

Effectiveness Working Group (EWG) Final Report

Actions requested:

The Standing Committee is invited to:

- a) Note this report from the Effectiveness Working Group (EWG); and
- b) Review and approve the attached Draft Resolution for consideration at the 14th meeting of the Conference of the Parties.

Background

1. At its 13th meeting (COP13), the Conference of the Contracting Parties, through Resolution XIII.3, paragraph 14, requested the EWG to review the governance structure of the Convention, with the assistance of an independent consultant, for the purpose of:
 - a. recommending revisions (as necessary) that further enhance the effectiveness, including cost effectiveness, and efficiency of the Convention, in order to reduce administrative burden and speed up the processes to achieve the mission of the Ramsar Convention; and,
 - b. proposing a process to implement its recommendations.
2. As per Resolution XIII.3 the EWG was requested to present its final recommendations at the 59th Standing Committee (SC59), which should include a draft resolution for consideration by the Standing Committee. The Resolution also noted that the Group will be retired unless otherwise decided at the 14th meeting of the Conference of the Contracting Parties.
3. At the first part of SC59, the Chair of the EWG introduced the Group's report, and explained that the finalised report would be presented at SC59.2. The Working Group was encouraged to continue its work and explore all options in making recommendations to enhance the effectiveness of the Convention. Decision SC59-21 took note of the report.

Operation of the Group

4. The United Kingdom of Great Britain and Northern Ireland was appointed as Chair of the EWG. Zambia was appointed as Vice-Chair of the EWG. Membership consisted of Australia, Austria,

Bhutan, Cameroon, China, Colombia, Dominican Republic, Ecuador, France, Japan, Kenya, Lesotho, Netherlands, Senegal, Sweden, Switzerland, United States of America, United Arab Emirates, Uruguay and Zambia.

5. Pursuant to Resolution XIII.3, a Terms of Reference for the Group was agreed, and an independent consultant was commissioned by the EWG to conduct a review of the governance of the Ramsar Convention.
6. Building on the findings of the independent consultant and discussions within the group, the Chair produced a zero draft of a draft resolution. The Group met periodically throughout the second half of the triennium to discuss and agree its recommendations and the content of a Draft Resolution.

Overview of key discussion points and outcomes

7. Discussion within the group was focused on four key issues:
 - a. Facilitating efficiencies and effectiveness in Secretariat support to Parties, including in assisting Parties in drafting Resolutions;
 - b. Refining the efficient and effective operation of Working Groups under the Convention, to build on Resolution XII.4;
 - c. Addressing any inefficiencies within the subsidiary bodies of the Convention; and,
 - d. Responding to the governance challenges caused by the Covid-19 pandemic.
8. The Draft Resolution delivers on these key discussion points in five ways:
 - a. Encouraging the Secretariat to provide administrative support to Parties, including establishing processes to (i) retire outdated or superseded Resolutions automatically, (ii) provide clear and timely advice on the costing and consolidation of Draft Resolutions, and (iii) review the Secretariat's communications modalities with Contracting Parties towards more efficient and effective interactions, especially during the intersession;
 - b. Exploring ways to enhance collaboration and communication among Parties in the preparation of draft resolutions;
 - c. Proposing a draft guideline for best practice in operations of working groups (Annex 1);
 - d. Encouraging streamlining processes of subsidiary bodies of the Convention, including processes enabling the efficient commencement of work immediately after meetings of the Conference of Parties to maximize output during the intersession; and
 - e. Calling for a review of the practices of the Convention during the global pandemic period and, based on this review, propose any ways to enhance decision making procedures allowing for a continuous and effective operation of the Convention during exceptional and extraordinary circumstances.

Conclusion

9. The Chair of this working group wishes to express its thanks to all Parties who have contributed to this work through its various forms, and provided valuable insights, ideas and discussion for this important and timely work. The Group's recommendations and Draft Resolution, if adopted and fully implemented, will improve the efficiency of the Convention and enable it to more effectively focus on its vital task of protecting wetlands globally.

Annex 1

Draft Resolution on the Effectiveness and Efficiency of the Ramsar Convention

Submitted by the Effectiveness Working Group to the Standing Committee.

