the need to seek synergies. He expressed concern about the costs to the Parties of any change and asked for more information about that.

37. **The USA** also expressed support for UNEP but observed that this is not about UNEP. The question that should be asked is: what exactly would the Secretariat want to do on the ground under UNEP that it cannot do now? She felt that one of the current strengths of the Convention is its independence, for example, with the Secretary General able to appoint staff instead of recommending to the Executive Director of UNEP, and there could be a loss of Ramsar's autonomy. In order not to consider such a move blindly, if this discussion were to continue it would be necessary to examine the experience of other MEAs under UNEP; CITES, for example, is said to be having significant problems with UNEP.
38. **Japan** supported Canada, Argentina, and the USA and noted that Resolution X.5 indicates that the interests of the Parties are part of the objective, not just questions of legal status, image, etc. He said that the Parties need to know in advance exactly what financial burdens might be implied by any change – especially those Parties that are making large contributions. We cannot make decisions without full knowledge.
39. **The Republic of Korea** observed that the purpose of the Working Group is to facilitate the future work of the Convention. He believed that the Secretariat should be under UNEP but at the same time he shared the concerns about costs and transitions. Korea wished for more information on transition costs and staffing autonomy, as there is concern about uncertainties.
40. **South Africa** inquired about IUCN's mention of a new Swiss law on internal controls. IUCN explained that the law requires IUCN to demonstrate that an internal control system is being implemented, so IUCN now has an oversight function, which is broader than the auditing function that it had formerly. **Switzerland** indicated that this should not involve any practical changes for the Secretariat.
41. **Ghana** acknowledged concerns about transition costs and urged UNEP to review the budget and provide more information about how long the transition would take and what its costs would be. **The Co-Chair (Chile)** observed that UNEP has already amended the figures for transition costs that were provided to COP10.
42. **The Co-Chair (Chile)** indicated that the afternoon session would go further into details, especially concerning costs of transition, staff, etc. But he recalled that the objective of the Working Group is "to recommend efficient and effective measures to improve the capacity and operation of the Secretariat to support and facilitate the implementation of the Convention and serve the interests of the Contracting Parties" (Resolution X.5 annex) and said that the Co-Chairs would not admit any questions behind that mandate. Noting that this is the last meeting before the Group negotiates the text of a recommendation to the Standing Committee, he hoped that the information provided today would suffice, because there is no more time. He said that the Group's decision will go to the Standing Committee as information, and thence to the COP. The SC cannot change the Group's mandate, as only the COP itself could do that.
43. Chile indicated that in the afternoon session the Group would follow the issues enumerated in para. 3 of the TOR in the annex to Resolution X.5. He stressed that this issue had been dragging on for ages and a decision must be made. He urged the

participants to think not only about immediate benefits but rather about the long-term future of the Convention.

