

The Role of Non-governmental Organizations in Wetland Conservation: An Empirical Study of International Environmental Law

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Abstract: Wetlands are of great value to ecological protection and also contribute to the achievement of the goals of several international conventions related to ecology and environment. Wetlands also have socio-economic significance in improving people's livelihood and contributing to poverty reduction. Wetland conservation is an important part of ecological and environmental conservation. However, because of over-exploitation by humans, wetlands are exposed to potential risks and challenges. NGOs, as important actors in international environmental protection, actively participate in relevant international affairs and promote the formulation of relevant treaties. Based on typical cases of environmental NGOs and the status of NGOs in international law, this study compares relevant literature in this field and analyses important contribution of NGOs in wetland conservation with three main perspectives: NGOs promoting legislation, enforcement and legal supervision. At the same time this study discusses the shortcomings and limitations that still exist in practice for environmental NGOs.

Key Words: wetland conservation, non-governmental organizations, international environmental law

1. Introduction

As one of the three major ecosystems in the world, wetland is an important part of water resources protection and the main source of fresh water resources. It is also an important ecosystem of natural biodiversity and one of the most important living environments for human beings. At present, wetland conservation and restoration face challenges such as global climate change, environmental pollution and lack of awareness of the importance of wetlands. Non-governmental organization is a social organization independent of the government system, which has a certain degree of public nature and undertakes certain public functions. They provide relevant information and expertise, act as early warning mechanisms and help to enforce international rules and treaties.

This study discusses the role of non-governmental organizations in wetland conservation. It will summarize some cases and analyze the impact of NGOs on wetland conservation as well as international environmental law, proving that NGO is an essential subject of wetland conservation. Then it can promote more research on NGOs in academia and use the impact of NGOs for better environmental protection.

2. Literature Review

Researchers explore the role of NGOs in wetland conservation from the perspective of legislation, law enforcement and legal supervision, cites cases of NGOs contributing to the development of international environmental law treaties, and discusses the impact of NGOs' actions such as policy lobbying and public advocacy. Other scholars also point out that NGOs have some limitations in global wetland conservation. It has been argued that NGOs do not have the status of subjects of international law, which limits their participation in environmental affairs.

Most of the existing literature takes a perspective on the positive impacts of NGOs on environmental conservation, of which there are three main problems. Firstly, there is less literature focusing on wetland conservation since the existing literature mainly focuses on environmental protection as a whole and other areas such as marine governance. Secondly, most of the existing literature states the positive effects of NGOs, and there is less literature focusing on the limitations of NGOs in environmental governance. Finally, there is less literature that takes a holistic approach to the impact of NGOs from formulation to implementation and monitoring. The selection of cases is not representative enough, either.

3. Research methods

3.1 Reference materials

The reference materials for this study are derived from some different sources. The first is the literature on NGOs and wetland conservation, both in Chinese and English. The second is the websites of environmental NGOs. And news reports on wetland conservation are also included in the materials.

3.2 The method of literature research

This study selects literature on wetland conservation, NGOs and the contribution of NGOs in wetland conservation, summarizes existing research on the current situation, problems and initiatives in wetland conservation. It also gives a summary of the views of different scholars on the extent of the role of NGOs. Thus, it provides a systematic understanding of relevant areas of research through reading a large amount of literature, and provides an understanding of the role of NGOs in international environmental law and wetland conservation.

3.3 The method of empirical study

The research also uses the method of empirical study through the analysis of some specific cases. In this study, international environmental NGOs such as WWF and WI were selected to collect information through portals and annual reports in order to analyze the behaviour of these NGOs in wetland conservation and establish links with implementation of international environmental law. The result is

to draw conclusions about their role and impacts, as well as explore the possible drawbacks and limitations of NGOs in the field of wetland conservation.

4. Results

After extensive literature collecting and reading, browsing the websites and annual reports of several major environmental NGOs, this study has achieved the following results. Most NGOs attach a great importance to the conservation of wetlands and freshwater resources, and there are many international or national NGOs dedicated to wetland conservation. They carry out wetland conservation work in four aspects: wetland research, policy lobbying, industry construction and public education, with policy lobbying and public education accounting for the majority.

5. Discussion

5.1 The impacts of NGOs on wetland conservation

5.1.1 Impacts on international legislation

NGOs have contributed to the formulation and development of international treaties related to wetland conservation. In February 1971, an international conference on the protection of wetlands and waterfowl was held in Ramsar, at which the Convention Waterfowl Habitat was adopted. This was an intergovernmental agreement negotiated by the support of the International Union for Conservation of Nature (IUCN). This is a good example of the significant impacts that NGOs have on international environmental law.

International NGOs promote the establishment and development of legal principles through the formulation of conference documents and publication of initiatives and declarations. They also directly participate in or indirectly influence the development of international treaties related to wetland conservation.

5.1.2 Impacts on international law enforcement

In addition to the sovereign states, non-governmental organizations are also interested in the implementation process of international environmental law. For the Ramsar Convention, at COP7 in Costa Rica in May 1999, it was decided to compile a toolkit to officially recognize IUCN, Wetlands International and WWF as partner organizations of the Convention. This facilitates the enforcement of International Wetland Convention with the help of NGOs. The enforcement of international wetland conservation by NGOs is also reflected in public education. They help people better understand the ecological development of wetlands and raise awareness of wetland conservation.

International NGOs are committed to assisting national and intergovernmental organizations in the enforcement and implementation of the international environmental law, using their expertise to provide information and guidance.

5.1.3 Impacts on international law supervision

After international treaties on wetland conservation have been created and published, there is often a need to monitor the implementation by relevant international law subjects and to expose violations of the conventions. According to the practices, NGOs play an important role in this field of work. The CEPA Oversight Panel of the Secretariat of the International Wetland Convention was established in 2006 at the request of the Parties. The main function of the group is to monitor issues about communication, education and public awareness in this Convention, as well as the progress of particular programs.

NGOs actively participate in monitoring actions of wetland conservation, stopping and reporting violations of international environmental law, which facilitates the implementation and enforcement of international environmental law.

5.2 The limitations of NGOs and their interpretations

5.2.1 Limited subject qualification

NGOs are not traditional subjects of international law, so their status are not universally recognized by the international community. Some intergovernmental organizations have not yet established relations with NGOs, among UN agencies, only ECOSOC has granted consultative status to NGOs, while other agencies still do not pay enough attention to the work of NGOs.

5.2.2 Limited ability to set international rules

NGOs can only promote the formulation of international rules through participation and supervision, and have no right to adopt legally binding international documents by themselves. International treaties are primarily driven by sovereign states and international organizations. NGOs still have limited influences on international law, and many of their policy ideas need to be realized by the support of governments through policy lobbying.

5.2.3 Lack of effective regulatory measures

NGOs participate in the creation of international law without effective regulatory measures. Most NGOs adopt a non-hierarchical, decentralized, network-based organizational system, which leads to loose organization, irregular membership and unscientific management. The lack of effective accountability mechanisms for NGOs' actions also makes it easy for them to be over conservative or over radical in their actions.

5.2.4 The potential to be influenced by their sponsors

NGOs may act as a tool for some governments to pursue their own interests. Donors may discipline NGOs' activities through explicit or implicit threats. In many political system environments, strong evolutionary pressures drive NGOs towards government, and they inevitably need to work more closely with governments that have greater power.

This study also has flaws and shortcomings, and future research can focus more on the limitations of NGOs and distinguish them according to the solvability. Then it can seek effective solutions for problems that can be solved.

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