




APPROACHES TO THE PROTECTION OF WILDLIFE IN THE RAMSAR, CITES AND BONN CONVENTIONS: A COMPARATIVE AND ANALYTICAL STUDY

ALI MASHHADI^{ID}

Associate Professor, Public and International Law Department, Faculty of Law, University of Qom, Qom, Iran | a.mashhadi@qom.ac.ir

Article Info	ABSTRACT
Article type: Research Article	Wild animals need special attention because of their significance from the environmental, ecological, genetic, scientific, recreational, cultural, educational, social and economic points of view. There are numerous international instruments and documents in the field of international wildlife law (IWL). Among them, there are three well-known instruments namely the Ramsar, Bonn, and CITES Conventions. In the present piece, these Conventions are studied comparatively in order to find out their approaches toward the protection of wildlife. In doing so, the author, first and foremost, provides a brief overview of these Conventions. Thereafter, their approaches toward wildlife protection would be analyzed. The methodological approach of this research includes analysis of wildlife protection through descriptive and normative explanation of the Ramsar, Bonn, and CITES Conventions. According to the findings of this study, reasonable and wise use of wetlands (the approach of the Ramsar Convention), special attention to migratory birds (the approach of the Bonn Convention), and the regulation of international wildlife trade (the approach of CITES) are three main and prevalent approaches in these instruments. Furthermore, it appears that CITES has played a more important and effective role in IWL and protection of wildlife. It is due to the fact that this Convention has more operative tools and its State Parties have undertaken more extensive and practical obligations.
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Introduction

In the UN document collection, there are three important conventions in the field of wildlife protection. In fact, an adequate number of sub-regional, regional and international conventions have been developed and adopted by states to protect wildlife habitat and endangered species of flora and fauna in the international wildlife law (IWL).¹ Numerous bilateral and multilateral agreements between governments have provided the basis for the development of international wildlife law.² Nowadays, several international conventions and national laws attempt to protect different species of animals and plants, but the degree of protection varies in them.³ Among them, in international environmental law, the Ramsar, Bonn, and CITES Conventions are three traditional and well-known international instruments aimed at protecting and regulating the wildlife all around the world.

The Convention on Wetlands of International Importance called also the Ramsar Convention (February 2, 1971) is an intergovernmental treaty that provides the framework for national action and international cooperation for the conservation and wise utilization of wetlands and their resources.⁴ The objective of the 1971 Bonn convention (Convention on Migratory Species or UN Convention on the Conservation of Migratory Species of Wild Animals) is the conservation of terrestrial, marine, and arena migratory species worldwide.⁵ The Bonn Convention provides the principal global framework for intergovernmental cooperation in the conservation of migratory species.⁶

1. Arie Trouwborst and others, 'International Wildlife Law: Understanding and Enhancing Its Role in Conservation' (2017) 67 *BioScience* 784, 784; Michael Bowman, Peter Davies and Catherine Redgwell, *Lyster's International Wildlife Law* (CUP 2010) 26.

2. James G Njogu, 'Wildlife Management and Conservation in View of International Conventions' (2012) 29 *The George Wright Forum* 109, 109.

3. See Simon Lyster, *International Wildlife Law: An Analysis of International Treaties concerned with the Conservation of Wildlife* (Grotius Publications Ltd 1985).

4. Janet Elizabeth Blake, 'Protection of Wildlife under International Law' (Course for Master's Degree in Environmental Law, Shahid Beheshti University 2006) 1.

5. David QC Woolley and others, *Environmental Law* (OUP 2000) 508.

6. Melissa Lewis and Arie Trouwborst, 'Bonn Convention on the Conservation of Migratory Species of Wild Animals 1979', in Malgosia Fitzmaurice, Attila Tanzi and Angeliki Papantoniou (eds), *Elgar Encyclopedia of Environmental Law*, Vol. V: *Multilateral Environmental Treaties* (Edward Elgar Publishing 2017) 25.



