



Australian Government

Department of Sustainability, Environment,
Water, Population and Communities

AUSTRALIA'S OBLIGATIONS UNDER THE RAMSAR CONVENTION: LEGISLATIVE SUPPORT FOR WETLANDS

The conservation and wise use of Australia's wetlands is guided and mandated by international agreements and Australian laws. Although these sorts of agreements and legislation have complicated legal and technical terms, and are implemented by governments, their intent is translated into the day-to-day actions of wetland managers including volunteers in community groups, farmers, national park rangers, and researchers. These legal documents about, or referring to, wetlands, mean that everyone is working towards similar conservation and wise use goals.

The Australian Government's specific role in wetland management is established by our obligations under international conventions. The Convention that relates most strongly to wetlands is the *Convention on Wetlands of International Importance especially as Waterfowl Habitat* (the Ramsar Convention). Other conventions and agreements such as the *Convention on Biological Diversity* and Migratory Bird Agreements with Japan, China and Korea are also relevant for wetland management. The Australian Government works in partnership with state and territory governments to implement the Ramsar Convention.

Key legislation supporting the conservation and wise use of Australian wetlands are the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the *Water Act 2007* and state or territory based land and water planning legislation.

The Ramsar Convention

The Ramsar Convention is an international intergovernmental treaty which was adopted in the Iranian city of Ramsar in 1971 and came into force in 1975. The broad aims of the Ramsar Convention are to halt and, where possible, reverse, the worldwide loss of wetlands and to conserve those that remain through wise use and management.



The Convention's mission is "the conservation and wise use of all wetlands through local, regional and national actions and international cooperation, as a contribution towards achieving sustainable development throughout the world". This means ensuring that activities which might affect wetlands will not lead to the loss of biodiversity or diminish the many ecological, hydrological, cultural or social values of wetlands.

The wise use of wetlands is "the maintenance of their ecological character, achieved through the implementation of ecosystem approaches, within the context of sustainable development." The wise use provisions of the Convention apply, as far as possible, to all wetland ecosystems.

Australia's obligations under the Articles of the Convention

Australia was one of the first countries to become a Contracting Party to the Ramsar Convention and designated the world's first Wetland of International Importance, Cobourg Peninsula Aboriginal Land and Wildlife Sanctuary in 1974. The Administrative Authority for the Ramsar Convention in Australia is within the Australian Government Department of Sustainability, Environment, Water, Population and Communities. Lead agencies responsible for implementing the Ramsar Convention in states and territories generally include agencies with environmental, natural resource and land management functions.

In acceding to the Ramsar Convention, countries accept a number of obligations as described under the various Articles of the Convention. Further information on the Articles of the convention can be found on the Ramsar Convention website: <http://www.ramsar.org>

As a Contracting Party to the Ramsar Convention, Australia has made a commitment to:

- designate suitable wetlands for inclusion on the List of Wetlands of International Importance
- formulate and implement planning to promote conservation of listed wetlands and as far as possible the wise use of all wetlands
- arrange to be informed at the earliest possible time if the ecological character of any listed wetland has changed, is changing or is likely to change as a result of technological developments, pollution or other human interference, and report any such changes to the Ramsar Convention
- promote the conservation of wetlands and waterfowl by establishing nature reserves on wetlands
- encourage research and exchange of data and publications
- promote the training of personnel in the fields of wetland research and management
- consult with other contracting parties to the Convention to review and promote the implementation of the Convention



- represent Australia at the triennial Conference of the Contracting Parties, collating the National Report for these meetings and other reporting to the Convention.

Australia's Obligations under the Ramsar Strategic Plan

The Ramsar Strategic Plan is intended to provide guidance to Contracting Parties on how they should focus their efforts in implementing the Ramsar Convention over a six year period. The Ramsar Convention is embarking on its third Strategic Plan for 2009-2015. The Strategic Plan focuses on five key goals including a number of strategies to achieve these goals:

- promote wise use of wetlands
 - wetland inventory and assessment
 - integrated policies and practices
- develop and maintain a network of Ramsar wetlands
 - Ramsar site designation
 - Ramsar site information
 - Ramsar site ecological character
- enhance international cooperation
 - synergies and partnerships with Multilateral Environmental Agreements and Intergovernmental Government Agencies
 - international assistance
- improve the institutional capacity and effectiveness of the Convention

- Communication, Education, Participation and Awareness Programme (CEPA)
- Convention financial capacity
- increase membership
 - progress towards universal membership of the Convention.

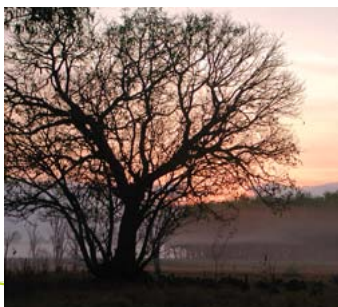
Further detail on the Ramsar Strategic Plan can be found on the Ramsar Convention web site: <http://www.ramsar.org>.

The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The implementation of the Ramsar Convention in Australia is supported by the EPBC Act. Ramsar wetlands are a matter of national environmental significance that are protected under the Act. The EPBC Act regulates actions that will or are likely to have a significant impact on the ecological character of a Ramsar wetland ¹.

The EPBC Act also establishes a framework for managing Ramsar listed wetlands through the Australian Ramsar Management Principles². The principles are intended to promote national standards of management, planning, environmental impact assessment, community involvement and monitoring for all Australian Ramsar wetlands in a way that is consistent with Australia's obligations under the Ramsar Convention.

Under the EPBC Act, the Australian Government Environment Minister is required



to have management plans in place for all Ramsar sites entirely within Commonwealth areas³. The Commonwealth must also use its best endeavours to ensure that management plans are in place for Ramsar sites within state or territory land and waters⁴.

The Water Act 2007

The *Water Act 2007* (Water Act) establishes a range of mechanisms which support sustainable management of water resources, particularly in the Murray-Darling Basin. The Water Act established the Murray-Darling Basin Authority (Authority) to ensure that Basin water resources are managed in an integrated and sustainable way. The Authority is required to prepare the Basin Plan, a strategic plan for the integrated and sustainable management of water resources in the Murray-Darling Basin. In developing the Basin Plan, the Authority is required to give effect to the Ramsar Convention and a number of other international environmental agreements, and to promote the wise use of all the Basin water resources and the conservation of declared Ramsar wetlands⁵.

The Water Act also established the Commonwealth Environmental Water Holder to manage the Commonwealth's environmental water holdings to protect or restore environmental assets, including wetlands listed under the Ramsar Convention.

- 1 EPBC Act 1999, Chapter 2, Part 3, Division 1, Subdivision B, Section 16
- 2 EPBC Act 1999, Chapter 5, Part 15, Division 2, Subdivision F, Section 335
- 3 EPBC Act 1999, Chapter 5, Part 15, Division 2, Subdivision D, Section 328
- 4 EPBC Act 1999, Chapter 5, Part 15, Division 2, Subdivision D, Sections 332, 333, 334
- 5 Water Act 2007, Division 1, Subdivision B, Section 21(3)

WAT256.1012

