ABSTRACT

The United Nations Convention on Wetlands, the Waterfowl Habitat, 1971, popularly known as the Ramsar Convention, the Convention on Biological Diversity, 1992 (CBD), the Convention on Migratory Birds, the Convention on International Trade on Endangered Species of Wild Fauna and Flora, 1960 (CITES), and International Tropical Timber Agreement (1994) (ITTA) assumes a significant role in wetland conservation worldwide. Wetlands are the ideal habitat for a large variety of plant and animal species that provides for protection of the biodiversity. The Ramsar Convention is an instrument at global level to promote conservation of a particular habitat with the aim of conserving and enhancing wetlands. This convention reflected new international legal efforts aimed at conservation by protecting a habitat type rather than a species, which was the consequence of activities of the non-governmental International Waterfowl Research Bureau. For CBD, which came into force at the United Nations Conference on Environment and Development in Rio de Janeiro, requires Parties to the convention to adopt national strategies, plans or programmes and policies in order to promote the objectives of the convention. Parties must also identify the important components of biodiversity for its conservation, and sustainable use, monitor such components, and categorize activities that are likely to have significant adverse impacts on biodiversity. Both the conventions have pertinent treaty norms which have been given effect through local legislations. Due to the poor enforcement of laws, the objectives of these conventions are yet to be achieved. This paper aims to examine the importance of the two international conventions, and their integrated role in biodiversity conservation of wetlands in Malaysia.

Key words: Wetlands, RAMSAR Convention, Biodiversity, Conservation, Convention of Biological Diversity.

Introduction

The imminent need for protection of waterfowl and natural habitat resulted in the introduction of the Convention on Wetlands of International Importance, (Matthews, 1980) especially the Waterfowl Habitat convention popularly known as the Ramsar Convention in 1971. The United Nations Environment Programme (UNEP) convened the Ad Hoc Working Group of Experts on Biological Diversity in November 1988 to explore the need for convention on biological diversity. The Convention on Biological Diversity came into force on 29 December, 1993. This convention was made to protect the earth’s biological resources as they are vital to economic, scientific and social development. This paper seeks to identify the impact of the two conventions in promoting biodiversity and habitat protection in Malaysia.

Ramsar Convention:

The Ramsar Convention is aimed at 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.

The Convention came into force in 1975 and as of now there are 160 Contracting Parties or member States, in all parts of the world (Mathew, 1980). There are 1,947 sites designated for the List of Wetlands of International Importance covering more than 190 million hectares, larger than the surface area of France, Germany, Spain, and Switzerland combined. There are 6 Ramsar sites in Malaysia.

The Convention provides the framework for national action and also international cooperation for purposes such as conservation and wise use of wetlands and also their resources. This treaty came into force in December 1975.

The Convention aims at “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 is achievable by way of co-operation among various concerned department nationally, and also international co-operation as a means of achieving sustainable development of wetlands and their biodiversity worldwide (Clare and Cyrille, 1999).

The convention has also emphasized on the conservation and wise use of wetlands primarily as a habitat for water birds. Over the years, the Convention has broadened its scope of implementation to cover all aspects of wetland conservation and wise use, recognizing wetlands as ecosystems that are extremely important for biodiversity conservation and for the well-being of human communities, thus fulfilling the full scope of the Convention text.

The Ramsar Convention was adopted on 2 February 1971, in the Iranian city of Ramsar, on the Southern shore of the Caspian Sea. Thus, every year 2nd of February is celebrated as World Wetlands Day. This is to remind policy makers, NGOs and other environmentalists to work harder to conserve the wetland habitats and biological resources.

The Convention defined wetlands as areas that include a wide variety of habitats such as marshes, peatlands, floodplains, rivers and lakes. It also includes coastal areas such as salt marshes, mangroves, and seagrass beds, including coral reefs and other marine areas not deeper than six meters at low tide, as well as man-made wetlands such as waster-water treatment ponds and reservoirs.