Wild animals require special attention because of their importance from the environmental, ecological, genetic, scientific, recreational, cultural, educational, social and economic points of view. Unregulated trade in wildlife has become a major factor in the decline of many species of animals and plants. In 1975, an international convention was concluded to prevent international trade from threatening species with extinction. This treaty is known as the Convention on International Trade in Endangered Species of the Wild Fauna and Flora [hereinafter CITES]. The main question of this article is what approach do these three Conventions have toward the protection of wildlife species in international law? Hereunder it is attempted to compare the protective approaches of these three important international wildlife instruments.

This study is carried out by comparing the environmental approaches of three international conventions. The methodological approach of this research includes analysis of wildlife protection through descriptive and normative explanation of the Ramsar (section 1), Bonn (section 2), and CITES (section 3) Conventions respectively.

1. Conservation and Wise Use of Wetlands (The Ramsar Convention Approach)

This Convention was negotiated through the 1960s by states and non-governmental organizations that were concerned about the increasing loss and degradation of wetland habitat for migratory water birds. The Convention was adopted in the Iranian city of Ramsar in 1971 and entered into force in 1975.¹ More than 150 states, including the United States, are Parties to this treaty. It is the only global environmental convention that deals with a particular ecosystem and the Convention's member states cover all geographic regions of the planet.²

In its preamble,³ this instrument emphasizes the ecological importance of wetlands and recognizes the interdependence of human being and his/her environment in following terms: "Considering the fundamental ecological functions of wetlands as regulators of water and habitats supporting a characteristic flora and fauna, especially waterfowl; ...being convinced that wetlands constitute a resource of great economic, cultural, scientific and recreational value, the loss of which would be irreparable; desiring to stem the progressive encroachment on and loss of wetlands now and in the future; recognizing that waterfowl in their seasonal migrations may transcend frontiers and so should be regarded as an international resource; being confident that the conservation of wetlands and their flora and fauna can be ensured by combining farsighted national policies with coordinated international action..."

The Convention uses a broad definition of the types of water lands covered in its mission, including lakes and rivers, swamps and marches, wet grasslands and peat lands, oases, estuaries, deltas and tidal flats, near-shore marine areas, mangroves and coral reefs, and human-made sites such as fish ponds, rice paddies, and pans (art. 1).

The Ramsar Convention's contracting parties or member states have committed themselves

1. Bridgewater, Peter and Rakhyun E Kim, 'The Ramsar Convention on Wetlands at 50' (2021) 5 Nature Ecology & Evolution 268, 268.

2. Royal C Gardner and Nick C Davidson, 'The Ramsar Convention', in Ben A LePage (ed), Wetlands: Integrating Multidisciplinary Concepts (Springer 2011) 189-203.

3. For the text of this Convention see https://www.ramsar.org/sites/default/files/documents/library/current_convention_text_e.pdf



to implementing the “three pillars” of the Convention:¹ first, to designate suitable wetlands for the list of wetlands of international importance (Ramsar List”) and to ensure their effective management (art. 2); second, the wise use of all their wetlands through national land-use planning, appropriate policies and legislation, management actions, and public education (art. 3); and third, international cooperation by virtue of development of joint programs to protect shared wetland systems (and water catchments), shared species and to promote flyway approaches (art. 5). The application of the Ramsar principles of listed sites and wise use (as the means of controlling exploitation of these natural resources so that their use is sustainable) could serve as an example and a test case for conservation and wise use of natural resources in other biomes and ecosystems. To achieve this aim, the Ramsar Bureau and the Secretariat of the Convention on Biological Diversity have signed a Memorandum of Cooperation, and the Third Conference of the Contracting Parties to the CBD has included wetlands on its agenda, using a specially commissioned report.²

Each Contracting Party shall designate suitable wetlands within its territory for inclusion in a List of Wetlands of International Importance referred to as “the List” which is maintained by the bureau established under art. 8. The boundaries of each wetland shall be precisely described and also delimited on a map and they may incorporate riparian and coastal zones adjacent to the wetlands, and islands or bodies of marine water deeper than six meters at low tide lying within the wetlands, especially where these have importance as waterfowl habitat (art. 2).

