

Draft resolution on improving the efficiency of structures and processes of the Convention

Submitted by Switzerland

Action requested:

- The Standing Committee is invited to review and approve the attached Draft Resolution for consideration by the 13th meeting of the Conference of the Parties.

Background

1. This document contains the proposals of Switzerland, as a Party, as well as a Permanent observer to the Standing Committee, reflecting on the Convention, on its institutional set-up and on the work of some of its subsidiary bodies and groups.
2. It is the most favorable time to look at a new, improved governance for the Ramsar Convention with a view to take decisions at the 13th Meeting of the Conference of the Parties (COP 13):
3. The Ramsar Convention has a crucial role in the realization of the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs), chiefly Life on Land (SDG 15) and, in particular, the Goals on Zero Hunger (SDG 2), Clean Water and Sanitation (SDG 6), Sustainable Cities and Communities (SDG 11), Responsible Consumption and Production (SDG 12), Climate Action (SDG 13) and Life Below Water (SDG 14). Reversing the trend of wetland loss and degradation through improvement of policies, practices and investments is essential to achieve the Sustainable Development Goals.
4. This is a great opportunity to raise the profile of the Convention at the global level, while enhancing its implementation on the ground in all the countries. However it encounters some institutional, policy and financial challenges in relation to scaling up shared knowledge, facilitating dialogue, brokering solutions and advising governments on the protection and wise use of wetlands.
5. In particular the present set-up of the institutional structures of the Ramsar Convention does not always facilitate the full national and regional implementation. The full potential of being the only global convention on wetlands is not fully exploited to raise the urgency for decisive action for a meaningful contribution to the global agenda.
6. The objective of the proposal for an overhauled institutional structure and a renewed governance is to contribute to the enhanced realization of the objectives of the Ramsar

Convention by the Parties and other stakeholders at the international, regional, national and local levels.

Introduction on the institutional set-up

7. At the 3rd Meeting of the Conference of the Parties in 1987, a Standing Committee (SC) of 9 members for 44 Parties was established¹. The Standing Committee had the tasks and characteristics of an Executive Committee or a Bureau of the Conference of Parties. Over the years, the tasks, size and working structure of the Standing Committee have changed². It currently has 17 voting members, representing the six Ramsar regions and seven permanent observers, working through numerous subgroups (Sub-Group on COP 13, CEPA Oversight Panel, Working Group on CEPA Implementation, Sub-Group on Finance, Management Working Group, Facilitation Working Group, Working Group on Resource Mobilization an Executive Team, Language Strategy Working Group, Working Group on the Ramsar Regional Initiatives).
8. In addition to the SC, the Scientific and Technical Review Panel (STRP) was established as a subsidiary body of the Convention to provide scientific and technical guidance to the Conference of the Parties, to the Standing Committee, and to the Ramsar Secretariat.
9. It is also noticeable that meetings of the Standing Committee have been attended by an increasing number of Parties, not members of the Standing Committee, in their capacity as observers.
10. The feebleness of the current governance structure are the following:
 - **Administration over substance:** The present structure of the SC, neither a bureau nor an open-ended all Parties body, complicates the oversight function and leads to the allocation of disproportionate meeting time and resources to administrative issues. The deliberations and an exchange of views on the objectives of the Ramsar Convention, the conservation and wise use of all wetlands through local and national actions and international cooperation, as a contribution towards achieving sustainable development throughout the world, is at great risk of being neglected.
 - **Lack of a science policy interface:** The STRP is composed of a restricted number of experts from academies that are not involved in policy making, hence putting an emphasis on scientific outputs. Science has delivered many assessments, syntheses and reviews to inform the convention's implementation as well as guidelines. However science and other forms of knowledge are not used effectively in policymaking. The importance of an effective interface between science and policy is obvious.
 - **Restricted participation:** Having a COP every three years and a restricted number of Parties participating with full rights in the SC meetings in between does not offer enough incentives for Parties to engage in a regular global exchange of information and associated interaction on the implementation of the Ramsar Convention.
 - **Oversized "Bureau":** Due to the increased membership of the Standing Committee (from 9 to 17), its original function as an "Executive Committee" and as a "Bureau of the Conference of the Parties" is jeopardized.