Kruchek (2011) asserts that in order to meet the objectives, the convention places four primary obligations on its member countries. Firstly, each Member must designate a minimum of one Ramsar Site for the List of Wetlands of International Importance (the Ramsar List) (Kruchek, 2011). In implementing this provision, the Member states must promote the conservation of wetlands listed in the Ramsar List. Secondly, all member countries must include wetlands conservation considerations in their natural resources planning processes, and also to promote the wise use of the wetlands within their territory. Thirdly, the Member states are obliged to establish natural reserves on wetlands, this is according to their borders and jurisdictions. Members of the Convention are also expected to exchange information among themselves about wetlands to exercise training in wetlands research fields, and to manage wetlands for the advantages and benefit of the waterfowl. Lastly, members must co-operate internationally and emphasize also on transboundary wetlands, shared water systems, shared species, most importantly is in areas of development projects that affect wetlands.

Being the Ramsar Convention’s mission the concept of ‘wise use of wetlands’ Vriesinga, (2009) is of great importance. The Convention defines it as: “the maintenance of their ecological character, achieved through the implementation of ecosystem approaches, within the context of sustainable development (Pittock, 2011). The wise use concept warrants conservation and sustainable use of wetlands and their resources are significant for the benefit of humankind.

Although the Convention’s initial focus was on wetlands (Hall 1997) that is, considering wetlands as habitats for waterfowl, it has now developed more in a broader sense with the two basic concepts in the Convention:

First, to maintain the List of Wetlands of International Importance, which is a list of important sites designated by Member states, who have formally accepted the obligation to maintain the ecological character of the listed sites? Second is, to foster the requirement of wise use of all the wetlands in a Contracting party’s territories. Wise use of wetland is always considered synonymous with sustainable use, which implies to maintain and enrich all the Ramsar sites of a Member state.

It is for this reason that Halls (1997) asserts that the Ramsar Convention is a living and evolving instrument. Earlier on, the emphasis was only on listed sites, but now, the broader concept of wise use has become increasingly important, realizing that listed sites cannot be conserved in a vacuum, but there is a need to integrate conservation and wise use of wetland into national land use and also water management strategies. The convention sets out basic concepts; the Contracting Parties interpret and practice the imperative of adaptation to change.

The wise use concept actually means that the natural productivity and biodiversity in a particular site can be utilized as long as the basic ecological functioning of the wetlands remains undisturbed. There is a fine example of wise use of a wetlands in Sundarbans, which is a mangrove forest shared by two countries, India and Bangladesh, part of which has been designated as a Ramsar site. Navid 2001), Thousands of people are exploiting and utilizing the natural resources of this wetland, where they harvest mangrove trees, palm leaves, fish and other natural resources, at the same time. Sundarbans remains one of the richest wildlife areas in the world. Another example of wise use is Tasek Bera, which is Malaysia’s first designated Ramsar site. The objective of the designation was to protect its ecosystem. Tasek Bera is a lake situated in southwest Pahang, one of the states in Malaysia. The area is approximately 6,150 ha of wetlands in a watershed of 61,383 ha. Tasek Bera is an alluvial peat swamp ecosystem, measuring 34.6 kilometers at its longest and 25 kilometers. The principal vegetation for Tasek Bera is composed of three major habitat types, which are the limnetic, or open water region, which is fringed by stands of *Utricularia* in the surface water, that is one percent of the swamp area; second, the *Lepironia* reed and *Pandanus* clump stands forming part of the littoral region, which covers thirty two percent of the swamp area; and third, the *Eugenia* swamp forest stands, which form the major part of...
the littoral region, that is sixty seven percent of the swamp area. With this rich flora, there exist algae, ferns, screw pines, sedges and mosses. The land is primarily used for aborigines, especially the Semelai people. These aborigines have fisheries and shifting cultivation, tourism and trade in aquarium fishes. One of the Malaysian government’s departments, that is, the Department of Drainage and Irrigation, has an irrigation project of 23 ha. There are also oil palm plantations and logging operations in surrounding areas. Tasek Bera is significant, not only for the reasons stated above, but also for rice cultivation, scientific research and conservation education. The Malaysian Wetlands Working Group also asserts that the fishes of the Tasek Bera region are significant in the followings situations:

a. First, as a source of protein for the local population; there are thirty marketable species of fish; second, for sport fishing, where at least fifteen potential sport fishes are found; and thirdly, for trade in aquarium fishes, where there are approximately fifty species of aquarium fishes that are found, including at least twenty species of special interest. Tasek Bera is one of the two major natural bodies of fresh water on the Peninsular Malaysia. It supports a biological community that is unique within Malaysia, and has a high ecological diversity (Nagle, 2009). It also supports a large number of plant and animal species; of which, some are endangered and/or endemic. Tasek Bera is a gene pool of interest from various fields of scientific, recreational, educational and economic points of view. There are two hundred species of birds recorded. Among those are the endangered Crested and Crestless Fireback, and the Malaysian Night Heron.

In other parts of the world, another example of wise use can be found in the Wadden Sea, Europe’s biggest estuary, which is located in a densely populated area. It is shared by Denmark, Germany and the Netherlands. It is a Ramsar site that all three states have agreed to develop under a joint management concept; based on wise use, the objectives are to control hunting, oil exploration, fisheries and tourism, and also to reconcile them with nature conservation.

The Convention On Biological Diversity (CBD):

Entry into force of the Convention on Biological Diversity (CBD) on 29 December, 1993, marks an important development in the conservation of the plant and animal species of the world, including the biodiversity of wetlands. The CBD represents, at least in principle, an attempt to internationalise, in a more comprehensive and inclusive manner, the conservation and sustainable use of plant and animal species, based on their conditions in the world, as some of them are in plenty, some of them are facing extinction, and some others have already become extinct Boyle (1995). Biological diversity generally defined as “the total variety of genetic strains, species and ecosystems. It is also defined in Article 2 of the Biological Diversity Convention as: “the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems”.

The following are the three main goals of the Convention according to (Mackenzie, Burhene-Guilmin, La Vina, A.G.M and Werksman, J.D 2003): First is conservation of biological diversity (or biodiversity); second is sustainable use of its components; and third is fair and equitable sharing of benefits arising from genetic resources. In a nutshell, the objective of the Convention is to develop national strategies for the conservation and sustainable use of biological diversity.

Article 1 of the Convention sets out two main and important objectives:

a) Conservation of biodiversity and sustainable use of its components; and
b) Fair and equitable sharing of all benefits arising out the utilization of genetic resources.

At the Earth Summit in Rio de Janeiro, Brazil, the Convention was opened for signatures on 5th June, 1992 and entered into force on 29th December, 1993. The adoption of the Convention marked an important new development in the protection of the natural environment. The Convention represents in principle that there is an attempt to internalize, in a more comprehensive and inclusive way, the conservation and sustainable use of natural living resources, based on the concept of sustainability of the biological diversity McNeely 2011. They have to be conserved for the sake of maintaining the natural balance of plants and animals as they are important to have a sustainable environment (Yusuf, 2000). They have to be conserved for scientific reasons, as they provide genetic materials for augmenting scientific researches. The biodiversity needs to be conserved, on moral grounds also, because all species deserve respect regardless of their use to humanity. Also on the basis of utilitarian grounds, they are all parts and components of universal life support system. It is also because of the biological wealth that supplies food, raw material and genetic material for agriculture, medicine and industry.

It is unfortunate that in spite of international efforts under global and regional conventions and efforts at national levels through national legislations for preventing exhaustive use of the biodiversity and increasing the number of the plant and animal species that are facing extinction by applying ex-situ and in-situ reproductive techniques, the biological diversity of the nature are becoming vigorously threatened. This is due to pollution,
deforestation, overuse and exploitation of resources, harmful land use and development practices that result into loss of habitat. Poachers and loggers are the main culprits. If immediate and urgent positive steps are not taken and the present trend continues, the prediction that 25 per cent of the existing biodiversity will further become extinct by the middle of this Century will come true.