This instrument provides a useful framework for cooperative efforts to protect wetlands and the benefits that people derive from these areas and cooperative, non regulatory means of wetland protection. The obligations imposed on the Ramsar Convention’s Parties are general and permit a large degree of flexibility in their implementation.³ Generally speaking, one can find three general obligations: first, to designate sites⁴ as wetlands of international importance; second, to apply a “wise use” concept to all wetlands within a Party’s territory; finally, to engage in international cooperation. Wise use, therefore, has at its heart the conservation and sustainable use of wetlands and their resources for the benefit of humankind. Wetlands constitute a resource of great economic, scientific, cultural, and recreational value for the community. In 1987, the Parties to the Convention adopted a definition of “wise use” which emphasized maintaining “the natural properties of ecosystems”, but this conservation-based approach sits ill at ease with human interventions which are inherent in the concept of wise management.⁵ It seems anyway that effectiveness of this agreement depends on how countries implement such recommendations and commitments as effective conservation tools.⁶

1. Cathrine Roche, *Droit de l’environnement* (Guelino editeur 2006) 58.

2. A J Hails, *Wetlands, Biodiversity and the Ramsar Convention: The Role of the Convention on Wetlands in the Conservation and Wise Use of Biodiversity* (Ramsar Convention Bureau 1997) 164.

3. Royal C Gardner and Kim Diana Connolly, ‘The Ramsar Convention on Wetlands: Assessment of International Designations within the United States’ (2007) 37 *Environmental Law Review* 36, 90.

4. See Erin Okuno and others, ‘Bibliography of 2016 Scientific Publications on the Ramsar Convention or Ramsar Sites’ (2017) SSRN Electronic Journal, <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3063547, accessed May 20, 2022; Finlayson, Max and others, ‘The Ramsar Convention and Ecosystem-Based Approaches to the Wise Use and Sustainable Development of Wetlands’ (2011) 14 *Journal of International Wildlife Law & Policy* 176, 176.

5. David Farrier and Linda Tucker, ‘Wise Use of Wetlands under the Ramsar Convention: A Challenge for Meaningful Implementation of International Law’ (2000) 12 *Journal of Environmental Law* 21, 21.

6. Elie Gaget and others, ‘Assessing the Effectiveness of the Ramsar Convention in Preserving Wintering Waterbirds in the



The most important obligations related to the protectionist approach of states in the Ramsar Convention include the following:

1. Information on the ecological changes of wetlands: According to paragraph 2 of Article 3: “Each Contracting Party shall arrange to be informed at the earliest possible time if the ecological character of any wetland in its territory and included in the List has changed, is changing or is likely to change as the result of technological developments, pollution or other human interference. Information on such changes shall be passed without delay to the organization or government responsible for the continuing bureau duties specified in Article 8”.
2. Article 8(2) of the Convention stipulates that the International Bureau shall perform the most important tasks related to the registration of wetland information, including: “a)-to assist in the convening and organizing of Conferences specified in Article 6; (b) to maintain the List of Wetlands of international importance and to be informed by the contracting parties of any additions, extensions, deletions or restrictions concerning wetlands included in the List provided in accordance with paragraph 5 of Article 2; (c) to be informed by the contracting parties of any changes in the ecological character of wetlands included in the List provided in accordance with paragraph 2 of Article 3; (d) to forward notification of any alterations to the List, or changes in character of wetlands included therein, to all contracting parties and to arrange for these matters to be discussed at the next conference; (e) to make known to the contracting party concerned, the recommendations of the conferences in respect of such alterations to the List or of changes in the character of wetlands included therein”.
3. Establishing nature reserves on wetlands: Since migratory species move across international borders, achieving their protection is a shared responsibility. Some countries (such as France and Venezuela) meet targets for protected area coverage for more than 80% of their migratory bird species.¹ According to Article 4(1) of the Ramsar Convention, “each Contracting Party shall promote the conservation of wetlands and waterfowl by establishing nature reserves on wetlands, whether they are included in the List or not, and provide adequately for their widening”.
4. International responsibility of States for the protection of migratory birds: The Ramsar Convention also addresses the international responsibility of States for the protection of migratory birds. According to 2(6), “each Contracting Party shall consider its international responsibilities for the conservation, management and wise use of migratory stocks of waterfowl, both when designating entries for the List and when exercising its right to change entries in the List relating to wetlands within its territory”.

