Cardinal Stefan Wyszynski University in Warsaw
Institute of Philosophy
Center for Ecology and Ecophilosophy

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Challenges and Strategies for Implementing the Ramsar Convention. Balancing Economic Development and Wetland Conservation

Wyzwania i strategie wdrażania Konwencji Ramsarskiej. Zrównoważenie rozwoju gospodarczego i ochrony terenów podmokłych

Andreea-Nicoleta Dragomir[1], Ioana Florescu[2]

[1] Lucian Blaga University of Sibiu, Romania

[2] University of Florida, USA

ORCID A-ND https://orcid.org/0000-0002-9358-8098; IF https://orcid.org/0000-0001-7831-4307 • andreea.dragomir@ulbsibiu.ro

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Abstract: Ramsar Convention on Wetlands of International Importance, particularly focusing on waterfowl habitats, signifies a pivotal shift in global attitudes towards wetland conservation. Historically viewed as hindrances to development, wetlands have suffered from drainage and reclamation efforts, resulting in significant biodiversity loss. However, a growing recognition of their ecological significance has spurred international action. The Convention, established in 1971, serves as a landmark agreement to safeguard wetland ecosystems. It mandates member states to designate and conserve wetlands within their territories, emphasizing the importance of international cooperation due to the transboundary nature of wetland ecosystems. The Convention's objectives encompass sustainable development goals, including water quality, biodiversity, and climate change mitigation. Implementation relies on national policies and collaboration among stakeholders. Furthermore, the Convention aligns with other environmental agreements, fostering synergies to enhance wetland protection globally. Despite these positive developments, there are significant challenges in ensuring the effective implementation of the Convention, particularly when economic interests conflict with environmental conservation. As highlighted in the case of the Bystroe Canal project in the Danube Delta, balancing development with wetland protection remains a critical issue. This article addresses the question of whether the Ramsar Convention can effectively apply its provisions in such cases, arguing that while it provides a strong framework, its effectiveness is often undermined by competing economic priorities. Without stronger enforcement mechanisms and increased international cooperation, the objectives of the Convention risk being compromised.

Keywords: Ramsar Convention, Wetlands, Europe, International Cooperation, Sustainable Development, Environmental Law

Streszczenie: Konwencja Ramsarska o terenach podmokłych o znaczeniu międzynarodowym, skupiająca się szczególnie na siedliskach ptactwa wodnego, oznacza zasadniczą zmianę w światowym podejściu do ochrony terenów podmokłych. Historycznie rzecz biorąc, tereny podmokłe były postrzegane jako przeszkoda w rozwoju i ucierpiały w wyniku wysiłków związanych z odwadnianiem i rekultywacją, co spowodowało znaczną utratę różnorodności biologicznej. Jednak rosnące uznanie ich znaczenia ekologicznego pobudziło działania międzynarodowe. Konwencja, ustanowiona w 1971 r., stanowi przełomowe porozumienie mające na celu ochronę ekosystemów terenów podmokłych. Nakłada ona na państwa członkowskie obowiązek wyznaczania i ochrony terenów podmokłych na swoim terytorium, podkreślając znaczenie współpracy międzynarodowej ze względu na transgraniczny charakter ekosystemów terenów podmokłych. Cele Konwencji obej-

mują cele zrównoważonego rozwoju, w tym jakość wody, różnorodność biologiczną i łagodzenie zmian klimatycznych. Wdrażanie postanowień Konwencji opiera się na politykach krajowych i współpracy między zainteresowanymi stronami. Ponadto Konwencja jest zgodna z innymi porozumieniami środowiskowymi, tworząc synergię w celu poprawy ochrony terenów podmokłych na całym świecie. Pomimo tych pozytywnych zmian, skuteczne wdrażanie postanowień Konwencji napotyka wiele wyzwań, szczególnie gdy interesy ekonomiczne stoją w konflikcie z ochroną środowiska. Jak podkreślono w przypadku projektu Kanału Bystroe w Delcie Dunaju, kwestią krytyczną pozostaje zrównoważenie rozwoju z ochroną terenów podmokłych. Niniejszy artykuł zajmuje się kwestią, czy postanowienia Konwencji Ramsarskiej mogą być w takich przypadkach skutecznie wdrażane, bo chociaż daje ona solidne podstawy do takich działań, to jednak jej efektywność jest często podważana przez sprzeczne z ekologią priorytety ekonomiczne. Bez silniejszych mechanizmów egzekwowania i zwiększonej współpracy międzynarodowej cele Konwencji mogą zostać zagrożone.

Słowa kluczowe: Konwencja Ramsarska, tereny podmokłe, Europa, współpraca międzynarodowa, zrównoważony rozwój, prawo ochrony środowiska

Introduction

Historically wetlands have been considered as problems, obstacles and sources of disease. Wetlands have obstructed human development and agriculture, yet human civilizations have always settled in their proximity. Throughout history for over thousands of years and well into the 20th Century, people have devised better ways to drain and reclaim wetlands, causing nearly all of their disappearance. It is not until recently that people realized and began to appreciate the extraordinary biodiversity and natural productivity that wetlands offer (Matthews 1993). It is understood now that with the loss of wetlands, there is also a loss of birds, mammals, reptiles, amphibians, fish and invertebrates, not to mention the loss of plants, such as rice, which is a staple diet for more than half of humanity (Ramsar Convention Secretariat 2013). It is also recognized that wetlands are important for ground water protection, regulation of water cycle, water storage and water purification. In our current times, developed nations spend billions if not trillions of dollars to restore hydrological and biological functions for ground water protection and water purification, which would have been free if wetlands were conserved (Matthews 1993). Draining wetlands depleted groundwater reserves, so irrigation is needed. Other consequences include flash floods, shoreline destruction, pollutants and destruction of fauna and flora habitats (Matthews 1993). Therefore, re-establishment of formerly drained wetlands and conserving the existing wetlands is now at the forefront of discussion.

