

**Agenda item 8.2**

**Preparation and consideration of draft Resolutions for COP10**

**Action requested:** The Standing Committee is invited to note the deadlines for COP10 document preparation and submission and the contents of the annexed briefing note on that process.

1. This note advises the Standing Committee of the key stages and timelines for the preparation, submission, and approval by Standing Committee for consideration of draft Resolutions at COP10.
2. Following discussions and presentations in the Republic of Korea during the intersessional workshops of the Scientific and Technical Review Panel (STRP) in Changwon city in November 2007, the Secretariat has prepared the briefing paper on "*Procedures for the preparation and approval of decisions by Ramsar Contracting Parties at the 10<sup>th</sup> meeting of the Conference of the Contracting Parties (COP10)*", which is attached here as an annex.
3. The Secretariat believes that this document provides valuable briefing for all those involved in COP preparatory processes and all participants to the COP itself, and particularly for those who will be participating in a Ramsar COP for the first time. The Secretariat intends to make this briefing paper widely available in all three Convention languages and to include it as a COP10 Information Paper. Staff of the Ramsar Wetlands Center Korea, in Changwon, have offered to translate the briefing note into the Korean language for the information of local organizers and participants.
4. Following COP10, the Secretariat intends to amend this briefing paper to make it generically applicable as guidance for subsequent triennia, taking into account any changes to procedures adopted by decisions of COP10.
5. The Standing Committee will recall that, as outlined in the annexed briefing paper, following the approaches embodied in Resolution VIII.45 and amendments to the COP Rules of Procedure adopted at COP9, the sequence of the preparatory processes and their timelines differ in some respects from the COP9 preparatory process.
6. The key deadlines for COP10 preparatory processes for documents to be considered for adoption by the COP are as follows:
  - i) Finalisation by STRP of all technical/scientific draft Resolutions and guidances for transmitting to Standing Committee: **15 April 2008**.
  - ii) Submission of draft Resolutions by a Contracting Party or Parties (not later than 40 days prior to the final Standing Committee meeting approving COP documents): **22 April 2008**. (Note that under the terms of Resolution VIII.45 any such draft

Resolution with a scientific/technical content will first be reviewed by the STRP, which will provide advice to Standing Committee on such draft Resolutions.)

- iii) All documents for the 37<sup>th</sup> meeting of the Standing Committee circulated by the Secretariat: **2 May 2008** (i.e., one month prior to the opening of SC37).
  - iv) All draft Resolutions, guidance and any other material for COP10 consideration for adoption, circulated to all Contracting Parties: **27 July 2008** (i.e., three months prior to the opening of the COP).
7. The Standing Committee will recall that prior to and during COP8 there was considerable concern that the burgeoning number of draft Resolutions being sent to each COP was causing serious difficulties in running an efficient and streamlined COP process, and the adoption of Resolution VIII.45 sought to address this matter. As a result a much smaller number of Resolutions was considered and adopted at COP9 (25) compared with COP8 (46), by virtue of including technical guidance documents as annexes to a single technical Resolution.
8. The Standing Committee may therefore wish to reaffirm its intent that such a streamlined process of annexing technical guidance to a single technical Resolution, intended to minimise the number of draft Resolutions, should be continued for COP10.
9. With this in mind, the annexed briefing note includes some general guidance and advice on the preparation and content of draft Resolutions, drawing on Dave Pritchard's work with the Secretariat under Resolution IX.17 implementation. The Standing Committee may wish to stress these general principles to all those preparing, or considering the preparation of, a draft Resolution for COP10. The general principles are that:
- i) **There should be only one Resolution on each topic.** Where more than one similar draft Resolution is submitted, the Secretariat and Standing Committee should work with the Parties and others concerned to seek to consolidate text into a single draft Resolution on the topic.
  - ii) Draft Resolutions can be either:
    - a) **global (or at least covering one or more Ramsar region) in their relevance and scope**, i.e., relevant to implementation by many or all Parties; or
    - b) **when the COP wishes to express a consensus view from the global perspective on a matter or matters which are less global in scope**, such as endorsement of regional initiatives, calling for cooperation with certain subglobal organizations, advising on problems reported at Ramsar sites, or thanking the host country. In general, however, separate draft Resolutions with only single-country or single-site relevance are not appropriate.
  - iii) **A draft Resolution on the same topic as a Resolution adopted by a previous COP should reflect new developments or additional issues/approaches.** Since the actions called for in previously adopted Resolutions remain active until superseded or rescinded by the decision of a subsequent COP, a draft Resolution