2. Bonn Convention and Protection of Migratory Species

The Bonn Convention or Convention on the Conservation of Migratory Species of Wild Animals (CMS) was signed in 1979 and entered into force on November 1983. The Parties

Mediterranean’ (2020) 243 Biological Conservation 1, 3.

1. Claire A Runge and others, ‘Protected Areas and Global Conservation of Migratory Birds’ (2015) 350 Science 1255, 1256.



acknowledge the importance of migratory species being conserved, and the need to pay special attention to species the conservation status of which is unfavorable. CMS is a member of a suite of about a half-dozen global conventions concerned with the conservation and management of biological diversity. Each of these conventions serves a particular purpose and they are largely complementary to one another in terms of their stated aims. The taxonomic coverage of the Convention on Migratory Species is diverse, encompassing not only marine turtles, but also a wide variety of birds, terrestrial mammals and marine mammals, as well as fish and insects that migrate across international borders.¹

In the preamble of this Convention,² the importance of the protection approach is discussed from different aspects. It has been emphasized that “wild animals in their innumerable forms are an irreplaceable part of the Earth’s natural system which must be conserved for the good of mankind” with particular concern with “those species of wild animals that migrate across or outside national jurisdictional boundaries” and “the States are and must be the protectors of the migratory species of wild animals that live within or pass through their national jurisdictional boundaries”.

Therefore, in terms of conceptual scope, this instrument is limited to the protection of wild migratory species. According to the definition provided by art. I of this Convention, “Migratory species” means the entire population or any geographically separate part of the population of any species or lower taxon of wild animals, a significant proportion of whose members cyclically and predictably cross one or more national jurisdictional boundaries.³

According to art. II(1), “the Parties acknowledge the importance of migratory species being conserved and of Range States agreeing to take action to this end whenever possible and appropriate, paying special attention to migratory species the conservation status of which is unfavorable, and taking individually or in co-operation appropriate and necessary steps to conserve such species and their habitat”. In addition, pursuant to art. II(2) & II(3)(a), (b) and (c), in order to avoid any migratory species becoming endangered, the parties must endeavor to promote, cooperate in or support research relating to migratory species, provide immediate protection for migratory species included in Appendix I and conclude agreements covering the conservation and management of migratory species listed in Appendix II”.

Furthermore, based on art. III(4), to protect endangered migratory species, the Parties to the Convention will endeavor to conserve or restore the habitats of endangered species, prevent, remove, and compensate for or minimize the adverse effects of activities or obstacles that impede the migration of the species; and to the extent feasible and appropriate, prevent, reduce or control factors that are endangering or are likely to further endanger the species.

The conservation and management of the species listed in Appendix II may require the conclusion of international agreements.⁴ In this context, art. V(4) provides that each agreement should: “a) identify the migratory species covered; b) describe the range and migration route

1. Douglas Hykle, ‘The Convention on Migratory Species and Other International Instruments Relevant to Marine Turtle Conservation: Pros and Cons’ (2002) 5 *Journal of International Wildlife Law and Policy* 105, 105.

2. For the text of the Bonn Convention see https://www.cms.int/sites/default/files/instrument/CMS-text.en_.PDF

3. For a detailed analysis of the Bonn Convention see Caddell, Richard, ‘International Law and the Protection of Migratory Wildlife: An Appraisal of Twenty-Five Years of the Bonn Convention’ (2005) 16 *Colo J Int’l Envtl L & Pol’y* 113, 113.

4. Philip Sands and Paolo Galizzi, *Documents in International Environmental Law* (second edition, CUP 2004) 141.



of the migratory species; c) provide for each Party to designate its national authority concerned with the implementation of the Agreement; d) establish, if necessary, appropriate machinery to assist in carrying out the aims of the Agreement, to monitor its effectiveness, and to prepare reports for the Conference of the Parties; e) provide for procedures for the settlement of disputes between Parties to the Agreement; and f) at a minimum, prohibit, in relation to a migratory species of the Order Cetacea, any taking that is not permitted for that migratory species under any other multilateral agreement and provide for accession to the Agreement by States that are not Range States of that migratory species”.

