Additional Guidance for the Implementation of the Wise Use Concept

07/10/1996

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Note: The "wise use" principle inscribed in Article 3.1 of the Convention in 1971, and its definition and application by the Conference of the Contracting Parties, have been established and have evolved completely independently from the so-called "wise use movement" that has emerged in recent years in North America. The use of the same term does not necessarily indicate that there is a commonality of understanding and/or purpose.

INTRODUCTION

Article 3.1 of the 1971 Ramsar Convention provides that the Contracting Parties "shall formulate and implement their planning so as to promote the conservation of the wetlands included in the List and, as far as possible the wise use of wetlands in their territory".

In the early years of the Convention, the wise use provision proved to be difficult to apply. Most attention was focused upon the designation of sites onto the Ramsar List in line with global priorities to secure the conservation of internationally important areas. Over time, as the essential need to integrate conservation and development has become recognized throughout the world, the Contracting Parties to the Ramsar Convention have made wise use a central theme for the functioning of the Convention. The wise use concept was defined at the 3rd Meeting of the Conference of the Contracting Parties held in Regina, Canada, in 1987 (Recommendation 3.3), as "the sustainable utilization of wetlands for benefit of humankind in a way compatible with the maintenance of the natural properties of the ecosystem".

The 3rd Meeting of the Conference of the Contracting Parties also decided to establish a Working Group on Criteria and Wise Use (Recommendation 3.1), charged *inter alia* with the development of draft guidelines for the implementation of the wise use concept. These guidelines were adopted by the 4th Meeting of the Conference of the Contracting Parties at Montreux, Switzerland, in 1990 (Recommendation 4.10).

In addition to adopting the guidelines, the Contracting Parties requested the Wise Use Working Group to undertake additional tasks including "fostering further development and refinement of the guidelines to apply to a diversity of wetland types, regions, resources and uses ...".

In 1990, the Ramsar Convention Bureau initiated the coordination of a three-year project on the wise use of wetlands funded by the Government of the Netherlands. The Wise Use Working Group was also requested by the Montreux meeting to oversee the implementation of this project, which comprises a series of case studies demonstrating applications of the wise use concept in different ecological and socio-economic situations throughout the world.

Several basic conclusions can be drawn from the case studies considered under this project:

1) Social and economic factors are the main reasons for wetland loss and therefore need to be of central concern in wise use programmes.

2) Special attention needs to be given to the local populations who will be the first to benefit from improved management of wetland sites. The values that indigenous people can bring to all aspects of wise use need special recognition.

3) Although one agency may be responsible for coordinating national action to conserve wetlands, other public and private institutions have expertise which is of importance for effective long-term wetland management. Wise use programmes should seek to involve and, where appropriate, work through these partners.

4) Specific site projects may often demonstrate the need for more general institutional requirements for the wise use of wetlands.

5) Where wetlands form an integral part of a wider coastal zone or catchment, wise use must also take into account the problems of the surrounding coastal zone or catchment.

6) While comprehensive understanding of the ecological constraints of a wetland system should be sought, activities affecting wetlands need to be governed by the "**precautionary principle**" when such knowledge is not available. In other words, if the impact of specific actions is not clearly understood, then these actions should be prohibited even if there is insufficient evidence to prove a direct link between the activities and resulting wetland degradation.

In view of the lessons learned from the case studies and further analysis by the Wise Use Working Group, additional guidance is proposed to the Contracting Parties to the Ramsar Convention for the application of the wise use provision of the Convention. This guidance must be applied in the light of other national and international obligations for nature conservation, including the conservation of biodiversity, climate change and pollution control measures, as adopted by the UN Conference on Environment and Development (UNCED, Rio, 1992) and in other international fora.

The 1992 Convention on Biological Diversity is of special relevance for the conservation and wise use of wetlands, and the preparation of national biodiversity strategies, action plans and programmes as required under the Convention on Biological Diversity may provide good opportunities to include wetland conservation and wise use on a wider scale.

The following points of guidance address the main elements for the application of the wise use concept. They are meant to amplify the Wise Use Guidelines by providing further assistance to those officials responsible for the application of the Ramsar Convention. As the wise use concept is central to all aspects of the convention, this guidance is also relevant for action to be taken under several of the obligations of the convention, including international cooperation, reserve creation and the conservation of listed sites.

