



“People and Wetlands: The Vital Link”
**7th Meeting of the Conference of the Contracting Parties
to the Convention on Wetlands (Ramsar, Iran, 1971),
San José, Costa Rica, 10-18 May 1999**

**Issues concerning the boundary definitions of Ramsar sites and
compensation of wetland habitats**

1. AWARE that Article 2.1 of the Convention obliges Contracting Parties to describe precisely and delimit on a map the boundaries of the wetlands designated for inclusion in the List of Wetlands of International Importance, and RECALLING Resolution 5.3 which recognized that some wetlands were designated for the List before any criteria or information recording system had been developed under the Convention;
2. ALSO RECALLING Article 2.5 which states that *“any Contracting Party shall have the right . . . because of its urgent national interests, to delete or restrict the boundaries of wetlands already included by it in the List”*, and Article 4.2 which states that *“where a Contracting Party in its urgent national interest, deletes or restricts the boundaries of a wetland included in the List, it should as far as possible compensate for any loss of wetland resources, and in particular it should create additional nature reserves for waterfowl and for the protection, either in the same area or elsewhere, of an adequate portion of the original habitat”*;
3. CONSCIOUS that the Conference of the Contracting Parties does not wish to encourage the deletion or restriction of the boundaries of Listed sites, preferring to see all feasible alternatives examined through rigorous and transparent assessments, in consultation with all stakeholders, before Contracting Parties exercise their right to take such action;
4. NOTING that at present there is no guidance provided by the Convention to assist Contracting Parties considering the deletion or restriction of the boundaries of a Ramsar site to establish a true and internationally acceptable case of urgent national interest, and thereafter how to meet their obligations under Article 4.2 in terms of listing suitable compensatory habitat;
5. RECOGNIZING that some Contracting Parties have extensive case law relating to aspects of the determination of urgent national interest, habitat compensation and mitigation;
6. NOTING ALSO the advances in technology which have allowed for a higher resolution of site boundaries than previously available, and the continuing increase in both quantity and quality of data available for Ramsar sites which increases our understanding of their ecological character; and
7. NOTING Resolution VII.24 which addresses the need for compensation for lost wetland habitats and other functions;

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8. RECOGNIZES that there are situations, other than the urgent national interest provision of Article 2.5 of the Convention text, where Ramsar site boundaries may warrant further definition, for example, where boundaries were erroneously or inaccurately defined at the time of listing;
9. REQUESTS the Standing Committee to develop and propose to the 8th Meeting of the Conference of the Contracting Parties (COP8) a procedure for the review of Ramsar site boundaries for reasons other than urgent national interest, without prejudice to other international obligations;
10. RECOGNIZES that Australia will prepare two case studies (as referred to in Resolution VII.12) for the development of a more generalized approach to the revision of Ramsar site boundaries in cases other than the urgent national interest, and will provide the outcomes of these case studies in time for consideration at COP8;
11. REQUESTS the Standing Committee, with support from the Bureau, and in consultation with the Scientific and Technical Review Panel (STRP), experts familiar with the Habitats Directive of the European Union, appropriate legal and other experts, and interested Contracting Parties, to develop for consideration and possible adoption at COP8 guidance for the Contracting Parties in interpreting Articles 2.5 and 4.2, if resources allow;
12. CALLS UPON any Contracting Parties that consider the deletion or restriction of the boundaries of a Ramsar site in the urgent national interest prior to COP8, to exercise the highest levels of environmental, economic and social impact assessment which take into consideration the full range of functions, services and benefits offered by the wetland; and
13. URGES those Contracting Parties or organizations with experience in issues of urgent national interest or similar determinations and habitat compensation and mitigation issues to provide any relevant information and materials to the Ramsar Bureau for consideration by the Standing Committee by no later than 30 September 1999.