

THE CONVENTION ON WETLANDS

Third Extraordinary Meeting of the Conference of the Contracting Parties
25 October to 4 November 2021 (online)

Conference Report

Monday 25 October 13:00-15:45 CEST

Agenda item 1: Opening of the Meeting

Agenda item 2: General statements

1. The **President** H.E. Eng. Mohamed Al Afkham (United Arab Emirates) opened the meeting, welcoming participants.
2. The **Secretary General of the Convention** Martha Rojas Urrego recalled the circumstances which had led to the organization of the current Extraordinary Meeting of the Conference of the Contracting Parties, and highlighted the active engagement of Contracting Parties in the implementation of the Convention despite the pandemic, including two meetings of the Standing Committee and delivery of the mandates of its Working Groups, intersessional decisions, regional preparatory meetings for the Extraordinary COP, as well as important initiatives such as the declaration of the United Nations General Assembly of 2 February as World Wetlands Day.
3. A regional opening statement was made by **Slovenia on behalf of the Contracting Parties present at the meeting that are member countries of the European Union**, emphasizing the critical role of wetlands for the post-2020 global biodiversity framework and the role of the Convention in its implementation including through indicator SDG 6.6.1 and in strengthening cooperation with CBD, UNFCCC and other MEAs as well as other intergovernmental bodies (see Annex 1).
4. **Azerbaijan** outlined its recent actions undertaken in implementation of the Convention.

Agenda item 3: Adoption of the provisional agenda and working programme

5. The provisional agenda in document ExCOP3 Doc.3.1 and the provisional working programme in document ExCOP3 Doc.3.2 were adopted without amendment.

Agenda item 4: Adoption of the Rules of Procedure

6. The existing Rules of Procedure in document ExCOP3 Doc.4.2 were adopted without amendment.

Agenda item 5: Officers of the Meeting – President and Vice Presidents

7. The **Secretariat** indicated that, consistent with Rule 21, paragraph 2, of the Rules of Procedure, the current President H.E. Eng. Mohamed Al Afkham (United Arab Emirates) and Vice Presidents Finland (represented by Ms Kristiina Niikonen) and Uganda (represented by Ms Lucy Lyango) would serve as the Conference Bureau of the present meeting, with Switzerland participating as an observer.

Agenda item 6: Appointment of the Credentials Committee

8. The Conference of the Contracting Parties, on the basis of the nominations made by each of the six Ramsar regions, established the Credentials Committee composed of Australia, Austria, China, Panama, the United States of America, and Zambia.

Agenda item 7: Admission of observers

9. The observers listed in paragraphs 3 and 6 of document ExCOP Doc.7 were admitted.

Agenda item 8: Consideration of the draft resolutions

10. The **Secretariat** indicated that revised versions of the draft resolutions with any amendments proposed would be published prior to the second session of the present meeting.

8.1 Draft resolution on postponement of the 14th Meeting of the Conference of the Contracting Parties (COP14)

11. The **Secretariat** introduced document EXCOP3 Doc.8.1 *Draft resolution on the postponement of COP14*, indicating that the Standing Committee had, through Decision SC59-10, approved 21-29 November 2022 as the new proposed dates for COP14.
12. **China** as the host of COP14 proposed adding to paragraph 2 of the draft resolution “and FURTHER NOTING that the theme of COP14 is ‘wetlands actions for people and nature’.” The proposal was supported by **Australia, Bangladesh, Benin, Cambodia, Cameroon, Central African Republic, Comoros, Congo, Dominican Republic, Mali, Mexico, Myanmar, Peru, Slovenia, South Africa, Switzerland, Uganda, the United Kingdom of Great Britain and Northern Ireland, and Uruguay on behalf of the Contracting Parties of South America**; the **Dominican Republic** also noted the importance of wetland restoration as a topic.
13. The postponement of COP14 to a period in which a face-to-face meeting becomes possible was broadly welcomed, with many Contracting Parties emphasizing the challenges of meeting online.
14. **Brazil** proposed the addition of a paragraph following the current paragraph 7, reading “RECOGNIZES that the modalities for organization of the Third Extraordinary Meeting of the Conference of the Contracting Parties to the Convention respond to the current extraordinary circumstances as related to the COVID-19 pandemic and do not set a precedent for the organization of similar meetings under the Convention in the future.”

