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THE RAMSAR CONVENTION ON WETLANDS OF INTERNATIONAL IMPORTANCE ESPECIALLY AS WATERFOWL HABITAT

Introduction

Wetlands—considered wastelands by many—are among the world's most productive environments. They are of tremendous economic, social and cultural importance to humankind.

Wetlands and their waters provide people and wildlife with food, birds with migration paths, feeding and nesting areas, and fish with nursery grounds. By storing vital nutrients, wetlands support large communities of shellfish, and act as natural water purifiers by sifting and filtering water debris and pollutants. One-quarter of the world's protein comes from fish, most of which breed in wetlands. Tens of thousands of families depend on these fisheries for their livelihood. Wetlands also are popular recreational sites and major tourist attractions; they are of great value from an aesthetic point of view and as landscapes.

Yet wetlands are also among the world's most threatened habitats. At least half of them may have been already lost, and most of that destruction has taken place in this century, largely due to dam construction, agricultural draining schemes, land reclamation, overexploitation of wetland species, and agricultural and industrial pollution.

These harmful activities sometimes take place at considerable distances from the wetlands and, in many cases, beyond national borders. Wetlands are very sensitive to transboundary air and water pollution, and many extend over more than one state. Further, many wetland fauna are migratory species whose conservation and management require international cooperation.

Towards a Convention on Wetlands

The need for an international mechanism to protect wetlands was recognized decades ago. The process leading up to the Ramsar Convention was mostly the result of the activities a handful of NGOs, led by the International Union for the Conservation of Nature and Natural Resources (IUCN), now called the World Conservation Union. Another smaller but very active partner was the International Waterfowl Research Bureau (IWRB), now the International Waterfowl and Wetlands Research Bureau, located in the UK.

In the United States, efforts to promote the protection of marshes were made as early as the 1930s. In Europe, the movement to raise public awareness on wetlands issues began later, during the 1960s. In 1962, IUCN launched a project to conserve and manage wetlands, the MAR Project, which drew up a list of wetlands of international importance as a foundation for an international convention on wetlands.

IWRB convened the first European Meeting on Wildfowl Conservation in St. Andrews (UK) in October 1963, and in 1965 circulated the first draft of a convention to 35 countries. The draft called for the protection of wetlands habitats rather than species and gave priority to the MAR list of wetlands. In May 1966, the second European Meeting on Wildfowl Conservation took place at Noordwijk an Zee (Netherlands), with 23 countries represented, including the Soviet Union; at the meeting, the Dutch government was asked to prepare a new draft.

The first Dutch draft of a wetlands convention was circulated in October 1967, and a second was completed in December 1969, incorporating elements of proposed texts by IWRB and the Soviet Union. A technical meeting organized by IWRB at Espoo (Finland) in March 1970 examined the articles in detail and asked IWRB to produce a final draft. This was done at IWRB's board meeting in Knokke (Belgium) in September 1970.

The Convention on Wetlands of International Importance, especially as Waterfowl Habitat, was adopted on 2 February 1971 at the intergovernmental conference held in Ramsar (Iran) and attended by 18 countries, several intergovernmental organizations and a number of NGOs. The convention entered into force in 1975, four months after ratification by Greece, its seventh contracting party. It is popularly known as the Ramsar Convention.

The Convention

The convention's broad objectives are to ensure the conservation of wetlands, resources of great economic, cultural, scientific and recreation value, which are very important for ecological processes as well as for their rich flora and fauna (Preamble). The convention provides a framework for international cooperation on wetlands conservation. Under the convention, governments have the tools

with which to stem human encroachment on wetlands and protect wetlands both now and in the future.

The convention has an extremely broad definition of wetlands. They are “areas of marsh, fen, peatland, or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish, or salt, including areas of marine water, the depth of which at low tide does not exceed six meters.” For the purposes of the convention, wetlands may include adjacent riparian and coastal zones, as well as islands or bodies of marine water deeper than six meters at low tide which lie within the wetlands, especially when these are important as waterfowl habitat. This significantly expands the scope of the convention, especially since waterfowl are widely defined for the purpose of the convention as “birds ecologically dependent on wetlands.” Accordingly, the convention covers a wide range of biotopes including rivers, lakes, marshes, coastal areas, and even coral reefs. The convention does not specifically address pollution issues, only conservation and management of wetlands. In practice, however, pollution issues may be addressed when drawing up particular management programmes.

Obligations

Contracting parties accept a number of general obligations under the convention, as well as specific obligations towards those wetlands designated for inclusion on the List of Wetlands of International Importance. States have a general obligation to consider wetland conservation in their national land use planning and to promote the wise use of wetlands in their territory. They must also promote the conservation of wetlands and waterfowl within their borders by establishing nature reserves and providing adequately for their wardening.