should not just repeat or reaffirm what has been adopted in previous COP Resolutions on the same topic, since those matters are still active for implementation.

- iv) **For topics for which draft Resolutions are brought to successive COPs, the draft Resolutions should be formulated and structured in a consistent manner.**
- v) **Where a new draft Resolution on a topic that is the subject of previously adopted Resolutions, during the drafting process all previous such Resolutions should be scrutinised, and:**
  - a) where operative paragraphs of these (or entire previous Resolutions) are proposed to be retired, updated or superseded, this should be clearly indicated in the operative paragraphs the new draft Resolution; and
  - b) clear cross-referencing should be made (in preambular paragraphs) to relevant sections of previous Resolutions.
- vi) **Draft Resolutions should not mix (and especially not in the same paragraph) actions that are time-limited and actions that are more enduring or open-ended.**
- vii) When drafting a Resolution (and when considering any amendments during the COP), **a cross-check should be undertaken in order to ensure consistency and compatibility between the elements of the draft Resolution and a) other draft Resolutions being prepared for and considered by the same COP and b) the Resolutions of previous COPs.**
- viii) **For all scientific/technical-related draft Resolutions not directly prepared by the STRP, the advice and guidance of the STRP should be sought, and will be transmitted to the Parties concerned, the Standing Committee, and the COP.**
- ix) **For draft Resolutions submitted by Contracting Parties, joint submission by several Parties especially from different Ramsar regions is better than submission by only one Party, since this signals that there is broad Party support for such a Resolution.**

## Annex

### **Procedures for the preparation and approval of decisions by Ramsar Contracting Parties at the 10<sup>th</sup> meeting of the Conference of the Contracting Parties (COP10)**

#### **Introduction**

This information paper has been prepared by the Ramsar Secretariat to provide briefing for all those involved in the Ramsar Convention's Conference of the Contracting Parties (COP) preparatory processes and for all participants to the COP itself, and particularly for those who will be participating in a Ramsar COP for the first time.

It is therefore relevant to:

- a) all those involved in aspects of the preparation of draft decisions for approval by the COP, including the Scientific & Technical Review Panel (STRP), the Standing Committee, the Ramsar Secretariat, and Contracting Party Administrative Authorities; and
- b) all those participating in, or running, the COP itself, including Contracting Party delegations, non-party country observers, other observers and invited experts, the Ramsar Secretariat, and host country local organizers.

The briefing in this paper covers fourteen commonly-asked questions about different aspects of the procedures and processes in the preparations for and running of the Ramsar Convention's meetings of the Conference of the Contracting Parties (COP), in particular concerning the preparation and approval processes for decisions made by Contracting Parties at the COP and relevant aspects of the running of the COP itself.

These questions are:

1. What is the COP – and how does it operate?
2. What are COP 'decisions' and what is their purpose?
3. What is the structure of a draft Resolution?
4. Who can submit draft Resolutions to COP?
5. How many draft Resolutions are submitted to a COP?
6. Are there guiding principles for preparing draft Resolutions?
7. What documents are provided to Contracting Parties at COP?
8. What are *Ramsar Technical Reports*?
9. What are the timelines for preparation and submission of COP10 draft Resolutions?
10. What happens after COP documents are approved by Standing Committee – and when?
11. Who can participate in the COP?
12. What happens during the COP?
13. How are draft Resolutions negotiated and approved by Contracting Parties at COP?
14. Who can participate in COP negotiations on draft Resolutions?

