

## Working Group on institutional strengthening to support the implementation of the Ramsar Convention

### TERMS OF REFERENCE

#### 1. Background

- 1.1 In Decision SC55-12, the Standing Committee instructed the Secretariat, with support from an informal group of interested Contracting Parties, to bring forward a structured proposal regarding the possibility of the Convention obtaining observer status at the United Nations General Assembly, taking into account the various options, for consideration at its 57th meeting (SC57).
- 1.2. The report of the informal group of interested Contracting Parties to SC57 on observer status in the United Nations bodies noted some limitations experienced by the Secretariat due to it not having legal personality, such as:
  - a. limited visibility of the Convention in UN processes and meetings;
  - b. difficulties in the management of projects, in particular when donors request that project agreements be signed by IUCN and do not accept the delegation of authority to the Secretary General;
  - c. year-on-year increases in the provision for contributions in arrears required under Swiss financial regulations and law, and;
  - d. challenges in the recruitment and retention of staff given that the Convention does not compete with the conditions and benefits (salary scales, pensions and education allowance) of the UN.
- 1.3. The Standing Committee at SC57, through Decision SC57-14, requested an analysis of the different options proposed, and others that may not have been addressed, for the Secretariat to have observer status at the United Nations General Assembly, and endorsed the continuity of the Observer Status Working Group.
- 1.4. Two consultancies were carried out at the request of the Observer Status Working Group related to the identified limitations:
  - an independent analysis of the legal status of the Secretariat<sup>1</sup>; and
  - a financial analysis of the legal status of the Secretariat<sup>2</sup>.
- 1.5. At its fourteenth meeting (COP14), the Conference of the Contracting Parties adopted Resolution XIV.6 on *Enhancing the Convention's visibility and synergies with other multilateral environmental agreements and other international institutions*<sup>3</sup>, in which paragraph 22:

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<sup>1</sup> See <https://www.ramsar.org/document/independent-analysis-legal-status-secretariat-convention-wetlands-ramsar-convention>.

<sup>2</sup> See <https://www.ramsar.org/document/financial-analysis-legal-status-ramsar-secretariat>.

<sup>3</sup> See <https://www.ramsar.org/document/resolution-xiv6-enhancing-conventions-visibility-and-synergies-other-multilateral>.

“instructs the Secretariat, in consultation with interested Contracting Parties, to prepare an institutional strengthening report with recommendations reflecting the needs of the Secretariat to achieve organizational robustness to support the implementation of the Convention, including but not limited to those related to administrative arrangements, governance, leadership, human resources independency, high-level political engagement, and the Convention’s visibility objectives, and requested the Secretariat to present the report with recommendations to the 62nd meeting of the Standing Committee (SC62) for discussion and a subsequent draft resolution to SC63 for its consideration”.

1.6 In line with Paragraph 22, the Secretariat provided a report at SC62. The report, which was based on two consultations with interested parties outlined 5 Topics and included various options to address the challenges identified under those topics (SC62 document 11). The 5 identified topics were:

- *Administrative arrangements*
- *Governance*
- *Leadership*
- *Human resources independency*
- *High-level political engagement, and the Convention’s visibility objectives*

1.7 Standing Committee 62:

- Took note of the Secretariat’s report on institutional strengthening to support the implementation of the Convention in response to Resolution XIV.6, paragraph 22.
- Took note of the recommendations of the interested Contracting Parties and the Secretariat reflected in Annex 2 of the report.
- Established a Working Group to lead the process to achieve organizational robustness to support the implementation of the Convention, including through the preparation of a draft resolution for the consideration of the Standing Committee at its 63rd meeting and requested that the terms of reference for the working group be tabled at SC62.
- Leveraging widely used collaboration tools such as SharePoint, and proposed a more bespoke secure integrated platform.

## **2. Purpose**

2.1 The Working Group for Institutional Strengthening of the Convention, established by SC62 is to:

- Gather and analyse all existing documents on the options contained in the report to SC62 and in doing so ensure access to all Working Group members This should include:
  - obtaining information to inform and support all options on institutional arrangements.
  - a compilation of an adequate list of what has been done and past findings, including a collated problem statement,
  - a synthesis of the key findings from those documents,
  - the identification of potential gaps or opportunities for strengthening arrangements,
- Further refine the options tabled in SC62 for strengthening administrative arrangements, human resources independency, high-level political engagements, and the convention’s visibility objectives, including defining short and long term options.
- Engage with country parties in a meaningful way through for example regional engagements at every step in the process.
- Summarize options for institutional arrangements for the Convention outlining the implications and benefits towards informing a draft resolution.
- Prepare a draft resolution on institutional strengthening for consideration of the Standing Committee to address the needs of the Secretariat to achieve organizational robustness to

support implementation of the Convention. As per the results of the consultations with interested Contracting Parties, the draft resolution shall propose solutions and options related to administrative arrangements as well as high/level political engagement and the Convention’s visibility objectives.

### 3. Composition

- 3.1 The Working Group will shall have at least one member from each region of the convention.
- 3.2 The initial composition of the Working Group is Australia, Austria, Brazil, Cambodia, Colombia, Costa Rica, Iran, Japan, Mexico, Morocco, Panama, South Africa, Switzerland, Ukraine, United States of America, Zimbabwe.<sup>4</sup> Other Contracting Parties will be able to join at any point during the Working Group’s tenure by expressing their interests to the working group chair and/or the secretariat.
- 3.3 The Management Working Group and Sub-group on Finance will be updated as appropriate.
- 3.4 The Working Group may invite external parties, as appropriate to observe and attend meetings as required.

### 4. Structure, meetings and Secretariat support

- 4.1 The Working Group will appoint among itself a Chair (South Africa), and a Vice Chair United States of America) and any other roles that it deems necessary;
- 4.2 The Working Group will hold meetings using means that allow the full and active participation of all members and/or regions in the group. These may be face-to-face (in association with other Ramsar meetings), hybrid or virtual, the latter using an agreed platform to which all members have access;
- 4.3 The Working Group will take decisions by consensus;
- 4.4 The Chair and Vice Chair will liaise and work closely with other bodies of the Convention and relevant working groups and/or external parties as necessary
- 4.5 The Secretariat will provide secretariat services for the Working Group (meeting invitations and minutes) and act as a point of contact.
- 4.6 The Secretariat through a notification, shall inform all contracting parties of the upcoming meetings of the Working Group.

### 5. Working schedule

- 5.1 A working schedule is provided below, but may change to accommodate the needs and schedules of the working group and its members:

<b>Date</b>	<b>Purpose</b>
<i>October 2023</i>	<i>First meeting of the Working Group: to establish a workplan</i>
<i>December 2023</i>	<i>Draft Collated document on existing work and gaps</i>
<i>March 2024</i>	<i>Draft revised table of options and recommendations</i>
<i>May -July 2024</i>	<i>Stakeholder engagements with Ramsar CPs and external stakeholders</i>
03- 07 June 2024 63 tbc	Outcomes from the analysis presented
<i>September 2024</i>	<i>Updated table of options and recommendations</i>
<i>October 2024</i>	<i>First Draft Resolution</i>
20 -24 January 2025 SC 64 tbc	Updated Draft Resolution

<sup>4</sup> Zambia joined the Working Group following SC62.

## **6. Budget**

- 6.1 Funding requirements may be required to undertake a number of the tasks related to the Working Group.