A specific obligation is the designation of wetlands for inclusion in a List of Wetlands of International Importance. Each contracting party must designate at least one site upon joining the convention. This selection must be based on international significance in terms of ecology, botany, zoology, limnology or hydrology. Wetlands of international importance to waterfowl at any season should be included. A new set of criteria on wetlands important for fish and fisheries will be considered at the next Conference of the Contracting Parties (COCP). Parties accept a number of other obligations under the convention, including informing other parties when adding or deleting wetlands from the List, exchanging research data and publications on wetlands, increasing waterfowl populations through management, promoting personnel training, consulting with one another when implementing measures affecting shared wetlands, and coordination and mutual support of wetland conservation measures.

Structure

The supreme governing body of the convention as amended at the Regina Conference (*see below*) is the Conference of the Contracting Parties. It meets in ordinary session every three years to discuss implementation of the conven-

tion and management of the List; make recommendations to parties on the conservation, management and wise use of wetlands; request reports from international bodies on international matters affecting wetlands; and adopt the programme and budget. It may hold extraordinary meetings to amend the convention.

The secretariat, or Ramsar Bureau, is located in Gland (Switzerland) and is responsible for implementing the programmes and the decisions taken by the COCP and the Standing Committee. The bureau is an independent body made up of a team of experts and administrators and is hosted by IUCN. The instruments of the convention are deposited with the United Nations Educational, Scientific and Cultural Organization (UNESCO).

Implementation of the Convention

The convention was the first of the modern global nature treaties, and it suffered from drafting deficiencies which long prevented it from functioning properly, especially in terms of its administrative provisions. Originally, the COCP was only an advisory body, which meant that it could not take decisions; no financial mechanism was provided; and the convention could not evolve since it had no amendment procedure. Once the convention entered into force, parties launched a lengthy process to amend the convention. At the same time, they began implementing the convention.

COCP-1

The first meeting of the COCP took place in Cagliari (Italy) in November 1980, a full five years after the convention came into force. This delay was due to the lack of an active secretariat and to uncertainties among the parties about how to apply the convention. IUCN prepared a legal review of the convention which recommended making certain adjustments, but since the convention had no amendment procedure, another amending treaty in the form of a protocol would have to be adopted. The IUCN recommendations included organizing periodic ordinary and extraordinary meetings of the COCP and adopting rules of procedure, including a provision for the attendance of observers, especially NGOs, at meetings of the COCP; establishing the authority of the COCP to adopt financial provisions and a procedure for dispute settlement; adding an appendix to the convention with criteria for the selection of wetlands of international importance; giving the authority to the COCP to create subsidiary bodies; and setting up a permanent secretariat.

The depositary of the convention, UNESCO, hosted an extraordinary COCP in Paris in December 1982 to adopt a protocol for an amendment procedure and authentic language versions of the convention in addition to the sole English version. The protocol, known as the Paris consensus or protocol, entered into force on 1 October 1986 upon ratification by two-thirds of the contracting parties.

COCP-2

The second COCP met in Groningen (Netherlands) in May 1984. It set up a task force to examine the amendment pro-

posals submitted by IUCN and to consider setting up a permanent administrative, scientific and technical support structure for the convention.

The task force met in The Hague in May 1985. It presented essential amendments on institutional and financial matters, leaving aside other issues such as criteria for the selection of sites, which would be dealt with later by the COCP. The task force also recommended that secretariat functions be fulfilled by a joint IUCN/IWRB bureau.

COCP-3

Shortly after the entry into force of the Paris Protocol in October 1986, an extraordinary meeting of the COCP was held on the occasion of the third COCP in Regina (Canada). The meeting dealt with the amending side of the conference's work. The extraordinary conference adopted the amendments recognizing the COCP as the decision making authority of the convention, to oversee and promote its implementation, and the establishment of a financial regime for the convention and its secretariat. The ordinary Regina meeting of the COCP adopted a resolution to implement the amendments on a provisional basis until their entry into force. Accordingly, the COCP set out to establish a financial regime for the convention, including a scale of national contributions based on that of the United Nations; it set up an independent convention bureau at IUCN and IWRB; it created the Standing Committee of representatives from regions worldwide to carry out the functions of the COCP between meetings and to supervise the work of the bureau; and it adopted the rules of procedure and several conservation measures, including criteria for the selection of wetlands of international importance, and procedures and standards for wetland conservation. Contracting parties in turn applied the decisions of the Regina conference, notably by paying their contributions to the convention's budget.

On the basis of field studies, the Regina conference also adopted guidelines to define and implement the wise use concept contained in the convention. These guidelines call on contracting parties to adopt national wetland policies, review their existing legislation, and develop programmes of wetlands inventory and management, which include public awareness campaigns.

COCP-4

The fourth meeting of the COCP was held in Montreux (Switzerland) in June-July 1990. Still applying the Regina amendments on a provisional basis, the COCP adopted a programme and budget and decided to merge the independent bureau into one office located at IUCN; to expand the Standing Committee; to launch the Wetland Conservation Fund; to establish the Monitoring Procedure and Montreux Record; to add Spanish to English and French as working languages of the conference, and, again, to adopt a wide variety of conservation measures.