### 1. What is the COP – and how does it operate?

The ‘COP’ is formally entitled the “Meeting of the Conference of the Contracting Parties to the Convention on Wetlands of International Importance especially as waterfowl habitat (Ramsar, Iran, 1971)”.

It is generally now used informally in an abbreviated form as “The [Ramsar] Conference of Contracting Parties (COP)”.

The Ramsar Convention operates on a triennial cycle, so the COP meets once every three years. The COP is the key and core Convention process for Contracting Parties to debate and agree decisions and actions for the future implementation of the Convention, including adopting a Convention core budget for the following three years.

### 2. What are COP ‘decisions’ and what is their purpose?

In the Ramsar Convention, ‘decisions’ made by Contracting Parties at a COP are formally called “Resolutions” and “Recommendations”. Their purpose is to agree Convention implementation actions and priorities for the three-year triennium following the COP and beyond. Resolutions cover scientific, technical, policy, procedural and administrative activities under the Convention.

In early Ramsar COPs the distinction between Resolutions and Recommendations was that Resolutions were decisions made about future actions by Parties and Ramsar Convention bodies, whereby the COP *resolves* to take action, and Recommendations were decisions involving *recommending* or requesting action by other organizations and processes.

In practice, nearly all decisions made by recent COPs include a mixture of both resolution and recommendation actions, and for the past two meetings of the COP all of them have been adopted as ‘Resolutions’, with none described as ‘Recommendations’.

In addition to the adoption of Resolutions, the COP, at its start, also adopts the “Rules of Procedure” of the COP, including any amendments proposed to the Rules that were adopted by the most recent COP. These Rules of Procedure then apply to the operations of that COP and for the following triennium, until the Rules are re-adopted at the start of the subsequent COP.

During the intersessional period between COPs, the Convention’s Standing Committee (composed of representatives of Contracting Parties from each Ramsar region, elected by the COP) has delegated decision-making responsibilities so as to ensure the smooth running of the Convention. These include *inter alia* financial matters such as approval of annual budget expenditure and accounts, approval of STRP and Secretariat work plans, COP preparations, appointment of Secretary General, approval of Small Grant Fund projects, and selection of Ramsar Award laureates.

### 3. What is the structure of a draft Resolution?

The Convention uses a standard format for all ‘proposals’ in the form of draft Resolutions. The Resolution text itself is in two parts:

First, **preambular paragraphs**. These set the scene and background to the issue the draft Resolution addresses, including where appropriate referring to relevant text of previous Resolutions (or Recommendations) and recognizing related processes underway through other organizations, etc.

This is followed by the **operative paragraphs** of the Resolution. These are the part of the Resolution in which the Contracting Parties to the Convention approve future implementation activity and who should undertake it. Each operative paragraph starts with an active verb, the type of verb depending on the strength of the decision and who should be undertaking it. Thus, for example, the Conference of the Contracting Parties may “STRONGLY URGE themselves to take action x”, or “INSTRUCT the STRP to undertake task y”, or “REQUEST another organization to work with the Secretariat on activity z”, etc.

Some draft Resolutions also contain one or more **Annexes**. These can, for example, be guidance for Parties on the implementation of the Resolution or contain other relevant information. All such Annexes are a formal part of that draft Resolution and, like the text of the Resolution itself, are subject to negotiation and approval by Contracting Parties at the COP.

#### **4. Who can submit draft Resolutions to COP?**

Only the Standing Committee or a Contracting Party can submit a ‘proposal’ – a draft Resolution (DR) - to the COP. Draft scientific and technical Resolutions and guidances are prepared by the Convention’s Scientific & Technical Review Panel (STRP) and submitted to the Standing Committee for its approval for COP consideration. The Ramsar Secretariat assists the Standing Committee in drafting administrative, policy and procedural Resolutions.