¹ Resolution 3.3: Establishment of a Standing Committee

² COP 12 resolution XII.4

- **Fragmentation:** The proliferation of subgroups of the Standing Committee, recognizably established for legitimate purposes, make the work under the Convention cumbersome and laborious, as it requires an enormous amount of reporting and coordination within the SC.
 - **Three institutional entities for any COP:** At present, between COPs, under the SC, a COP Working Group is tasked with ensuring the logistics and preparation of the agenda for the next COP. At the COP itself, the SC takes the form of the Conference Bureau, however enlarged in accordance with article 21 of the Rules of Procedure¹ by another 4 members. This institutional setup is rather confusing and disperses the responsibilities.
11. A revised governance structure would contribute to the implementation of the overarching mandate of the Ramsar Convention.
 12. It is thus proposed to revise the structure of the Conference of the Parties by establishing four new subsidiary bodies, namely:
 - (i) A Bureau of the Conference of the Parties;
 - (ii) an Open-ended Working Group;
 - (iii) a Finance and Administration Committee; and
 - (iv) a Science-Policy Interface.
 13. With a two-tier approach, the COP would first decide on the reviewed structure and at a later stage adopt the needed amendments to the Rules of Procedure.

Bureau of the Conference of the Parties

14. A Bureau of the Conference of the Parties shall be established. The Bureau would assist the COP on any matters which it deems appropriate, such as
 - (a) Oversight on the secretariat: to provide administrative and general operational directions to the secretariat between and during the meetings of the COP;
 - (b) Provide guidance and advice to the secretariat on the preparation of the agenda and other requirements for the organization of the meetings and any other matters brought to it by the secretariat in the exercise of its functions;
 - (c) Perform functions requested by the COP especially administrative tasks taking into account the approved budget;
 - (d) Report to the COP on the activities it has carried out between meetings of the COPs; and
 - (e) Prepare with the Secretariat the documents for the meetings of the COPs and the Open-ended Working Groups sessions.
15. At the end of each COP, a Bureau of 12 members would be elected with due regional balance (2 x 6 Ramsar regions: Africa, Asia, Oceania, Europe, Latin America and the Caribbean, North America), It would be completed by further *ex-officio* members, which are the [Chair] [co-Chairs] of the Open-ended Working Group and the [Chair] [co-Chairs] of the Science-Policy

¹ <https://www.ramsar.org/document/ramsar-rules-of-procedure-cop12>

Interface and the Chair of the Finance and Administration Committee [an *ex-officio* member of the Bureau] [participating as an advisor in the work of the Bureau].

Open-ended Working Group

16. The Standing Committee would be up-scaled into an Open-ended Working Group (OEWG) of all Parties and Observers and established as a subsidiary body under the COP. It would meet between the COPs. The [chair] or [co-chairs] of the OEWG would be chosen by the COP and serve as [an] *ex-officio* member[s] in the Bureau.
17. The Open-ended Working Group would meet back to back/conjunctly to the meetings of the Science-Policy Interface.
18. An open ended meeting would improve the legitimacy of the COPs decisions and foster the implementation of the Convention at the local, national, regional and international levels, and this through timely advice relating to the implementation of the convention and the exploration of emerging issues. The Ramsar regional groups would continue to meet on the margins of the meetings, depending on their needs.
19. By the participation of all Parties and Observers, it would raise the commitment and the follow-up of the decisions. It should also enhance the exchange of experience and best practices, including on their implementation of COPs resolutions, in addition to the stock taking COPs. It would provide a central place for closer and enhanced cooperation, including partnerships among the Parties, as well as between regions and with the donors. The access to the Observers to the Convention such as the IOPs, other multilateral environmental agreements, international finance institutions, including the private sector would greatly enrich the dialogue as well as provide for further partnerships, including co-funding of activities.
20. An Open-ended Working Group would allow, e.g. to generate the necessary input of the Ramsar Convention to the High Level Political Forum on Sustainable Development (HLPF)¹ and thus enable to report on the meaningful contribution of wetlands to the realization of the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs).
21. The possible tasks of the OEWG would be :
 - (a) Carrying out, between one ordinary meeting of the Conference of the Parties and the next, interim activities on behalf of the Conference;
 - (b) Developing priorities identified by the COP through specific work and when necessary with the support of the Science-Policy Interface (replacing the Scientific and Technical Review Panel);
 - (c) Establishing working groups with a balanced regional representation to facilitate the carrying out of its functions;
 - (d) Dealing with ongoing and emerging issues of importance regarding wetland conservation and wise use, including further interpretation and development of key Convention

