

CONVENTION ON WETLANDS (Ramsar, Iran, 1971)

9<sup>th</sup> Meeting of the Ad Hoc Working Group on Administrative Reform

Palais des Nations, Geneva, Switzerland, 29 June 2011

## Report of the 9<sup>th</sup> Meeting of the Ad Hoc Working Group on Administrative Reform

**Contracting Parties present:** Argentina, Australia, Barbados, Belgium, Canada, Colombia, Denmark, Guatemala, Germany, Indonesia, Islamic Republic of Iran, Japan, Mexico, Netherlands, Nicaragua, Paraguay, Republic of Korea, Romania, Serbia, South Africa, Switzerland, Thailand, Uruguay, USA, Venezuela.

Observers present: UNEP, IUCN Secretariat of the Ramsar Convention.

The meeting was chaired by Mr. Mohammad Koba from Indonesia, who welcomed all members and explained that the purpose of the meeting was to agree on the future manner in which the WG will discharge the tasks which constitute its mandate.

Panama asked about the group composition considering the absence of African members in the regions represented in the meeting. It was agreed to record that not all Ramsar regions were represented in the meeting.<sup>1</sup>

The chair introduced the agenda items:

1. Adoption of the Agenda

2. Introductory remarks by the Chairs, including:

- Nomination of a Rapporteur
- Status of Jamaica's Vice-Chair proposal from the 8<sup>th</sup> meeting.

3. WG member requests for clarification on recent submissions from

- UNEP

- IUCN

4. Review of Resolution X.5, annex point 3 and SC42-30

5. Discussion and summary of the conclusions of the WG, and decision on how best to report these to the Standing Committee (using the synthesis tool proposed by the Chair). In the absence of a consensus, Group elaboration of the "main position within the WG with clear, precise, complete and comparable information."

1. Note to the report: The Chair noted that Mr. Mandixole Matroos from South Africa joined the meeting after it was recorded in the minutes that not all the Ramsar regions were represented in the meeting.

6. Next meeting of the Ad Hoc Working Group.

7. Any other business.

The agenda was adopted with no amendments by the Group members.

1. Introductory remarks

a) Nomination of a Rapporteur

The Chair mentioned that this task had been undertaken so far by the Ramsar Secretariat and asked the Group if there were any volunteers for this position. As there were not, it was agreed that the Ramsar Secretariat would act as Rapporteur of the Working Group.

b) Status of Jamaica's Vice-Chair proposal from the 8<sup>th</sup> meeting

The chair indicated that Mr. Henry accepted the nomination, although the modalities of his participation in the meetings had as yet not been clarified.

2. WG members requested clarifications on recent submissions from UNEP, IUCN and the Ramsar Secretariat.

The Chair reported that letters to submit further information as stated in SC decision 42-30 were sent to the 3 organizations and that UNEP and IUCN provided additional information on the 20 of June; the Ramsar Secretariat, on the other hand, had no further information other than that provided in the letter sent to the co-chairs of the WG in November 2010.

The floor was then opened for questions or comments.

UNEP indicated that in the new submission they reiterated some of the key points made in the earlier report and were ready to respond to any questions or provide clarifications.

IUCN appreciated the opportunity to present to the Parties the available information they had before deliberations.

The Ramsar Secretary-General said that the decision on this process rested with the Parties but that it was important to consider two aspects: first, how to improve the implementation of the Convention; and second, how it would affect the staff, in such a way that it could better assist the Contracting Parties.

The Chair then referred to Resolution X.5, SC Decision 41-4 and SC42-30 relating to the process. He mentioned that under item 3 of the Annex to Resolution X.5 the WG must undertake the following tasks:

Recommend, with the approval of the Standing Committee to Contracting Parties and the Conference of the Parties, whether the Secretariat should be provided by UNEP or continue to be hosted by IUCN, with the following issues fully addressed:

- a) The reasons for and benefits of a change in the status quo for the Secretariat and for the Contracting Parties
- b) The costs and consequences of the Secretariat's operation and of its engagement with the Contracting Parties, including:
  - i) Staffing costs and the composition of the Secretariat under the UN system, including any resources that would be provided by UNEP
  - ii) Options for the possible location of the Secretariat
  - iii) Implications for any future budget of the Secretariat, including any transition costs
  - iv) The role of the International Organization Partners (IOPs)
  - v) Advantages and disadvantages of the institutional context in which the Secretariat would operate
- c) How this should be implemented, legally and administratively
- d) Ability to meet the future needs of the Convention
- e) Opportunities to further improve the implementation of the Convention
- f) Timeframe for the implementation of any reforms.