In addition, art. V(5) states that, “where appropriate and feasible, agreements should provide for, but not limited to a) periodic review of the conservation status of the migratory species concerned and the identification of the factors which may be harmful to that status; b) coordinated conservation and management plans; c) research into the ecology and population dynamics of the migratory species concerned, with special regard to migration; d) the exchange of information on the migratory species concerned, special regard being paid to the exchange of the results of research and of relevant statistics; e) conservation and, where required and feasible, restoration of the habitats of importance in maintaining a favorable conservation status, and protection of such habitats from disturbances, including strict control of the introduction of, or control of already introduced, exotic species detrimental to the migratory species; f) maintenance of a network of suitable habitats appropriately disposed in relation to the migration routes; g) where it appears desirable, the provision of new habitats favorable to the migratory species or reintroduction of the migratory species into favorable habitats; h) elimination of, to the maximum extent possible, or compensation for activities and obstacles which hinder or impede migration...”. The following table includes some of these agreements:

CMS Instruments – Agreements

Title	Adopted	Entry into Force	Participants
Agreement on the Conservation of Seals in the Wadden Sea (WSSA)	1990	1991	3 P
Agreement on the Conservation of Small Cetaceans in the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS)	1991	1994	10 P
Agreement on the Conservation of Populations of European Bats (EUROBATS)	1991	1994	36 P
Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA)	1995	1999	76 P
Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS)	1996	2001	23 P
Agreement on the Conservation of Albatrosses and Petrels (ACAP)	2001	2004	13 P
Agreement on the Conservation of Gorillas and Their Habitats	2007	2008	7 P

It seems to be noteworthy that the Conference of the Parties is the decision-making organ of the Convention. According to art. VII(5), “at each of its meetings the Conference of the Parties shall review the implementation of this Convention and may in particular: a) review and assess the conservation status of migratory species; b) review the progress made towards the conservation of migratory species, especially those listed in Appendices



I and II; c) make such provision and provide such guidance as may be necessary to enable the Scientific Council and the Secretariat to carry out their duties; d) receive and consider any reports presented by the Scientific Council, the Secretariat, any Party or any standing body established pursuant to an Agreement; e) make recommendations to the Parties for improving the conservation status of migratory species and review the progress being made under Agreements; f) in those cases where an Agreement has not been concluded, make recommendations for the convening of meetings of the Parties that are Range States of a migratory species or group of migratory species to discuss measures to improve the conservation status of the species; g) make recommendations to the Parties for improving the effectiveness of this Convention; and h) decide on any additional measure that should be taken to implement the objectives of this Convention...”.

Moreover, art. VIII of the Bonn Convention (Settlement of Disputes) provides that: “1) Any dispute which may arise between two or more Parties with respect to the interpretation or application of the provisions of this Convention shall be subject to negotiation between the Parties involved in the dispute; 2) If the dispute cannot be resolved in accordance with paragraph 1 of this Article, the Parties may, by mutual consent, submit the dispute to arbitration, in particular that of the Permanent Court of Arbitration at The Hague, and the Parties submitting the dispute shall be bound by the arbitral decision”. Although there are similarities between the Ramsar Convention and the Bonn Convention on the issue of wetlands, compared with the former Convention, the latter one identifies far more precise protections. Furthermore, conservation approaches are more in line with countries’ commitments in the Bonn Convention.¹

3. Preventing International Trade from Threatening Species with Extinction (CITES Approach)

This treaty is known as the Convention on International Trade in Endangered Species of the Wild Fauna and Flora (CITES).² CITES has established a worldwide system of controls on international trade in threatening wildlife and wildlife products by stipulating that government permits are required for such trade. It divides species into three categories based on their conservation status and the risk posed on them from trade. Lists of species in each category are compiled as three separate appendices to the Convention.³

In terms of conceptual scope, this Convention is much broader than the Ramsar and Bonn Conventions. In the preamble it is mentioned that “wild fauna and flora in their many beautiful and varied forms are an irreplaceable part of the natural systems of the earth which must be protected for this and the generations to come” and “the ever-growing value of wild fauna and flora from aesthetic, scientific, cultural, recreational and economic points of view” is emphasized. In addition, it is recognized “that peoples and States are and should be the best protectors of their own wild fauna and flora” and “international co-operation is essential for the protection of certain species of wild fauna and flora against over exploitation through international trade”.