44. Convening the afternoon session, **the Co-Chair (Chile)** noted that many participants wanted further clarifications than have been provided so far, especially concerning Secretariat costs. He asked the participants to refrain from general comments about the Convention and focus on detailed questions, because the Co-Chairs need clear signals by the end of the day for the text to be negotiated at the next meeting. He asked participants to focus their questions on para. 3 b) on costs and consequences.
45. **Argentina** disagreed with the proposed procedure, noting that the Working Group is not required by the TOR to make a decision, only a recommendation, and that there is no deadline in the mandate except the next meeting of the COP. He said that he had 23 questions, mostly for UNEP, concerning missing information and explained that his capital insisted upon having the answers in writing for consideration there.
46. There was discussion over whether the TOR require that the Group should complete its work within one year. The TOR seem to say that the Working Group should report to the Standing Committee within twelve months of its first meeting, but it's not entirely clear whether that must be its final report.
46. **Argentina** observed that there are three more Standing Committee meetings before COP11, so it should not be necessary to hurry at this point. He noted that the information received in response to questions at this meeting would still need to be reviewed by the capitals.
47. **Canada** noted that she also has questions from the capital to be asked of the Secretariat.
48. **The Co-Chair (Australia)** invited the participants to focus their questions on para. 3 b), at least to begin with.
49. **Mr Kofi Addo**, the consultant, said that having looked more carefully at Ramsar's 2009 budget and compared it to UNEP's figures, he could now say that going to UNEP would be cheaper.
50. **Germany** asked whether the Danone Project Officer is paid from the core budget or by Danone; whether UNEP and IUCN would cover the cost of legal advice; whether the staff grading systems of the two organizations are comparable; and whether the consultant's conclusion referred only to salary costs or to other budget lines as well? **The Finance Officer** affirmed that the officer is paid by Danone as part of a project. **IUCN** indicated that the IUCN/Ramsar letter of agreement does not include work by the IUCN legal adviser, and **the Finance Officer** confirmed that for substantive legal work the Secretariat must engage a legal advisor, whether IUCN's or another. **The UNEP representative** explained that UNEP examined the Ramsar staff TOR and rewrote them in UN terms, and then had them provisionally classified.
51. **Switzerland** noted that no rent is charged to the Convention in the IUCN charges to Ramsar but asked about how other specific charges to IUCN are calculated. **The IUCN representative** explained that square metres occupied is just a way of estimating maintenance, utility, and other overhead costs. **The Finance Officer** explained the higher

charges from 2004 to 2007 by the fact that IUCN was providing additional services to cover for the termination of Ramsar's second finance officer, but she said that operations have been streamlined for 2009 and that charge has been reduced. **The UNEP representative** noted that those costs would fall under the 13% UNEP programme support cost (PSC).

52. **Canada** requested a firm percentage increase figure or range that could be reported back to capitals. **Mr Addo** noted that the COP10 figure of a 25% increase is off the table; he said that if the UNEP salary costs are lower than at present, then more than half of the total budget will be lower. **Canada** asked what other costs there would be and whether an analysis has been made of everything. **The UNEP representative** indicated that she is not sure what other costs are referred to.
53. **Canada** noted that the Ramsar Convention has three working languages, whereas the UN has six, and asked whether Ramsar would now have to translate documents into three additional languages. **The Co-Chair (Chile)** observed that CITES was permitted to continue working in only three languages.
54. **Canada** asked whether Switzerland has offered any additional benefits to Ramsar and whether there would be a difference in Switzerland's benefits under IUCN or UNEP. **Switzerland** responded that Swiss authorities have been awaiting the results of the present meeting before looking into what Switzerland could offer, and that will be worked on. It was noted that under UNEP Ramsar would not benefit from the equivalent Swiss income tax presently retained by Ramsar from non-Swiss staff members, ca. 250,000 CHF per annum.
55. **Canada** inquired about what would happen to the pensions of Secretariat staff if there were a move to the UN pension scheme. **The Finance Officer** replied that consultations would be needed about that. Contributions are currently made under the IUCN scheme.
56. **Canada** asked when someone will make the needed calculations regarding transition costs. **The Finance Officer** noted that there are two elements, annual operating costs and transition costs, and she was not aware that anyone has made calculations regarding the second one. **IUCN** said that figures could be provided regarding staff termination costs under IUCN rules, but it cannot be predicted whether that maximum amount would be needed. **UNEP** agreed that a maximum figure is all that could be supplied at this time because it would be impossible to assess the cases of all individual staff members. **Canada** said that the Parties will need to know that figure, even if it is only a maximum potential liability. **The Co-Chair (Chile)** recalled that it has been made clear that there would be room for discussion, if needed, when dealing with present staff. **UNEP** reiterated that it might be possible to have an interim arrangement for staff members, e.g., for two years, during the transition process.
57. **The IUCN representative** cited the IUCN rules for calculating termination packages and said that, if all present staff were made redundant and paid to the end of their contracts, it would total about one million CHF. **Canada** noted that that would be the COP's liability. **The Co-Chair (Chile)** summarized that the termination costs could be one million francs but could be lower and said that the Co-Chairs need a signal from the Working Group about how to deal with that.