The 1971 Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention) is the first international instrument seeking to conserve wetland natural resources on a global scale and the only multinational treaty which constraints member States and new members from selfish exploitation of their sovereign natural resources. International actions are needed because wetlands, the circulation of water and wildlife migration are truly international and not bound to one nation or one region (Matthews 1993). Gaining the public's attention, the support of politicians, engineers and scientists was the first step towards creating an international convention. Changing the negative image of wetlands took substantial amount of propaganda, which started in the 1930's in North America. Non-governmental organizations (NGOs) played tremendous roles in helping get the convention running. The International Wildfowl Research Bureau (IWRB), later named International Waterfowl and Wetlands Research Bureau and later combining to form Wetlands International, based out of the UK, supported numerous international conferences concerned with the protection of birds

dependent on wetland habitats (Bowman 2010).

The Ramsar Convention on Wetlands was initiated in 1971 from the ideas presented during those conferences. The Convention came into force in 1975 and currently it has 160 State parties. Another NGO at the forefront was the International Union for the Conservation of Nature and Natural Resources (IUCN), now called the World Conservation Union, with its Environmental Law Center in Germany and a Word Conservation Monitoring Center in the UK (Matthews 1993). The Ramsar Convention Secretariat functions are performed by IUCN, and it resides at the IUCN headquarters in Gland, Switzerland, as prescribed by Article 8. Those administrative duties include convening and organizing Conferences of the Contracting Parties (COP), maintaining the List of Wetlands of International Importance (the List) and forwarding alterations to the List (Convention 1971). Without the willingness of the IUCN to fulfill this role, the Convention might not have gained support since it lacked a formal budget (Bowman 2010).

Research Problem and thesis statement

The Ramsar Convention is widely regarded as a key international treaty for the conservation and wise use of wetlands. However, its success is critically dependent on the ability of State parties to implement its provisions at national levels, particularly when faced with complex challenges such as balancing economic development with environmental protection. The ongoing debate surrounding the Bystroe Canal construction in the Danube Delta exemplifies this tension between development and conservation. Thus, the key question arises: *To what extent can the Ramsar Convention effectively enforce its provisions in cases where* economic interests threaten to undermine wetland conservation efforts?

This article argues that while the Ramsar Convention provides a strong framework for wetland conservation, its effectiveness in ensuring compliance is often limited by the economic priorities of State parties. By analyzing the case of the Bystroe Canal in the Danube Delta, the article will demonstrate that without stronger enforcement mechanisms and more robust international cooperation, the Convention's objectives may be compromised, especially in regions where economic development is prioritized over environmental protection.

1. Objectives

The Ramsar Convention in the context of a changing world, provokes discussions about modern wetland monitoring and management practices, the future of wetlands and their sustainable use. Thus, it is important to draw attention to the significant environmental, social, cultural and economic role of wetlands, but also to their contribution to the global water cycle (Gell, Davidson and Finlayson 2023, 96).

The mission of the Ramsar Convention is the "conservation and wise use of all wetlands through local and national actions and international cooperation, as a contribution towards achieving sustainable development throughout the world" (Resolution XII.2, June 2015). It is anticipated that all Ramsar wetlands will be essential for sustainable development goals related to water quality and supply, food and water security, climate change, energy supply, health, biodiversity, sustainable settlements, poverty and innovation (Resolution XII.2, June 2015). The objectives are to "stem the progressive encroachment on and loss of wetlands now and in the future" and because it is recognized that wetlands are a great resource. It is believed that "conservation of wetlands and their flora and fauna can be ensured by combining far-sighted national policies with coordinated international action" (Convention 1971). Article 2 requires each State party to designate wetlands within their territory for inclusion in the List and modify the List with wetlands within their territory as necessary. Furthermore, State parties are to make national wetland inventories,

impact assessments, promote conservation and wisely use the designated wetlands and to establish natural reserves. They are also to monitor and report ecological changes and in the case of the loss of designated wetland resources they should create additional reserves to create an adequate replacement of the original habitat (Convention 1971). Parties are to encourage research and data exchange regarding wetlands and their ecosystem. Furthermore, States are to promote training for wetland research and management.

The Ramsar Convention has also an objective to cooperate internationally since water systems, wetlands and wildlife cross boundaries. Coordination among neighboring States is necessary since the actions or inactions of one State can produce consequence in other States and the region where there are shared wetlands (Ramsar Convention Secretariat 2010). Furthermore, some populations in developing countries depend entirely on wetlands and providing them with international technical and financial aid to conserve their wetland resources and use them wisely will improve their overall development (Ramsar Convention Secretariat 2010). The 4th Strategic Plan 2016-2024 promotes the development of scientific guidance and technical methods at global and regional levels for wetland conservation and wise use. Ramsar Convention handbooks are created to deliver public awareness and education on conservation and wise use of wetlands. State parties are to establish national policies, programs and action plans. International cooperation also has to take into account financial resources and fund raising (Resolution XII.2, June 2015).

2. Good and Justice in the Context of Environmental Ethics

The increasing attention to environmental problems in scientific research reflects their significant impact on both nature and society. These issues are no longer viewed solely as social concerns but are recognized as complex interactions between humans and the environment. Ethical considerations, traditionally focused on human relations, now extend to our relationship with nature due to technological development, economic growth, and consumer attitudes that exploit natural resources without regard for their long-term consequences. This disregard has led to an ecological crisis that jeopardizes not only nature but also human culture and civilization.