The CBD displays serious flaws, (Downes, 1994) and would have benefited from a more considered negotiating process; its goals are nevertheless ambitious. Thus the three objectives of CBD are reflected in differing interests of developed and developing states. Those objectives are the conservation of biodiversity and the sustainable use of its components, and second, the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

Necessity of Bilateral or Regional Conventions on Wetlands?:

The Ramsar Convention is primarily concerned about wetlands and this convention can be used as a means to call international attention towards the rate at which wetland habitats have been disappearing, due to a lack of understanding of their important functions, values and services. By joining the Convention, Governments all over the world are expressing their willingness to make a commitment to helping to reverse the trend and work for resuscitate wetlands by re-planting, flooding, and working for sustainable use of wetlands.

Furthermore, many wetlands are international ecosystems lying across the boundaries of two or more states, or are part of river basins that include more than one state. For example, the Mekong river is situated in six different countries, comprising China (Yunnan Province), Myanmar, Laos, Thailand, Cambodia and Vietnam. Many people of these countries depend on aquatic edible resources for their living. It is also known that lives around the rivers are also only because of the river. They also act as beneficiaries to the people living around the river. The natural conditions of these and other wetlands are dependent on the quality and quality of the river which depends on the water coming to it from various sources like rivers, streams, lakes, or underground aquifers. In this kind of situation there has to be either a bilateral agreement covering a limited part of the river or a multilateral agreement for sustainable use of the river water. This is the only way to protect this kind of wetlands and plant and animal species being harbored by them.

The CBD, on the other hand, indicates its primary concern with the internal environment of states is its perfunctory treatment of transboundary issues. In Article 14 of the CBD, it merely calls for parties to “promote, on a reciprocal basis” notification, exchange of information and consultation, by “encouraging the conclusion of bilateral, regional or multilateral arrangement”. The authors are of the opinion is that bilateral and multilateral agreements will certainly be a good option for conserving the species found in more than one countries or if the animals require a wide range of habitat spreading over more than one countries. The ASEAN agreement on conservation of the nature and natural resources and establishment of a Headquarter for enforcing the treaty norms are the best examples. This convention has been successful in establishing cooperation in many respects among the member countries in order to protect the biodiversity of the region.

Other than that, there is no doubt that States are responsible in international law for ensuring that activities within their jurisdiction or control do not cause damage to the environment of other states or of areas beyond the limits of national jurisdiction. In Article 3 of the CBD, it reiterates Principle 2 of the Rio Declaration, which itself follows Principle 21 of the Stockholm Declaration, which is a principle widely regarded as representing international law on the matter.

Relationship Of The Ramsar Convention And The CBD:

There are many significant benefits by way of coordination and collaboration amongst conventions and international organizations with related or overlapping missions that have been widely recognized for some time.

For example, in January 1996, the Secretariats of the Ramsar Convention and the CBD signed a first Memorandum of Cooperation, and in November of the same year, the CBD’s Conference of Party (COP 3) invited Ramsar “to cooperate as a lead partner” in implementing CBD activities that are related to wetlands. The Conferences of the Parties of both conventions (The Ramsar Convention and the CBD) have also called for increased communication and cooperation between their subsidiary scientific bodies, the CBD’s Subsidiary Body for Scientific, Technical, and Technological Advice (SBSTTA) and the Ramsar Scientific and Technical Review Panel (STRP). The members of both of these bodies regularly participate in the work and meetings of one another.