The Scientific and Technical Review Panel established at Kushiro by Resolution RES. C.5.5 has among its tasks "evaluation of the application of the Additional guidance on wise use".

I. ESTABLISHMENT OF NATIONAL WETLAND POLICIES

I.1 Institutional and organizational arrangements

1) The main message given by the Wise Use Guidelines is that the wise use of wetlands requires a coordinated approach on a national scale; this necessitates planning, which can be in the framework of wetland policies, conservation policies or policies with a broader scope (environment, application of water laws, or resource planning); institutional and administrative arrangements should be made.

Obstacles to the development of national wetland policies may however include:

- a lack of institutional mechanisms designed to encourage the involvement of both public and private sectors of the society, at regional or local level as well as at national level;
- insufficient coordination among public agencies;
- policies that discourage conservation and wise use objectives;
- inadequate policy research programmes; and
- lack of cooperative arrangements with neighbouring countries for joint management of shared wetlands or wetland species.

2) There are many different ways in which countries may attempt to overcome these obstacles.

A few examples can be given:

- At international level, countries may wish to establish cross-boundary water commissions or other coordinating boards to avoid action in one country adversely affecting wetlands in another country and to guarantee that water quality and quantity are maintained in such a way as to preserve the functional values of wetlands. In addition, countries that are range states for migratory species dependent on wetlands may wish to establish coordinated conservation programmes for those species and set common guidelines on development aid in the field of conservation and wise use of wetlands.

- At national level, countries might create inter-ministerial boards or commissions, national wetland committees or other bodies to oversee coordination and cooperation for wetland management. These bodies should include a wide representation (based on a catchment approach) from the authorities with responsibility for wetlands and might include government agencies dealing with environment, nature conservation, agriculture, forestry, aquaculture, hunting, fishing, shipping, tourism, mining, industry, health, development assistance, and other relevant subjects; they should also include interested governmental and non-governmental conservation organizations.

- At local level, countries might establish procedures to guarantee that local populations are involved in the decision-making process related to wetland use and to provide

local populations with sufficient knowledge of planned activities to assure their meaningful participation in this decision-making process.

There should be established working groups or advisory boards representing users, NGOs and local authorities.

I.2 Policy/Legislation and other appropriate measures

Governments can use several instruments to promote policy such as legislative tools; five different mechanisms are necessary in order to implement wise use in practice:

1) Periodical review of existing legislation to ensure that it is generally compatible with the wise use obligation, and make adjustments if necessary; this applies to particular legislation regarding mandatory wetland destruction or to that which encourages such destruction through tax benefits and subsidies.

2) General wise use legislation for wetlands should consider the following:

- inclusion of wetlands in the zones of land-use plans which enjoy the highest degree of protection;

- institution of a permit system for activities affecting wetlands. This should include a threshold under which a permit would not be required, as well as a general exemption for activities which, because of their nature, are deemed to be compatible with any performance obligation;

- execution of an environmental impact assessment in order to determine if a proposed project is compatible with the general requirements of wise use and the maintenance of the ecological character of the wetlands concerned. Special rules relating to the contents of an environmental impact assessment will be needed in order to ensure that no important factor specifically related to wetlands is overlooked. The cumulative effects of separate projects should also be taken into consideration.

Environmental impact assessments should also be prepared not only for activities and projects in the wetlands concerned but also for activities outside these areas when they may have significant effect on wetlands. Environmental impact assessments should also cover the long-term effects of proposed activities, projects, plans and programmes as well as interactions between all components of the water system at the catchment level.

- monitoring of the effects of authorized actions and carrying out unbiased environmental audits of these actions when they have been completed;

- institution of a system of management agreements between relevant government agencies, landowners and landusers to provide for positive management measures by the latter when this is required for the maintenance of the ecosystem;

- provision of financial incentives including taxes and subsidies to encourage activities which are compatible with the maintenance of wetlands, and which promote and

contribute to their conservation. Financial tax incentives should not permit activities which have detrimental effects upon wetlands;

- obligation to refrain from introducing invasive alien species, and to take preventive measures to minimize the risk of accidental introductions; existing guidelines for these purposes need to be taken into consideration;

- obligation to make all appropriate efforts to eradicate introduced and translocated species which may cause significant ecological disturbances in water systems and, in addition, provide for the possibility of claiming civil damages from those responsible for unlawful introductions; and

- right of appeal by private organizations against governmental agency decisions which might violate obligations laid down by law.

