



**International Legal Regulation Of Iraq Wetlands**

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**ABSTRACT**

This article considers the specifics of specially protected territories of the State of Iraq, which make an integral part of the environment and an important source of plant, animal, cultural and human biodiversity. The natural resources of this region include water, soil, flora and fauna, and are typical examples of natural ecosystems. Therefore, it is necessary to take care of them and strive to preserve them for the present and future generations. In the conditions of current reality, there is a growing need to develop environmental legislation, as well as the regulations for biodiversity protection from the effects of various adverse factors and the threat of its disappearance. One of the most important responsibilities of the international community is the universal contribution to the restoration of marshes and the conservation of their nature.

On the basis of the performed study, the author concluded that the accession of Iraq wetlands to UNESCO World Heritage Sites will play an important role for the protection of this region biodiversity (plants and animals). It will also contribute to its protection by the international community in order to strengthen mutual cooperation in the process of regional threat confrontation that have caused great damage to the environment of mires and their biological and cultural diversity.

**Key words:** Iraq swamps, environment, protected areas, international obligations, international cooperation, Iraq Mission.



## **1. INTRODUCTION**

The swamps of Iraq play an important ecological, historical and cultural significance, being the cradle of Sumerian, Akkadian, Assyrian and Babylonian civilizations.

Wetlands are the landscapes that include shallow and relatively deep areas, covered with water all year round or during certain seasons. (Anwar Qadir. 2012)

This region differs from the diversity of swamps, because its ecological characteristics in terms of water movement, the amount of dissolved oxygen, the abundance of plants, the varieties of biological diversity, its continuity throughout history, and vital productivity are radically different from existing wetlands.

The importance of marshes for many regions of Iraq is manifested in the conservation and the retention of the Tigris and Euphrates river currents, as well as tidal estuaries during the removal of harmful pollutants, metals and organic substances from water, as soil microbes analyze organic waste and reduce their harm (Salman Nader. 1994).

The amount of precipitation in the desert has its own impact on the marsh territory, and dust storms contribute to the degradation of climate, recognized natural beauty, Iraqi cultural heritage, important archaeological sites, lead to the deterioration of bird, wildlife and fishery observations that can attract tourists from around the world (Ministry of Water Resources. 2010).

Mires gain an important medical value through the use of plants and herbs obtained for the pharmaceutical industry.

The mission of Iraq achieved significant success, emphasizing the global cultural and natural significance of wetlands containing monuments of nature, culture and ancient civilizations. An acquired outstanding international experience, will serve in the future during the preparation of candidate territory documents with natural and cultural characteristics (Fadel Abbas,2013).

There are 192 countries that have signed the Convention on the protection of cultural and natural heritage, ratified by the General Conference of the United Nations on the issues of Educational, Scientific and Cultural Organization (UNESCO) (Barrara ,1985). The World Heritage List includes the facilities from around the world, including important Arab regions and the affected swamps of Iraq.



The inclusion of a certain territory in the list means the need to preserve and eliminate the risks of this unique region disappearance. It is expected that the authorities responsible for these areas will create favorable conditions for international tourism. The inclusion into the World Heritage List is an important incentive to motivate tourists to travel to these places from around the world.

UNESCO monitors the status of sites and organizes visits to assess their situation, and issues the warnings to the responsible authorities to eliminate any emerging threats. If there is no progress to correct a situation, experts include this territory in the list of the areas under threat.

In the application on the inclusion in UNESCO World Heritage List, the marsh area is described as "the shelter for biological diversity and an important historical element for the cities of Mesopotamia". There is no doubt that any area should be exceptional which contains these two elements: historical value and natural abundance. The finding of objects among the treasures of the world, contributes to their preservation and stability, which is a priority trend (Christian du Saussay,1985).

## **2. METHODS**

The inclusion of marshes in the World Heritage List notes their cultural and environmental value for future generations, and also has serious legal consequences, both internationally and nationally.

At the international level, protected areas establish international and legal obligations both to the world community as a whole and to Iraq neighbors in particular, to refrain from the actions that threaten the cultural characteristics and biological diversity of marshes.

In this regard, international actions that harm and threaten the marsh area, acting as an international sanctuary, violate the rule of law and pose a threat to international security, which gives the Iraqi government a legal basis to obtain compensation in international courts and other institutions for the entire damage caused to swamps by illegal actions. In addition to the international obligations resulting from the integration of the marshes into the World Heritage List, international cooperation is needed to promote the sustainable development of wetlands as an object of cultural and ecological heritage for future generations (Christian du Saussay,Legislation On Wildlife,Hunting<sup>1</sup> And Protected Areas In som Europes. Fao.un .legaal Studies, no20,1980).



The development of marshes is provided with advisory and financial support, as well as with periodic visits to international committees that oversee international reserves in order to determine the real ecological value of the marsh area in the process of monitoring and evaluation.

During the performance of international obligations, there is a need to establish bridges of cooperation between the Government of Iraq and international agencies in order to draw up specialized reports and conduct research within the preparation and the search for scientific and technical methods applicable to areas of mires suffering from high pollution.