¹<https://sustainabledevelopment.un.org/hlpf> and <https://sustainabledevelopment.un.org/hlpf/2018> - The HLPF replaced the former Commission on Sustainable Development). Its central role is in the follow-up and review of the 2030 Agenda for Sustainable Development the and the Sustainable Development Goals (SDGs)

concepts and technical and political guidance for the Parties on key areas of implementation;

- (e) Exchanging on the implementation of COPs resolutions;
- (f) Reporting to the COP on the implementation of past resolutions and making recommendations on possible follow-up actions relating to them for the next COP
- (g) Working on the triennium work plan for the convention for the next COP;
- (h) Identifying priorities for possible future resolutions and recommendations for consideration at the next COP;
- (i) Reporting to the COP on the activities it has carried out between ordinary meetings of the Conference.

Finance and Administration Committee

- 22. The Finance and Administration Committee, would act as a subsidiary body under the Open-ended Working Group. The [Conference of the Parties] or [the Open-ended Working Group] would elect the Chair of the Finance and Administration Committee. The Chair of the Committee would serve as [an *ex-officio* member of the Bureau] or [participating as an advisor in the work of the Bureau].

Science-Policy Interface

- 23. The Science-Policy Interface would be open-ended and composed by experts from governments and academia. It would generate scientific advice for the convention related to policy implementation, such as analyzing, synthesizing and translating relevant scientific findings and make recommendations on the protection and wise use of wetlands into proposals for the consideration of the COP. Further it would interact with existing multiple scientific mechanisms, in particular the Intergovernmental Platform on Biodiversity and Ecosystem Services IPBES, Intergovernmental Panel on Climate Change IPCC and Intergovernmental Technical Panel on Soils and other new and existing scientific networks and platforms. The [Chair] [co-Chairs] would be chosen by the COP and serve as [an] *ex-officio* member[s] of the Bureau.
- 24. The Science-Policy Interface would meet back to back/conjunctly to the meetings of the Open-ended Working Group to encourage the exchange and alignment of needs and provisions of services to the Open-ended Working Group.
- 25. The Communication Education Participation and Awareness (CEPA) Oversight Panel would be merged into the Science-Policy Interface.

Further governance opportunities - Notifications by the Secretariat¹

- 26. In order to follow the implementation of the decisions of COPs and to document them to service the meetings of the Open-ended Working Group, a kind of “life line” of on-going information and communication should be established between the Secretariat and the Parties,

¹ Examples from the Convention on biological diversity:
<https://www.cbd.int/reports/notifications/default.shtml> or CMS:
<http://www.cms.int/en/news/notifications>);

through what is called “Notification” under e.g. the Convention on Biological Diversity. “Notifications” are a call for information and follow-up to the Parties on COPs decisions. Such a system would provide a certain dynamic among Parties in implementing the COPs decisions. This would also establish a string of communication between Parties and the Secretariat. This would also positively impact on the implementation of decisions.