Action requested:

- The Standing Committee is invited to review and approve the attached Draft Resolution for consideration at the 14th meeting of the Conference of the Parties.

Introduction

At the COP13 meeting, Resolution XIII.3 tasked the Effectiveness Working Group to review the governance structure of the Convention and report its final recommendations, including a Draft Resolution as described below:

“14. REQUESTS the Effectiveness Working Group to review the governance structure of the Convention with the assistance of an independent consultant, as that structure exists at the close of the 13th meeting of the Conference of the Contracting Parties, for the purpose of:

- a. recommending revisions (as necessary) that further enhance the effectiveness, including cost effectiveness, and efficiency of the Convention in order to reduce administrative burden and speed up the processes to achieve the mission of the Ramsar Convention; and
- b. proposing a process to implement its recommendations”.

The Draft Resolution below implements the recommendations of the Effectiveness Working Group, as described in the report of the group.

Draft Resolution [XX]

1. ACKNOWLEDGING the importance of providing effective institutional arrangements for the Ramsar Convention, a global convention with 172 Parties;
2. RECALLING the Convention's mission of 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;
3. FURTHER RECALLING Contracting Parties' commitment to work towards achievement of the Convention's mission, both within their own territories and through cooperation globally and with other Contracting Parties;
4. ALSO RECALLING that in Resolution XIII.3 on *Governance of the Convention* the Conference of the Parties established the Effectiveness Working Group to review the governance structure of the Convention and report its final recommendations, including a Draft Resolution;
5. EXPRESSES ITS GRATITUDE to all bodies and working groups of the Convention for the accomplishments and benefits to the Convention realized as a result of their work;
6. FURTHER ACKNOWLEDGING the reports and commissioned review on the governance of the Ramsar Convention pursuant to Resolution XIII.3¹;
7. ALSO RECALLING Resolution XIII.4 on Responsibilities, roles and composition of the Standing Committee and regional categorization of countries under the Convention, and subsequent Standing Committee Decisions pertaining to the review of all previous Resolutions and decisions²; and
8. ACKNOWLEDGING the unique circumstances and challenges that have arisen from the global pandemic, and which have highlighted the importance of effective governance under any circumstances.

THE CONFERENCE OF THE CONTRACTING PARTIES

9. APPRECIATES the work that has already been accomplished in the implementation of Resolution XIII.4 to retire outdated Resolutions and decisions, and to establish a practice for the Convention to retire outdated Resolutions and decisions automatically when they are superseded by new ones and ENCOURAGES the Secretariat to provide administrative support to parties, at their request, in preparing draft resolutions so as to provide transparent and timely advice regarding the cost of implementing proposed draft resolutions, and improve cross-references, avoid duplication and support consolidation of draft resolutions going forwards;
10. FURTHER INSTRUCTS the Secretariat to improve its communications approach towards Contracting Parties, including making recommendations and any cost assessments to that end, to continue

¹ (1) Ramsar Convention on Wetlands: Review of Governance Structures and Procedures – Findings: The Findings Report; (2) Ramsar Convention on Wetlands: Review of Governance Structures and Procedures – A Comparison Report; (3) Final Report – Positive Indications and Measures – Ramsar Convention Governance Review

² Decision SC58-19, SC58-20 and SC58-21.

strengthening capacity building tools such as virtual workshops and training materials, in order to enhance support to Contracting Parties; and submit an updated Strategy for Parties to consider at SC63;