Addressing this crisis requires interdisciplinary collaboration among scientists, policymakers, and civil society. Scientists must unite across disciplines to rethink the existing paradigms and develop solutions that integrate natural, social, and humanitarian perspectives. Ethics must broaden its scope to include moral regulation of human behavior towards the environment, while ecology must expand its research to encompass social and moral dimensions of environmental change. This article explores how fundamental moral concepts can be reexamined to address both human relationships and environmental sustainability, highlighting the interconnectedness of ethical considerations and environmental decisions (Mihailov and Sakelarieva 2022, 6).

The Convention recognizes the intricate relationship between humans and the environment, acknowledging that wetlands play a crucial role in supporting both nature and society. As the text emphasizes, the Ramsar Convention goes beyond viewing environmental issues as mere social concerns, recognizing them as complex interactions that impact ecosystems and human well-being. The Convention underscores the importance of interdisciplinary collaboration, echoing the call for scientists, policymakers, and civil society to work together to address environmental challenges. By fostering partnerships and integrating diverse perspectives, the Ramsar Convention seeks to develop comprehensive solutions that consider both natural and social dimensions.

Moreover, the ethical considerations raised in the text align with the principles of the Ramsar Convention, which

emphasizes the moral imperative to protect and sustainably manage wetlands. The Convention promotes the idea of responsible stewardship, urging countries to adopt ethical frameworks that prioritize the long-term health of wetland ecosystems. By broadening the scope of ethics to include environmental concerns and encouraging moral regulation of human behavior towards nature, the Ramsar Convention aims to mitigate the ecological crisis highlighted in the text and safeguard the future of both nature and civilization.

3. Domain of Protection or Application

The Ramsar Convention strives to protect wetlands and the flora and fauna that depend on it by implementing conservation practices, designating wetlands to be included in the List, establishing natural reserves, ensuring adequate management of the sites and promoting wise use of wetlands. Wetlands and wildlife are protected when State parties implement national and local conservation policies and address wetland loss and degradation factors. This includes public and private users applying the guidelines for wise use of wetlands. Monitoring wetland management procedures and waterfowl stock ensures that no negative changes occur through human interference. Also, ecosystem management is vital to control and eradicate invasive species. Protection for wetlands and associate wildlife also benefits from the network of internationally recognized sites because States parties commit themselves to actions to protect, restore and manage the sites (Resolution XII.2, 2015).

The Ramsar Convention's focus on wetland conservation aligns with other key international environmental agreements, such as *The Convention on Biological Diversity (CBD), The UNESCO World Heritage Convention, and The Paris Agreement.* Like the Ramsar Convention, these agreements emphasize the preservation of biodiversity and ecosystems, but each approaches this goal from a different standpoint. For example, the *CBD* addresses the conservation and sustainable use of biological diversity, including wetlands, highlighting the significance of ecosystems in maintaining biodiversity at a global level. The Ramsar Convention complements the CBD's objectives by offering specific strategies to safeguard wetland ecosystems, which are often vital habitats for threatened species listed under the CBD (Farrier and Tucker 2000).

Similarly, *The UNESCO World Heritage Convention* focuses on the conservation of natural and cultural heritage sites, including some wetlands of international importance. Several Ramsar sites are also designated as World Heritage Sites, benefiting from additional layers of protection and international recognition. This overlap enhances the profile of such sites and encourages stronger conservation efforts through the integration of cultural and natural values.

Furthermore, *The Paris Agreement*, which aims to combat climate change, indirectly supports Ramsar's goals. Wetlands play a critical role in climate change mitigation by acting as carbon sinks and regulating water cycles. The Ramsar Convention's wise use principle, which promotes sustainable wetland management, complements the Paris Agreement's objectives of reducing greenhouse gas emissions and increasing resilience to climate impacts. By safeguarding wetlands, Ramsar contributes to broader climate goals, while benefiting from global climate funding mechanisms designed to support the conservation of ecosystems that mitigate climate change.

The guidelines for implementing the wise use concept echo similar frameworks established in these other international agreements, particularly with the ecosystem-based approaches adopted by both the CBD and the Paris Agreement (Morgera, 2011). The basic principle is to adopt national wetland policies and legislation regarding all matters pertaining to the preservation of wetlands and biodiversity. Developing programs for wetland inventory, monitoring,

research, and public education provides knowledge for effective management and for taking action to develop effective plans. The Ramsar Secretariat assists parties in implementing the plan of wise use by sharing technical expertise, technical assistance personnel, funding projects, and outsourcing funding (Ramsar Convention Secretariat 2013).

By integrating these agreements and fostering cooperation between international frameworks, the Ramsar Convention not only enhances the protection of wetlands but also aligns with broader global conservation and climate action goals.

4. Implementation

The Ramsar Convention, just as all other multi-national conventions, in order to be successful at achieving its goals, is dependent on State parties to implement its provisions at the national level and then being able to supervise compliance. Implementation has been a constant consideration during COP meetings, which have developed substantial guidance. A major implementation requirement as prescribed by Resolution VII.6 is for States to undertake a review of their national laws to ensure compatibility with the Convention as well as adoption and implementation of national wetland policies (Bowman 2010). Similarly, Resolution VIII.24 prescribes the UNEP guidelines on compliance and national enforcement. State parties also have the obligation to list wetland sites to the List and adopt measures for wetlands with adverse ecological changes. While only State parties can formally add sites, pressure from NGOs and the scientific community does not go unheard. Reports on national implementations are done to track progress made, with the goal calling for action to be initiated by all State parties. While State parties historically have been reluctant to volunteer information, the Standing Committee has established a system and an outline for reporting that has been continuously modified and agreed upon to streamline and harmonize reporting (Bowman 2010).