At the national level, the Iraqi government needs to develop a national strategy to improve the state of marshes and remove all major obstacles to the restoration and development of this southern region.

Problems with tidal streams. The ecosystem of marshes depends on the inflow of water. This process helps to clean and isolate from contaminants such as toxic chemicals and heavy metals. According to the estimations of experts, regular tidal processes lead to the elimination of 105 million tons of rainfall and various components. The presence of cane and papyrus also contributes to the purification of water, since cane absorb elements of mineral nutrition, including heavy materials, so marshes serve as water purifiers (Saleh,2003).

**Elimination of offenses on the marshes.** The decision to eliminate the offenses on the marshes in the central and southern provinces was adopted by the Council of Representatives of Iraq at the session No. 34 on 14.05.2017. This decision includes the following:

1. The elimination of offenses requires a quick action from the government, due to the need to monitor water sources to avoid their transformation into private property;
2. An immediate and an urgent intervention in order to save the central marshes due to the destruction of a huge amount of fish wealth. In this regard, the Iraqi government has carried out the decision of the House of Representatives to eliminate surplus and save fish wealth in the shortest periods (Iraqi Council of Representatives. Session No. 34/2017. [www://ar.parliament.iq](http://www://ar.parliament.iq).(reference date: 30 .07.2017)).

### **3. RESULTS**



In addition to the national legal consequences, it is necessary to open the access to investment for the marshes that have joined the World Heritage List by the government of Iraq in order to bring the marshland out of underdevelopment state, experienced for many years, despite the ecological and economic development potential, to the stage of prosperity and stability.

We believe that it is necessary to conduct a comprehensive national campaign in which all specialized agencies will take part in coordination with the relevant ministries and institutions of civil society. The goal of project implementation in the field of swamp development, as well as the conservation of biodiversity, especially after the international protectorate of wetlands, is the desire to create attractive conditions for tourism and investment.

#### **4. DISCUSSION**

The marshes area of southern Iraq have many natural resources attractive for national and foreign investments.

The construction of a network of transport roads that can connect marshes with each other, with cities and related units to facilitate the provision of services to the residents of the marshland, and to invest in natural resources. The construction of water treatment stations, the improvement of power supply network, the increase of filling station number, the construction of river filling stations, the modernization of health services and centers, and the allocation of field medical teams.

The work on the change of the cultural environment through the construction of schools, sports and social clubs in the marshes and near the population. The creation of population complexes suitable for the marsh environment, in accordance with the customs and the traditions of their inhabitants, so that they do not affect the natural habitat of the marshes.

The possibility to produce different kinds of fish, as the environment of the marshes protected millions of fish. In the case of rational economic exploitation, fish wealth is considered a permanent resource, which has the status of continuity and renewability. The possibility to produce fish and canned meat and projects that depend on the waste of fish and other animals to use animal protein, which reduces the environmental and health consequences of these wastes. The construction of factories for the production of



metal containers and cardboard boxes, using the existing and unused resources of cane, papyrus and other sources (Badr Al-Din,2006).

The construction of hotels, restaurants and night cafes for tourists wishing to enjoy the beautiful scenery and nature of the marshy areas. Tourists can be both the local population of Iraq and the population outside the state, since marshes are considered as a safe ecological and cultural area, which also provides opportunities for sports such as swimming or other sports.

There is the need of the Iraqi government to encourage ministries and government planning agencies to implement protection standards, to improve the quality of the environment, to fight pollution and promote rational consumption of natural resources to achieve sustainable development of wetlands, which is the balance between the conservation of marsh biological diversity, the achievement of the well-being of society and the use of resources to meet the needs.

## **5. CONCLUSIONS**

In this regard, according to our opinion, a database on plants and animals is needed to preserve the biological diversity of the marshes.

The Iraqi government should work on the periodic review of environmental risks, with the support of various institutions, the obtained results will be included in a prepared database that will assist in the performance assessment during the study of ecological changes in marshes.

It is necessary to restore the technical and managerial staff responsible for environmental tasks in the wetlands, as well as the ministries responsible for the protection and the improvement of the environment by the development of training programs to achieve the best ecological balance in cooperation with higher education institutions, research institutions, and also the institutions related to science and technology.

The Iraqi government should conduct the studies on the assessment of wetland environment state and the indicators of renewable energy source use in cooperation with universities, colleges, institutes and related research centers.

And, finally, the creation of an environmental culture in all state institutions and civil society organizations related to the environment, helps to control the increase of pollutants in the marshlands.



## **6. SUMMARY**

Despite the fact that the compliance with the rules is the recognition of the unique importance of the relevant facilities, they also emphasize the responsibility for their protection. The United Nations regards it as a shared responsibility requiring international cooperation: "The international community as a whole must participate collectively in the protection of the cultural and natural heritage with an outstanding value", taking into account the threat of its disappearance.

The Iraqi Mission succeeded to develop excellent partnerships between international experts and national staff. The open relations of international organizations in the field of environmental protection, especially concerning the protection of biological diversity, contribute to the preservation of global value objects, and the property of future generations. The experience of Iraq was documented during the preparation of reports to UNESCO, becoming the model of national actions, the observance of which is also required at the global level.

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