11. INSTRUCTS the Secretariat to explore approaches, including possible online systems, and in particular, a closed members' portal, continuously updated member address lists, and further improved access to online documents, that would enhance collaboration between Contracting Parties including, but not limited to, in working groups, and in the preparation of draft resolutions by allowing Parties to submit and provide comments on draft resolutions. The Secretariat is requested to report its findings about such technologies, including the costs of such systems, to SC63 so that Parties can assess whether there is interest in investing convention resources in such technology as a means to enhance the efficiency and effectiveness of the convention, and if so, recommends this matter is given priority in the deliberations in the sub-group on finance;
12. DECIDES that the guidelines, as outlined in Annex 1 will be applied to all future non-permanent subgroups and working groups – ensuring that:
 - a. all new non-permanent subgroups and working groups are required to have an agreed timeline;
 - b. all groups established by a COP, unless otherwise agreed by Parties or set out in the mandate for the group when it is established, are automatically retired by the next COP; and,
 - c. clear Terms of Reference must be established by any new group that is stood up;
13. CALLS UPON the Contracting Parties to consider inefficiencies within subsidiary bodies of the Convention related to programmes of work due to established timelines, including appointments of members of subsidiary bodies (including STRP), and ENCOURAGE the Contracting Parties, by COP15, if not earlier, to propose solutions to allow for the efficient commencement of work immediately after COP meetings;
14. INSTRUCTS the Secretariat in consultation with interested Contracting Parties, including as appropriate Contracting Parties of the Management Working Group, to review the practices of the convention during the global pandemic period and propose any ways to enhance decision making procedures to enable the effective operation of the Convention during exceptional circumstances, including any possible amendments to the Rules of Procedure and taking into account best practices from other international bodies as appropriate. REQUESTS the Secretariat to present the review and proposals for consideration by Parties at COP15, if not before; and
15. DECIDES, subject to available resources, to allocate [XXXCHF] to the Secretariat from surplus funds to fulfil the mandate of this resolution.

Annex 1 to the Draft Resolution: Guidelines for non-permanent subgroups and working groups³

Establishment

As per Rule 25 of the Rules of Procedure, in addition to the Standing Committee of the Convention, the Scientific and Technical Review Panel, and the Conference Bureau, the Conference of the Parties (COP) may establish other committees and working groups if it deems it necessary for the implementation of the Convention.

When working groups are established at a COP through a resolution, clear direction must be given to the working group through that resolution on the following matters:

- Composition and regional representation:
That the working group consists of interested Standing Committee representatives and other Contracting Parties, keeping in mind the desirability of equitable regional participation, and aiming to have at least one regional representative from each region while keeping the group to a manageable size and striving to be open ended. Where appropriate, Contracting Parties may invite or accept relevant Observers or IOPs to participate in working groups.
- Structure:
That the working group must designate two of its members as Chair and Co-Chair/Vice -Chair, the latter acting as Rapporteur.
- Mandate:
The resolution which establishes the working group must provide a clear mandate for the group, including outcomes that should be achieved and outputs that the group should produce, including any reports, guidelines or the suggestion of any draft resolutions to the Standing Committee.
- Terms of Reference:
That the working group must define its terms of reference for presentation to an upcoming Standing Committee.
- Timeline:
The resolution must set an agreed timeline⁴ for the working group, including:
 - A timeline to update on its work to an appropriate body of the Convention;
 - An agreed timeline for the working group to complete its mandate, report its outcomes and produce any outputs as required; and
 - That the group will automatically be retired by the next COP, unless otherwise agreed by Parties or set out in the mandate for the group when it is established.
- Funding:
Clarity on any funding allocated to facilitate the working group to accomplish its mandate.

³ Guidelines may also apply *inter alia* to ad hoc groups established by the Standing Committee.

⁴ Other than in exceptional circumstances.

Terms of Reference

Any working group which is established requires a Terms of Reference (ToR) which has been agreed by the group and presenting to the Standing Committee. When drafting this ToR some points that should be considered as follows:

- Reiterate the mandate and scope of the group as agreed at COP to provide a common and agreed understanding within the group
- The group will take decisions by consensus.
- The anticipated roles of the Chair and Vice-Chair. This may include
 - how they will be appointed (e.g. by group consensus following member nominations)
 - their role and the roles of the wider groups in the coordination and delivery of tasks and meetings as well as reporting the work of the group,
 - How the chair/vice-Chair may facilitate decision making within the group
- How the group will operate in order to deliver the work effectively, for example through meetings, written electronic exchange etc.
- How the group can operate in order to facilitate the full and active participation of all members and regions represented in the group.
- How to ensure the group always has a clear contact point for members of the group including if these contact points change over time.
- How the group will keep a record of its work and/or meetings.
- How working groups will report to a body of the Convention.
- If and how the group should work with any other bodies of the Convention including the Secretariat and other relevant working groups or external parties.
- Set an agreed working schedule for the working group to meet the timelines set by the COP.

Retirement

All working groups established by a COP must automatically be retired by the next COP, unless otherwise agreed by Parties or set out in the mandate for the group when it is established.