All such draft Resolutions (DRs) must be approved by Standing Committee before consideration by the COP. The Standing Committee can decide against submitting a DR and/or its annexes for COP consideration.

According to the COP Rules of Procedure adopted at COP9, any Contracting Party (or Parties) wishing to submit a draft Resolution to COP must submit this to the Standing Committee (through the Secretariat) not later than 40 days before the start of the final Standing Committee meeting at which documents can be approved for COP consideration. No draft Resolutions from Parties submitted after this date can be considered for COP10. The Standing Committee may then provide advice on such draft Resolutions to the Contracting Party(ies) concerned and to COP.

Under the terms of COP8 Resolution VIII.45, any such draft Resolution with a scientific and technical content must also first be transmitted to the STRP for its advice, which in turn provides its advice to Standing Committee and COP.

There is one other mechanism established in the COP Rules of Procedure for submission of a draft Resolution. During the COP itself, the Standing Committee (acting as the Conference Committee) may, exceptionally, agree to bring forward an “emergency draft Resolution” on an unforeseen or emerging issue or an issue arising from discussions at the COP itself. The Conference Committee will not admit such a proposed emergency draft Resolution that it considers could have been foreseen prior to COP and that should therefore have been submitted

through the procedures described above. At COP9 (2005), Resolution IX.23 on Highly Pathogenic Avian Influenza was such an emergency draft Resolution.

#### **5. How many draft Resolutions are submitted to a COP?**

There is no specific rule concerning the number and content of draft Resolutions to be submitted to a COP. However, the following considerations apply.

The number of draft Resolutions presented to each COP had steadily increased over the years, with a record 46 draft Resolutions being submitted to COP8 (2002). Negotiating on this very large number of different texts was recognized by Contracting Parties at COP8 to be stretching the COP process and capacity to its limits.

Contracting Parties at COP8 (Resolution VIII.45) and the Standing Committee therefore strongly requested mechanisms to be established for simplifying and streamlining draft Resolution processes, designed to reduce the number of draft Resolutions submitted to COP, in order to increase the efficiency and effectiveness of the COP.

In response, the Secretariat and Standing Committee developed streamlined processes for COP9 which significantly responded to this instruction, with only 25 Resolutions being adopted at COP9 compared with the 46 Resolutions at COP8.

In part this was achieved through the scientific and technical guidances and future priorities for scientific and technical work of the Convention (i.e., the materials prepared by STRP) being consolidated as annexes to just two draft Resolutions, rather than being provided to COP in many separate Resolutions, each on different technical topics.

It is the intent of the Standing Committee and Secretariat to sustain this streamlined approach for COP10 draft Resolutions.

#### **6. Are there guiding principles for preparing draft Resolutions?**

There are no formally adopted guiding principles for developing draft Resolutions for COP consideration, but some general pragmatic guidance is provided below, based on previous COP experience and on recent work by the Secretariat under Resolution IX.17 on reviewing Resolution processes. The Standing Committee will, by the time of COP10, have considered whether it should propose formalizing such guidance on the preparation of draft Resolutions.

Some Resolutions are needed to be adopted by every COP since they are essential for the running of the Convention over the following triennium. A major example is the Resolution on “Financial and budgetary matters”, through which the triennial budget of the Convention is approved. Other Resolutions can be needed where the renewal of a time-limited programme of work adopted by a previous COP is required, such as for the Convention’s CEPA programme and the future priority work of the STRP.

Other draft Resolutions are a response to requests from previous COPs, or they are ‘optional’ in the sense that whilst they address important aspects of future implementation of the Convention, they have not necessarily been previously requested through Convention processes.