3) Legislation for the conservation and wise use of specific wetland sites (e.g., Ramsar sites, ecologically sensitive areas, areas with a high degree of biodiversity, sites containing endemic species, wetland nature reserves).

Such legislation will generally apply to large wetland areas where human activities compatible with the conservation of the ecosystem should be maintained, encouraged and developed for the benefit of local populations. This legislation will be in addition to those provisions laid down in the previous paragraph in respect of wetlands in general. It should consider the following points:

- definition of a special legal status for large wetland areas allowing for the control of any potentially damaging activity, including agriculture, forestry, tourism, fishing, hunting, aquaculture;

- division of those wetlands into different zones with particular regulations applying to each type of zone; these regulations would be defined to ensure that the carrying capacity of the area concerned is not exceeded in respect of each activity authorized;

- encouragement of traditional and other ecological and sustainable activities in these areas through incentives and advice;

- establishment of a management system in each area which should have legal support and of a management body to oversee the implementation and to ensure that regulations are observed;

- association of populations living in or close to the area with its management, through appropriate representation; scientific institutions and conservation NGOs should also be associated with management, at least in an advisory capacity;

- application of special environmental impact assessment rules to these areas in view of their particular environmental sensitivity; and

- submission of activities which may have adverse effects on the area, to environmental impact assessment or to other forms of evaluation. Such activities should only be

authorized when the evaluation has shown that no significant damage to the area will occur.

4) Review of division of jurisdiction among government agencies.

This issue, which concerns both territorial and functional matters, often constitutes a considerable obstacle to integrated management of wetlands since it needs to be based on a catchment-wide approach.

A review of legal and administrative constraints which prevent management at the correct scale (e.g. catchment-wide management) should be undertaken with a view to developing appropriate solutions to jurisdictional problems. Particular attention should be paid to the need to manage coastal wetlands as single units, irrespective of the usual division of jurisdiction between land and sea.

5) Development of cooperative arrangements for water systems shared between two or more countries to achieve wise use.

This will entail the conclusion of agreements for the conservation, management and wise use of such systems as required by Article 5 of the Convention. As relevant, elements of the present guidance should be used in the development of these agreements. Furthermore, such actions need to be pursued in coordination with or through other existing treaties such as the 1992 Helsinki Convention on the Protection and Use of Transboundary Watercourses and International Lakes, the 1979 Bonn Convention on the Conservation of Migratory Species of Wild Animals and the 1991 Espoo Convention on Environmental Impact Assessment in a Transboundary Context.

II. KNOWLEDGE OF WETLANDS AND THEIR VALUES

In order to manage wetlands, it is necessary to have adequate knowledge of their functioning. To promote and apply the wise use of wetlands, inventory, research, monitoring and training activities should be undertaken.

The values of wetlands need to be much more widely promoted in educational programmes and to the general public. Special attention should be devoted to targeting audiences by taking geographical, economic, and political considerations into account. Different mechanisms should be used to approach each target audience. Some countries have had considerable experience in the application of the wise use concept. Important sources of information are the case studies on wise use published by the Ramsar Convention Bureau. The Bureau, with the assistance of its partners, could be used as a focal point for information pertaining to wise use implementation.

II.1 Inventory

Inventories can produce information in the form of maps, check-lists, regional analyses, narratives of ecological or cultural resources. However, they need not be elaborate to be

useful. The goals of an inventory may vary so that defining goals will help to determine the methods and extent of each inventory.

1) Some goals for an inventory may include:

- identification of resources (ecological, cultural and traditional);
- determination of these resources in geographic or socio-economic context;
- identification of known uses of wetlands;
- identification of priorities for research (improved knowledge base), management and protection;
- identification of present and potential problems ;
- provision of a tool for future planning and monitoring.

A wetland inventory should not be seen as a final document, but rather as a continuing process. It can be a long term commitment for both collecting and updating information. Inventories may include input from various disciplines, such as ecology, limnology, hydrology, social sciences, agronomy, wildlife management, fisheries, as well as input from policy makers.

