

## Issues arising from previous COP Resolutions and Recommendations: COP9 DR6 and Transboundary Ramsar Sites

**Action requested:** The Standing Committee is invited to consider and advise on the approach to addressing this matter during COP10.

1. Standing Committee will recall that the issue of progress and next steps with the follow-up to discussions during COP9 on “Designation and management of [transnational] [transboundary] Ramsar sites” was raised and briefly discussed at the Committee’s 37<sup>th</sup> meeting in June 2008. This note provides a summary of the matter and suggests how it may best be handled during COP10.
2. Following considerable debate and disagreement on the submitted draft Resolution (DR6) on this matter during COP9, the 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, with the first sentence being added by the then-Secretary General:

“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”.

3. 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.
4. In response to the COP9 request, discussions then 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 confirms 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 this 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 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”. The outcomes of these IUCN sessions might be used as a source of further information for compilation and reporting back to Ramsar Standing Committee, if needed. The Secretariat could discuss further with IUCN how these activities might contribute to any further Ramsar work on these matters.
7. In addition, in response to requests from a number of Contracting Parties, the Ramsar Secretariat agreed to set up 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, 12 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](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.
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 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 could be revisited at COP10, if Parties wish to do so, 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.” This would permit Parties then to determine if and how they might wish to seek further progress.
  13. If the Standing Committee wishes, this matter could be taken up under COP10 Agenda item XIII on “Issues arising from Resolutions and Recommendations of previous meetings of the Conference of the Contracting Parties”. If at that point Parties agreed to reopen consideration of this issue during COP10, mechanisms could be established for such a process. Under the terms of Rule 15, Parties at COP10 would be at liberty to decide whether or not to reconsider COP9 DR6 itself, draft some new DR after consultations, or consider the present situation, including the existing TRS initiative and future Strategic Plan implementation, to be satisfactory.