General principles to keep in mind when preparing draft Resolutions, in order to ensure a streamlined approach to their preparation and COP consideration, include:

- i) **There should be only one Resolution on each topic.** Where more than one similar draft Resolution is submitted, the Secretariat and Standing Committee should work with the Parties and others concerned to seek to consolidate text into a single draft Resolution on the topic.
- ii) Draft Resolutions can be either:
  - a) **global (or at least covering one or more Ramsar region) in their relevance and scope**, i.e., relevant to implementation by many or all Parties; or
  - b) **when the COP wishes to express a consensus view from the global perspective on a matter or matters which are less global in scope**, such as endorsement of regional initiatives, calling for cooperation with certain subglobal organizations, advising on problems reported at Ramsar sites, or thanking the host country. In general, however, separate draft Resolutions with only single-country or single-site relevance are not appropriate.
- iii) **A draft Resolution on the same topic as a Resolution adopted by a previous COP should reflect new developments or additional issues/approaches.** Since the actions called for in previously adopted Resolutions remain active until superseded or rescinded by the decision of a subsequent COP, a draft Resolution should not just repeat or reaffirm what has been adopted in previous COP Resolutions on the same topic, since those matters are still active for implementation.
- iv) **For topics for which draft Resolutions are brought to successive COPs, the draft Resolutions should be formulated and structured in a consistent manner.**
- v) **Where a new draft Resolution on a topic that is the subject of previously adopted Resolutions, during the drafting process all previous such Resolutions should be scrutinised, and:**
  - a) where operative paragraphs of these (or entire previous Resolutions) are proposed to be retired, updated or superseded, this should be clearly indicated in the operative paragraphs the new draft Resolution; and
  - b) clear cross-referencing should be made (in preambular paragraphs) to relevant sections of previous Resolutions.
- vi) **Draft Resolutions should not mix (and especially not in the same paragraph) actions that are time-limited and actions that are more enduring or open-ended.**
- vii) When drafting a Resolution (and when considering any amendments during the COP), **a cross-check should be undertaken in order to ensure consistency and**



compatibility between the elements of the draft Resolution and a) other draft Resolutions being prepared for and considered by the same COP and b) the Resolutions of previous COPs.

- viii) For all scientific/technical-related draft Resolutions not directly prepared by the STRP, the advice and guidance of the STRP should be sought, and will be transmitted to the Parties concerned, the Standing Committee, and the COP.
- ix) For draft Resolutions submitted by Contracting Parties, joint submission by several Parties especially from different Ramsar regions is better than submission by only one Party, since this signals that there is broad Party support for such a Resolution.

## 7. What documents are provided to Contracting Parties at COP?

Several categories of documents are provided to COP participants. Notably these are:

### **A. Draft Resolutions**

These documents are number coded as 'DRs', so a draft Resolution for COP10 will have a document code of, for example 'COP10 DR6'.

DRs (and their annexes, if any) are subject to negotiation and adoption by Contracting Parties at the COP.

Once adopted by COP, the DRs become formally re-numbered as Resolutions, for example 'Resolution X.6' (it is established Ramsar practice to use Roman numerals to indicate the COP number in an adopted Resolution).

### **B. Information papers**

These documents are coded as 'DOCs', for example 'COP10 DOC.5'. They are, as the title suggests, provided for the additional information of Contracting Parties. They are not the subject of any negotiation or adoption by the COP.

Information papers provide a variety of types of additional information for participants at the COP. Some provide background information, rationales, etc., supporting topics that are the subject of a draft Resolution (DR).

Other Information papers provide "Implementation progress reports", including global implementation in the Secretary General's report, reports from the Standing Committee and STRP Chairs, and regional implementation reports derived from Parties' National Reports.

### **C. COP Rules of Procedure**

The 'Rules of Procedure' for the operations of the COP are considered and adopted at the start of each COP. These then govern all COP processes and remain in force until the start of the next COP. The current Rules of Procedure as adopted by COP9 are available on: [http://www.ramsar.org/key\\_rules\\_cop.htm](http://www.ramsar.org/key_rules_cop.htm)

#### ***D. COP Report***

The report of each day's plenary COP proceedings is drafted by the COP Rapporteur and each day's draft report is provided to Parties during the COP for their consideration and adoption at the final plenary session (except for the report of the final day of the COP, which by established practice is subsequently approved by the Chair of the Conference Committee, i.e., of the outgoing Standing Committee).