15. The proposal was supported by **Argentina, Australia, Benin, Burkina Faso, Central African Republic, Colombia, Comoros, Congo, Costa Rica, Kenya, Malaysia, Mali, Mauritania, Mexico, Myanmar, Peru, Sierra Leone, South Africa, Togo, Uruguay on behalf of the Contracting Parties of South America**, and **Zambia**. **China, Slovenia, Sweden** and **Switzerland** considered that the text might be better reflected in the report of the present meeting.
16. The **United Kingdom of Great Britain and Northern Ireland** highlighted the need for COP14 to be fully accessible to all Contracting Parties and proposed the amendment of paragraph 7, to read “REQUESTS the host country and the Secretariat with the support of the Subgroup on COP14 of the Standing Committee to continue the planning process for a successful, inclusive and ambitious COP14 meeting in 2022.”
17. This proposal was supported by **Australia, Comoros, Congo, Costa Rica, Malaysia, Mexico, Myanmar, Peru, Sierra Leone, Slovenia, Sweden, Switzerland** and **Zambia**, although **China** noted that the term “ambitious” could be avoided given the absence of frameworks or targets to be agreed at COP14.
18. A number of Contracting Parties reminded participants of the importance of provision of visas and timely and appropriate health and travel protocols, and of providing information in all the Convention languages, to ensure that the event would be as accessible and inclusive as possible.
19. In response to an enquiry by **France**, the **Secretariat** reminded Contracting Parties that the new deadline for submission of draft resolutions was 24 March 2022.
20. Interventions were made by: **Argentina; Australia; Bangladesh; Benin; Botswana; Brazil; Burkina Faso; Cambodia; Cameroon; Central African Republic; China; Colombia; Comoros; Congo; Costa Rica; Dominican Republic; France; Indonesia; Kenya; Lesotho; Malawi; Malaysia; Mali; Mauritania; Mexico; Myanmar; Niger; Peru; Senegal; Sierra Leone; Slovenia (including on behalf of the EU member countries present); South Africa; Sweden; Switzerland; Togo; Uganda; the United Kingdom of Great Britain and Northern Ireland; Uruguay on behalf of the Contracting Parties of South America; Yemen; Zambia; and Zimbabwe.**

8.2 Draft resolution on financial and budgetary matters

21. The **President** informed participants that the Bureau had recommended the establishment of a Committee on Finance and Budget, based on the membership of the Standing Committee Subgroup on Finance and interested Parties. The Committee was established and the President invited Parties to express their interest in joining the Group.
22. The **Secretariat** introduced document ExCOP3 Doc.8.2 *Draft resolution on financial and budgetary matters*. The draft resolution was supported by **El Salvador, Philippines, Togo** and **Yemen**.
23. **Sweden**, supported by **Switzerland**, asked that an amendment be made indicating which UN scale would be used to determine the contributions to be requested of Contracting Parties. Indonesia drew attention to the desirability of increasing the budget allocation for CEPA and of supporting capacity building for RIS management.
24. The **United Kingdom of Great Britain and Northern Ireland** supported the revised core budget but raised concerns regarding paragraph 11 of the current draft. These were shared by **Brazil**,

Cuba, Dominican Republic, Germany, Slovenia, Switzerland and the United States of America, Austria, Spain and Sweden believed that the paragraph should be retained in its current form.

25. **Mexico as the Chair of the Committee on Finance and Budget** informed participants that the Committee would consider the comments made in a virtual meeting to take place on the following day and present a revised version of the draft resolution to a later session of the meeting. Contracting Parties were asked to communicate their willingness to participate by an email to excop@ramsar.org.
26. In closing, several Contracting Parties expressed appreciation and thanked the President, Bureau and Secretariat for the organization of and preparations for the meeting.