The authors are of the opinion that a greater degree of cooperation among the two conventions will be a better approach because both protect the habitat and the biodiversity. Protection of the wetlands is in effect a tool for conservation of their biodiversities. Likewise, without a congenial habitat plant and animal species suffer and start vanishing. In view of this, we should think of implementing both the conventions together, internationally or locally.
Conventions’ Role In Integrating Biodiversity Conservation Of Wetlands In Malaysia:

Malaysia aims to become one of the world leaders in conservation, research, and sustainable utilization of tropical biodiversity by the year 2020. Towards achieving this objective, Malaysia has enacted a spectrum of legislation aimed at protecting and conserving biodiversity; this trend was prevalent even during the British rule (Nagle 2009).

Malaysia has also enacted several other laws and policies with goals to protect biodiversity. The Environmental Quality Act of 1974, for example, provides an extensive framework for Malaysia’s environmental law. There are other statutes and policies, which include the Fisheries Act of 1985, a National Policy on Biological Diversity and the Sarawak Biodiversity Ordinance of 1997. The 1998 National Policy on Biodiversity listed twenty-six Federal and State laws that are relevant to the protection of Malaysia’s biodiversity. The recent Malaysian Wildlife Protection Act 2010 has provided impetus to the conservation process. There are a number of regulations for protecting and resuscitating wetlands particularly for animal species and trade in their body parts.

Since Malaysia is a member to both conventions, the country has strictly adhered to the policies and obligations imposed by these conventions.

At the same time, Malaysia was once under pressure by developed countries to further protect the country’s forests. While serving as Prime Minister, Tun Dr. Mahathir Mohamed (1981) once remarked that: “While the developed countries had destroyed their forests, it was not fair for them to ask us to earn less from our forests. Malaysians and local non-governmental organizations should not get carried away with the so-called environmental consciousness of the foreigners until we are forced to sacrifice our forests’ economic importance for their comfort”.

Nearly twenty million acres of forests are still untouched in Malaysia. It has been repeatedly said by Prime Ministers of country to maintain 50 per cent of its territory covered with forests. The mangroves alone support a broad variety of flora and fauna. Most of the mangroves and peat swamps, approximately 1.54 million hectares, are there in Sarawak. That comprises seventy-five per cent of Malaysia’s wetlands and is a host to such rare species as the orangutan, proboscis monkey, and also the Sumatran rhinoceros. Unfortunately, there are threats everywhere. Such threats involved unsustainable timber extraction, together with the conversion of forests and other lands to agricultural and industrial uses are perhaps the greatest threats. Other threats such as hunting, forest fires as a land use tool, expanded and excessive tourism, marine pollution, destructive fishing techniques, and also the lowering of groundwater tables affect biodiversity terribly. Somehow, attitudes toward biodiversity changed in light of these threats. In the 1980s, Malaysia’s mangrove forests and wetlands were considered as “wasteland”, but now they are regarded as ecologically valuable.

The CBD also mentions about conservation. There are basically three reasons for conserving habitat and biodiversity. The reasons are: first, biodiversity provides an actual and potential source of biological resources. These include food, pharmaceuticals, fisheries, soil conditions and parks. Secondly, it is the biodiversity that is significant for the maintenance of the biosphere that supports humans and other life. Finally, biodiversity is sustainable worth and sustained for non-scientific reasons, such as ethical and aesthetic values. In Malaysia, biodiversity helps the people in manifest ways, for example, in biodiversity and food security, biodiversity and health, biodiversity and fisheries, biodiversity and forestry, biodiversity and tourism, biodiversity and ecosystem services, biodiversity and indigenous knowledge, and biodiversity and biotechnology.

For the first objective, it plays significant roles in Malaysia. For example, the Sarawak State government has established “peace parks” such as the Lanjak-Entimau Wildlife Sanctuary, which is contiguous to Batang Ai National Park, and the Gunung Bentuang and Karimun reserves in Kalimantan (Indonesia) (Kunich, 2001). Sadly, despite this extra layer of protection, the forests are still threatened by deforestation and subsequent loss of biodiversity.

Somehow, Malaysia is fortunate to have its own national policy on protection of biodiversity. With the emergence of the National Policy on Biological Diversity in 1998, it listed twenty-six Federal and State laws that are relevant for the protection of Malaysia’s biodiversity. Somehow, it is not enough, as the same policy seems to lack a “single comprehensive legislation in Malaysia which relates to biological diversity conservation and management as a whole” Azmi (Sharom, 2002).