Implementation of the Convention at the international level is required through Article 5, which calls for State parties to consult and cooperate with each other regarding transboundary and shared wetland resources (Convention 1971). State parties must also consult and support each other to implement their obligations and future conservation policies. In this regard, Resolution X.19 provides technical guidance on wetland management, including associated flora and fauna, with a focus on international cooperation. Regional implementation of the Convention was not an initial pillar of the Convention, but it was inevitable for State parties in each region to consult occasionally. This bloomed into regional meetings, seminars and workshops involving all stakeholders, including NGOs and science and technology experts. Thanks to the collaborations many regions have implemented conservation initiatives to protect wetlands and associated flora and fauna (Bowman 2010).

5. Collaboration and International Relations

The Ramsar Convention greatly benefits from collaboration with several other international environmental conventions in overlapping areas. A Memorandum of Cooperation (MOC) was signed with the Convention on Biological Diversity (CBD) in 1996 for implementing CBD activities related to wetlands. Shortly after this initiative, the cooperation was translated into a Joint Work Plan, which is still active today under the 5th Joint Work Plan (Ramsar Convention Secretariat 2013). A Memorandum of Understanding (MOU) was signed between Ramsar Secretariat and the Convention on Conservation of Migratory Species of Wild Animals (CMS) in 1997 with the scope of cooperation in promoting the two conventions, performing joint conservation actions and for data collection, storage and analysis. Cooperation was also created for new

agreements on migratory species, including endangered and those with unfavorable status. Their cooperation still takes place as a Joint Work Plan (Ramsar Convention Secretariat 2013). In 1999, the Ramsar Secretariat signed a MOU with the World Heritage Center, an organ of UNESCO World Heritage Convention for cooperation in promoting wetland sites under the two conventions, reporting, collaborating on advisory missions. This cooperation continues today with recent joint missions to Ichkeul in Tunisia, Djoudj and Diawling in Senegal and Mauritania, and Lake Srebarna in Bulgaria (Ramsar Convention Secretariat 2013).

Many more MOCs were signed with regional convention and official bodies for common conservation efforts. They include the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region and with the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean. Since the 2000s, MOCs were signed with the Convention on the protection and sustainable development of the Carpathians, Secretariat of the Pacific Regional Environment Programme (SPREP) and the International Commission for the Protection of the Danube River (ICPDR). Involvement also exists with the Lake Chad Basin Commission and the Niger Basin Authority and the Commission Internationale du Bassin Congo-Oubangui-Sang (CICOS) (Ramsar Convention Secretariat 2013).

Ramsar also collaborates with the official bodies such as United Nations Environment Programme (UNEP) World Conservation Monitoring Centre to harmonize reporting and monitor effectiveness. They put forth an agreement with UNEP's Global Programme of Action for the Protection of the Marine Environment from Land-based Activities. Ramsar Sekretariat and UNESCO Man and the Biosphere Programme also work closely to form a list of joint wetlands. Other work with UNESCO includes the Institute for Water Education and the International Hydrological Programme. Cooperation agreements were also signed with the European Environment Agency and the Global Terrestrial Observing System (GTOS) (Ramsar Convention Secretariat 2013). The work done in cooperation with the European Space Agency involves the GlobWetland pilot project for developing monitoring and management tools based on spatial data. Furthermore, collaboration exists with the UN Food and Agriculture Organization, the World Health Organization, World Tourism Organization, the Organization of American States, UNCTAD's BIOTRADE Initiative, the World Bank and UN-Habitat. Ramsar is also an advisor on wetlands to the Global Environment Facility and an observer to meetings of the UN Commission on Sustainable Development (Ramsar Convention Secretariat 2013).

The need for significant restoration of wetlands around the world, particularly through environmental water allocations, is noteworthy. While both conventions include a general obligation to restore wetlands, this obligation is considered uncertain due to ambiguous language in the text (Ramsar) or qualification language (CBD). The Ramsar obligation may constitute an enforceable legal obligation under the ICJ against another contracting party. However, practical application is challenging due to the absence of a formal dispute settlement procedure, reliance on guidance from Conference of the Parties resolutions, and judicial reluctance to find violations of obligations. However, that restoration goals can be achieved through amendments to the Convention or an additional protocol (Jensen and Gardner 2017, 158-201).

6. Effectiveness

Based on the conducted research, it can be stated that the Ramsar Convention is very effective in its aim to conserve and protect wetlands and its ecosystems. The Convention, through improvements throughout the years, has created a very large network

of internationally important wetlands. Furthermore, it allowed States to adopt wise use policies for all wetlands, not just the ones designated on the List, in line with sustainable development goals. Sustainable development is an imperative part in a plethora of environmental treaties, therefore it is natural that Ramsar was able to set up MOUs and MOCs with a wide range of conventions and entities, as mentioned above. The Ramsar Convention ensured that the common goals provide opportunities for cooperation, uniting State parties with each other NGOs, experts and scientists.

Providing States with resources for wise wetland management without putting restrictions, aside from maintaining the ecological character of wetlands, and encouraging implementation of policies in line with conservation, allows for the greatest compliance from the greatest number of States. This allows for more State parties to cooperate with one another and ultimately build the network of wetlands, along with the precious fauna and flora in their ecosystems.