Thursday 28 October 13:00-14:25 CEST

Agenda item 9: Interim report of the Credentials Committee

27. **Australia, as Chair of the Credentials Committee**, provided an update on the work of the Committee, noting that it had met twice, on 26 and 27th October. Of the 135 Contracting Parties that had registered to attend the Third Extraordinary Meeting of the Conference of the Contracting Parties, the credentials of 90 delegations had been accepted. The accepted credentials was still short of the 115 required for a two-thirds quorum under Rule 29 of the Rules of Procedure. The Credentials Committee called on all Parties to make the effort to submit their incomplete or missing credentials by 11:00 CEST on the following day (29 October), after which the Committee would meet for a third time.
28. At the request of the President, the **Secretary General** outlined a revised working programme reflecting the need to convene a further plenary session on the following day to receive the report from the Credentials Committee and take decisions accordingly on the different items under consideration. The agenda items in this report reflect the adjustment made in this context.

Agenda item 8: Consideration of the draft resolutions

8.1 Draft resolution on postponement of the 14th Meeting of the Conference of the Contracting Parties (COP14) (continued)

29. The **Secretariat** introduced document ExCOP3 Doc.8.1 Rev.1 *Draft Resolution on the Postponement of the 14th Meeting of the Conference of the Contracting Parties (COP14)*, noting that part of paragraph 7 and the whole of paragraph 8 had yet to be agreed on.
30. The **United Kingdom of Great Britain and Northern Ireland** proposed amending the second part of paragraph 7 so that it would now read: “continue the planning process for a successful, inclusive, ambitious and practical COP14 meeting in 2022”.
31. This was supported by **Armenia, Austria, China and Slovenia**.
32. **Brazil** reported that, following discussion with China, it proposed the deletion of paragraph 8 from the draft resolution and the insertion of the text in the report of the present meeting.

33. There then followed a lengthy discussion, with interventions by **Argentina; Austria; Brazil; Cambodia; Canada; China; Colombia; Costa Rica; Dominican Republic; Egypt; Equatorial Guinea; Gabon; India; Iran (Islamic Republic of); Japan; Kenya; Lesotho; Mexico; Philippines; Slovenia; Sweden; Uganda; Uruguay; Yemen; Zambia; and Zimbabwe.**
34. Following a suggestion by **China** it was agreed that the following would be included in the report of the present meeting: “Parties to the Convention have recognized that the modalities for organization of the Third Extraordinary Meeting of the Conference of the Contracting Parties to the Convention respond to the current extraordinary circumstance as related to the COVID-19 pandemic and do not set a precedent in normal circumstances for the organization of similar meetings under the Convention in the future.”

8.2 Draft resolution on financial and budgetary matters (continued)

35. **Mexico**, as **Chair of the Committee on Finance and Budget**, introduced document ExCOP3 Doc.8.2 Rev.1 *Draft resolution on financial and budgetary matters: Proposed 2022 core budget of the Convention on Wetlands*, reporting that two meetings had been held to agree on its contents and thanking all those who had participated.
36. No interventions were made.

Agenda item 11: Consideration of the report of the Third Extraordinary Meeting of the Conference of the Contracting Parties

37. The **President** noted that the draft report of the first session of 25 October had been reviewed by the Rapporteur (Finland) and the Conference Bureau. He invited Contracting Parties to make any comments from the floor or to submit any comments by email at excop@ramsar.org.

Friday 29 October 13:00-14:15 CEST

Agenda item 9: Interim report of the Credentials Committee (continued)

38. The **President** opened the session at 13:00, and noted the Credentials Committee had requested one more hour to complete their work and prepare their report. The session resumed at 14:00, with the President asking the Chair of the Credentials Committee to make a report.
39. **Australia**, as **Chair of the Credentials Committee**, reported that the Committee had held three meetings. He thanked the Committee members, the Convention’s Legal Advisor and the Secretariat for their hard work. He observed that the Rules of Procedure had not proven very adaptable to the circumstances of this Extraordinary Meeting of the Conference of the Parties, and recommended that they be reviewed in light of the experience gained. He further noted that, to date, the Committee had received correct credentials from 105 Contracting Parties. Credentials submitted by a further ten Parties had been determined to be incorrect, as they had not been signed by the appropriate authorities or had not been submitted in one of the official languages of the Convention. A quorum had not been achieved in accordance with Rule 29 of the Rules of Procedure, and the Extraordinary Meeting of the Conference of the Contracting Parties was therefore not at present able to take decisions.

