

## **Technical Session 1:**

### **Special issues related to Asia in the COP9 draft Resolutions**

#### **Introduction to draft COP9 Resolutions that have high relevance to Asia**

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#### **Scope of this presentation**

1. This presentation will set out the overall plan and the types of Resolution to be adopted by COP9 in Kampala in November, concentrating on those proposals which cover scientific and technical matters.
2. The approach to be taken to this at COP9 differs from previous COPs, partly in response to the COP8 Resolution VIII.45 on the effectiveness of Ramsar's decision-making processes. Among other things, two primary consolidated "portmanteau" Resolutions will enable the whole of the Convention's scientific and technical agenda to be seen in strategic overview, helping Parties to consider resourcing implications and prioritization.
3. The present meeting offers an opportunity for consideration of an Asian regional perspective on this, in time for input to be made to the Standing Committee at its 31<sup>st</sup> meeting in June. This paper provides a background against which the meeting will be able to discuss Asian priorities and needs, with the emphasis on practical implementation issues.

#### **COP9 Resolutions – a different (improved!) approach compared to the past**

4. At COP8 in Valencia, Spain (2002), the Parties adopted Resolution VIII.45 on the *Operation of the Conference of the Contracting Parties and the effectiveness of Ramsar Convention Resolutions and Recommendations*, which recognized a need to streamline the process for COP Resolutions and to make it more efficient and effective.
5. One element of this relates to the fact that, under the Rules of Procedure, draft Resolutions may be brought to the COP through one of several processes, including origination by the Standing Committee, origination by the Scientific & Technical Review Panel (STRP), and origination by individual Contracting Parties. In relation to Resolutions covering scientific or technical matters, although it is the task of the STRP to provide advice to the Convention on such matters, a number of Resolutions originated by individual Parties have in the past been scientific and technical in nature and yet have been submitted directly to the COP (under the "60-day rule") without being subject to scrutiny by the Panel.

6. A second element relates to the fact that among the ever-increasing number of proposals for Resolutions reaching the COP from individual Parties, there is a tendency for several of them to address closely-related topics, and/or to be closely related to topics which are also the subject of draft Resolutions prepared by the STRP or Standing Committee.
7. Under the Resolutions process which has been followed up to now, there has been little or no opportunity to ensure that Resolutions with scientific and technical content all benefit from advice from the STRP, including those originated by Parties; and to identify congruences between proposals covering closely-related issues. Being able to do the latter should enable such proposals to be consolidated or otherwise made more coherent as a whole, and hence to reduce the overall number of proposals that are separately debated and give rise to separately-adopted texts.
8. As a step towards this, Resolution VIII.45 encourages Parties considering proposals for Resolutions to submit these to the Standing Committee before their consideration at the COP. If the proposed Resolutions are technical in nature, the Resolution encourages Parties to submit them to the Secretariat at least 120 days before the start of the COP. For COP9 this would mean submission by early July, ie in just a few weeks following the present meeting. The “60-day rule” has not been changed, but these are the suggestions which the Parties at COP8 felt should be operated on a voluntary basis, to make the process a better one.
9. This does however create some anomalies in relation to the current timetable. First, early July will be after the Standing Committee has met for its 31<sup>st</sup> meeting; and second, no clear mechanism has been created in the remainder of the STRP’s timetable for it to consider draft technical Resolutions which may now come in.
10. Accordingly therefore, following a decision of the Standing Committee’s Sub-Group on COP9, the Secretariat on 21 March this year sent a diplomatic notification to Parties requesting them to submit all draft Resolutions for COP9 to the Standing Committee in advance of its 31st meeting. The Sub-Group decision also requested the Secretariat to circulate all such draft Resolutions with technical content to the STRP for review and advice to the Standing Committee and COP.
11. The Sub-Group decision further requested the Secretariat to review the COP Rules of Procedure with a view to institutionalizing this process in future.