In this context, we mention that the theme of sustainable development in wetlands is very important, especially when considering the cost-benefit analyzes and the ecosystem services that these areas offer. Wetlands provide many ecosystem services, including water purification, flood control, carbon sequestration and biodiversity conservation, which have significant long-term economic and ecological benefits. Cost-benefit analyzes of wetland conservation often show that the economic value of these ecosystem services far exceeds the short-term gains from land conversion or development. According to Turner et al. (2000), the protection of wetland ecosystems aligns with the principles of sustainable development, as it ensures that the benefits provided by wetlands are preserved for future generations without depleting the resources currently available (Turner et al. 2000). Moreover, de Groot et al. (2012) point out that integrating wetland ecosystem services into national policies can enhance sustainable development goals by balancing environmental protection with socio-economic growth (Groot et al. 2000).

Wetlands around the world have formed through geological, hydrological, and meteorological processes, influenced by living organisms and human land-use patterns. Effective wetlands management must recognize that these are dynamic systems that change over time. As scientific knowledge has increased, management strategies have evolved accordingly. Over the years, the understanding of both Ramsar and biosphere reserves has progressed, highlighting the need for a comprehensive approach that views wetlands as part of a broader basin ecosystem, from upland hills to coastal marshes, and considers their role within human social and economic contexts. This broad perspective underlines that effective wetland management should involve coordination among local, regional, national, and international organizations. Recognizing wetlands as highly productive ecosystems with essential functions for humans has grown, along with the awareness of the severe threats and losses they face. Achieving a societal consensus that wetland destruction is unacceptable will signal that the importance of wise wetland use has been fully acknowledged (Hollis, Holland, Maltby and Larson 1988, 2-12).

The Ramsar Convention has numerous contracting parties from around the world. The Convention was adopted in 1971 in the city of Ramsar, Iran, and entered into force in 1975. As of now, 172 states are parties to the Ramsar Convention. These countries encompass a majority of the world's nations, reflecting a global commitment to the protection and conservation of wetlands.

The wide geographical spread of member states underscores the universal importance of wetland ecosystems, not only for biodiversity but also for human survival, as wetlands provide crucial ecosystem services, such as water purification, flood regulation, and carbon sequestration. Among the contracting parties are:

- Europe: France, Germany, Italy, Spain, the United Kingdom, Romania, Hungary, Poland, Russia, Sweden, Norway, Finland, Greece, and others.
- Asia: China, Japan, India, Iran, South Korea, Thailand, Vietnam, and others.
- Africa: Egypt, Kenya, South Africa, Nigeria, Tanzania, Senegal, and others.
- The Americas: The United States, Canada, Brazil, Argentina, Mexico, Chile, and others.
- Oceania: Australia, New Zealand, Fiji, and others.

For instance, the Bystroye Canal (formerly known as Novo Stambulskoye) runs through the middle of the Ukrainian part of the Danube Delta, one of the significant Ramsar sites, and is a key area of focus for both Ukraine and neighboring Romania in terms of wetland protection and management. This reflects the international and cross-border collaboration fostered by the Ramsar Convention.

The complete list of contracting parties can be found on the official Ramsar Convention website (Convention 1971, countries). This list includes details about each party and the wetlands they have designated as Ramsar sites of international importance.

7. The application of the Ramsar Convention in Europe

Application of the Ramsar Convention in Europe is comprehensive and multifaceted. European countries, as signatories to the convention, are committed to its principles and objectives. European countries have designated numerous wetlands as Ramsar sites, recognizing their international importance for biodiversity conservation and ecosystem services. These sites often include diverse habitats such as marshes, swamps, lakes, rivers, and coastal areas. Also, European countries incorporate the provisions of the Ramsar Convention into their national legislation and policies related to environmental protection and nature conservation. This ensures the obligations outlined in the Convention are upheld at the domestic level.

Implementation of the Ramsar Convention in Europe exemplifies a dedicated commitment to the conservation and sustainable management of wetlands, underscoring their indispensable contribution to biodiversity preservation, climate change mitigation, and ecosystem resilience. European countries have devised comprehensive management plans tailored to Ramsar sites, aimed at ensuring their longevity and ecological integrity. These plans encompass a range of measures including habitat restoration, species protection, and the monitoring of key ecological indicators. Moreover, public education and awareness programs are integral components of these efforts, fostering a broader understanding of the importance of wetlands and garnering support for their conservation.

In tandem with domestic initiatives, European countries engage in robust collaboration both within the region and on the international stage to tackle transboundary challenges in wetland conservation. Through partnerships with fellow nations and international organizations, they exchange knowledge, share best practices, and coordinate conservation endeavors across borders. This collaborative approach not only enhances the effectiveness of conservation efforts but also fosters a sense of shared responsibility for safeguarding wetland ecosystems (EEA 2012). Furthermore, the Ramsar Convention is seamlessly integrated into broader environmental frameworks in Europe, including directives such as the European Union's Birds Directive and Habitats Directive. This integration ensures coherence and synergy among various conservation initiatives at regional and national levels, bolstering the overall conservation landscape (Directive 2009/147/EC).

European countries complement their conservation endeavors with rigorous scientific research and monitoring programs aimed at assessing the status of wetlands and tracking changes over time. By leveraging

scientific insights, policymakers can make informed decisions to guide conservation strategies and prioritize resource allocation effectively (EEA 2012). The application of the Ramsar Convention in Europe reflects a holistic and collaborative approach to wetland conservation, rooted in a deep appreciation for the invaluable services provided by these ecosystems. Through concerted efforts, European nations strive to uphold the principles of the convention, recognizing that the preservation of wetlands is not only essential for biodiversity but also for the well-being of current and future generations.