The COP Report summarizes interventions made and agreements and disagreements on text of draft Resolutions, including any political statements made by Parties and reservations to draft Resolutions entered by Parties. Such statements and reservations are not generally appropriate for inclusion in the Resolutions themselves.

#### **8. What are *Ramsar Technical Reports*?**

Detailed technical methodological guidance and review reports prepared by the STRP were previously provided to COP as Information Papers. However, this mechanism greatly increased the volume of paper and number of documents provided to Parties for the COP, and it also meant that following the COP these documents disappeared into the 'grey literature archive' of the Convention and were not easy to find.

Recognizing that many such reports continue to remain useful and important for supporting Convention implementation, since 2006 such important materials prepared by STRP are now published as peer-reviewed *Ramsar Technical Reports (RTR)* in order to ensure their wider and longer-term accessibility. *RTRs* are published in English, as well as in French and Spanish when resources permit.

#### **9. What are the timelines for preparation and submission of COP10 draft Resolutions?**

*Key meetings – STRP and Standing Committee in 2008*

The STRP meets for its 14th session, from 28 January – 1 February 2008, to agree finalizing its work on DRs and guidance to go to the Standing Committee and COP10.

The Standing Committee meets twice in 2008: in late February 2008 (36th session) and early June 2008 (37th session).

All COP10 DRs must be approved by Standing Committee not later than the close of its 37th session, and all documents for Standing Committee must be provided by the Secretariat at least 30 days before that meeting. Thus the STRP needs to complete its COP10 documents by **mid-April 2008**, in order to permit sufficient time for final Secretariat editing to be completed before the 30 day lead-time for provision of the documents to the Standing Committee. By Standing Committee decision, for budgetary reasons, all documents for Standing Committee meetings (apart from the meeting agenda) are provided in English only.

Draft Resolutions submitted by Contracting Parties must be submitted to the Secretariat at least 40 days before the final Standing Committee meeting approving COP documents (Rule of Procedure 5), so for COP10 the submission deadline is **22 April 2008**.

As noted above, the Standing Committee may provide advice to the COP on these DRs, and any such DR with scientific/technical content will be first reviewed by STRP, which will provide advice to Standing Committee about it (Resolution VIII.45).

**10. What happens after COP documents are approved by Standing Committee – and when?**

After Standing Committee approval, all DRs (and any annexes) are copy-edited by the Secretariat and translated into the three official Convention languages: English, French, and Spanish.

All DRs are posted on the Ramsar Convention Web site as soon as they are finalized in each language, and they are provided formally to Contracting Parties through diplomatic notification three months prior to the start of COP, i.e., for COP10 by **27 July 2008**. This is to permit sufficient time for Contracting Parties to undertake national consultations and prepare delegation briefings before the COP.

A final circulation (for some Information papers, etc.) is made closer to the COP date.

**11. Who can participate in the COP?**

The full COP process is open only to the following categories of organizations and people:

**A. *Official representatives of Contracting Parties***

Each Contracting Party must submit to the Secretariat for scrutiny by the COP Credentials Committee a formal notification through its foreign affairs ministry with the names of its official delegates and the name of the head of its delegation. This notification must come from the Head of State or Government or the Minister of Foreign Affairs.

Only those Contracting Parties whose credentials are fully in order are permitted to participate in all COP processes – for example, to participate in a vote should one be required.

**B. *Official observers***

Under rules 6 & 7 of the COP Rules of Procedure, other organizations whose work is relevant to the implementation of the Ramsar Convention and the conservation and wise use of wetlands may participate in the COP as observers. Official observers can include representatives of states which are not Parties to the Convention, UN bodies and agencies, other intergovernmental organizations (IGOs), non-governmental organizations (NGOs), and representatives of the private sector, business, etc. Observers are not permitted to vote.