58. **Germany** asked whether the charges paid to IUCN in 2009, ca. 513,000 CHF, would be a savings under the UNEP option. **UNEP** and **the Co-Chair (Chile)** explained that those charges would be subsumed in the 13% PSC to be paid to UNEP, though that 13% might cover two or three staff members' salaries. **Switzerland** asked which salary positions would fall into this category, and **UNEP** replied that the positions of Finance Officer (P-3) and Administration Officer (G-7) probably would but it's difficult to be certain about others hypothetically.
59. **Switzerland** asked whether Ramsar does not currently keep a reserve aside for dealing with termination liability; **the Finance Officer** noted that that is true but it was not intended to provide for this number of people.
60. **The USA** asked to have a single document evaluating the costs of administrative services, personnel, etc., in a direct comparison between the two options. She asked whether the internship positions could not also be unpaid under IUCN, and she noted that the termination liability should also include the possibility of staff members suing. She noted that the USA would never allow such costs to come out of the core budget, so there would need to be voluntary contributions to cover them.
61. **The Co-Chair (Chile)** clarified that there would not be fewer staff – there would be the same 19 positions that we have today.
62. **The UNEP representative** described the present Ramsar internship programme and noted that the interns are talented people who do valuable work – they would be equivalent to P1 or P2 positions under UNEP, which could cost as much as CHF 700,000 per year. In the UN system, “internship” represents a different concept, but using Junior Professional Officers or UN Volunteers could reduce those costs significantly. **The Finance Officer** affirmed that Ramsar's internship programme is unique and quite a fundamental part of the Secretariat's work. **The USA** asked who would decide whether the Convention would seek salary savings or maintain the current level of capacity. If it is agreed that there should be no erosion of capacity, we should not put a lower figure on these positions.
63. **Argentina** noted that there seem to be many questions still pending and suggested that all participants submit their questions in writing and request UNEP and IUCN to respond to them in writing. He noted that the bottom line that needs to be defined is what will be the annual contribution from each of the Parties as a result of a change. He understood the difficulty of calculating that figure, but he said that Parties need to have that information before they can make a decision.
64. **The UNEP representative** agreed that that figure would be very important for the Parties, and as to the costs of operating the Secretariat she tried to provide that figure in her presentation. The transition and termination costs, however, are outside of her remit.
65. **Argentina** reiterated that pieces of information have been provide but no firm figure on annual contributions. He requested a clear, firm, official figure from UNEP, or at least a range, for what annual contributions would be required from the Parties under the UNEP option.