Resolution XIII.x

Improving the efficiency of structures and processes of the Convention

1. RECOGNIZING the wealth of experience of the first multilateral environmental agreement;
2. RECOGNIZING that the Ramsar Convention has a crucial role to play in the 2030 Agenda for Sustainable Development in the implementation of the Sustainable Development Goals;
3. RECOGNIZING that the work of the subsidiary bodies under the Convention should be made more efficient;
4. HAVING considered the experience of the work of the subsidiary bodies;
5. RECALLING the Resolution XII.4 on the Standing Committee;
6. RECALLING the Resolution VI.17 establishing a Subgroup on Finance;
7. RECALLING the Resolution XII.5 on the Scientific and Technical Review Panel;
8. ACKNOWLEDGING the importance of providing the adequate institutional set-up for a convention with [169 Parties] [of a global nature].

THE CONFERENCE OF THE CONTRACTING PARTIES

9. DECIDES that the subsidiary bodies of the Conference of the Parties shall be organized in the following manner:
 - (a) Bureau of the Conference of the Parties;
 - (b) Open-ended Working Group;
 - (c) Finance and Administration Committee; and
 - (d) Science-Policy Interface.
10. DECIDES to discontinue the Standing Committee as established by Resolution XII.4 and all its subsidiary bodies (Sub-Group on COP 13, CEPA Oversight Panel, Working Group on CEPA Implementation, Sub-Group on Finance, Management Working Group, Facilitation Working Group, Working Group on Resource Mobilization and Executive Team, Language Strategy Working Group, Working Group on the Ramsar Regional Initiatives).
11. DECIDES that a Bureau of the Conference of the Parties is established. The Bureau, elected by the Conference of the Parties at the end of each of its meetings, will be composed of 12 members with due regional balance (2 members for each of the 6 regional groups : Africa, Asia, Oceania, Europe, Latin America and the Caribbean, North America), with a President and 11 vice-presidents (one being the rapporteur), plus [...] *ex-officio* members with the [Chair] or [co-Chairs] of Open-ended Working Group, with the [Chair] or [co-Chairs] of the Science-Policy Interface and the Chair of the Finance and Administration Committee as [*ex-officio* member] or [participating as an advisor].
12. DECIDES further that, within the policy agreed by the Conference of the Parties, the Bureau of the Conference of the Parties will have the following mandate:

- (a) To provide administrative and general operational directions to the secretariat between and during the meetings of the Conference of the Parties;
 - (b) To provide guidance and advice to the secretariat on the preparation of agendas and other requirements for the organization of meetings and on any other matters brought to it by the secretariat in the exercise of its functions;
 - (c) To perform functions requested by the Conference of the Parties or the Open-ended Working Group, especially administrative tasks, taking into account the approved budget; and
 - (d) To report to the Conference of the Parties on the activities it has carried out between meetings of the Conference of the Parties.
13. DECIDES that Bureau members have the responsibility to advise members of their region on substantive issues to be discussed within the Bureau, and to report back to their regions on the results of those discussions.
 14. DECIDES that before any Bureau meeting the agenda will be placed on the website one week before the meeting and the report one week after.
 15. DECIDES to discontinue the present Subgroup on Finance as established by Resolution VI.17.
 16. DECIDES to establish, under the Open-ended Working Group, the Finance and Administration Committee of [6] members, which shall be formed by representatives from the 6 regional groups of the Ramsar Convention, [and other interested Parties].
 17. DECIDES that the [Conference of the Parties] [the Open-ended Working Group] shall elect the Chair of the Finance and Administration Committee.
 18. DECIDES further that the Finance and Administration Committee will have the following mandate:
 - (a) To deal with all the financial matters of the Convention with focus on the decisions of the past meeting of the Conference of the Parties and all preceding COP decisions as well as report and make recommendations on these matters to the Bureau and the Open-ended Working Group; and
 - (b) In cooperation with the Bureau, to provide guidance and advice to the Secretary General in the discharge of hers/his duties in connection with the administration of the finances of the Convention.
 19. DECIDES that the Finance and Administration Committee shall meet in anticipation of each meeting of the Open-ended Working Group.
 20. EXPRESSES its gratitude to the outgoing Chair of the Subgroup on Finance and its members for their excellent work that supported the budget management during the last triennium.
 21. DECIDES to create an Open-ended Working Group under the Conference of the Parties, with a full Party membership with [annual] meetings between the COPs, [back to back] / [conjunctly] to the meetings of the Science Policy Interface.

