



10th Meeting of the Conference of the Parties to the
Convention on Wetlands (Ramsar, Iran, 1971)

“Healthy wetlands, healthy people”

Changwon, Republic of Korea,
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**Transboundary Ramsar Sites and their management:
issues arising from COP9 DR6**

Secretariat note: This information paper has been provided to COP10 to provide advice and recommendations concerning the follow-up to consideration of COP9 DR6 on “Designation and management of [transnational] [transboundary] Ramsar sites”, and the decision of the 38th meeting of the Standing Committee providing recommendations concerning this matter.

Background

1. Following considerable debate and disagreement on the content of the submitted draft Resolution (DR6) on this matter during COP9, Contracting Parties agreed not to consider it for adoption, but a way forward was suggested. This was set out in paragraph 215 of the COP9 Report:

“COP9 directs that DR6 be forwarded through due process to COP10. In the meantime, COP9 requests the Secretariat to consult with IUCN in order to prepare, resources permitting, a list of the existing models of cooperation between countries with adjacent wetlands. Such a list should incorporate explanatory notes on how countries deal with management, legal and immigration issues arising from the cooperation mechanisms. When possible, it should also include the views of Ministries of Defence and Foreign Affairs of the involved Parties in regard to these arrangements. This list should be presented to the Standing Committee at its meeting in 2007 as well as to all interested Contracting Parties. The issue should then be brought up once more at COP10”.
2. Thus the intent of the approach requested was that before bringing this matter back to COP10 there should be further work undertaken with IUCN to identify and report back to Standing Committee on existing models of cooperation, etc., so as to better inform any further discussion of the matter at COP10.
3. In this context it should be stressed that COP9 DR6 addressed issues of the identification, designation and management of transboundary wetlands as Wetlands of International Importance (Ramsar sites). This COP9 DR did not include matters concerning the broader issues of basin-scale and general wetland and water management in transboundary situations. Such matters have a range of guidance already adopted by COP to support Parties in implementation, notably the COP7 guidance on international cooperation under Article 5 of the Convention text, and COPs 7, 8 and 9 guidance on river basin and water management.

Progress since COP9

4. In response to the COP9 request, discussions took place between the former Secretary General and IUCN, as reported by the former Secretary General to SC34 in April 2006:

“The SG ... reported that he is discussing with the IUCN World Commission on Protected Areas the idea of co-hosting a workshop of experts on designation and management of transboundary national parks, hopefully for the first half of 2007.”
5. IUCN-WCPA has confirmed, however, that this approach did not move further than the discussion stage, owing to lack of capacity and resources, so that no further information derived from on existing models of cooperation between countries has been prepared.
6. It should be noted that a number of sessions of the IUCN World Conservation Congress Forum in Barcelona in early October 2008 have had relevance to the issues raised at COP9, notably workshops on “The European Green Belt, stimulus for transboundary cooperation for nature and sustainable development”, “Transboundary Watershed Connections: Our Unified Focus on Quality”, and “Transboundary Conservation: achieving the 2010 Target in the CBD Programme of Work on Protected Areas”. Thus there is much activity on practical approaches to transboundary issues, including in side events during Ramsar COP10. The outcomes of these IUCN sessions may be used as a source of further information for compilation and reporting back to Ramsar Standing Committee and COP, if needed.
7. In addition, in response to requests and formal notifications from a number of Contracting Parties, the Ramsar Secretariat has established a Web-based “Transboundary Ramsar Sites initiative” as a further source of information for Parties and others about a range of practical approaches that are already in place concerning international collaboration in the management of contiguous Ramsar sites. So far (27 October 2008), 13 Contracting Parties have formally inscribed one or more of their Ramsar sites as parts of collaborative Transboundary Ramsar Sites (http://www.ramsar.org/key_trs.htm), and several more are about to do so. This initiative, and the examples of such Ramsar sites, are further described in COP10 DOC. 32 “The evolution of the Transboundary Ramsar Sites initiative”, which addresses the request for further information that was made by COP9. Whilst current transboundary initiatives for Ramsar sites currently concern European Contracting Parties, the Secretariat expects that this resource will soon extend to Ramsar sites in other regions.
8. The matter of transboundary site designation and management was raised and debated during several of the Ramsar regional COP10 preparatory meetings in 2007/2008. It is understood that Contracting Parties participating in these meetings did not indicate a consensus that they wished to have further in-depth consideration of this matter during COP10.
9. Furthermore, at SC37, when the matter of COP9 DR6 was raised by the Islamic Republic of Iran, it was recognized that the approach of addressing the core of transboundary management issues through Strategy 3.5 and its Key Result Areas of the draft new Strategic Plan (COP10 DR1) provides an elegant way forward on this matter, without becoming unduly prescriptive in any one approach. This Strategy and its Key Result Areas, which were in part derived from aspects of COP9 DR6, are as follows:

STRATEGY 3.5 Transboundary wetlands, basins and species

Promote inventory and cooperation for the management of transboundary wetlands and hydrological basins, including cooperative monitoring and management of transboundary wetland-dependent species. (CPs, Secretariat, IOPs)

Key Result Areas

By [2014]:

- 3.5.i All Parties to have identified their transboundary wetlands and, where appropriate, Parties to have identified collaborative management mechanisms with one another for those transboundary wetlands. (National: CPs)
 - 3.5.ii Where appropriate, Parties with transboundary basins and coastal systems to consider participation in joint management commissions or authorities. (National: CPs)
 - 3.5.iii Regional site networks and initiatives in place for additional wetland-dependent migratory species, as exemplified *inter alia* by the African-Eurasian Migratory Waterbird Agreement (AEWA), the Asia-Pacific Migratory Waterbird Conservation Strategy, the Western Hemisphere Shorebird Reserve Network, and the Central Asian Flyway Initiative. (Global: STRP, Secretariat, other MEAs; National: CPs)
10. Although no formal decision was made on this matter by SC37, there was no opposition expressed to this approach. The Secretary General explained at that time that the Secretariat saw no reason to reintroduce COP9 DR6 or its issues to COP10, and the Standing Committee did not indicate any dissatisfaction with that view (SC37 Report, para. 313).
 11. Additional information on transboundary issues has been included in the Report of the Secretary General on implementation at the global scale (COP10 DOC. 6).
 12. Nevertheless, since COP9 DR6 does remain ‘unfinished business’, the issue does need to be revisited at COP10 under Rule of Procedure 15, which provides that “Any item of the agenda of an ordinary meeting, consideration of which has not been completed at the meeting, shall be included automatically in the agenda of the next ordinary meeting, unless otherwise decided by the Conference of the Parties.”

Recommendations from the 38th meeting of the Standing Committee

13. This matter was further discussed during the 38th meeting of the Standing Committee on 27 October 2008. The Standing Committee decided that:

Decision SC38-6: Following further consideration of issues arising from COP9 DR6, and noting that the broader issues of international river basin and water management and international cooperation on such matters are already covered by other guidance adopted by Contracting Parties, and confirming that such matters are of continuing high implementation importance for Parties, as is recognized in the draft Strategic Plan 2009-2014 (COP10 DR1), the Standing Committee recommended that:

- i) DR6 should not be reopened for negotiation during COP10;

- ii) the further study on this issue called for in the COP9 Conference Report should be pursued, resources permitting, and the Secretariat is requested to further explore with IUCN and other interested organisations and Parties ways and means of undertaking this; and
 - iii) the STRP should be requested to review the adequacy of the current guidance for designation and management of transboundary Ramsar sites in the *Strategic Framework and guidelines for the future development of the List of Wetlands of International Importance* and other relevant guidance adopted by Parties, and as appropriate to prepare further guidance for Contracting Parties on these matters.
14. The Standing Committee recommends that this should form the basis of COP10 discussion and that a decision on this matter should be recorded in the Report of the 10th meeting of the Conference of the Contracting Parties.