

# The Intersection of Wetland Law, Policy, and Science Through the Ramsar Convention



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# 25<sup>th</sup> Anniversary of Ramsar - 1996

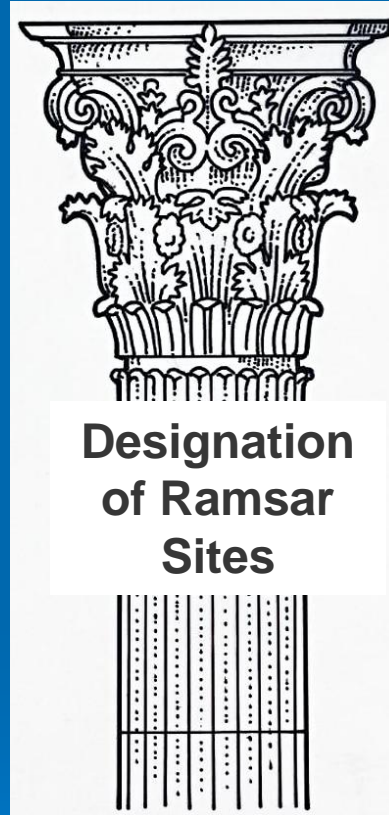
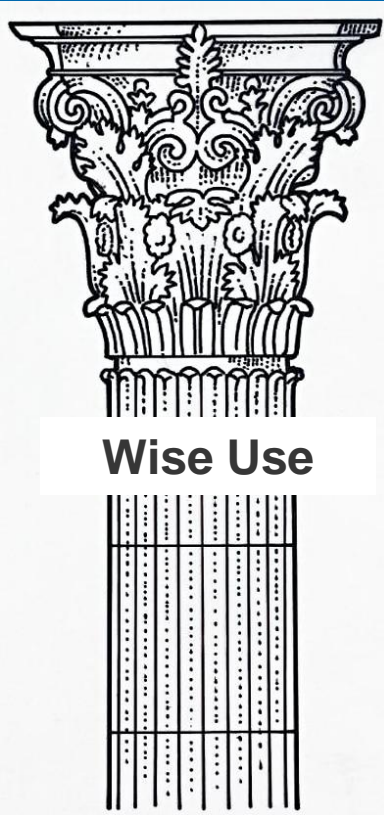
“The Ramsar Convention accomplishes its goals through the novel power of recognition and cooperation. This is not an agreement that establishes international regulatory regimes or national mandates on signatory countries. Instead, Ramsar is a framework for action and a necessary encouragement for member states to create their own management plans for the most important wetlands.”

*- Timothy Wirth, Undersecretary of  
State for Global Affairs*

# Outline

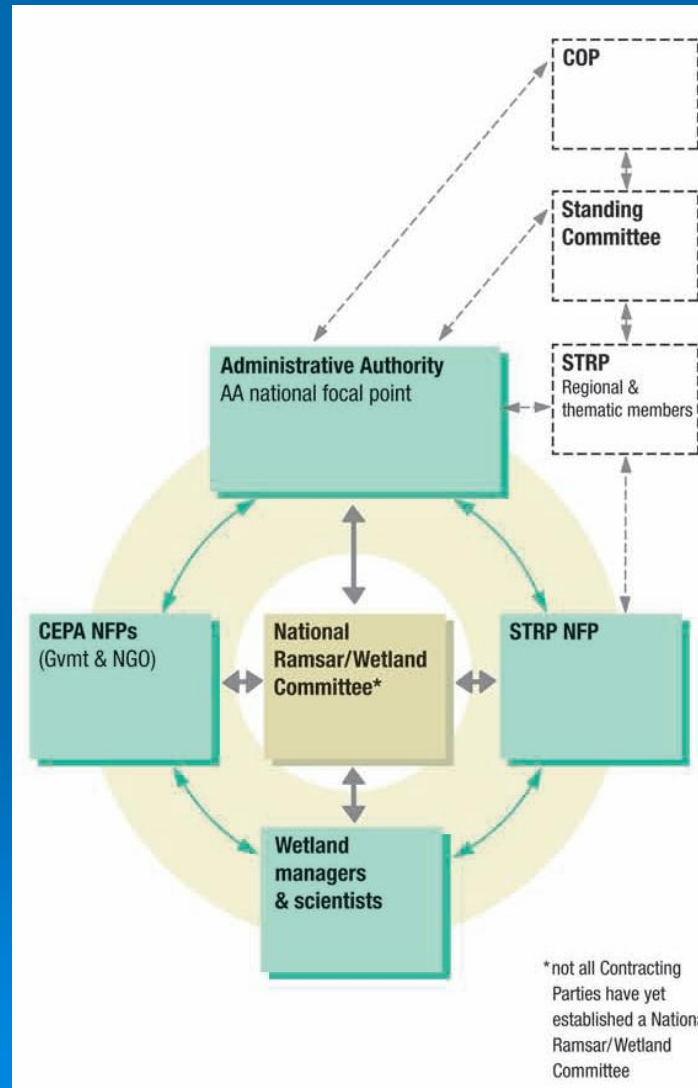
1. Primary Ramsar obligations
2. Influence of Ramsar on domestic law and policy
3. Influence of domestic law and policy on Ramsar
4. Legal significance of COP resolutions
5. Ramsar in the International Court of Justice

# Primary Ramsar obligations: The three pillars of Ramsar



*Pacta sunt servanda* is a fundamental principle of international law.

# Delivering the Ramsar Convention



# Examples of the implementation of the wise use concept in domestic law

- U.S.: Clean Water Act Wetlands Reserve Program
- Bahamas: National Wetlands Policy
- Trinidad & Tobago: National Wetlands Policy and Programmes
- Canada: Federal Wetlands Policy

# Designation of Ramsar Sites

- After designation, a party must promote the conservation of its Ramsar site (Article 3.1) and report any ecological change to the Ramsar Secretariat (Article 3.2)
- The duty to promote the conservation of Ramsar sites applies to all parties (Article 3.1)

# The influence of domestic law and policy on Ramsar

- Draft Resolution: An Integrated Framework for avoiding, mitigating, and compensating for wetland losses
- Briefing Note: Avoiding, mitigating, and compensating for loss and degradation of wetlands in national laws and policies





# RAMSAR

CHANGWON 2008

28 October - 4 November 2008









The famous "Climate Change and Wetlands" draft Resolution, which made it to Revision 3 and then, as time was running out, had to go directly up on the screens



**An ad hoc drafting group on climate change huddling in the lobby with a very tight deadline**

# The legal significance of COP resolutions



- Resolution VIII-9 on environmental impact assessments
- Netherlands: COP resolutions are “considered part of the national obligations under the Convention”

# The legal significance of COP resolutions



# Ramsar in the International Court of Justice





# Thank you for your attention!