8. Some Considerations Regarding the Dredging of the Bystroe Canal and the Ramsar Convention

The Bystroe Canal, located in the Danube Delta, has been a contentious subject due to its ecological significance and the potential environmental impact of dredging activities. The Danube Delta is one of the most biodiverse regions in Europe and is recognized as a Ramsar Site, highlighting its importance as a wetland of international significance. This area, shared by Romania and Ukraine, is protected under the Ramsar Convention, which aims to conserve wetlands and promote their sustainable Delta. The Delta is shared by Ukraine and Romania and is located where the Danube finally meets the Black Sea after its 2840 km long journey through 10 countries. The Bystroye Canal starts 7 km downstream at the city of Vilkovo (ICR n.d.). This area is rich in biodiversity, including numerous globally threatened species, and has significant social and economic importance, particularly for local communities dependent on fishing, reed harvesting, and tourism. The Ukrainian government initiated the construction of the Bystroye Canal to revitalize defunct ports and reduce reliance on the Romanian Sulina Canal, projecting economic benefits. However, this project faces substantial ecological and socio-economic challenges. The canal threatens the hydrological balance, biodiversity, and local livelihoods, and contravenes multiple international environmental agreements.

Despite initial construction efforts, the project encountered delays due to environmental protests and funding issues. Ecological monitoring reports have shown adverse impacts, prompting calls for halting the project. Alternative routes and strategies proposed by Ramsar and UNESCO missions offer potentially less damaging solutions, emphasizing comprehensive environmental impact assessments and sustainable development measures. The World Wide Fund for Nature (WWF)[1] advocates for the Ukrainian government to suspend canal construction and engage with international bodies to explore environmentally and economically viable alternatives, ensuring compliance with international environmental standards and enhancing the Danube Biosphere Reserve's functionality.

Local NGOs are spearheading the establishment of protected areas in the Ukrainian Delta and one NGO manages one of these areas. The largest conservation project, funded by the World Bank with $1.5 million, helped establish the Biosphere Reserve, now threatened by the canal construction. The Ukrainian government supports the Reserve's management, led by the Danube Biosphere Reserve board. International support aids the board and local NGOs in research, environmental education, alternative income activities, monitoring, and protection. WWF backs the restoration of parts of the Delta degraded by past actions to control the Danube's flow (WWF n.d.).

8.1. Environmental Concerns

According to the Ramsar Convention Secretariat, changes to water regimes and physical disturbances such as dredging in wetlands can severely impact their ecological character, leading to the loss of habitat for species

1 The World Wide Fund for Nature (WWF) is an international non-governmental organization founded in 1961, focused on wilderness preservation and the reduction of human impact on the environment.

that depend on these ecosystems, and compromise the ecosystem services they provide, including flood control and water purification (Ramsar Convention Secretariat n.d.).

Biodiversity Impact – Dredging can disrupt habitats, leading to the loss of biodiversity. The Danube Delta is home to numerous species of fish, birds, and other wildlife that depend on its unique wetland ecosystem.

Water Quality – Sediment disturbance can lead to water pollution, affecting both the aquatic life and the quality of water available for human use.

Hydrological Changes – Altering the natural water flow can impact the delta's hydrology, potentially leading to reduced water levels in some areas and increased flooding in others.

8.2. Ramsar Convention's Role and Actions

According to the Ramsar Convention, Ukraine is obligated to ensure that projects like the Bystroe Canal do not adversely affect the ecological character of Ramsar sites, such as the Danube Delta. The Convention emphasizes the importance of conducting comprehensive Environmental Impact Assessments (EIAs) to gauge potential harm and to work collaboratively with neighboring countries to prevent transboundary impacts. Regular monitoring and reporting to the Ramsar Secretariat are also required to ensure ongoing compliance with conservation objectives" (Ramsar Convention Secretariat n.d.).

The following actions are pertinent:

- Environmental Impact Assessment (EIA) – Conduct thorough EIAs to evaluate the potential environmental consequences of the dredging activities. These assessments should include input from international experts and stakeholders.
- Consultation and Cooperation – Engage in consultations with Romania and other affected parties to discuss the potential impacts and explore alternatives that might mitigate negative effects.
- Reporting and Monitoring – Regularly report the status and findings related to the project to the Ramsar Secretariat. Implement a robust monitoring system to track the ecological health of the delta before, during, and after the dredging operations.

8.3. The Implementation of the Ramsar Convention. Balancing Economic Development and Wetland Conservation

The implementation of the Convention is important to ensure the protection and sustainable management of this ecologically sensitive area. The Danube Delta, a UNESCO World Heritage Site and a Ramsar site, is one of the most significant wetland ecosystems in Europe. It supports an extraordinary range of biodiversity, including 330 bird species and 125 species of fish. The construction of the Bystroye Canal poses significant threats to these habitats. By applying the Ramsar Convention, which prioritizes the conservation and wise use of wetlands, Ukraine can better protect these vital habitats. This involves implementing stringent environmental impact assessments (EIA) and ensuring that any development projects do not compromise the ecological integrity of the Delta (UNESCO World Heritage Center 2024).

From the economic perspective, the development of the Bystroye Canal is driven by Ukraine's desire to secure an additional shipping route through the Danube, enhancing port competitiveness and stimulating regional economic growth. This route aims to reduce reliance on the existing shipping routes through Romania and facilitate the movement of goods between the Black Sea and inland European markets, benefiting Ukraine's export-driven economy, particularly in agriculture and industry (MENRU n.d., 244).

However, the environmental costs associated with this development cannot be overlooked. Wetlands, particularly those in the Danube Delta, provide essential ecosystem services such as flood control, water

filtration, carbon sequestration, and habitat for a wide range of biodiversity, including migratory birds and endangered species. The Bystroye Canal's construction poses a direct threat to these services, with potential impacts including habitat disruption, biodiversity loss, sediment pollution, and alterations in natural hydrological flow (Turner et al. 2000; de Groot et al. 2012; Ramsar Convention Secretariat n.d.).