22. DECIDES that the [Conference of the Parties] shall elect [the chair] or [co-chairs] of the Open-ended Working Group.
23. DECIDES that the Open-ended Working Group will have the following mandate:
 - (a) To assist the Conference of the Parties in developing and keeping under continuous review the implementation of the Convention's work plan, specific operational policies and decisions taken by the Conference of the Parties for the implementation of the Convention;
 - (b) Particularly, to report on the implementation of past resolutions and to propose on possible follow-up actions relating to them for the next COP;
 - (c) To identify and develop recommendations to overcome obstacles encountered in implementing the Convention and any strategic plans adopted under it;
 - (c) To consider and advise the Conference of the Parties on issues relating to policy, technical, scientific, legal, institutional, administration, finance, budgetary and other aspects of the implementation of the Convention within the approved budget, including identification of the specific needs of different regions, in cooperation with the Open-ended Scientific and Technical Working Group;
 - (d) To identify key challenges and opportunities for wetland conservation needing global and regional attentions and actions for the preparation of future COP resolutions;
 - (e) To prepare, with the support of the Secretariat, the Ramsar Convention contributions to global and regional meetings of that given year with a view to profile wetlands;
 - (f) To prepare its work plan for the next triennium for consideration by the Conference of the Parties; and
 - (g) To report to the Conference of the Parties on the activities it has carried out between meetings of the Conference of the Parties.
24. DECIDES to discontinue the Scientific and Technical Review Panel (STRP).
25. DECIDES to establish an open-ended Science-Policy Interface under the Conference of the Parties with [annual] meetings between the COPs [back to back] / [conjunctly] to the meetings of the Open-ended Working Group.
26. DECIDES that the [Conference of the Parties] shall elect [the chair] or [co-chairs] of the Science-Policy Interface.
27. DECIDES
 - (a) that the Science-Policy Interface shall analyze, synthesize and translate relevant scientific findings and recommendations from wetland related-scientific research and conferences, including information provided from relevant stakeholders and networks into proposals to be considered by the [Open-ended Working Group] for the consideration of the Conference of the Parties;

- (b) that it shall accomplish all tasks related to science and assigned to it by the Conference of the Parties;
 - (c) that it shall interact with existing multiple scientific mechanisms, in particular the Intergovernmental Platform on Biodiversity and Ecosystem Services, Intergovernmental Panel on Climate Change and Intergovernmental Technical Panel on Soils and other new and existing scientific networks and platforms; and
 - (d) that the Conference of Parties shall adopt the Terms of Reference for the Science-Policy Interface at the 14th Meeting of the Conference of the Parties.
28. DECIDES, that the Communication Education Participation and Awareness (CEPA) Oversight Panel is discontinued and its functions added to the Science-Policy Interface.
29. DECIDES to revise and adopt the Rules of Procedure accordingly in relation to this resolution at the 14th Meeting of the Conference of the Parties.
30. REQUESTS the secretariat to prepare agendas and related documentation for all meetings of the subsidiary bodies and the Conferences of the Parties well in advance and ensure as far as possible that the meetings are scheduled without overlaps with meetings of other multilateral environmental agreements.
31. REQUESTS the Secretariat to start a system of notifications /Call for information and follow-up on the decisions of the COPs.
32. INVITES Parties to facilitate the participation of eligible delegates in meetings under the Convention which should aim at the full and active participation of developing-country parties, in particular least developed countries and small islands developing States, and parties with economies in transition.