

**Agenda item 8.5**

**Legal Status of the Secretariat**

**Action requested:** The Standing Committee is invited to note the initial actions undertaken and provide comments as appropriate to the Secretariat. The Standing Committee should note that a more detailed response paper, drawing on the views of other organisations, should be available by the Committee's 35<sup>th</sup> meeting.

1. In Resolution IX.10, the Conference of the Contracting Parties instructed the Secretary General "to engage in a consultative process with appropriate bodies such as IUCN and UNESCO, as well as the government of the host country and other interested organizations and governments, regarding the options, as well as legal and practical implications, for the transformation of the status of the Ramsar Secretariat towards an International Organization or other status whilst still recognizing and maintaining its links with IUCN and the host country."
2. In the period following the COP, the Secretariat made initial contact with the Government of Switzerland through its mission in Geneva and received the advice that the Government of Switzerland would prefer to have the views of other bodies in a consolidated form before taking any further action.
3. Consequently, the Secretariat approached UNESCO in December 2005 and awaits a response. When this response is received the IUCN Commission on Environmental Law (through the Environmental Law Centre) will be asked to provide comments on the UNESCO observations. At that point, the Secretariat will bring these views to the Government of Switzerland for further observation and discussion.
4. The Secretariat would be pleased to receive any considered advice from Parties and other organisations in order to canvas as broad a spectrum of views as possible.
5. At this time it is hoped that a preliminary assessment of views concerning options for the possible transformation of the Secretariat will be available for more detailed discussion at SC35.
6. In parallel with this activity, the Secretariat received some advice from the UN that an approach to the UN Economic and Social Council (ECOSOC) would be useful in clarifying the intergovernmental status of the Convention's Secretariat in a more formal way. Accordingly the Secretary General and the Chair and Vice Chair of the Standing Committee have written to H.E. Mr. Ali Hachani, President of the Economic and Social Council. The letter drew the attention of the President to Resolution IX.10 and seeks conferral of intergovernmental organisation status for the Secretariat, in partial fulfilment of the charge of Resolution IX.10.

7. The key extract of the letter reads as follows:

During the most recent meeting of the Conference of the Parties that was held in Uganda, in November 2005, Resolution IX.10, *Use of the term and status of the "Ramsar Secretariat"* was adopted (attached). Through this Resolution the member States have requested the Secretariat and the Standing Committee to engage in a consultative process to find out what is required for the transformation of the status of the Ramsar Secretariat towards that of an International Organization.

Our Secretariat actively participates in many of the UN processes and for many years has been contributing to the Secretary General's report on issues related to marine resources, marine environment, freshwater issues and sustainable development. The Ramsar Secretariat is also an active member of the Environmental Management Group (EMG) which meets periodically in Geneva under the coordination of UNEP and the Biodiversity Liaison Group which includes all the UN Biodiversity Related Conventions with Ramsar, and attends meeting of the UN-water group.

In order to assist with the implementation of at least one aspect of the Resolution of the Contracting Parties, we would appreciate it very much if you could bring our request to be officially recognized as an International Organization to the next meeting of ECOSOC. We are ready to provide you with any additional information you feel may be necessary or helpful to reach this decision.