

Research Article

ANALYSIS OF THE PERFORMANCE OF ISLAMIC REPUBLIC OF IRAN ON THE ENVIRONMENT OF URMIA LAKE IN THE LIGHT OF RAMSAR CONVENTION

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ABSTRACT

The environment of earth as a place for human life and other creatures is very important. The increasing growth of pollutants and destructive factors of environment as well as the occurrences of repeated environmental crisis have caused governments to seriously prowl and think about alternatives from four decades ago. In this way, so far about 280 regional-international treaties and agreements have been signed on the environmental protection. One of the most influential factors on the environment is water environment. The issue of water environment and generally water that is considered as a vital liquid is very influential. In the modern world with the formation of environmental law, one of the tasks of countries is to protect the water environment. The study of the performance of Iran's government towards the environment of Urmia Lake in the light of Ramsar Convention is the main goal of this paper. Therefore, this paper with analyzing this issue tried to study the performance of Islamic Republic of Iran towards the environment of Urmia Lake in the light of Ramsar Convention.

Keywords: *Water Environment, the Performance of Iran Government, Ramsar Convention, Urmia Lake*

INTRODUCTION

From the conventions dedicated to the environmental issues we can mention the following contractions as the turning point that are as follows: United Nations International Covenant on the Environment and Development in Rio de Janeiro in June 1992, International Conference of the Erath Meetings plus Five in 1997 (the 21 charters Agenda for the future), Vienna Convention on the Protection of Ozone Layer and London Annex, Copenhagen Annex, Montreal Annex and Beijing Annex as well as the Convention of Biological Diversity, Ramsar Convention, Convention of Protection of the World Cultural and Natural Heritage, Convention of International Trade in Endangered Species of the Wild Plants and Animals, Convention on Migratory Species, Basel Convention on the Quality Control of Tran boundary transportation of Hazardous Wastes and their Disposal, The UN Convention to Vote on Fight with Desertification, Rotterdam Convention on the Declaration of the Prior Agreement and Consent and Stockholm Convention on the Chemically Stable Material.

The rapid growth of international environmental conventions in 1972, i.e. from the Stockholm Conference to date involves the development of environmental activities. The law of water environment has been raised and considered along with the development of environmental law in all aspects. One of the discussed issues is lagoons that are considerable regarding the subject of current study and the performance of Iran's government in the water environment of Urmia Lake. Generally, Urmia Lake is considered as a lagoon and undoubtedly, Ramsar Convention¹ 1971 that is about lagoons will be executive about it. In Ramsar Convention, lagoons are regions covered by swamps, fenny lagoons or natural or artificial ponds including permanent or temporary ponds in which the salty or sweet water is founded as stagnant or flowing including the marine basins which their depth in the lowest level does not exceed from 6m² (http://treaties.un.org/doc/publication/UNTS/volume_0996/volume-996-I-14583-English.Pdf). Indeed, lagoons are regions in which water is the main factor controlling the environment and the associated fauna and flora life.

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With definitions described before, undoubtedly, there is no doubt that Urmia Lake is a lagoon. In following, we consider to study the regulations of Ramsar Convention about this lake and commitments and performance of the government of Iran.

Principles of International Law of Iran's Commitments Towards the Water Environment:

If we want to investigate principles of commitments in international law we have to investigate the available general rules 3 and special rules 4. The international law of environment not only has general rules but also special rules about different areas. Special rules unlike the general rules are usually more fundamental and effective and closer to the subject and are clearer and more decisiveness. Therefore, they are considered more binding and strict compared to general rules (Koskenniemi, 2006). One of documents in the international level on the protection of water environment is Ramsar Convention. This convention is about important International lagoons, especially the lagoons which are the settlement of aquatic birds in the city of Ramsar, Iran that was approved in 1971 with the presence of 18 countries. This convention is the first new global and international treaty on the regional protection and exploitation from natural resources and water environment and now is consists of 134 official members all over the world and this international treaty provides a framework to protect and to wise use the lagoons and their resources.

The parties of treaty in this convention are responsible for determining the important lagoons of their territories. They should regulate and implement the differential maps of lagoons so that to facilitate the procedures of maintenance, protection and exploitation of them in their territory appropriately and to try to increase the number of aquatic birds in related lagoons through the proper management and to provide requirements necessary for protecting lagoons and aquatic birds. The unique feature of the Ramsar Convention of important international lagoons is that the mentioned convention is the first treaty between nations aimed on the protection of remaining lagoons through the wise use of these natural resources (Amoozadeh and *et al.*, 2013).

Analyzing the Performance of Islamic Republic of Iran Towards Urmia Lake:

Commitment on the protection of Urmia Lake

One of the main commitments for the life of lagoons is human activities (Sands, 2003). Undoubtedly, the human's performance is mainly towards destruction of environment and the water environment is not also out of this discussion. The most important document dominated on the discussion about the protection of Urmia Lake is Ramsar Convention. The mission of Ramsar Convention is to protect and to reasonably use the lagoons through the logical-national actions and practices and international cooperation as a step towards the stable development all over the world. The secretariat of Ramsar convention cooperates with different entities and units in the set of the United Nations Organization in order to perform its mission (Secretariat of Ramsar convention has friendly relationship with secretariats of convention on biological diversity, UNESCO Global Common Heritage Convention, United Nations Convention to fight desertification, the United Nations Convention on Climatic Changes of Human Program and UNESCO Biosphere, United Nations Environment Program and FAO Organization (for more information see <http://www.ramsar.org>). The human in the beginning of 21st century has been faced with various environmental problems. The unlimited use from natural resources has resulted the destruction of environment that its sensible example is Aral Lake. In this regard, in order to attract the attention of the world society to this region and to improve its situation the countries of Central Asia have always tried to implement inter-regional plans of management and optimal use of water resources and environment with the aid of international budgets and international organization that this project considers the root improvement of using water and other natural resources and effectiveness of the better use of nature in the region as well as the improvement of ecological situation (Maleki, 1999). Urmia Lake is also similar to this issue from several aspects, because if this lake becomes dried, it will result international responsibilities of Iran with creating the sand storms and their movements to the neighbor countries.