40. The **President** thanked the Committee for its efforts, and stated that, after consultation with the Legal Advisor, the Chair of the Credentials Committee and the Bureau, and in accordance with Rule 22 paragraph 2 of the Rules of Procedure, he was adjourning the third session of the third Extraordinary Meeting of the Conference of the Parties. The session would resume at 13:00 CET on Thursday 4 November 2021. The Credentials Committee would continue to work to complete the process.

Thursday 4 November 13:00-13:30 CET

Agenda item 9: Report of the Credentials Committee

41. The **President** opened the session and asked Australia, as Chair of the Credentials Committee, to make a report.
42. **Australia** reported that the Credentials Committee had met six times in the previous two weeks to check credentials and follow up with Contracting Parties as needed, and thanked the Committee members, the Secretariat, and the Legal Advisor for their hard work, patience and persistence. The Committee had received 115 correct credentials. Under Rule 29 of the Rules of Procedure a quorum was now achieved and the current Extraordinary Meeting of the Conference of the Contracting Parties could take decisions.
43. The **Chair of the Credentials Committee** added that the work undertaken by the Committee was not glamorous but was essential in allowing the Convention to continue its business. He noted that the Committee's work at the present meeting had highlighted various shortcomings in existing Rules of Procedure as applied to this meeting, particularly in dealing with the practicalities of meetings held remotely. The Committee had prepared a short report summarizing these, to be annexed to the present report (see Annex 2).
44. The **President** thanked the Credentials Committee for their efforts given the challenges they faced in successfully completing their work.

Agenda item 10: Adoption of Resolutions

45. The **President** introduced document ExCOP3 Doc.8.1 Rev.2 *Draft Resolution on the Postponement of the 14th Meeting of the Conference of the Contracting Parties (COP14)*.
46. **China**, referring to Standing Committee Decision SC59-15, proposed that in paragraph 2 the theme for COP14 be amended to read "Wetlands action for people and nature" as this would align the theme exactly with that chosen by the Standing Committee as the theme for World Wetlands Day 2022.
47. There being no further interventions, the draft resolution in document ExCOP3 Doc.8.1 Rev.2 was adopted with the amendment proposed by China.
48. The **President** introduced document ExCOP3 Doc.8.2 Rev.1 *Draft resolution on financial and budgetary matters: Proposed 2022 core budget of the Convention on Wetlands*.
49. **Mexico**, as **Chair of the Committee on Finance and Budget**, thanked all those who had contributed to finalizing the draft resolution. The **United States of America** asked that on the

final page of Annex 2, a subheading be added to read: “Other contributions” prior to the Party’s entry, and that the footnote marked ** be modified to read: “as previously, voluntary contribution of 22% of total contributions from Contracting Parties”.

50. The **President** thanked the Chair of the Committee on Finance and Budget and the Committee for their work in the preparation of this Resolution.
51. There being no further interventions, the draft resolution in document ExCOP3 Doc.8.2 Rev.1 was adopted with the amendment proposed by the United States of America.

Agenda item 11: Adoption of the report of the Third Extraordinary Meeting of the Conference of the Contracting Parties.
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52. The **Secretary General** noted that draft reports of the first session of Monday 25 October, the second session of Thursday 28 October and the third session of Friday 29 October had been published online. A revision of the report of the first session had also been published integrating comments received.
53. The **President** invited comments on the reports. There being no interventions, the reports contained in documents ExCOP3 Rep.1.Rev.1, ExCOP3 Rep.2 and ExCOP3 Rep.3 were adopted.
54. A draft report of the present day’s session would be submitted to the Conference Bureau for approval.