66. **The Co-Chair (Chile)** noted that the questionnaire was not drafted to address that question directly, but he indicated that the Parties' contributions should be relative to any difference in the total core budget. Thus if the new budget were to be less, the contributions should also be lower. Transition costs are a separate question.
67. **Argentina** indicated that his capital needs a confirmation officially from UNEP in answer to a simple question: what will it cost us? **The UNEP representative** said that this information concerning ongoing operating costs is already included in the UNEP report but could be highlighted in another form if wished. Transition staff costs, on the other hand, would be part of an ongoing process and would depend on individual cases, etc. Other variables, like the costs of a physical move, cannot be predicted in advance.
68. **The Islamic Republic of Iran** asked for further clarification concerning pensions, termination costs, support costs, etc. **IUCN** and **UNEP** clarified the figures described above.
69. **Japan** inquired of UNEP whether the salary estimates were based on Geneva and, if so, requested to have similar figures for Nairobi and other possible venues for comparison. **The UNEP representative** said that there is not much difference in salary costs between Geneva and Nairobi, because though salaries are generally lower in Nairobi there are additional security and hardship costs. UNEP could provide the UN salary range for, for example, a P3 at every UN duty station, so that the salary structure in different venues could be inferred. But other costs would depend upon offers from potential hosts and would be impossible to estimate.
70. **The Republic of Korea** asked whether there would be any possibility under UNEP for staff secondments that could reduce the salary costs and whether, under UNEP, there would be any charge for operating the Scientific and Technical Review Panel (STRP). **The representative of UNEP** affirmed that secondments are possible under the UN but they can't be foreseen. She said that she does not know enough about how the STRP operates but assumes that it is similar to the scientific subsidiary bodies of other MEAs. **Switzerland** noted that allocations for the STRP and other activities are for the COP to decide upon.
71. **Switzerland** noted that there were still quite a few missing pieces but that we cannot cover all the details at this meeting. She felt that the concerns have been heard and she urged the Co-Chairs to confer with UNEP about those. **The Co-Chair (Australia)** said that it is important to hear all the outstanding questions at this time, as this is the opportunity to bring everything out. It would be impossible to leave this meeting and draft a text without having heard all of the concerns at this time. **Switzerland** felt that participants will need time to go back to the capitals for direction.
72. **The USA** observed that the main question from the capitals should be: what does Ramsar hope to achieve under UNEP? What improvement over the status quo would there be, exactly? She indicated that we have heard that it will be cheaper under UNEP, but the figures do not seem to bear that out.
73. **Romania** asked for more clarification of the figures and requested a new document that would explain comparisons clearly. **The Finance Officer** agreed that it would be good to have a bit more reflection and a new presentation of the numbers.

74. **Canada** said that participants need answers to go back to capitals. She asked what would happen to the Danone/Evian project and its project officer under UNEP and whether the current arrangement could continue? She felt that the Secretariat is very effective and the Secretary General had underlined that it depends upon the interns, so we cannot just put a zero in that budget line. She called for a full understanding of the projected budget under UNEP with a full accounting of the present staff and the fate of the Danone partnership.
75. **The Co-Chair (Chile)** confirmed that the zero figure for the interns depends upon how that is handled; the positions would not disappear. **Canada** noted that Parties would want the Secretariat's capacity to remain stable, with the same quality of staff. **The Co-Chair (Australia)** confirmed that we are still talking about the same number of staff, i.e., 19. **The UNEP representative** agreed that the interns are vital for Ramsar and that we need to have them on board, but there are alternatives in how to pay for them. Concerning Danone, she said that UNEP would have to talk with the Danone Group about continuing its support, but she confirmed that the Danone Project Officer could continue to be employed on a project basis under UNEP, if Danone would provide the budget for that.
76. **The Finance Officer** clarified that the "Project Officer" is the project-based position funded by Danone and the "Partnership Officer" is a core position approved by COP10 which will begin in 2010.
77. **Argentina** inquired whether UNEP has any regulations regarding voluntary contributions and whether we could be sure that Ramsar programmes such as Wetlands for the Future, funded by an agreement between the USA and the Secretariat, would be permitted. **The UNEP representative** replied that since the conventions operate through trust funds, there should not be any problems; if the Parties wished to continue funding such programmes, she believed that that could be done.
78. **The USA** affirmed that everyone is agreed that we do not wish to erode the Secretariat's capacity, so the internship line should not be zeroed out. She asked whether there are other items, like the Danone Officer, that could be affected. **The Finance Officer** explained that there is only one such project-funded position at this time; she said that there is a small cost to that because Ramsar pays overhead charges to IUCN based upon 20 positions rather than just the 19 core-funded positions, but that is not a significant difference.
79. **The USA** felt that the Danone Officer is an illustration of how the Secretariat has flexibility in staffing, which might be compromised under the UN. **The UNEP representative** and **Australia** felt that there is not much difference between the IUCN and UN ways of hiring and operating.
80. **The Co-Chair (Chile)** confirmed that, as the USA suggested, we need a clear comparative table for salaries to be sent to the participants. **Argentina** agreed but noted that there was still a request for a final budget report from UNEP, including an estimate of the amount of annual contribution from each Contracting Party.
81. **Ecuador** felt that the number of questions being asked was a positive sign of the Parties' interest in Ramsar, and he agreed with the plan to ask for written questions from participants and written replies from the organizations. **The Co-Chair (Chile)** agreed that

a comparative chart of salaries will be provided, as well as a budget table leading to the bottom line requested.