The Ramsar Convention advocates for comprehensive EIAs for projects that could impact wetlands. In the case of the Bystroye Canal, a thorough EIA would evaluate the potential hydrological, ecological, and socio-economic impacts of the canal. Such assessments are essential for understanding how the canal might alter water flow, sediment transport, and nutrient distribution, which could have cascading effects on the entire ecosystem. The EIA process, guided by Ramsar principles, ensures that all potential impacts are considered and that mitigation measures are put in place (MENRU n.d., 304).

The Danube Delta spans both Ukraine and Romania, necessitating cross-border cooperation for its management. The Ramsar Convention provides a framework for such international collaboration. By adhering to Ramsar, Ukraine can engage with Romania and other Danube Basin countries to develop a coordinated approach to managing the Delta. This cooperation is vital for addressing transboundary environmental issues and ensuring that conservation efforts are effective across the entire Delta (ICPDR 2021, 123).

Balancing the needs of economic development with environmental conservation in the Bystroye Canal project is a complex challenge. While Ukraine's economic growth objectives are valid, sustainable development principles must be adhered to, minimizing long-term environmental consequences. International frameworks such as the Ramsar Convention, the Convention on Biological Diversity (CBD), and the UNESCO World Heritage Convention emphasize the importance of thorough EIAs and consultations with affected parties to mitigate environmental impacts (Ramsar Convention Secretariat n.d.).

Incorporating cost-benefit analyses that account for ecosystem services is vital. Studies highlight that wetland ecosystems provide substantial economic value through services such as flood protection and water purification, which can reduce disaster management and water treatment costs. These benefits should be factored into any cost-benefit analysis of the Bystroye Canal project to ensure that the economic value of the Danube Delta's ecosystem services is considered alongside potential financial gains from the canal (Turner et al. 2000; de Groot et al. 2012).

While the Bystroye Canal aims to enhance economic activity by providing a direct shipping route, it is essential to balance development with environmental sustainability. The Ramsar Convention promotes the wise use of wetlands, which entails using these resources in a way that maintains their ecological character and benefits both people and nature. By applying Ramsar principles, Ukraine can explore alternative economic activities, such as eco-tourism and sustainable fisheries, which provide long-term benefits without degrading the wetland ecosystem (MENRU n.d., 244).

Together, these approaches highlight the need to incorporate ecosystem service values into economic analyses and adhere to sustainable development principles. Doing so will ensure that the economic benefits of projects like the Bystroye Canal are balanced with the preservation of the Danube Delta's critical environmental functions, supporting both short-term economic growth and long-term ecological health.

As a signatory to the Ramsar Convention, Ukraine has legal and ethical obligations to protect its designated wetlands. This includes implementing measures to prevent their degradation and promote their restoration. Ignoring these obligations in the pursuit of short-term economic gains

from the Bystroye Canal could lead to international criticism and undermine Ukraine's commitment to environmental stewardship. By upholding Ramsar principles, Ukraine demonstrates its dedication to global conservation efforts and responsible governance (Ramsar Convention Secretariat, 2013).

The application of the Ramsar Convention in the case of the Bystroye Canal is of paramount importance for the protection and sustainable management of the Danube Delta. The Convention's guidelines help safeguard internationally important habitats, conserve biodiversity, ensure rigorous environmental assessments, promote international cooperation, and support sustainable development. Upholding these principles not only fulfills Ukraine's legal obligations but also ensures the long-term health and resilience of one of Europe's most valuable wetland ecosystems. In doing so, Ukraine can balance economic development with the imperative to protect its natural heritage for future generations.

Conclusions

The principles advocated by the normative models of environmental awareness and social practice resonate strongly with the objectives of the Ramsar Convention. At the heart of both is a shared commitment to safeguarding the planet's future and ensuring the well-being of humanity.

By promoting a shift away from materialism and emphasizing the intrinsic value of nature, these models echo the Ramsar Convention's emphasis on the conservation and wise use of wetlands. They recognize the detrimental impact of modern technology on the environment, aligning with the Convention's goal of addressing threats to wetlands posed by human activities (Trempała 2022, 66-77). Moreover, the emphasis on local community's involvement in environmental protection efforts mirrors the Ramsar Convention's approach, which emphasizes the importance of stakeholder participation and community engagement in wetland conservation initiatives.

However, while these models offer valuable insights, questions arise regarding their applicability within diverse political systems, particularly in the context of global environmental challenges. Roger Scruton's conservative approach underscores the need for cooperation among nations, highlighting the importance of international frameworks such as the Ramsar Convention in addressing transboundary environmental issues. In essence, while differing in their approaches, the principles advocated by these normative models align with the goals of the Ramsar Convention, emphasizing the importance of collective action and international cooperation in safeguarding the planet's wetlands and natural resources for future generations.

The Ramsar Convention has been effective in promoting wetland conservation and wise use globally, including in Europe. European states are actively involved in protecting wetlands of international importance, as evidenced by their participation in the convention and designation of Ramsar sites. Cooperation among European countries and with international partners is essential for the effective management and conservation of wetlands. Wetlands play a significant role in biodiversity conservation and sustainable development, and their protection is essential for achieving global environmental goals. The Ramsar Convention serves as a framework for international cooperation and action towards the preservation of wetland ecosystems.

