UNECE Water Convention: experiences concerning transboundary water cooperation

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Some milestones of the UNECE Water Convention

- **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