

**WCC-2012-Res-071-EN**  
**Conservation of the Panama Bay wetlands**

RECOGNIZING that the Panama Bay wetlands have fundamental ecological functions, that they constitute a source of goods and services that contribute to human well-being, regulating the water regimes and are an important habitat for both fauna and flora; that each year these coastal wetlands provide food, shelter and resting places for over one million migratory shorebirds of 36 species (which breed in Canada and the United States), and that this has led the area to be declared an Important Bird Area (IBA), a Wetland of International Importance under the Ramsar Convention, a Western Hemisphere Shorebird Reserve Network (WHSRN) site, a Key Biodiversity Area (KBA), and a protected area at a national level; and that, therefore, it is a priority to maintain its ecological features, conserve its ecosystems and make wise use of its resources;

FURTHER RECOGNIZING that in 2009 the State of Panama informed the Ramsar Convention of the extension of the boundaries of the Ramsar Site, in accordance with the protected area created that same year;

CONCERNED because on 27 April 2012, the Third Chamber of the Supreme Court of Justice of the Republic of Panama, in a decision that affects the sustainable management of the wetlands, provisionally suspended the Resolution of the National Environmental Authority of Panama N°AG-0072-2009, through which the 'Panama Bay Wetland' Wildlife Refuge was created on 3 February 2009, constituted following the recommendations of the Ramsar Advisory Mission N° 63, carried out in November 2008; and because this news was received by civil society organizations on 17 May 2012 and confirmed by the authorities on 21 May 2012; and NOTING that on 5 July 2012 civil society organizations filed a claim in the Third Chamber of the Supreme Court in order to be admitted as third parties in the process, and asked for the re-establishment of the protected area declaration, with no reply having been received to date regarding whether they will be allowed to participate in the process;

ALSO CONCERNED because after the Supreme Court suspended the status of protected area, the Ministry of Housing and Land-use Planning (MVIOT) approved Land-use Planning Schemes (changes of land use that would allow construction on the wetlands), one on 25 May 2012 and the other in June 2012, which would not have occurred if the protected area declaration had not been suspended; and because if the protected area status is not restored in time, the approved projects will lead to habitat fragmentation, causing biodiversity loss and transforming the natural landscapes, rapidly replacing them with residential, tourism and industrial development, which will destroy wetlands recognized internationally due to their importance and their biodiversity, making a significant impact on hundreds of hectares of mangroves in the Ramsar Site and surrounding areas, which are protected by Law, as well as on the flyways of migratory birds of hemispheric importance;

RECOGNIZING that Panama City Hall, with civil society experts, is currently working to define an alternative protection for the Panama Bay wetlands, and that environmental organizations are carrying out actions to highlight the national and international importance of the goods and services provided by these wetlands in the natural and urban environment;

ALARMED at the fact that the development of coastal infrastructure currently underway encourages similar development in all of the Panama Bay wetlands, without taking into account extreme weather events, which are potentially catastrophic for coastal areas, the results of global climate change and sea level projections, and alarmed at the acceleration in the pace of extreme weather events, whose combined effects will contribute to the increase in the number of people vulnerable to the effects of disasters caused by flooding;

FURTHER OBSERVING that although the country has signed international environmental protection conventions (the Ramsar Convention, the Convention on Migratory Species, the Convention on Biological Diversity and the United Nations Framework Convention on Climate Change), and that national environmental legislation commits the Government of the Republic of Panama to the continuous improvement of the environment and the well-being of its citizens, the principle of non-regression has not been applied and, therefore, the human right to a healthy environment is not being met; and

CONSIDERING that the global aim of the *IUCN Programme 2013–2016* is the effective and equitable governance of nature's use, improving the governance of Key Biodiversity Areas in the world and human dependency on nature;

***The World Conservation Congress, at its session in Jeju, Republic of Korea, 6–15 September 2012:***

1. URGENTLY REQUESTS the Government of Panama to restore the 'Panama Bay Wetland' suspended protected area and to re-establish the regulations for the protection of wetland ecosystems, particularly mangroves, based on the principle of non-regression; and that likewise the public management for the conservation of these wetlands should be strengthened, through the approval of the National Wetlands Policy (process supported by the National Wetlands Committee), and the adaptation of the legislation that affects its conservation or wise use;
2. URGENTLY REQUESTS FURTHERMORE the Government of Panama to suspend the approval of Land-use Planning Schemes that contravene the land-use allocations established in Decree N° 205 of 2000 for the Panama Bay wetlands and to amend MIVIOT Resolution N° 4 of 20 January 2009, in order to establish technical environmental criteria for decision making;
3. URGES the competent authorities of the Republic of Panama to adopt a comprehensive approach to the environmental governance of wetland areas, applying ecosystem-based adaptation, and to restore the ecological features of the ecosystems affected by infrastructure projects, in order to achieve wise use and maintain the goods and services that these ecosystems offer as a site of hemispheric importance where millions of migratory birds can stop to feed and rest, taking steps to reduce the danger of environmental disasters that threaten the safety of coastal communities and the lives of local inhabitants;
4. ENCOURAGES regional cooperation agencies, funding institutions and the private sector to allocate technical and financial resources for the ecological restoration of the affected wetlands in Panama Bay; and urges them to act consistently in their interventions in order to guarantee that measures for adaptation to climate change are adjusted and adopted; and
5. REQUESTS the Director General of IUCN, in cooperation with IUCN's World Commission on Protected Areas (WCPA) and the Commission on Environmental Law (CEL) and the IUCN Environmental Law Centre, to assess the situation and issue a technical recommendation addressed to the Government of Panama, establishing the priorities for actions regarding the conservation of the Panama Bay wetlands within the framework of the principle of non-regression, given the suspension of the 'Panama Bay Wetland' protected area declaration, the modification of the regulations for the protection of mangrove ecosystems, and the impact on other wetlands; and to inform IUCN Members as soon as possible about progress on this issue.

State and agency Members of the United States abstained during the vote on this Motion for reasons given in the US General Statement on the IUCN Resolutions Process.