

STATES OF JERSEY



U.N. CONVENTION ON WETLANDS OF INTERNATIONAL IMPORTANCE: DESIGNATION OF OFFSHORE REEFS

**Lodged au Greffe on 25th May 2004
by the Environment and Public Services Committee**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to agree that the areas of the shaded area on the attached Map should be designated as Wetlands of International Importance under the terms of the Convention on Wetlands of International Importance, as amended, (“the Ramsar Convention”), which applies to Jersey; and to authorise the Greffier of the States to sign the said Map;
- (b) to charge the Environment and Public Services Committee to prepare a formal application under the terms of the Ramsar Convention for the designation of the areas and to request the Bailiff to transmit the application formally to the Secretary of State for Constitutional Affairs through the official channels;
- (c) to charge those Committees of the States with administrative responsibilities for activities taking place in the area to be designated (including the Economic Development, Environment and Public Services and Harbours and Airport Committees) to conduct their activities in that area in compliance with the conservation principles of the Ramsar Convention.

ENVIRONMENT AND PUBLIC SERVICES COMMITTEE

REPORT

1. Constitution of Ramsar

Ramsar is a town in Iran where in 1971 eighteen countries signed a Convention. There are presently 138 Contracting Parties to the Convention, with 1364 wetland sites, totaling 120.4 million hectares designated for inclusion in the Ramsar List of Wetlands of International Importance.

This Convention was signed by the Government of the United Kingdom in 1973 and the instrument of ratification was deposited with the Director General of UNESCO on 8th January 1976, in accordance with Article 9(3) of the Convention.

The Island Development and Agriculture Committees of the day, having taken the advice of the Nature Conservancy Advisory Body, requested the Bailiff to propose to the United Kingdom government that the Convention should be ratified on Jersey's behalf.

Under the provisions of Article 10(2) the Convention entered into force in Jersey on 5th May 1976. No sites were proposed at that time under the original criteria for designation. Protocols and amendments were agreed and extended to the Bailiwick in 1984 and 1990 when new criteria for sites were established. The Vice-President of the Island Development Committee, in a statement to the States on 11th October 1994, indicated that these amendments had been ratified by the United Kingdom on behalf of the States of Jersey in 1990.

2. Purpose of the Convention

The original object of the Convention was to safeguard wetlands that were important for waterfowl. ("Wetland" includes coastal areas out to 6 m. depth at low water, estuaries, lakes, rivers and marshes.) The scope of the Convention now includes all aspects of wetland conservation and "wise use" of resources, recognising wetlands as ecosystems which are extremely important both for biodiversity conservation and the well-being of human communities.

To date, more than 1,300 wetland sites have been designated. As well as the south-east coast of Jersey, these include such areas as the Baie du Mont Saint Michel, the Wash, Southampton Water and the Severn Estuary. In each of these areas, conservation interests and wise-use of resources work hand-in-hand.

3. Jersey's obligation under the Convention

When Jersey requested the U.K. Authorities to ratify membership of the Convention on our behalf, the Island made a commitment to the international community to ensure that our wetland areas are managed wisely. *The wise use of wetlands* is described in the Convention as: "... *their sustainable utilisation for the benefit of mankind in a way compatible with the maintenance of the natural properties of the ecosystem*".

(*Sustainable utilisation* is defined in the Convention as: "*Human use of a wetland so that it may yield the greatest continuous benefit to present generations while maintaining its potential to meet the needs and aspirations of future generations*"; and "*Natural properties of the ecosystem*" are also defined as: "*Those physical, chemical and biological components such as soil, water, plants, animals and nutrients, and the interactions between them*".)

By designating the south-east coast, Jersey has already fulfilled the obligation under Article 2(4) of the Convention to designate at least one Ramsar site that meets the criteria for designation laid down by the Convention.

Under Article 2(5) "*Any Contracting Party shall have the right to add to the List further wetlands situated within its territory, to extend the boundaries of those wetlands already included by it in the List, or, because of its urgent national interests, to delete or restrict the boundaries of wetlands already included by it in the List and shall, at the earliest possible time, inform the organization or government responsible for the continuing bureau duties*

specified in Article 8 of any such changes.”