In the non-governmental sector the Convention includes the organizations representing the Major Groups recognized in Agenda 21: a) women; b) children and youth; c) indigenous peoples; d) non governmental organizations (NGOs); e) local authorities; f) trade unions; g) business and industry; h) the scientific and technological community; and i) farmers.

An NGO requesting participation, but which is not previously known to the Convention and the Secretariat, may be requested to furnish further information about its activities at least one month in advance of the COP in order to confirm whether or not it is relevant to the Convention and its work, before its participation is approved.

The Chief Executive Officer of each NGO approved for participation must provide the Secretariat with a letter listing the names of its official delegates and head of delegation.

Depending on the amount of space available in the COP plenary hall, a restriction may need to be placed on the size of an observer organization delegation permitted entry to the plenary.

At the start of the COP, the COP must formally approve the admission of all observers. Observers are admitted unless at least one-third of all Parties present object to the admission of an observer or observers.

### ***C. Invited experts***

At the discretion of the Secretary General additional specific persons may be invited to participate in the COP, for example, to make a keynote presentation to the COP or as experts invited by the STRP to contribute to its work.

### ***D. Other types of participants***

There can be several other categories of participant, whose participation may be limited to access to only certain parts of the COP venue. These might include press representatives, exhibitors manning exhibition hall exhibits, local participants taking part in peripheral meetings and activities, etc.

Under established practice:

- i) all requests for full COP participation are made to Ramsar Secretariat, through an on-line pre-registration process, which will be established on the Ramsar Web site;
- ii) each official country or observer organization participant and delegation is approved to participate by the Secretary General, before the registration is accepted.

It is also established practice that local (host country) registrations and other delegate registrations (e.g., for press or exhibitors) are handled by the host country and its local organizers.

The COP is **not** a “scientific congress” open to individuals in their personal capacity. Individual scientists and technicians in the fields of work of the Convention, except for those specifically invited to contribute to the Technical Sessions, are eligible to participate only as delegates of one of the types of groups mentioned above.

## **12. What happens during the COP?**

The **core business** of the COP is negotiating and adopting Resolutions. This is done through two three-hour plenary sessions each day, running from 10h00 to 13h00 and from 15h00 to 18h00.

If, during the COP, it becomes clear that more time is needed to complete negotiations, the COP President may extend, or call additional, plenary sessions (with the agreement of the interpreters), in order to complete negotiations satisfactorily.

**The COP plenaries are sacrosanct!** All other activities and events taking place during the COP are secondary to the plenaries.

During the COP there are many other supporting events and activities, including:

- side events on topics relevant to the COP, organized by participants, with requests for side events made to and approved by Secretariat;
- exhibitions and poster displays;
- receptions, etc.

Under the COP Rules of Procedure, the Standing Committee elected by the previous COP, which has been operating throughout the triennium, formally becomes the **Conference Committee** for the duration of the COP.

The Conference Committee meets every day of the COP, in the early morning prior to the start of the morning plenary session. Its roles include confirming the plenary agenda for the day (and making proposals for any amendments necessary to it) and determining any other matters of COP process and procedures necessary to ensure the smooth running of the COP process.

### **13. How are draft Resolutions negotiated and approved by Contracting Parties at COP?**

Early in the COP, each DR is introduced in plenary session. If there are no objections, or no changes to the text proposed by a Contracting Party, the COP adopts the Resolution, un-amended, at that time, and there is no further discussion of that Resolution.

If, however, a Contracting Party objects to the DR, or proposes deleting, adding or amending text, consensus to these changes is first sought in the plenary. If consensus is reached, then the Secretariat prepares and makes available a revised DR (DRx, rev. 1) for formal adoption later in the COP.

If there is more major disagreement over aspects of the text of a DR, then there are several options.