1. Robert J McInnes and Nick C. Davidson, ‘Convention of Migratory Species (CMS) and Wetland Management’, in C Max Finlayson, *The Wetland Book* (Springer 2016) 481.

2. For the text of this Convention see <https://cites.org/sites/default/files/eng/disc/CITES-Convention-EN.pdf>

3. See David S Favre, *International Trade in Endangered Species: A Guide to CITES* (Brill 1989).



CITES Appendix I includes species that are threatened with extinction and are or may be affected by trade. CITES Appendix II includes species that although not necessarily now threatened with extinction, may become so unless trade in them is strictly controlled and monitored. It also includes some non-threatened species in order to prevent threatened species from being traded under the guise of non-threatened species that are similar in appearance. CITES Appendix III includes species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation and as requiring the cooperation of other countries in the control of trade.¹ It is necessary to keep in mind that after the outbreak of the Covid-19, compliance with trade commitments of this Convention became more important. So, it can be argued that CITES is the most appropriate tool to include norms for the protection of public health from the potential dangers of the international trade in protected species.²

Each Party or member state of CITES is obliged to designate Management and Scientific Authorities. Management Authorities are responsible for authorizing and issuing permits and certificates of approval, communicating information to other parties and the secretariat, reporting on compliance matters and contributing to CITES annual Reports. Scientific Authorities are responsible for providing scientific advice and recommendations to the Management Authorities. All trade in specimens of species included in Appendix I shall be in accordance with the provisions of art. III of the Convention. According to art. III (2), The export of any specimen of a species included in Appendix I shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met: (a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species; (b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; (c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and (d) a Management Authority of the State of export is satisfied that an import permit has been granted for the specimen”.

The import or export of CITES specimens may be permitted if it is for an eligible non-commercial purpose. Eligible non-commercial purposes include research, education, exhibition, conservation breeding or propagation, a travelling exhibition or as a household pet or personal item. Strict criteria apply to recognition of these eligible purposes. Regulated commercial trade in CITES listed species may occur subject to specific conditions related to the particular appendix on which the species is listed and whether the specimen is being imported or exported. It is noteworthy that Australia does not permit the export of live native mammals, amphibians, reptiles or birds for commercial purposes.³

Pursuant to art. VIII(1) of the Convention, “the Parties shall take appropriate measures to enforce the provisions of the present Convention and to prohibit trade in specimens

1. Ibid 38.

2. Josep Maria de Dios Marcer, ‘Is Everything Marketable in International Trade? Public Health Issues in International Trade of Wildlife’, in Mar Campins Eritja and Teresa Fajardo del Castillo (eds), *Biological Diversity and International Law: Challenges for the Post 2020 Scenario* (Springer 2021) 101.

3. Maurizio Sajeve and others, ‘Regulating Internet Trade in CITES Species’ (2013) 27 *Conservation Biology* 429, 429.



in violation thereof. These shall include measures: (a) to penalize trade in, or possession of, such specimens, or both; and (b) to provide for the confiscation or return to the State of export of such specimens". Furthermore, art. VIII(2) provides that in addition to the measures taken under paragraph 1 of art. VIII, "a Party may, when it deems it necessary, provide for any method of internal reimbursement for expenses incurred as a result of the confiscation of a specimen traded in violation of the measures taken in the application of the provisions of the present Convention". Also, art. VIII(3) reads as follows: "As far as possible, the Parties shall ensure that specimens shall pass through any formalities required for trade with a minimum of delay. To facilitate such passage, a Party may designate ports of exit and ports of entry at which specimens must be presented for clearance. The Parties shall ensure further that all living specimens, during any period of transit, holding or shipment, are properly cared for so as to minimize the risk of injury, damage to health or cruel treatment".