4. States commitments to coastal conservation and the role of the Environment and Public Services Committee

States commitments to coastal conservation are included in the Jersey Island Plan 2002. Two of the most relevant policies are –

- **Policy M1: Marine Protection Zone:** The sustainable use of the Island’s marine environment will be ensured by the Marine Protection Zone extending from Mean High Water to the territorial limits, as designated on the Island and Town Proposals Maps. Within this zone there is a presumption against all developments except those which are essential for navigation, access to water, fishing and fish farming and coastal defence. Where permitted, development should not materially harm the amenities, character or ecological balance of the area because of its construction disturbance, siting, scale, form, appearance, materials, noise or emissions.
- **Policy G5: Environmental Impact Assessment (EIA):** Under Article 6 of the Island Planning (Jersey) Law 1964. This ensures that any development proposal that may threaten or cause significant damage to the environment is subject to a full EIA process to EU standards. This ensures that any decisions are taken in the knowledge of the potential risks to the environment and that all possible measures are taken to ensure that such risks are prevented, reduced or mitigated against. This policy applies to potential developments out to the territorial limit.

Also, paragraph 7.8 of The Jersey Island Plan states: *“It has also been suggested by the ‘Jersey Island Plan Review: Countryside Character Appraisal’ that the outlying inter-tidal reefs, Les Écréhous and Le Plateau des Minquiers, are given this degree of protection.”*

In addition, existing legislation relating to fisheries and forthcoming legislation on pollution and waste management ensure there are adequately robust processes in place to protect our coastal environment.

Monitoring, research and education are all already undertaken by the wide range of States and non-governmental organisations actively involved in the management of the Island’s wetlands.

5. The Committee’s review

Consultation with the U.K. authorities, the Fisheries Team of the Environment Department and the Société Jersiaise Marine Biology Section confirms that the 3 reefs fully meet the Ramsar Convention’s Criteria. for identifying wetlands of international significance.

In November 2003 the Environment and Public Services Committee agreed to proceed with the designation of the reefs and established a consultative process of interested parties to investigate the case for a submission to the Ramsar Secretariat via the U.K. Government which represents our interests in relation to international convention requirements.

The approach of the Steering Group followed the same principles as during the previous designation. It included invitees from the following organizations –

- *The Crown,*
- *The Parishes of Grouville, St Martin and St Ouen,*
- *The Harbours Department,*
- *The Environment and Public Services Department,*
- *The Jersey Fisherman’s Association,*
- *The Marine Conservation Society,*
- *The National Trust for Jersey,*
- *The Société Jersiaise and*

- *Representatives of the hut-owners on Les Écréhous and Les Minquiers.*

Since January 2004 the group has met regularly to discuss the implications of designating a Ramsar area. It has been confirmed that the three reefs fully meet the Ramsar Convention's criteria for identifying wetlands of international significance. The proposals were publicized in the local news media, and the recommendations of the Steering Group were presented to a public meeting which was held in March 2004 at Grouville Parish Hall under the chairmanship of Connétable Dan Murphy, when the recommendations were strongly supported.

6. The proposed area for designation

The proposed areas are shown on the attached Map. It was decided by the steering group that the boundary lines should be straight lines connecting appropriate recognizable features. While Article 2.1 of the Convention indicates that Ramsar sites "*may incorporate riparian and coastal zones adjacent to the wetlands, and islands or bodies of marine water deeper than six metres at low tide lying within the wetlands*", contracting Parties are encouraged to take a management-oriented approach to determining boundaries, recognizing that these should allow management of the site to be undertaken at the appropriate scale for maintaining the ecological character of the wetland. The steering group, supported by the public meeting attendees, believe a boundary line which strictly follows the 6-metre line would be too complex and that the boundaries shown are appropriate.

7. Effects of designation

Since the designation of the South-East coast as Jersey's first Ramsar site in November 2000, there have been no problems related to the designation.

Jersey's previous designation of the South East coast as a Ramsar site in fulfilment of its international obligations has strengthened our international profile and provided a real source of local pride. There has been no impact on traditional activities which can all be accommodated into the "wise use" description and we have benefited from the site acting as a significant attraction for tourism with many people taking advantage of the guided walks and tours of the area.

8. Resource implications

There are no significant additional resource implications of designation. The Environment and Public Services Committee, which has the responsibility to carry out Coastal Zone Management, is already carrying out research and monitoring work in association with non-governmental organisations as part of the Monitoring Strategy.

There will be no need for additional staff to be employed specifically to implement the Ramsar area and no additional revenue expenditure is anticipated.

9. Conclusions

The Committee sees this as an important step forward in affording key habitats the recognition and protection they deserve at both the local and international level, and continuing to meet international commitments. The Committee does not see any disadvantages in such a designation. It proposes the designation of the area on the attached Map.