- A. If only two, or a few, Parties disagree, the COP President may request these Parties to undertake **informal discussions** to seek agreement and report back to the plenary.
- B. If it is understood that further agreed work is needed on the text of the draft Resolution, the COP President may request that all interested Parties and observers form an **“informal working group”** to consult together to finalize a new draft text.
- C. If there is significant disagreement on text among a number of Parties, or groups of Parties, the COP President may call a formal **“contact group”**, requesting one or more Parties to chair it.

It is usually not possible to furnish such groups with interpretation.

- D. For consideration of certain important documents and issues, the Conference Committee may decide to propose to the plenary that the one or more “**COP Committees**” should be established. In recent Ramsar COPs, the COP has established a Committee on Finance and Budget and a Committee on the Strategic Plan. Such proposals are considered in the COP plenary under Agenda item VI (Appointment of the Credentials Committee and any other committees).

COP Committees and Contact Groups meet intersessionally during the COP, i.e., in the morning before the plenary starts, over the two-hour lunchtime break, and in the evening after plenary (sometimes through the night if necessary!). COP Committees and Contact Groups continue working (often through several sessions) until agreement is reached and reported back to plenary. The Secretariat then prepares a revised DR for adoption later in plenary.

If available meeting room space is limited, the meeting room needs for COP Committees and for Contact Groups established by the COP President take priority over all other meeting room uses such as side events requested by participants. It is, therefore, essential for the smooth running of the COP process to have a small number of meetings rooms kept free for potential use by COP Committees and Contact Groups, in addition to those allocated for requested side events and other meetings such as those of regional groups.

All such negotiations over the text of DRs, such as through COP Committees and Contact Groups, should be completed three days prior to the end of the COP. This is to allow sufficient time for the Secretariat to prepare revised texts of all DRs and to have them translated, copied, and made available in all three Convention languages.

This work is undertaken by the Secretariat during the ‘study tour’ or ‘excursion’ day of the COP, such that all the latest revised DR texts are available to Parties for the start of the penultimate day of the COP. During these final two days of the COP, all DRs not yet adopted are re-introduced in plenary in their latest revised form, so that any final negotiations may be concluded and all DRs adopted (or not adopted) as formal COP10 Resolutions before the COP closes.

If it does not prove possible to reach consensus on the text of a draft Resolution, two possibilities exist. The Party or Parties who have submitted the draft Resolution may decide to withdraw the text from COP consideration. The Rules of Procedure also include a voting procedure (according to Rule 40, to be invoked only as a last resort when all other options have been exhausted), but in practice throughout the history of the Convention a solution to disagreements over draft Resolution text has always been found, without the need to invoke this Rule.

#### **14. Who can participate in negotiations on draft Resolutions?**

Strictly speaking, it is only Contracting Party representatives on national delegations who can negotiate text of draft Resolutions, but traditionally the Ramsar Convention and its COPs have also welcomed the input and support of COP observers, including NGOs, and especially the five NGOs to which the Convention has afforded International Organization Partner (IOP) status (BirdLife International, International Water Management Institute (IWMI), Wetlands International, the World Conservation Union (IUCN), and WWF International).

The chair of the plenary session may take interventions from observers, but normally all Contracting Parties that request the floor will be invited to speak first, followed by observer states and observer organizations to the extent that time permits.

If an observer proposes a text change to a draft Resolution, this can only be considered by plenary if it is then supported by at least one Contracting Party and is not opposed by others.

In Contact groups, the same Rules of Procedure on interventions apply as in plenary sessions.

Traditionally, all plenaries, COP Committees and Contact Groups at Ramsar COPs are open to observers. On occasion, however, the President of the COP or the Conference Committee or the chair of a Contact Group may decide to close a session to only Contracting Parties. Such an exclusion is wholly within the rules of COP operations and cannot be challenged by the observers. Such a closed session might occur if, for example, a particularly sensitive political issue arises, or if observers are behaving in an unwelcome manner and have not respected the President's or chair's request to modify their behaviour.