In SC42-30, it is stated that the Standing Committee: noted with deep concern the absence of a Draft Resolution by the Ad Hoc Working Group on Administrative Reform as mandated by Decision SC41-4.

Regarding Decision SC41-4: The Standing Committee took note of the report of the Ad Hoc Working Group and of the fact that a large majority of states in the above Working Group concluded that there was strong evidence that a Ramsar Secretariat provided by UNEP would more effectively implement the Ramsar Convention, and recommended that the Secretariat be hosted by UNEP. On this basis, it therefore decided to mandate the Working Group to:

- 1) Determine the concrete modalities for implementing a transfer of the Ramsar Secretariat to UNEP and, in doing so, to explore:
  - a) Further options for reducing the costs of a UNEP-administered Ramsar Secretariat
  - b) Transition arrangements
  - c) Timing and a timeline for implementation
  - d) The best possible staff arrangements; and
  - e) The added benefits to the Convention
- 2) Draft a Resolution, including a plan for the implementation of the UNEP-administered Ramsar Secretariat, for consideration by the 42nd meeting of the Standing Committee; and
- 3) In fulfilling its mandate, to consider the importance of supporting and facilitating the Convention and serving the interests of the Contracting Parties.

The chair noted that the main tasks of the group had been fulfilled according to the mandate of the Resolution and the SC decisions, except for the drafting of a resolution.

The chair noted that the consultant who was hired prepared a good analysis of the information submitted by UNEP and IUCN, made a comparison of the two submission based on the Ramsar Strategic Framework 2009-2015, and had a clear vision of what were the main issues under each option. He mentioned that the Group could report to the SC43 an updated analysis report with IUCN and UNEP submissions.

The United States considered useful the strategic and logic approach proposed by the Chair and especially that the report be based on an assessment of the information provided as an annex.

Canada agreed on the strategy and proposed that the report refer to the requirements of item 3 of the annex of Resolution X.5 in order to see where information could have been missed.

Switzerland considered that all the elements required for a decision were there and that it was now necessary to prepare a resolution to be submitted to the SC. Panama supported Switzerland's position.

The Netherlands thought that it would be impossible to reach a consensus during this session and suggested drafting a resolution, with brackets for each position and the information available. This was seconded by Belgium, which believed that the time was right for a draft.

The United States were of the view that the support information should be analyzed and based on the requirements contained in Resolution X.5.

Argentina stated that the most important issue was to adequately reflect all the different positions represented within the Working Group.

Based on the positions expressed the Chair proposed to prepare the report for the Standing Committee informing that it was not possible to reach a consensus and draft two resolutions for each position and the information provided by UNEP and IUCN. The draft would be circulated to everyone for their further comments and suggestions.

The United States mentioned its interest in having available for the SC a summary version of the comparative information from the submissions since the submissions themselves were quite lengthy and detailed. It agreed that the original versions of the submissions should be provided to SC members but emphasized that a summary version which compared the information provided would facilitate the work of the SC and should also be provided, and suggested that the Secretariat might be able to support the effort of compiling the summary information since this is a purely administrative exercise.

The Chair said there would be a summary comparative analysis, updated by the information provided by UNEP and IUCN.

The Secretary-General of Ramsar explained that this would have to be done by the Parties because the Secretariat was overloaded and there would be a conflict of interest.

The Netherlands indicated that the update of the report analysis as well as the drafting of the resolutions would have to be done by the Chair and Vice-Chairs.

The United States agreed with the report format, but said it was important to look at the consequences of the transition for the Secretariat, as this could be disruptive for the work of Ramsar.

UNEP mentioned that indeed a transition period would be required, but that it would be rather an issue of months than years. UNEP stressed that UNEP and IUCN are not interested in competing, and that their main concern is providing the best possible service to the Ramsar Convention.

The Chair summarized the conclusions of the meeting, adding that the Chair and Vice-Chairs would draft a report to the 43<sup>rd</sup> Standing Committee informing it that the WG, having failed to obtain a consensus on the matter, could therefore only present the two main positions. In this regard, the report would have two annexes. One annex would contain the two resolutions with the two positions, one going to UNEP and the other staying with IUCN. The other annex would feature the updated analysis report with the information provided by UNEP and IUCN.

The Chair would circulate the draft to all members of the Group before the end of July and their comments must be returned before the second week of August. The report and the draft resolutions would be completed by 26 August 2011.

The Group agreed that no further meetings were needed and that consultations would be made by e-mail.

The Chair closed the working session and invited any party that so wished to join in the drafting of the report and the resolutions.