#### **Draft COP9 Resolutions on scientific and technical matters: three categories**

12. Draft Resolution texts are currently being developed for three main sets of scientific and technical COP decisions to be considered by the Standing Committee at its meeting in June. (All references to “DR” below refer to “Draft Resolution”. “Technical” hereafter will be used to refer to both “scientific” and “technical” issues).
13. Most of the technical issues to be presented through the STRP and Standing Committee will be grouped into just two main “portmanteau” DRs. DR1 on *Additional scientific and technical guidance for implementing the Ramsar Wise Use concept* will have appended to it each of the (five) new technical guidelines which have been prepared by the STRP. DR2 on *Future implementation of scientific and technical aspects of the Convention* will consolidate into one place all

key technical implementation actions arising from DR1 and other DRs, plus rolled-forward commitments in the Convention Strategic Plan and the STRP's work plan.

14. As a third category, a small number of separate DRs will address technical implementation topics on emerging high profile issues for the Convention, such as aspects of the global water agenda, sustainable fisheries management, and the Convention's position in relation to mitigation of natural disasters.
15. Each of these is detailed further below.

#### **DR1: Additional scientific and technical guidance**

16. DR1 on *Additional scientific and technical guidance for implementing the Ramsar Wise Use concept* contains the following new guidelines documents, as annexes:

Annex A: A Conceptual framework for the wise use of wetlands and the maintenance of their ecological character.

Annex B: An Integrated Framework for Wetland Inventory Assessment and Monitoring (IF-WIAM), with additional guidelines annexed, as follows:

- i) Summary guidelines for rapid assessment methodologies for inland, coastal and nearshore marine wetlands.

Annex C: An integrated framework for Ramsar's water-related guidance, with additional guidelines annexed, as follows:

- i) River Basin Management: additional guidance and framework for analysis of case studies;
- ii) Supplemental guidelines for the determination and implementation of environmental water requirements for wetlands;
- iii) Guidelines for the management of groundwater to maintain wetland ecological character.

Annex D: Revised Strategic Framework and guidelines for the future development of the List of Wetlands of International Importance.

Annex E: Ecological 'outcome-oriented' indicators for assessing the implementation effectiveness of the Ramsar Convention.

17. Technical Session I at the present meeting is an opportunity to identify issues relating to these topics which may require discussion.

#### **DR2: Future implementation of scientific and technical aspects of the Convention**

18. DR2 embodies a new approach not previously attempted at COPs. As mentioned above, the concept is for all key technical implementation actions, which previously would have been distributed across the operative parts of a wide range of separate Resolution materials

and rolled-forward commitments from previous COPs, to be consolidated into one place, grouped under thematic headings in an Annex to the Resolution.

19. The current draft of DR2, which is still evolving, therefore incorporates in its Annex items from the STRP's work programme, the Convention Strategic Plan, STRP decisions and advice arising from the current triennium's work, and operative elements from other separate topic-specific draft Resolutions for COP9. This latter category will continue to be added to, as further DRs become finalized. Pragmatic decisions have been taken about what constitutes a "technical" issue and what constitutes an "implementation action", without needing to propose legalistic definitions of these terms.
20. The topic headings are as follows:
  - I. Issues arising from Resolution VIII.45, and "on-going" functions of the STRP.
  - II. Issues relating to the Conceptual framework for the wise use of wetlands and the maintenance of their ecological character [DR1 Annex A].
  - III. Issues relating to the Ramsar Integrated framework for wetland inventory, assessment and monitoring [DR1 Annex B; and including also indicators of effectiveness, DR1 Annex E].
  - IV. Issues relating to the Integrated framework for Ramsar's water-related guidance [DR1 Annex C].
  - V. Issues relating to the revised Strategic framework and guidelines for the future development of the List of Wetlands of International Importance [DR1 Annex D].
  - VI. Issues relating to wetland management (Ramsar Wise Use Handbook 8).
  - VII. Issues relating to use of the findings of the Millennium Ecosystem Assessment.
  - VIII. Issues relating to wetlands and agriculture.
  - IX. Technical aspects of communication, education and public awareness (CEPA).
  - X. Other possible priorities for development of sectoral guidance by STRP, resources permitting.
  - XI. Ramsar Technical Reports.
21. It will be noted that most of the actions should fit under one or other of Ramsar's "Strategic Frameworks" for guidance, which are thus proving to be an increasingly coherent conceptual structure for implementation of the Convention.
22. The DR Annex will in effect present the elements of a work programme for the STRP, which is envisaged as a framework for work over a six-year period rather than only one triennium. This is intended to overcome some of the programming issues which have arisen in respect of certain of the functions of the Panel in recent times (see proposals for its revised *modus operandi* in DR12). Included also is a section (X) looking ahead to strategic priorities for development by the STRP of further guidance relating to particular policy and other sectors of relevance to the Convention.
23. It should be emphasized however that DR2 is not just an action agenda for the STRP; since under each topic, as well as a section listing actions for the Panel, there is also a section listing actions for others, including Parties, International Organization Partners, site managers and so on. Much of this relates to the considerable body of guidance and other resources already in place under the Convention, where the priority now is not further development or testing of concepts and advice, but applied practical implementation of those already adopted.