In this regard, considering Ramsar Convention some obligations and principles have been approved to obligate governments to protect the lagoons that Urmia Lake is not an exception in this regard. In article 3 of Ramsar Convention the commitment to the use of lagoon is seen that one of the main elements of wise use² is to carry out some evaluations.

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The environmental evaluation as a legal and national mechanism is to evaluate all possible effects of developmental projects on the environment and to present some alternatives to decrease its effects (Craik, 2008), i.e. the wise use that is defined in this document.

The sustainable use of lagoons is in the benefit of human so that it would be consistent with the maintenance of natural asserts of ecosystem. The use of human from the lagoons should be so that the present generations can take advantage of stable resources while its capabilities are maintained to meet the needs of future generation. The natural asserts of ecosystem include: physical, biological and chemical elements of soil, water, plants, animals and nutrients as well as interactional effects among these elements (Kis *et al.*, 2013).

Measures and Actions:

Urmia Lake is very important since it is one of the great natural settlements of *Artemia* (*Artemia* Urmiana is the only single-celled organism that is consistent with urmia salty Lake that is a proper food for migratory birds and native to this wetland and also has high value for export) in the world (Abatzopoulo *et al.*, 2006). There are many factors t making this lake important and valuable that can be classified into three groups (Environmental Protection Agency, 2010).

Functions (protection from environmental diversity, weather adjustment, reducing the sediments and pollutants, and avoiding the proceeding of salty water and beautiful landscape).

Services (tourism, eco-tourism of hot springs, mud therapy, aquaculture, education and research works, and cultural heritage) Products (*Artemia* fishing, salt harvesting, grazing livestock and buffaloes, hunting waterfowl, fishing , resource of medical plants)

However, with all the descriptions and values expressed what seems important is that the above-mentioned lake has been neglected which can be summarized in the discussion about developmental practices and in the context of the construction of Shahid Kalantari highway and dams.

Shahid Kalantari highway was constructed in about 15 km by drying over 80% of median between both directions of West and East of Urmia Lake. The construction of this highway on Urmia Lake resulted in the disconnection of the natural relation of the Northern and Southern parts and serious changes on the hydrodynamic¹ of the region and ecological characteristics of the Lake. Since 86% of water entered in to the lake is from the Southern area of the highway, this factor has caused some differences in the physical and chemical characteristics, especially precipitation of Northern and Southern regions (Bagherzadeh and Rohani, 2007). Resulted from this action, the salinity of water of the lake has been increased due to the lack of the water exchange between both south and north parts of the Northern half and led to the progressive destruction of *Artemia* in the Northern half.

Another factor in drying Urmia Lake is the construction of dams. If economic development is done appropriately, it does not make any problem for the sustainability of the environment. However, the adoption of favorable policies for the protection of environment won't be an obstacle to the economic development (Movaledan and Susan, 2002). But, the economic development that destroys the environment and or leads to the extensive use of natural resources to the detriment of future generations won't be a sustainable development (Subedis, 2006). It should be considered that, undoubtedly the construction of dams cannot be a sustainable development because a considerable volume of water taking from these dams that is used for agricultural purposes is wasted and evaporated. But given all of these performances, it should be considered that any action to revive this lake must be rational and deliberated and the propounding of issues such as the transfer of the water of Caspian Sea is impossible. Because even in the discussion on Aral Lake and expert discussion about it, it was concluded that the reduction of the level of water of Caspian Sea so that it be the savior of these seas will cause the extensive retreat of this sea and Northern cities and ports of Iran and even Russia will be deprived of access to the sea.

RESULTS AND DISCUSSION

Result

Considering what happened it should be said that there are principles and resources that obligate Iran's government to observe the environmental law of Urmia Lake in both discussions of International Law and

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Internal Law. In terms of international law, Ramsar Convention 1971 has some provisions to obligate the countries which have approved this convention and or are attached to it. In article 3 of this convention, the wise use of lagoons has been noted that is a recommendation to protect the wetlands. But, there is another issue that is the discussion on the performance of Iran government in this regard. It should be noted that the government of Islamic Republic of Iran in the issue of developmental practices and tangibly in the construction of Shahid Kalantari Highway as well as establishment and setting up the numerous dams in the catchment area of Urmia Lake has not considered the issue of commitment on the use of wetlands and with the justification of sustainable development it has carried out the developmental practices that were not required and or these practices were not in the way of sustainable development. In conclusion, it should be stated that in order to overcome to this problem we should not thought about impractical ideas such as transferring the water of Caspian Sea and it is better to apply more practical alternatives so that with avoiding the drying of this lake no international responsibility to be provided for the government of Iran that may be caused by creating salt storms and moving it to the neighbour countries.

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