The Monitoring Procedure was designed to help contracting parties promote conservation and wise use of their

wetland sites. It allows parties to take swift and effective action to prevent any further degradation of sites and to restore the value of damaged sites. As soon as the bureau is informed of an actual or likely change to the ecology of a wetland on the List by a party fulfilling its obligations, it can launch a review process leading to improved management measures or cooperation with parties concerned or funding from international sources. Development of the Monitoring Procedure was warmly welcomed by contracting parties and NGOs, both of which provided funds.

The Montreux conference further developed the guidelines on wise use as well as an action plan to help states implement the principles of "sustainable utilization of wetlands for the benefit of humankind in a way compatible with the maintenance of the natural properties of the ecosystem." The resulting framework for implementation of the convention underlined the obligations of member states, the responsibilities of the Standing Committee, and the tasks of the bureau. The bureau's priorities would be to develop the wise use concept; promote conservation activities in sites featured on the List through the Monitoring Procedure; set up a full, coherent innovative database on wetlands included in the List; and establish contacts to make development aid organizations aware of the need for conservation of wetlands in order to avoid development programmes harmful to wetland conservation. The bureau was also set up to encourage the parties to work together and to disseminate documents and promotional materials in response to growing demand.

The bureau also established a register, known as the Montreux Record, of Ramsar sites where change in ecological character was taking place, could take place or had already taken place, and was urged to apply the Monitoring Procedure at those sites first.

Also of great importance was the creation of the Wetland Conservation Fund to provide developing countries with the means to conserve and manage their wetlands. The fund provides small grants for activities to improve the management of Ramsar sites, designate sites for the List, promote wise use of resources, and conduct regional and promotional activities. The fund helps finance emergency measures for sites which are in imminent danger or which have been damaged. Developing countries which are not yet contracting parties but want to join the convention may also obtain financial support to prepare their application for accession. Applications to the fund must be submitted by the member states' competent national authorities. They are reviewed by the Standing Committee, which decides whether to allocate the funds. The fund is mostly financed by voluntary contributions from parties or interested organizations.

In 1990, the Ramsar database was set up to maintain an efficient and up-to-date system for storage, retrieval and analysis of data on wetlands listed under the convention. The database is operated at Slimbridge (UK) by IWRB. It enables the bureau to maintain the List, respond more

rapidly to reports of changes in ecological character at listed sites, and provide information on wetland conservation to countries and organizations.

COCP-5

The fifth meeting of the parties, held in June 1993 at Kushiro (Japan), was the largest-ever Ramsar meeting, with over 1200 participants from 100 countries. The meeting adopted a new programme and budget and numerous conservation measures, and established the Scientific and Technical Review Panel, which had already been suggested by the Cagliari conference.

The administrative and financial arrangements for the Ramsar Convention are now soundly established. They include the Conference of the Contracting Parties, a Standing Committee, the Scientific and Technical Review Panel and the Ramsar Bureau.

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List of Wetlands of International Importance

The List of Wetlands of International Importance has been and remains a major feature of the convention and of international action to implement its provisions.

Not all sites are suitable for listing as wetlands of international importance. Numerous criteria have been developed to identify sites for the Ramsar List. Some concern waterfowl specifically, such as the criterion which considers a wetland as internationally important if it regularly supports 1% of the individuals in a population of a species or subspecies of waterfowl; but other plant and animal species are also accounted for and recently, work has been progressing on criteria explicitly concerning fish and fisheries.

Other criteria indicate that a site should be considered internationally important if it is an example of a natural or near-natural wetland; is characteristic of a region (e.g., prairie potholes in North America); plays a substantial role in the natural functioning of a major basin or coastal system, especially across national boundaries (e.g., the Danube Delta); supports an appreciable variety of rare or endangered species of plants or animals (e.g., Hosnie's

Spring in Australia); or is of special value for maintaining a region's genetic and ecological diversity.

As of October 1994, contracting parties had designated 679 wetlands of international importance, covering nearly 44 million hectares. Under the convention, each contracting party is free to decide on the appropriate legal status or protection measures for its wetlands; parties have adopted a variety of approaches to this matter.

NGO Participation

Several NGOs including IUCN, WWF, IWRB and BirdLife International (then known as ICBP) played a significant role in creating the Ramsar Convention. They have continued to make important technical, promotional and financial contributions to the implementation of the convention and to the support of the Ramsar Bureau. NGOs have participated actively in the convention's conferences and programmes. The importance of their role has officially been acknowledged in two recommendations adopted by the Kushiro COCP in June 1993. These recognize that national environmental NGOs can be influential movements in society and that through their expertise they can play an active role in the promotion of wise use, management and conservation of wetlands; and, that in some countries environmental NGOs require further strengthening and development. The COCP recommended that contracting parties provide strong support and pay particular attention to national and international NGOs working for conservation and wise use of wetlands.

Follow-up

The next annual meeting of the Standing Committee will be held in September 1995 in Australia. The Scientific and Technical Review Panel will meet from 6-8 September 1995. The next meeting of the Conference of the Contracting Parties is scheduled for Brisbane (Australia) in 1996.

FURTHER READING

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