2) Possible applications of an inventory may include:

- base-line information for land-use and management planning;
- base-line for future monitoring; - information for impact assessments;
- availability of data through publication of regional, national or local inventories such as those carried out for Africa, Asia, the Neotropics and Oceania;
- provision of quantifiable data for future management application;
- tools for recognizing diminishing or threatened types of wetlands;
- drawing associations between wetland types/sizes with socio-cultural uses and needs to help develop standardized approaches for these classifications; and
- setting of priority actions whether for research, policy or management.

II.2 Monitoring

Monitoring is the process of measuring change in ecological character in any wetland over a period of time.

1) The following points should be observed in any monitoring effort:

- The need to produce objective information;
- The need to follow up any activity taking place in a wetland;
- The knowledge gained from a specific project or activity, but also from activities taking place in similar wetlands.

Monitoring can be carried out at different levels of intensity, depending on available funding and/or technology. It should be noted that monitoring does not automatically require sophisticated technology or high investment.

2) The following approaches might be used:

- Changes in wetland area or catchment utilization can be monitored by remote sensing or field observations;
- Ecological character and productivity can be monitored using available information or quantitative sampling techniques;
- Changes in social values and uses may be monitored by participatory observation.

II.3 Research

Research can be anything that expands upon basic knowledge. Particular areas that may deserve attention are both identification and quantification of wetland values, sustainability of wetland use, and landscape functioning and modification. Contracting Parties should take positive steps to acquire and, when possible, share any knowledge developed on wetland values, functions and uses.

1) Priority research actions may include:

- The development of a vocabulary of terms, understandable world-wide;
- The development of means to emphasize landscape or catchment approaches in management;
- The development of techniques for monitoring ecological change and forecasting the evolutions of wetland characteristics under the pressure of present uses;
- The improvement of the knowledge base of wetland functions and values, especially the socio-economic values of wetlands, in order to learn about the traditional management techniques of the local populations and their needs;
- The improvement of the knowledge of the scientific classification of wetlands micro-organisms, plants and animals, and the lodging of study specimens with museums or other appropriate institutions;
- The development of methodologies to evaluate sustainable practices;
- The provision of the data on which alternative/wise use technologies can be developed;
- The development of techniques for restoration of wetlands.

2) The above-mentioned research questions represent an indication of needs. In practice, it can be expected that the number of specific research questions to be addressed will increase as progress is made in natural resource programmes. Research priorities must be based on management needs.

II.4 Training

1) Attention should be devoted to four aspects of training:

- The definition of training needs
- The differing needs between regions, countries and sites

  Expertise may not always be available and some key aspects of wise use may not be covered in the existing programme. These key aspects must be considered as priorities for further training activities. Therefore, the first step in establishing a training programme should be to carry out a training needs analysis.

- The target audience

  There is a huge difference between educational and awareness programmes and professional training. Generally, it can be said that while the general public and senior policy makers should be made aware of ecological, cultural, social and economical values of wetland ecosystems, training should be provided for those who are directly involved in administering and practising wetland management. Training sessions should focus on the most up-to-date methods for implementing wise use. Such sessions need also to be organized for judicial authorities and other law enforcement officials

- The subject

  Training should furnish wetland managers and administrators with the professional knowledge needed for establishing, defending, and implementing the concept of wise use of wetlands.

2) Three broad types of training appear to be of particular relevance for wetland professionals:

- Courses on integrated management

  Training should seek to bring together specialists from different fields to generate a common understanding and a common approach to wetland management and planning;

- Courses on wetland management techniques

  Training should seek to provide the participants with the most up-to- date and effective techniques of inventory, planning, monitoring, environmental impact assessment (EIA) and restoration;

- Courses for field staff

  Wardens and rangers need to have a very basic understanding of the concept of wise use and to be able to deal with day-to-day situations such as enforcement of legislation and public awareness;

The development of training manuals and other resource materials should be an important long-term goal for any training programme.

3) Training methods and resources

Training activities and transfer of appropriate knowledge should be an integrated component of all wise use projects. Those activities should be as catalytic as possible, and seek to train potential trainers at regional level who can then pass on their expertise to lower levels, and involve the cooperation of governmental and non-governmental organizations, using local resources and institutions whenever possible.