On the other hand, interestingly, Malaysia’s unique federal system of government affects biodiversity protection too. For example, the two States of Malaysian Borneo, which are Sabah and Sarawak, enjoy significant autonomy; this includes autonomy over natural resources. A crystal-clear example is the Sarawak Biodiversity Regulations, which were promulgated in 2004 and focus on biodiversity in protected areas. Another regulation, for example, makes it an offence to “enter and collect or take away any biological resources from a State land forest, forest reserve, protected forest, national park, nature reserve, or even Wild Life Sanctuary without a permit issued” to facilitate research. The Government of Sarawak also relies upon the Sarawak Forestry Corporation, which was created by the State legislature in 1995, and has duties to manage and conserve its forests. This idea of a separate corporation stems from the International Tropical Timber
organisation (ITTO) mission to Sarawak, when they identified the number of weaknesses that must be identified if the State was to sustainably manage its own forests (Ansari, 2008). The ITTO then recommended a new model, which is independent of the civil service given this task, as the Department of Forests has many constraints and limits in effectively achieving sustainable forest management.

With that, the corporation is also responsible for managing Sarawak’s eighteen national parks, four wildlife sanctuaries, and five nature reserves with a total of over 500,000 hectares.

In 1957, one of the parks, which is the Bako National Park, is located just west of Sarawak’s capital city of Kuching. Bako is not only small, but “probably the best place in Sarawak” for wildlife experiences. The Bako National Park contains seven different ecosystems, which go from mangrove forests, grasslands, to a peat swamp forest. It also contains a number of unique and remarkable species of flora and fauna.

For the second objective, which is the sustainable use of biological resources, Malaysia is directly involved in the commercial exploitation, which is the key component of Malaysia’s approach to biodiversity. One commentator to biodiversity policies stated:

…the genetic material contained in Malaysia’s abundant tropical plant species is a potential source of commercially valuable pharmaceutical products, and the richness of Malaysia’s forest and marine environments offers some of the finest nature-based tourism opportunities in the world.

The authors agree with the above comments and found that a sustainable tourism is one way of getting more opportunities for more people. For example, for the government, this tourism industry will generate more income and at the same time, provide more jobs for the people. Within the idea of promoting tourism, to be exact, eco-tourism plays an important role here. By promoting the countries’ enchanting places such as the Putrajaya Wetlands, the Kuala Gula Bird Sanctuary and the Langkawi Sanctuary (just to name a few), will generate more income for the country. At the same time, Malaysia is sustaining its biological resources and benefits from its tourism industry.

The third objective of the CBD is fair and equitable sharing of natural resources (McNeely, 2011). Since the Convention entered into force, various mechanisms have been developed to share benefits equitably and in ways that support conservation and economic development. There are many examples of programmes that have achieved interesting models for benefit-sharing relationships with other source countries. For example, the National Cancer Institute of the United States has been involved in natural products discovery since its inception in 1937. Looking at closer boundaries, Calanolide A has been developed through Sarawak Medichem Pharmaceuticals Incorporated, a joint venture of the Sarawak State Government and Medichem Research. If Calanolide A progresses successfully through clinical trials and is approved as a drug, then it will be the first test of the National Institute of Cancer’s Letter of Collection as a legal instrument for generating long-term monetary benefits, such as royalties. The Letter of Collection makes provisions for a range of potential benefits, including royalties from sales of developed products, income from cultivation of plant material for production, training and direct institutional support, and transfer of technology.

Articles 16 to19 of the CBD deal with transfer of technology from developed countries to developing countries. Amongst others, these involve parties to undertake in Article 16(1) to provide or facilitate access and transfer to other parties of technologies “that are relevant to the conservation and sustainable use or biological diversity or make use of genetic resources and do not cause significant damage to the environment”. Parties must also take measures “with the aim that” parties that provide genetic resources have access to and transfer of technology that makes use of those resources.

