

# International conventions for conservation

## How successful are they?

Prof. Dr. Shamita Kumar

Bharati Vidyapeeth University, Pune, INDIA

Guest Professor, University of Cologne, GERMANY



# We have five major biodiversity conventions...

- The Convention of Wetlands of International Importance especially waterfowl habitat of 1971 (**Ramsar Convention**)
- The UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage of 1972 (**World Heritage Convention**)
- The Convention of International Trade in Endangered Species of Wild Fauna and Flora of 1973 (**CITES**)



# We have five major biodiversity conventions...

- The Convention on the Conservation of Migratory Species of Wild Animals of 1979 (CMS)
- The Convention of Biological Diversity of 1992 (CBD)



- Have these conventions been successful?
- How would you measure their effectiveness?



# Let's look at the development of biodiversity related international law..

**1940 – 1970 (Early period)**

**1970 – 1990 (Era of change) Why??**

**1990-Present (Coming of age)**



# Why does biodiversity loss continue??

- Are these conventions effective?
- How can we measure effectiveness?



# How to measure effectiveness?

- How many Parties signed?
- Is there an Institutional Framework?
- Who are the stakeholders involved? Does the Convention facilitate active collaboration?
- Are there clear objectives?
- What about implementation?
- What incentives are offered?
- Reservations, exceptions
- Monitoring mechanisms
- CEPA initiatives?
- Enforcement mechanisms



# The Ramsar Convention



- The Convention on Wetlands of International Importance Especially as Waterfowl Habitats
- Treaty was adopted in the Iranian city of Ramsar in 1971 and came into force in 1975
- First global agreement for conservation of a certain type of ecosystem ie. Wetlands
- Provides a framework for national action and international cooperation for the conservation and wise use of wetlands and their resources.



# The Ramsar Convention



- Wetlands have been defined in Article 1 of the convention as:  
'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 metres'.

<http://www.ramsar.org>



# The Ramsar Convention

## Values of Wetlands



- Flood Control and shoreline protection
- Ground water replenishment
- Sediment and nutrient retention and export
- Water purification
- Biodiversity reservoirs
- Wetland products
- Recreation
- Cultural values



# The Ramsar Convention

## Pillars..



- Wise use of wetlands
- List of Wetlands of International Importance
- International cooperation for transboundary wetlands

<http://www.ramsar.org>



# The Ramsar Convention



## Criteria for recognition as Ramsar sites

- If it contains rare /unique example of representative wetland type
- Supports vulnerable, endangered, critically endangered species
- Contains key stone species
- Supports plant/animal species at critical stages in their life cycles
- Supports 20,000 or more waterbirds

<http://www.ramsar.org>



# The Ramsar Convention



## Criteria for recognition as Ramsar sites

- Supports 1% of the population of a species
- Supports 1% of the population of a non-avian species
- Contains significant of indigenous fish species and sub species
- If it is spawning ground, migration path, nursery



# The Ramsar Convention

## Status in 2014



- 169 Contracting Parties
- 2243 Ramsar Sites
- 216,001,462 ha. covered by this Convention



# The Ramsar Convention



## 1. Key concepts

- 7 parties in 1971 to 25 Parties in 1980 to 51 Parties in 1990 to 168 Parties in 2012
- Administratively has the Conference of Parties (COP), the Standing Committee, the Secretariat, and the Scientific and Technical Committee (SRTP)
- Not part of the UN system of environmental treaties



# The Ramsar Convention



## 2. Key concepts

- COP-principal decision making organ but was consultative in nature .....removed later
- Paris Protocol and Regina Amendments - not been ratified by many Parties
- COP now meets every three years
- Standing Committee manages affairs of the Convention...established later
- Secretariat –IUCN
- STRP set up in 1993



# The Ramsar Convention



## 3. Key concepts

- Strong linkages to environmental NGOs..still remains.. as compared to other conventions
- Linkages with scientists, corporates – Danone, Evian, Star Alliance
- Good working relationships (with varying degrees)with Secretariats of CBD, CMS, WHC, CITIES.



# The Ramsar Convention



## 4. Key concepts

- Main objectives of the Convention have not been clearly defined.
- Terms such as 'wise use' , 'sustainable utilisation' and 'ecological character' was made clear in successive COPs.
- No timetable in place to meet the objectives.
- Ramsar Information Sheet (RIS) developed in 1990 – but no comprehensive list of potential Ramsar Sites yet.