Enforcement of CITES is the responsibility of member states. In most countries, customs officers are given the task of enforcing CITES regulations. Governments also are required to submit reports, including trade records, to the CITES Secretariat in Switzerland. To ensure effective enforcement at the international level, the CITES Secretariat in Switzerland acts as a clearinghouse for the exchange of information and liaison between the parties and with other authorities and organization. In accordance with art. XXII(2), "the functions of the Secretariat shall be: (a) to arrange for and service meetings of the Parties; (b) to perform the functions entrusted to it under the provisions of Articles XV and XVI of the present Convention; (c) to undertake scientific and technical studies in accordance with programmes authorized by the Conference of the Parties as will contribute to the implementation of the present Convention, including studies concerning standards for appropriate preparation and shipment of living specimens and the means of identifying specimens; (d) to study the reports of Parties and to request from Parties such further information with respect thereto as it deems necessary to ensure implementation of the present Convention; (e) to invite the attention of the Parties to any matter pertaining to the aims of the present Convention; (f) to publish periodically and distribute to the Parties current editions of Appendices I, II and III together with any information which will facilitate identification of specimens of species included in those Appendices; (g) to prepare annual reports to the Parties on its work and on the implementation of the present Convention and such other reports as meetings of the Parties may request; (h) to make recommendations for the implementation of the aims and provisions of the present Convention, including the exchange of information of a scientific or technical nature; (i) to perform any other function as may be entrusted to it by the Parties".

CITES is one of the oldest international environmental agreements and has been responsible for some striking conservation successes. But, given the way it has evolved, there are also some critical weaknesses that unscrupulous countries and commercial interests can exploit, especially regarding information, institutions and enforcement.¹ Moreover, along with the fact that there are no actual enforcement provisions included in CITES, perhaps the most criticized aspect of the Convention is the vagueness of its language. This not only makes it difficult

1. Reeve, Rosalind, *Policing International Trade in Endangered Species: The CITES Treaty and Compliance* (Routledge 2014).



to interpret on an international plane, but also causes problems with its implementation and enforcement domestically. Another area of controversy has been the criteria used to determine the appropriate appendix of CITES in which to list a species, and the proper method to use for changing the status of a species by either upgrading or downgrading it. One of the most contested provisions has been whether to allow a species to be split-listed.¹

Conclusion

As was explained in the above lines, three important instruments in the field of IWL namely the Ramsar, Bonn and CITES Conventions each has its own approach concerning the protection of wildlife. Reasonable and wise use of wetlands (the approach of the Ramsar Convention), special attention to migratory birds (the approach of the Bonn Convention), and the regulation of international wildlife trade (the approach of the CITES) are three main and prevalent approaches in these instruments. Put in another way, the Ramsar Convention on Wetlands, Convention on Migratory Species and Convention on International Trade in Endangered Species have dealt with the protection of wildlife in an international scale through their specific approach.

According to what was already discussed in this piece, the following conclusions can be reached. First, peoples and states recognize that wildlife in its many beautiful and varied forms is an irreplaceable part of the natural systems of the earth which must be protected for this and generations to come (as intergenerational justice in wildlife protection). Second, they are conscious of the ever-growing value of wildlife from aesthetic, scientific, cultural, recreational and economic points of view. Third, they recognize that international co-operation is essential for the protection of certain species of wild Fauna and Flora against over-exploitation through international trade.

All three instruments have provided special tools to protect endangered wildlife and species. In this regard, the Ramsar Convention has paid special attention to the protection of wetlands and waterfowl through the establishment of a special office (art. 8) Furthermore, the Bonn and CITES Conventions have designed a protection system through their appendices. However, if these three Conventions are compared to each other, it appears that CITES has played a more important and effective role in IWL and protection of wildlife. It is due to the fact that this Convention has more operative tools and its State Parties have undertaken more extensive and practical obligations. Finally, the Parties to these Conventions are convinced of the urgency of taking appropriate measures and predicting more innovative and modern methods such digital surveillance of the illegal wildlife trade in order to achieve their aims and objectives.

1. Elisabeth M McOmber, 'Problems in Enforcement of the Convention on International Trade in Endangered Species' (2002) 27 Brooklyn Journal of International Law 673, 690-695.



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