24. To a much greater extent than before, through DR2, the Parties at the COP will be able to consider the overall pattern and balance of proposed future activities for the different organs of the Convention, including a clear view of the work the COP has requested/will be requesting of the STRP. This will allow a clearer appreciation of the resourcing implications of technical implementation needs overall, and will help to inform a consideration of priorities, especially for the STRP. (If the programme presented for the Panel is one covering a six-year period, then decisions will be required about priorities to be addressed in the first triennium. The present meeting is an opportunity to discuss this).
25. The operative paragraphs of DR2, which introduce and propose adoption of the Annex, also include a provision for the COP to request the Ramsar Secretariat, following the COP, to ensure that the specific elements in the Annex are reconciled as necessary with related provisions in the few additional Resolutions on specific topics which cover technical matters. Thus while the DR2 Annex will be a complete listing of key technical implementation actions in a whole-programme context, some of these will also appear in separate Resolutions where they can be read in the context of whichever particular high-profile or emerging issue is concerned. This specific provision of DR2 will ensure that no divergences or ambiguities result.
26. Further to this logic, if the technical action agenda is consolidated in DR2, all other key implementation areas will be specified in the Convention's Strategic Plan, a re-presentation of which for the remainder of its period (until 2008) is contained in an Annex to DR9. Thus these two documents, read together, will give a complete overview of Ramsar's implementation agenda in future. This should be a considerable step forward in assisting all those responsible for delivery (and assessment) of action under the Convention.
27. DR2 also includes some items which have emerged from the Standing Committee's Sub-Group on COP9 in the context Resolution VIII.45 (see above), which relate to future drafting and implementation of Resolutions in general. These include Parties giving greater priority to implementing existing Resolutions than to putting forward new ones; development of a decisions index and outreach activities to help with this; and advice on making future Resolutions as "user-friendly" as possible.
28. Finally, DR2 includes a tentative indication of some of the possible titles in the proposed new *Ramsar Technical Reports* series. As discussed by the STRP and the Standing Committee Sub-Group, this proposed series would offer an alternative and perhaps more appropriate and effective vehicle for publishing technical information papers than the past heavy reliance on background papers provided in documents for the COP. Among other things this would allow publication at any time during the triennium, rather than solely at the time of the COP. (Certain COP Information Documents will of course also be tabled at COP9, though in the main only for a limited number of essential reporting and clarification purposes).

#### **Additional draft Resolutions on specific topics**

29. The third category of COP9 Resolutions with technical content, mentioned above, concerns a small group of DRs which are being presented separately from DR1 and DR2 because the issues they cover are of particular high-profile or emerging significance for the

Convention at present. As mentioned above, individual key technical implementation provisions of these DRs appear also in DR2.