Agenda item 12: Close of the meeting

55. Its business having been successfully concluded, the **President** closed the Third Extraordinary Meeting of the Conference of the Contracting Parties, thanking the Secretariat and all others who had worked hard to implement the meeting.

Annex 1

Opening statement by Slovenia on behalf of the EU Member States to the Ramsar Convention on Wetlands

Chairman, Executive Secretary, distinguished delegates, ladies and gentlemen.

Slovenia is speaking on behalf of the EU Member States present at this Extraordinary Meeting of the Conference of the Contracting Parties.

The EU Member States would like to thank the Secretariat and the Standing Committee for their work in these difficult times and for organising this virtual Extraordinary Meeting of the Conference of the Contracting Parties to the Ramsar Convention on Wetlands.

Strengthened cooperation between the Ramsar Convention, CBD, UNFCCC and other MEAs, as well as with other intergovernmental bodies such as the IPCC, and IPBES is needed, since wetlands are indispensable to reach the ambitious goals for biodiversity and for climate.

Building resilience of wetlands is also a major issue as climate change increasingly affects water quantity and quality, water-related ecosystems and the frequency of extreme weather events such as floods and droughts. Wetlands are considered as the large-scale nature-based solution that can provide a multitude of services of great social, economic and environmental value to humankind. We must promote a wise use of wetlands that yields significant co-benefits.

It is a grave reality that wetlands are still facing rapid decline and loss. The EU Member states re-affirm their strong commitment to promote and accelerate the restoration of wetlands.

In its main strategic documents, including on biodiversity, water and climate adaptation, the EU has adopted very ambitious goals. Therefore, the EU also strives towards very ambitious goals and an effective implementation mechanism to be agreed in the Global Biodiversity Framework that will impact on the work of all the biodiversity related MEAs in the coming years. Such ambitious GBF goals have to be reflected in Ramsar's strategic documents and their implementation supported by Ramsar actions. Consequently, it is important to ensure that the post-2020 global biodiversity framework, provides a common ground for all biodiversity-related conventions and is aligned with relevant SDG indicators (e.g. SDG 6.6.1.). In this way we avoid duplication, leverage existing work and promote collaboration and synergies.

The EU Member States present at this Extraordinary Meeting of the Conference of the Contracting Parties re-affirm their strong commitment to the implementation of the Ramsar Convention on Wetlands, its Resolutions and its Strategic Plan and our willingness to contribute constructively and positively to the work of this special virtual meeting as well as to further intersessional activities leading to the in-person Ramsar COP meeting in November 2022.

Annex 2

Short Written Report of the Credentials Committee

4 November 2021

Members

Chair: Michael Wrathall (Australia) – Oceania region

Gerhard Bachner (Austria) - Europe

Brendan Tate (USA) – North America

Priscilla Sichone (Zambia) – Africa

Lyu Cai (China) – Asia

Jorge Jaen (Panama) – Latin America and the Caribbean

Supported by Legal Adviser: Emma Carmody

Ramsar Secretariat: Maria Rivera

Approach

First meeting: 13:00-16:00 CET 26 October 2021

- Introduction of the members
- Secretariat/Legal advisor explained the tasks of the Committee according to the Rules of Procedure including criteria for review, role of the chair, process and timeframe.
- Selection of the Chair: Australia unanimously supported.
- Explanations by the Secretariat on access by the members to the credentials for review. To reach the 2/3 quorum of 135 CPs registered to ExCOP3, 115 valid credentials were required according to Rule 29.
- Only 89 credentials were received by this time.
- The review of credentials was broadly shared across the CP members, with most region representatives reviewing the credentials of countries in their own region. The exceptions were those with larger numbers (Europe & Africa) who shared with those with fewer numbers (North America & Oceania). Members also agreed that they would not review their own country's credentials.
- Members contacted the Secretariat for the contact details of any CPs who submitted incorrect credentials or CPs who hadn't provided any credentials at all.