82. **South Africa** asked for an idea of how the secondment process might work, but **the Co-Chair (Australia)** urged that the possibility of secondments should not be included in the bottom-line calculations.
83. **Canada** noted that it would be useful to highlight any budget items that would be covered by the 13% PSC.
84. **Switzerland** suggested an examination of the process of CITES joining UNEP and whether there were additional costs, pension problems, etc. **The UNEP representative** explained that the CITES case was quite different, since it was always planned for UNEP and only covered by IUCN for a few months as needed.
85. **Slovenia** noted that there have been different numbers on the screen every time we have looked up, and he said that the capitals want answers to two simple questions: 1) what is the added value for Ramsar and wetlands, and 2) if there is any, what are the financial implications? These are more important than the details. He said that if we are to change the status quo, we need to give the capitals good reasons for doing so. **Monaco** pointed out another error in the figures on the screen.
86. **Germany** did not believe that there would be any compromise of flexibility in joining UNEP, and that instead there would be an increase of opportunities. For example, it is Germany's experience that companies would be keen on adding the UN logo to the Ramsar logo; Parties would be more likely to sponsor JPOs under UNEP (Germany has a special recruitment programme for the UN), and if in future there are synergies as a result of the clustering of biodiversity-related MEAs according to the outcome of the "Belgrade Process" on IEG, Ramsar should be part of the process and should not miss this important development remaining the only MEA outside the cluster.
87. **The USA** expressed doubt that there are not just as many partnership opportunities for Ramsar at present, since for a long time Ramsar has been a leader in collaborating with other conventions and organizations. She noted that IUCN is not involved in the Secretariat's decisions, but though UNEP does present opportunities, the administrative structure would subsume Ramsar under its authority. She clarified that the comparative table is not just the USA's request, but has come from many participants.
88. The USA noted that the mandate from the COP was to improve the situation of the Secretariat. The Secretariat came up with a table (DOC. SC37-2) of nine problems or potential problems, and the USA believes that most if not all of these have been dealt with. It has not been shown that further remedies are required.
89. **Argentina** recalled that we have been requested to provide written questions to UNEP and have requested to receive written answers.
90. **Canada** said that there are other questions that she has been asked by the capital to direct to the Ramsar Secretariat, not just involving staff costs, and she inquired how we could proceed with that in light of the absence of staff members from the meeting. **The Co-Chair (Chile)** responded that we need to ask whether those questions are part of the

Working Group's TOR. The Group's work plan was decided last March, and we cannot let the issue drag on.

91. **Canada** noted that UNEP's report suggested opportunities for collaboration with UNEP programmes, and she asked what UNEP programmes is Ramsar currently limited from participating in? She said that Canada believes that Ramsar does in fact work with other MEAs extensively, so we would need to understand what additional opportunities there would be. Canada will provide that question to the Co-Chairs in writing and would welcome a response from the Ramsar Secretariat.
92. **Ghana** asked how the Convention would proceed if IUCN were no longer able or willing to host the Secretariat. She sensed that IUCN may not be willing to extend itself. She felt that the two reports showed clear benefits with UNEP. **The Co-Chair (Australia)** responded that, since IUCN's inability or unwillingness to host the Secretariat is not the situation we are in, that question would be outside the Group's mandate. **Switzerland** affirmed that only the COP could address that question.
93. **Switzerland** also pointed out that there are institutional procedures that still have to be defined, such as who would actually negotiate matters. A decision for a move would have to be made, not only by the Ramsar COP, but also by the UNEP Governing Council. **The Co-Chair (Chile)** assumed that those steps would be worked out by the COP.

