

# **UNECE Water Convention: experiences concerning transboundary water cooperation**

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# Some milestones of the UNECE Water Convention

- **1990–1992:** Water Convention negotiated by the Working Party on Water Problems
- **1992:** Signing of the Water Convention (entry into force in 1996)
- **1993:** Recommendations to UNECE Governments on Water-Quality Criteria and Objectives; Guidelines on the Ecosystem Approach in Water Management
- **1996:** First Guidelines on Water-Quality Monitoring and Assessment of Transboundary Rivers adopted
- **1999:** Protocol on Water and Health adopted (into force in 2005)
- **2003:** Protocol on Civil Liability adopted
- **2003:** Amendment to the Convention to allow accession to the Convention to all UN Member States
- **2009:** Guide to Implementing the Water Convention adopted, Non-UNECE countries start to get involved



# Achievements and future perspectives

- 38 countries and the EU as **Parties**
- Strengthened legal and institutional basis for transboundary cooperation: Convention as **model for most agreements** from the 1990s (former Soviet Union, former Yugoslavia etc.)
- Practical **assistance**: Guidelines, soft-law instruments & projects on the ground
- Gradual **shift** of emphasis in work to the east and now a more determined shift beyond the UNECE region
- Work programme themes have evolved to meet the needs and include a mix of **political** work (such as EUWI National Policy Dialogues) and **technical** work
- New means of support (Implementation Committee)& new thematic areas
- **Globalization**: Amendment opening the Convention to all UN Member States entered into force in February 2013 & possibility to accede expected from 2014

# Main obligations under the Convention



- Protection of transboundary waters by **preventing, controlling and reducing transboundary impacts**
  - **Reasonable and equitable use** of transboundary waters
  - Obligation to **cooperate** through agreements and joint institutions
- => Overall objective of sustainability

In addition to obligations for all Parties (benefit also for national legislation), obligations specific for Riparian Parties

# Provisions relating to Riparian Parties

- **Cooperate** on the basis of equality and reciprocity
- Conclude bilateral and multilateral **agreements** or revise existing ones
- **Establish joint bodies** (e.g. river commissions)
- **Consult and exchange of information**
- Carry out at regular intervals **joint or coordinated assessments** of the conditions of transboundary waters and the effectiveness of measures taken for the prevention, control and reduction of transboundary impact
- Elaborate **joint objectives** and concerted **action programme** for their shared waters
- **ICPDR** with a broad cooperation, with the databases, early warning systems, joint Danube surveys etc. **illustrates the Convention's provisions put into practice**

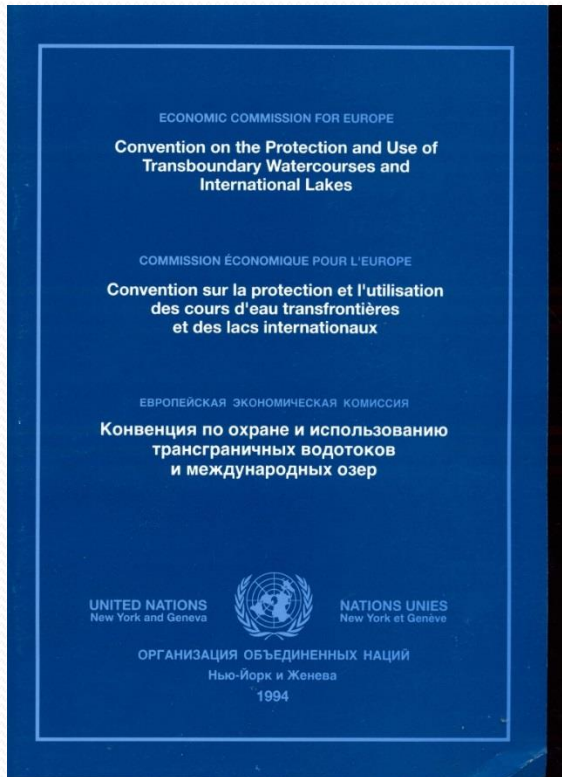
# Holistic approach

- Covers surface and groundwaters, and links to the recipient seas
- **Catchment area** concept => IWRM
- **Ecosystem approach**
- **Diverse transboundary impacts** considered: (significant adverse) effect on human health and safety, flora, fauna, soil, air, water, climate, landscape and structures, and socio-economic conditions resulting from a change ... caused by a human activity”

# Reconciling different uses of water

- A **balance** to be found **between various uses and protection** of the resource: address and reduce trade offs and increase synergies
- Effective interventions often need to be made outside “the water box” (e.g. agricultural policy & pollution control)
- Need for a **common understanding** & vision, **dialogue**, **coherence of policies**, effective mechanisms of **coordination**, **transboundary cooperation**, **tools to support decisions** (monitoring, impact assessment etc.)
- **Assessment of the water-food-energy-ecosystems nexus** under the Convention to improve knowledge (e.g. the Sava), with a strong policy-dialogue dimension

# Water Convention's support to development of cooperation — also on the Danube



- Provides a common legal and institutional framework to the pan-European countries
- Provided a model for the agreement
- Guidelines supported developing cooperation
- Convention's obligations have helped to bridge to WFD
- Convention supports transboundary cooperation and related capacity development at the borders
- Platform for sharing experience, also beyond pan-Europe





# Some lessons learnt

- **Agreements, joint bodies** (commissions etc.) are key to establishment of sustainable transboundary water cooperation
- A constructive **dialogue** and **identification of common interest** among riparians and with partners is necessary
- establishment of contacts and a necessary basis through **technical cooperation for building trust** among riparian countries - potential for a more political dimension
- Developing effective transboundary cooperation takes time – **long-term engagement** and patience important
- Sharing / solidarity/political willingness essential for progress, and identification of windows of opportunity!



# Conclusions and future

- Water Convention and regional cooperation on transboundary waters: **basis and spring-board** for adapting basin-level solutions
- **Lack of inter-sectoral coordination** a major challenge both on the national as well as transboundary levels. For reconciling different sectoral water uses, useful to: 1) Look **beyond the basin**, at appropriate scales, 2) identify **additional benefits** from co-management and coordination as opportunities for cooperation, and 3) conduct (policy) **dialogue**, building understanding and trust between stakeholders
- Assessing **effectiveness of measures and coordination!**
- Build on the complementarity of different cooperation frameworks — ICPDR, WFD, UNECE Water Convention, macro-region
- **Groundwaters**: integration into basin management! UNECE's Model Provisions – support to transboundary agreements