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References

Baboianu, Grigore. 2016. "Danube Delta: The Transboundary Wetlands (Romania and Ukraine)." In *The Wetland Book,* edited by Max Finlayson, Randy Milton, Crawford Prentice, and Nick Davidson, 1-12. Dordrecht: Springer. https://doi.org/10.1007/978-94-007-6173-5_192-2.

Bowman, Michael, Peter Davies, and Catherine Redgwell. 2010. *Lyster's International Wildlife Law.* Cambridge University Press. Kindle.

Castro, Gonzalo, Kenneth Chomitz, and Timothy S. Thomas. 2002. "The Ramsar Convention: Measuring its Effectiveness for Conserving Wetlands of International Importance." The World Bank and World Wildlife Fund. Accessed June 25, 2024. https://www.ramsar.org/sites/default/files/documents/pdf/strp/strp11_doc26.pdf.

Convention 1971 – Convention on wetlands of international importance especially as waterfowl habitat, Feb. 2, 1971, TIAS 11084, 996 UNTS 245.

Directive 2009/147/EC – Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7–25).

EEA (European Environment Agency). 2012. "State of Europe's wetlands." EEA Report No 1/2012. European Environment Agency. Accessed June 24, 2024. https://www.eea.europa.eu/publications/towards-efficient-use-of-water.

Farrier, David, and Linda Tucker. 2000. "Wise use of Wetlands under the Ramsar Convention: a challenge for meaningful implementation of international law." *Journal of Environmental Law* 12(1): 21-42. https://www.jstor.org/stable/44248255.

Gell, Peter, Nick Davidson, and Max Finlayson. 2023. *Ramsar Wetlands. Values, Assessment, Management.* Amsterdam: Elsevier.

Groot, Rudolf S de, Rob Alkemade, Leon Braat, Lars Hein, and Louise Willemen. 2012. "Challenges in integrating the concept of ecosystem services and values in landscape planning, management and decision making." *Ecological Complexity* 7(3): 260-272. https://doi.org/10.1016/j.ecocom.2009.10.006.

Hollis, Ted, Marge Holland, Ed Maltby, and Joseph Larson. 1988. "Wise use of wetlands." *Nature and Resources* XXIV(1): 2-12. Accessed June 24, 2024. https://www.ramsar.org/sites/default/files/documents/library/wise_use_of_wetlands_-_g._e._hollis_m._m._holland_e._maltby_and_j._s._larson.pdf.

ICPDR (International Commission for the Protection of the Danube River). 2021. "The River Basin Management Plan for the Danube River Basin District." Vienna International Centre. Accessed July 1, 2024. https://www.icpdr.org/sites/default/files/nodes/documents/danube_river_basin_managament_plan_-_update_2021_full_text.pdf.

ICR (Institutul Cultural Roman). n.d. "The Bystroye Canal in the Ukrainian Danube Delta." Accessed July 1, 2024. https://www.icr.ro/pagini/the-bystroye-canal-in-the-ukrainian-danube-delta.

Jensen, Jeanette, and Alex Gardner. 2017. "O obligație legală de a restaura zonele umede prin alocări de apă pentru mediu." *Jurnalul Chinez de Dreptul Mediului* 1(2): 158–201. http://dx.doi.org/10.1163/24686042-12340012.

Matthews, Geoffrey V.T. 1993. *The Ramsar Convention on Wetlands: Its History and Development.* Gland: Ramsar Convention Bureau. Accessed July 1, 2024. https://www.ramsar.org/sites/default/files/documents/pdf/lib/Matthews-history.pdf.

MENRU (Ministry of Ecology and Natural Resources of Ukraine). n.d. "Environmental Impact Assessment." Accessed June 5, 2024. https://www.ukrainefacility.me.gov.ua/wp-content/uploads/2024/03/ukraine-facility-plan.pdf.

Morgera, Elisa. 2011. "Faraway, So Close: A Legal Analysis of the Increasing Interactions between the Convention on Biological Diversity and Climate Change Law." *University of Edinburgh School of Law Working Paper* No. 2011/05. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1753810.

Mihailov, Nikolai, and Lidia Sakelarieva. 2022. "Good and Justice in the Context of Environmental Ethics." *Studia Ecologiae et Bioethicae* 20(1): 5-13. https://doi.org/10.21697/seb.2022.03.

Ramsar Convention Secretariat. 2010. *International cooperation: Guidelines and other support for international cooperation under the Ramsar Convention on Wetlands.* Gland: Ramsar handbooks. Accessed July 1, 2024. https://www.ramsar.org/sites/default/files/documents/pdf/lib/hbk4-20.pdf.

Ramsar Convention Secretariat. 2013. *The Ramsar Convention Manual: a guide to the Convention on Wetlands (Ramsar, Iran, 1971).* Gland: Ramsar

Convention Secretariat. Accessed July 1, 2024. https://www.ramsar.org/sites/default/files/documents/library/manual6-2013-e.pdf.

Trempała, Wojciech. 2022. "The Vision of State and Social Life in the Normative Models of Environmental Awareness." *Studia Ecologiae et Bioethicae* 20(2): 67-77. http://doi.org/10.21697/seb.2022.14.

Turner, Kerry R., Jeroen C.J. M. van den Bergh, and Roy Brouwer. 2000. *Managing Wetlands: An Ecological Economics Approach.* Cheltenham: Edward Elgar Publishing.

UNESCO World Heritage Centre. 2024. "Danube Delta." Accessed June 5, 2024. https://whc.unesco.org/en/list/588.

WWF. n.d. *The Bystroye Canal in the Ukrainian Danube Delta – Questions and Answers. Updated 24 June.* Accessed July 1, 2024. https://wwfeu.awsassets.panda.org/downloads/bystroyecanalqa.pdf.