Second meeting: 13:00-16:30 CET 27 October 2021

- Extensive discussion about the implications of not reaching quorum and the options available.
- There was discussion and agreement on ways forward on particular cases.
- Some ways forward in case rules on 29 and 39 are not meet.
- Priority to contact the countries/delegations with missing credentials with deadline of 29 October at 11:00 am CET.
- Consolidation and preparation of the interim report with the status of the review.

10:30-11:00 CET 28 October 2021

- Brief by the Chair to the Conference Bureau on the work of the Committee.

Third meeting: 12:00-14:00 CET 28 October 2021

- Clarification of final numbers of Credentials received: 105 correct, 10 incorrect.
- Requested the Conference Bureau that the Plenary Session be delayed for one hour to resolve this issue.
- Conference Bureau joined for the final half hour to discuss forward options.

- Agreed that the President would suspend the meeting and reconvene at 13:00 CET on 4 November.
- Agreed that the Credentials Committee would continue its work in order to reach a quorum before this rescheduled date.
- Chair of the Credentials Committee to brief the COP on the outcomes of the Committee and call on all Parties to make the effort to submit their incomplete or missing credentials by 11:00 CEST on 29 October.

Fourth meeting: 14:30-15:15 CET 29 October 2021

- Confirmation of roles & responsibilities for contacting remaining CPs without complete/missing credentials
- Circulation of draft report for comments.
- Agreed to communicate to the parties that at the moment the necessary quorum has not been achieved to adopt decisions by the Extraordinary Conference of Parties (ExCOP3). Deadline to submit incomplete or missing credentials by 4 November.

Fifth meeting: 14:00-15:00 CET 3 November 2021

- Update on the current status of credentials received: 112 correct.
- Discussion and agreement on the plan for contacting CPs with incorrect or missing credentials.

Sixth meeting: 12:00-13:00 CET 4 November 2021

- Final confirmation on total number of credentials: 121 received, 115 correct.
- Finalize the report of the Credentials Committee.

Findings

The findings of the Credentials Committee can be summarized under three broad headings below. These ought to be considered by any future review of the Rules of Procedure.

Timing

- The Credentials Committee only received the list of credentials at its first meeting approximately 26 hours after the opening of the COP and establishment of the Credentials Committee by the Conference of the Parties according to Rule 19. With some members meeting until late into the night, it could have been up to 34 hours before any contact was made with CPs (usually by email) indicating a problem with their Credentials. The 48-hour timeframe is too short for remote meetings conducted online.
- This was made more difficult in the early stages when members had to contact the Secretariat individually to request the contact details of CPs with incorrect credentials (due to privacy concerns). When the Secretariat allowed access to the database during the second meeting, this problem was resolved.

Criteria

- The verification of original documents was almost impossible, when most documents submitted were scans.
- The Rules of Procedure are not clear around definitions like digital signatures or electronic signatures (especially those with encrypted keys).
- The most common errors that resulted in the Credentials being returned for correction involved (i) not having the correct signatory (Head of State or Minister of Foreign Affairs), (ii) not assigning roles (esp. head of delegation) to the nominated participants, and (iii) credentials not translated into one of the three official languages of the Convention.

- While it is helpful that Committee members are given some discretion about how to apply the rules, members spent a lot of time during meetings discussing individual cases or exploring how to interpret the rules. While the Legal Advisor and Secretariat were very helpful, further written guidance in advance could be helpful for future Credentials Committees.

Quorum

- The rules of procedure are not entirely clear about whether a quorum is required if decisions are made by consensus. The better reading of the rule is that the 2/3 quorum rule applies but the use of the words “present and voting” at the end of Rule 29 gives rise to a degree of uncertainty due to the definition of Contracting Parties “present and voting” in Rule 39(5)
- There is also a broader question about whether a 2/3 quorum under Rule 29 should be required for all decisions made at all COPs (extraordinary or otherwise). For ExCOP3, a failure to reach the quorum meant that two relatively straight forward resolutions that were unanimously supported by all registered Parties could not be adopted.