

THE CONVENTION ON WETLANDS
59th meeting of the Standing Committee
Gland, Switzerland, 21-25 June 2021

SC59 Doc. 24.3

Draft Resolution on development of legal indicators to measure the effectiveness of the Ramsar Convention

Submitted by Burkina Faso

Secretariat cover note:

The DR refers to Resolutions VII.7, VIII.26, IX.1 Annex D, XII.2 and XIII.19. The DR does not address matters of a scientific or technical nature requiring review by the STRP.

Draft Resolution on development of legal indicators to measure the effectiveness of the Ramsar Convention

Action requested:

- The Standing Committee is invited to review and approve the attached draft Resolution for consideration by the 14th meeting of the Conference of the Contracting Parties to the Ramsar Convention - Wuhan, China, November 2021

Introduction

Background information

The aim of the draft Resolution is to establish a new tool to scientifically assess the effective implementation of the Ramsar Convention in each Contracting Party through appropriate legal instruments. It is an operational response to the repeated demands of States and civil society for greater effectiveness in the protection and management of wetlands.

Financial implications of implementation

Paragraph	Action	Cost (CHF)
14. Development of legal indicators	Recruitment by the Secretariat of a consultant to assist in the formulation of legal indicators	18,000
18. Follow-up action	Oversight of the development of legal indicators by the Effectiveness Working Group and the Standing Committee	Note for the record

Draft Resolution XIV.xx

Development of legal indicators to measure the effectiveness of the Ramsar Convention

1. RECALLING that:
 - i) Resolution VII.7, in establishing guidelines for reviewing laws and institutions to promote the conservation and wise use of wetlands, calls for the proposed criteria to be used to assess the effectiveness of existing legal and institutional measures collected by the Parties under that Resolution, and for these criteria to be updated and supplemented;
 - ii) through Resolution VIII.26, paragraph 14, Contracting Parties called for specific indicators of the status and progress of implementation of the Ramsar Convention;
 - iii) Annex D of Resolution IX.1 on ecological indicators takes into account the results to assess the effectiveness of the implementation of the Ramsar Convention;
 - iv) paragraph 10 of Resolution X.1 calls upon the Standing Committee to review progress and any difficulties in implementing the Strategic Plan;
 - v) paragraph 18 of Resolution XII.2 on the Fourth Ramsar Strategic Plan 2016-2024 reiterates this request;

- vi) paragraph 13 of Resolution XIII.5 urges Parties to keep under review the progress of implementation of the Strategic Plan and to communicate progress and any implementation difficulties in their National Reports; and requests the Standing Committee to assess progress and any implementation difficulties;
 - vii) paragraph 17 of Resolution XIII.5 encourages Contracting Parties and their National Focal Points to ensure that the indicators in the Strategic Plan 2016-2024 are taken into account in the Sustainable Development Goals (SDGs) process; and
 - viii) paragraph 27 of Resolution XIII.19 encourages Parties, in their National Reports, to assess the effectiveness and comprehensiveness of their legislative and regulatory frameworks and policies for the protection of wetlands, in order to ensure that wetlands in areas of intensive agricultural production receive sufficient and appropriate protection;
2. NOTING that each Contracting Party to the Ramsar Convention provides regular National Reports and REAFFIRMING the important role of these Reports in providing knowledge of how the Convention is being effectively implemented;
 3. DESIRING to strengthen the effective implementation of the Ramsar Convention for the conservation and wise use of wetlands;
 4. RECOGNIZING the efforts of Contracting Parties to implement the Convention and to comply with the National Reporting Format;
 5. DESIRING to make it easier for each Contracting Party to assess its successes as well as obstacles encountered and possible setbacks by having an appropriate methodology for analysing the conditions of implementation of the Convention;
 6. CONSIDERING that the effective implementation of the Strategic Plan 2016-2024 and the SDGs for which the Convention Secretariat has been mandated as co-custodian is closely linked to the legal and institutional arrangements for the effective implementation of the Ramsar Convention;
 7. RECALLING that the Strategic Goals and the Operational Goal in the Strategic Plan constitute the priority areas of the Ramsar Convention for 2016-2024, as well as the table in Appendix 1 which specifies the tools, key actors, benchmarks and indicators for these Goals;
 8. FURTHER RECALLING that paragraphs 1, 2 and 4 of the Strategic Plan's "Monitoring and Evaluation" Goal have provided for the establishment of specific indicators for each of the identified Goals to be monitored by the Parties as appropriate, and for their implementation to be monitored by the Standing Committee, as well as for the development of global indicators, taking into particular account the need for these indicators to address outcomes and effectiveness and to be applicable in practice;
 9. CONSIDERING the importance of complementing the monitoring and evaluation indicators that underpin the implementation of the Strategic Plan and the Convention, as set out in Goal 4 of the Strategic Plan 2016-2024 and in the table in Appendix 1 "Ramsar Goals and Targets with Relevant Tools, Actors, Baselines and Indicators", with legal indicators that measure the effectiveness of the Ramsar Convention;

10. DESIRING to have reliable and more systematic legal and institutional data to be able to assess, both in their National Reports and in their national implementation of the Convention, the effective legal implementation of the Convention, from the adoption of national legislation necessary to comply with the Convention's obligations to the effective enforcement of court decisions affecting wetlands;
11. WISHING, on the occasion of the 50th anniversary of the Ramsar Convention, to be able to better assess the progress needing to be made for the satisfactory implementation of the Ramsar Convention through a modern and relevant assessment tool;
12. CONSIDERING that, in complementing existing indicators, legal indicators can help to strengthen the framework for a dynamic and ongoing process, which is constantly revised and adjusted to take account of the results of monitoring processes, changing priorities and emerging issues in wetland planning and management, including in small wetlands and urban and peri-urban wetlands; and
13. TAKING INTO ACCOUNT the request of the IUCN World Conservation Congress 2021 to Parties to global environmental Conventions to introduce legal indicators to facilitate the evaluation of State reports, resulting from the adoption of Motion 060 "Measuring the effectiveness of environmental law using legal indicators";

THE CONFERENCE OF THE CONTRACTING PARTIES

14. INSTRUMENTS the Secretariat to undertake as soon as possible, with the assistance of an independent consultant, the necessary work to formulate legal indicators of the effectiveness of national implementation of the Ramsar Convention, in order to have an appropriate method of measuring such effectiveness available to each Contracting Party;
15. REQUESTS that the following be taken into account in the development of these legal indicators of effectiveness: issues raised by national reports and analysed by the Secretariat leading to statistical reports on the implementation of the Convention, as well as data produced by the Regional Ramsar Initiatives;
16. ALSO REQUESTS that the legal indicators take into account both the implementation of the Convention and its Resolutions, the Fourth Strategic Plan, and the Ramsar Regional Initiatives;
17. URGES Contracting Parties and their National Focal Points to collaborate in the development of appropriate legal indicators; and
18. REQUESTS that the Effectiveness Working Group and the Standing Committee monitor and evaluate the work on the development of legal indicators.