II.5 Education and public awareness

Education and public awareness (EPA) are fundamentally different from the training required by professional staff in order to manage wetlands wisely. Education is the deeper and longer-term process of change in individuals, and their development of longer-term skills and values; awareness is an individual's state of knowledge, which often precedes and stimulates more interest, and leads to further learning and action.

The values of wetlands have not yet been communicated effectively to the public at large through EPA programmes. Most people do not know what wetlands are and, even if they do, they tend to see them as wastelands, which do not generate the public support that has been generated for tropical forests. Improving EPA for wetlands is fundamental to achieving wise use. The following activities are required:

- definition of the target audiences

  Awareness programmes should be designed for management authorities, landowners, local government officials, communities depending on wetland resources for their livehood, and the general public.

- market research

  This should identify the most appropriate techniques for increasing awareness of the values of wetlands in different regions of the world.

- EPA campaigns

  EPA will only work through a bottom-up approach. However, a great deal could be achieved through globally or nationally coordinated campaigns, which would enable sharing of materials and expertise, as well as generating the necessary momentum to raise the global profile of wetlands.

III. ACTION AT PARTICULAR WETLAND SITES

III.1 Ecological aspects

Wetland management should be an integrated process, taking into account the criteria of time and space. It needs to incorporate long term, sustainable goals. It also needs to take into account the catchment approach. As an integrated process, it needs to incorporate different uses and activities that are compatible with sustainability.

This management also needs to incorporate an inter-disciplinary approach that reflects the wide variety of human endeavours, drawing inter alia upon principles of biology, economics, policy and social sciences. In many cases, it also needs to respond to global concerns, especially as they relate to shared species, shared water systems, and to the issue of global change.

III.2 Human activities

In order to achieve wise use of wetlands, it is necessary to attain a balance that ensures the maintenance of all wetland types through activities that can range from strict protection all the way to active intervention, including restoration.

Wise use activities therefore can be varied in nature, ranging from very little or no resource exploitation, to active resource exploitation as long as it is sustainable. It must be recognized, however, that there very few wetlands are not currently being utilized by local populations in some way. Wetland management should be adapted to specific local circumstances, sensitive to local cultures and respectful of traditional uses. Management therefore is not a universal concept that can be broadly applied; rather, it needs to be adapted to suit local conditions.

III.3 Integrated management planning

Wetland management may be implemented by the development of management plans or strategies for a specific area or region. Workshop C of the Kushiro Conference reviewed draft "Guidelines on management planning for Ramsar sites and other wetlands", later adopted in plenary session (see Annex to Resolution 5.7).

These guidelines emphasize that management planning applies not just to wetland reserves but to all wetlands, and that it is a process subject to constant review and revision. Management plans should therefore be regarded as flexible, dynamic documents.

1) In general, a management plan is organized as a four-part unit:

- Description (this provides the factual basis on which management decisions can be taken, and may be revised in the light of improved knowledge of a site);
- Recognition of the past modifications of the sites and of the possible threats;
- Evaluation and objectives (from the description, the goals of management can be defined, in terms of both long term objectives and of immediate operational objectives for the short term);
- Action plan (definition of work to be done in order to achieve the objectives; activities to be considered include: habitat management; species management; usage; access; education, interpretation and communication; and research).

Monitoring is an integral part of the planning process. Annual and longer term reviews of the plan need to be undertaken, and may lead to amendment of the description, objectives and action plan.

2) A management authority charged with the implementation of the management process should be appointed; this may be particularly relevant in large wetlands where planning must take account of all interests, uses and pressures. Strong cooperation and participation from

governmental and non-governmental agencies, as well as from local people, needs to be achieved.

3) When appropriate, management plans should incorporate both traditional and modern technologies. The plan must reflect the overall carrying capacity of the system. Implementation should optimize the sustainable use of existing resources.

Wetland management needs to be incorporated into overall national policies, as already indicated in the Montreux guidelines. These policies should reflect the best technical information available. Specific technical information can be obtained through the Ramsar Bureau and its partner organizations.

III.4 Technical issues

For many regions of the world, wise use is not a new concept. Humans have been building civilizations around wetlands for thousands of years, and have developed technologies of utilization.

Many of these technologies are sustainable, and should therefore be identified, studied and promoted as a matter of urgency. In the cases where these technologies are not sustainable, they should be refined and adapted to optimize their sustainability.