# The Ramsar Convention



## 4. Key concepts

- No need to be a Protected Area or designated as one afterwards and also no protection is conferred (?)
- Strategic Plans 1997-2002 and 2003-2008, 2009-2015 developed
- No clear definition of the term 'conservation'



# The Ramsar Convention

## 5. Key concepts



- How is implementation monitored?
  - National Reports
  - RIS
  - Site visits
- What has been the status of implementation?
  - Number of Ramsar Sites is much below the expected number in 2010 (2500 RS expected)
  - Wetland Policy developed in only 41% of the States
  - National Reports are sometimes unreliable



# The Ramsar Convention



## 6. Key concepts

- 'Urgent National interest' can result in changed boundaries
  - Mühlenberger Loch in Germany –Europe's largest freshwater tidal mudflats)
  - (Ramsar Site, Special Protection Area under EU Wild Birds Directive, Site of Community Importance under the EU Habitats Directive)
- Hamburg Senate in 1997 decided to fill 170 ha of its 675 ha to enable Airbus industries to expand their existing production site



# The Ramsar Convention



## 7. Key concepts

- Baseline database in forms of RIS missing
- However several programs in collaborations with international organisations.



# The Ramsar Convention

## 8. Key concepts



- Offers several incentives
  - Financial (SGF) but  
.....1991-1993 only 113 projects received funding  
while in 2009 no funding for 29 approved projects)
  - International assistance (capacity building)
  - Information
  - No marketing support



# The Ramsar Convention



## 9. Key concepts

- Have Parties enacted National laws, regulations??
  - India (26) and Germany (34) ...contrast??

Eg: Preservation of the Ramsar site Salt Lake Swamp in Calcutta. The court noted that 'India is a contracting party to the Ramsar Convention...under which it is obliged to promote the conservation of wetlands habitat in its territory'.

- No provision for settlement of disputes.

(ELAW, 2009)



# What conclusions can be drawn in terms of its effectiveness??



- Built signatories over the years (7-159)
- Close relationship with NGOs and other organisations, private sector
- No deletions of Ramsar Sites so far.



# What conclusions can be drawn in terms of its effectiveness??



- Convention only provided for COP and Secretariat with Standing Committee and STRP being added later
- Deficiency of funds at the Secretariat
- Not part of UN system –disadvantage??
- No list of potential sites
- Parties do not monitor regularly
- CEPA set up but implementation poor
- No financial incentives
- No compliance mechanisms



# World Heritage Convention



- UNESCO Convention on Protection of the World Cultural and Natural Heritage
- Initiated by UNESCO
- Do you know any World Heritage Site??



# World Heritage Convention



- Came into force in 1975
- 190 Parties
- 1052 sites -814 cultural, 203 natural and 35 mixed properties, 34 transboundary
- WH sites must have outstanding universal value...



# World Heritage Convention

## How is a site selected?



- Contain superlative **natural phenomena** /exceptional natural beauty
- Outstanding examples representing **major stages of earth's history,**
- Outstanding examples representing significant on-going **ecological and biological processes in the evolution**
- Contain the most important and significant **natural habitats** for in-situ conservation of biological diversity



# World Heritage Convention

## How is a site selected?



- IUCN makes a site visit to evaluate the nominated site
- States need to take effective and active measures to protection and conservation
- Nomination is evaluated and then decided on
- Listed sites become 'World Heritage Properties'



# World Heritage Convention

## 1. Key Concepts



- Impressive number of Parties including key States



# World Heritage Convention

## 2. Key Concepts



- Well organised institutional framework
  - General Assembly of Parties
  - World Heritage Committee (21 members, 6 year term)
  - Secretariat
  - IUCN
  - Sufficient funds available



# World Heritage Convention

## 3. Key Concepts



- Strong links to
  - UNESCO /IUCN
  - NGOS
  - Corporates (no-go policy )
  - Scientists
  - Other Conventions (??)



# World Heritage Convention

## 4. Key Concepts



- Main objectives clearly stated in the preamble-5Cs
- Role of the States is clearly elucidated
- Exhaustive documentation needed to get on the list
  - Identification of the property
  - Description
  - Justification
  - State of conservation and factors affecting
  - Protection and management
  - Monitoring
  - Documentation
  - Contact information/signature
- **Delisting is possible.....**







Dresden Ebe Valley, Germany



# World Heritage Convention

## 5. Key Concepts



- Monitoring done through 6 year reports
- Unique initiative is global collaboration for monitoring through use of satellite images



# World Heritage Convention

## 6. Key Concepts



- Good CEPA strategy
- However missing at the State level



# World Heritage Convention

## 7. Key Concepts

- Several incentives provided to States
  - Powerful marketing incentive



# World Heritage Convention

## 8. Key Concepts

- Compliance is weak..but delisting is a powerful tool



# What do you think...??

- What makes a convention click?
- Can they become powerful legal tools for conservation of biodiversity?



Thank you..