Agenda item 6: Next steps

94. **The Co-Chair (Chile)** said that he had expected clear ideas from this meeting, as he felt that the two reports and the consultant's comparison were very clear. He expressed his view that many of the comments at this meeting were the same as at the Working Group's first meeting. The Co-Chairs had intended to take the comments from this meeting and draft a recommendation to be negotiated at the next meeting. He invited the Parties to submit written questions to the Co-Chairs by tomorrow and said that the Co-Chairs would submit all those they felt to be within the Group's mandate to the respective institutions.
95. **Argentina** felt that it would be for the Working Group to evaluate whether their questions fit within the Group's TOR, so if the Co-Chairs were to have any questions about their suitability, the participants would expect to be consulted.
96. **The USA** suggested that a gap in the discussion is to learn whether the status quo could be improved through discussions with IUCN. It should not be considered a fait accompli to move to UNEP if the UNEP option should be cheaper.
97. **The Co-Chair (Chile)** asked for specific questions and not broad ones. He noted that under para. 3 of the TOR the Group is mandated to recommend to the Standing Committee whether the Secretariat should be provided by UNEP or IUCN. He noted that under the Group's work plan we have already dealt with steps 1 and 2, and this meeting was intended to address step 3, the definitive one.
98. **The USA** responded that work plans can be messy and it is not true that steps 1 and 2 necessarily lead to step 3. The USA holds the view that the Group's job was completed after step 2, when it was seen that the nine problems had been resolved or nearly so, and there was therefore no need for further remedy.

99. **The Co-Chairs** expressed their understanding that we were presently at step 3, as all the participants have seen the reports of the first two meetings.
100. **The USA** noted that the objective is to find how to improve Ramsar, but we were channeled into two tracks. She asked again, what were the problems that were to be solved, and why were we doing this if they have been dealt with?
101. **Germany** wished not to go back to the issues of the first two meetings, but noted that the reports of those meetings would be presented to the Standing Committee and thus would not be lost.
102. **Canada** expressed concern that any subsequent improvements in the Secretariat's situation within IUCN would not be included in those meeting reports; **the Co-Chair (Australia)** affirmed that that could be planned for.
103. **Belgium** pointed out that if the Group backtracks from step 3 it will be rejecting the meeting agenda that has already been approved.
104. **Switzerland** observed that we cannot just send the meeting reports to the Standing Committee – there should be one paper for the SC and that all answers need to be synthesized for that. We need to have all the information on the table but worked into an informative document. [If the document requires a decision from the SC, it must be distributed 30 days before the opening of the SC meeting.]
105. **Japan** noted that the TOR seems to require that the Working Group report something to the Standing Committee, but it need not necessarily be a final recommendation.
106. **The USA** clarified that she was not suggesting going back to steps 1 and 2 but that there is a need for a synthesis and updates. The USA could not support any one decision over another at this time.
107. **The Co-Chair (Chile)** asked for all questions by tomorrow and suggested that ten days will be given for responses. **Japan** noted that time should be allowed before the next meeting for translations in the capitals.
108. It was decided that the next meeting of the Working Group will be set for **Tuesday, 26 January 2010**.
109. **The Co-Chair (Australia)** said that it had been pleasure working with the Group and thanked the participants for their hard work.
110. **The Co-Chair (Chile)** thanked his Co-Chair; the Ramsar Secretariat and Dwight, Anna, and Mireille for their help; IUCN and UNEP for their reports and participation in the meeting, which have really been appreciated. The Co-Chairs affirmed that they will communicate with the participants in the next few days about a timeline and what documents they can expect to receive.
111. **Canada** expressed appreciation to UNEP, IUCN, the consultant, and the Secretariat, and particularly thanked the Co-Chairs for their leadership and patience.