By the CBD, “developed” States are required to provide “new and additional” financial resources to enable “developing” States to meet the costs of implementation, and to benefit from provisions on technology transfer and access to benefits. Which States fall into which categories is not identified in the convention, but will be agreed upon by the Conference of Parties.

By looking at the enforcement of laws with regards to biodiversity conservation, it is still a huge challenge. Looking at the positive side, the designation of forest reserves has halted commercial logging in many protected areas. For example, the Deramakot Forest Reserve in Sabah has been significantly and especially successful. This resulted from the fifty-four field personnel who are responsible for implementing a management plan that combines sustainability and multiple-use principles. In a study conducted in 2007 of that reserve, the researchers credited the forest’s management for yielding denser populations of endangered species, such as Asian elephants, while also stressing the importance of “political commitment from state leaders”. Somehow, it has its flaws where the budget is concerned. Budgets are always limited for enforcement. Marine parks suffer water pollution from unregulated activities that occur on the adjacent shore. Sarawak Forestry, no doubt, admits that it is incapable of arresting the “element of organized crime whereby local gangsters are employed to extract timber illegally from Park areas.

With regards to the Ramsar Convention, Malaysia has designated six Ramsar sites and added to the Convention List; these mark the importance of conservation of Malaysia’s own natural resources. With the designation of Tasek Bera as Malaysia’s first wetlands site of international importance, it had a tremendous
effect on protecting the wetlands ecosystem. Malaysia also received grants from the Danish government to
develop Tasek Bera as its first Ramsar site.

As for Malaysia, it ratified the Convention in 1994, which came into force on 10 March, 1995. Malaysia
started with the designation of Tasek Bera as the first Ramsar site. Thus, the first obligation was completed; as
for the second objective, it seems that Malaysia has its own laws to protect natural resources, especially
wetlands. Based on the Convention itself, Malaysia is a contracting Party and fully adheres to its obligations.
Steps have been taken in ensuring nature reserves are in line with the objectives of the Convention in Malaysia.
For example, the Matang Mangroves is a permanent forest reservedsituated in Perak. Complying with the final
objective, reports are being made and sent to the Ramsar Bureau after each Conference of Parties. From this
report, each country is suppose to detail out actions taken in preservation or conservation of their own natural
resources of their country.

Malaysia is also very actively involved in international efforts. Malaysia is the active party to the two
conventions. Other than that, Malaysia also relies upon partnership with foreign governments and NGOs around
the world. When Malaysia first ratified the Ramsar Convention in 1994, the United Nations Development
Programme and the Danish Government, for example, together jointly donated about $8.3 million to all efforts
designed to improve management of Malaysia’s peat swamp forests. Concurrently, Malaysia has opposed the
expansion of some international environmental protections, such as the listing of some timber species under
CITES.

Conclusion:

Somehow, from the two conventions, it is hoped that their objectives are met through proper enforcement of
the treaties norms through local laws. But there are poor enforcements of laws (Ansari, 2011). It is also notable
that cooperation among the neighboring states is not so encouraging. There is a need of collective
implementation of both the conventions. These conventions should have a greater degree of cooperation among
themselves so that they could achieve their objectives. So far profit sharing under the CBD is concerned, it
should be amicable and a big chunk of the financial resources should be used on reforestation, including
reforestation and flooding of wetlands which are logged and getting drained because of that. Technical
cooperation and sharing of information among developed and developing Member states of both the
conventions should be enhanced without any vested interests.

Treaty norms of the Ramsar Convention and the CBD outline responsibilities of the Contracting Parties in
implementation according to the requirement of the conventions. The roles of COPs of both the conventions
have made laudable efforts but a remarkable success is yet to be achieved. It is hoped that in time to come with
greater political will on part of the Member states, the conditions of wetlands of the world and the biodiversity
will certainly improve.

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