30. The proposals currently due to be tabled at the Standing Committee in June include the following

DR3: *Implementing the outcomes of the 13<sup>th</sup> meeting of the UN Commission on Sustainable Development*  
(Note: this concerns the relationships between wetlands and water).

DR4: *The Ramsar Convention and the conservation and sustainable use of fish resources.*

DR5: *Synergies with other Conventions*

DR6: *Designation and management of transnational Ramsar sites*

DR7: *Guidelines for addressing Ramsar Sites which no longer meet the Criteria for designation*

DR8: *Regional initiatives in the framework of the Ramsar Convention*

(Note: The Secretariat diplomatic notification on 21 March 2005 requested proposal forms for new regional initiatives to be submitted by 30 April 2005. A number have now been received. Group I in Technical Session III of the present meeting on 14 May will have the opportunity to discuss the Himalayan Initiative).

DR10: *The role of the Ramsar Convention in the natural disaster prevention, mitigation and adaptation.*  
(Note: Technical Session IV of the present meeting on 14 May will be devoted to “The Indian Ocean tsunami and coastal wetland management”).

DR15: *Wetlands and poverty reduction*

(Note: This draft Resolution, which is based on proposals from Parties, may be regarded as partly technical. Technical Session II of the present meeting on 13 May includes a section on “Water, wetlands and livelihoods”).

### **Possible issues for discussion**

31. This paper has given an outline of the approach to Resolutions to be considered at COP9, focusing in particular on those which are technical in nature or which include some technical content. A key aim of the present Technical Session is to identify issues from among these which may be regarded as of particular relevance to Asia. Delegates may wish to develop views on this, and on how any particularly Asian perspectives might best be taken into account in the deliberations of the Standing Committee in June and at the COP itself.
32. Equally importantly, delegates may wish to generate ideas, in the regional context, on potential obstacles and ways of overcoming these obstacles in looking ahead to their implementation of the anticipated products from the COP.
33. If the technical programme embodied in what is currently DR2 becomes a six-year “rolling” programme for the STRP and others, then views will be required on which elements of this programme constitute the highest priorities for attention in the first triennium, ie between COP9 and COP10.

34. There may be specific issues relating to any of the topics identified above as featuring in DR1, DR2 or other specific technical proposals which require discussion. Attention to this will have to be selective however, as there is only a limited amount of time available in the meeting agenda. Issues of strategic significance in an Asian context are likely to be the ones most worth discussing.
35. Some topics have been identified above as receiving attention under other agenda items in the present meeting, and discussion in this first session should probably steer away from any issues which may be more appropriately addressed later under those separate items.
36. The present meeting is a key opportunity for Parties to give a clear expression of what their needs are in relation to technical implementation of the Convention, and it is hoped that many will contribute constructive thoughts and ideas on this during the discussion session.

### Conclusions

37. A new and hopefully more effective approach to the business of adopting Resolutions of the Conference of Parties is in prospect for COP9, with particularly significant beneficial implications for the scientific and technical agenda of the Convention.
38. In addition, a trend towards “integrated frameworks” of guidelines on key core topics is increasing the completeness and coherence of the guidance materials produced under the Convention, through the Scientific and Technical Review Panel.
39. With this increased completeness of guidance and advice, emphasis can shift much more now to practical implementation of all the Convention’s tools and mechanisms, and to meaningful assessment of implementation effectiveness, impact, achievements and outcomes.
40. The present meeting is a key opportunity for a regional perspective to be applied from the Asian region to issues of implementation obstacles, solutions, and priorities for the coming triennium and beyond.
41. A critical constraint on future capabilities of the Convention to perform well overall in respect of scientific and technical agendas is the level of capacity and resourcing at the disposal of the Scientific and Technical Review Panel. The STRP is a true “powerhouse” of Ramsar, and has in many respects become a model of a Convention technical subsidiary body, comparing very favourably with those of other multilateral environmental agreements. The continuation of this fortunate position depends completely on Parties now committing appropriate levels of support to its operation in future.