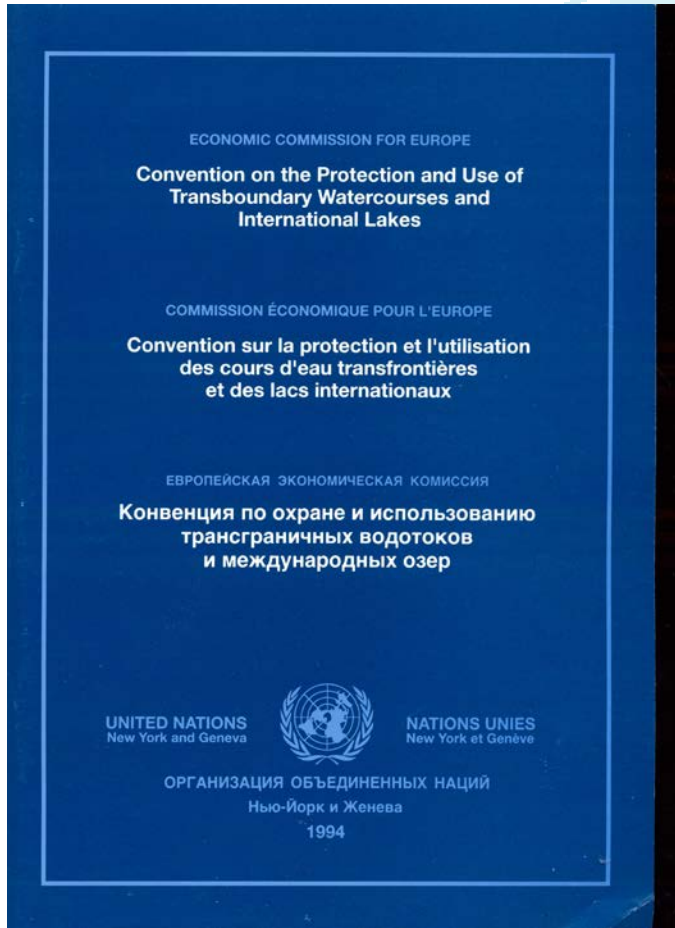




The UNECE Water Convention: obligations and practical application

Francesca Bernardini, Secretary

The Water Convention

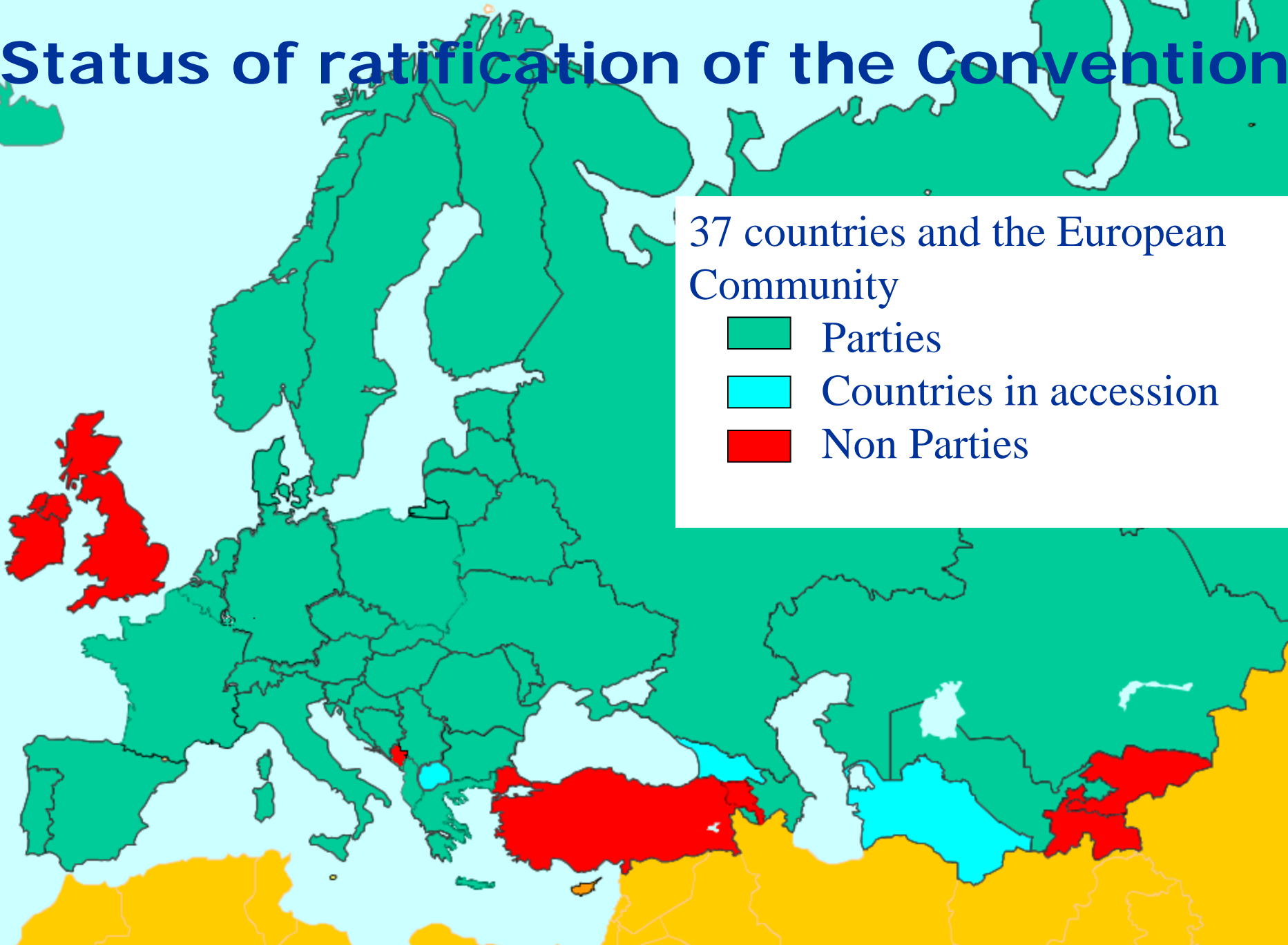


- Signed on 17 March 1992
- Entered into force on 6 October 1996
- Protocol on Water and Health adopted in 1999, entered into force in 2005
- Protocol on Civil Liability adopted in 2003

Status of ratification of the Convention

37 countries and the European Community

- Parties
- Countries in accession
- Non Parties



Amendment 2003



- Opening up the Convention to non-UNECE states
- Strong commitment to entry into force by 2012
 - = > Promote exchange
 - = > Raise awareness and build capacity
 - = > Start working together

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**

Two categories of obligations

- For all Parties => also benefit for national legislation
- For Riparian Parties => the Convention does not replace basin agreements

General obligations for all Parties

- Licensing of waste-water discharges by the competent national authorities and monitoring of authorized discharges
- Best environmental practice for non-point pollution sources
- Minimization of the risk of accidental pollution
- Application of EIA

Provisions relating to Riparian Parties

- Cooperate on the basis of equality and reciprocity
- Conclude bilateral and multilateral agreements
- Establish joint bodies (e.g. river commissions)
- Consult and exchange of information
- Joint monitoring and assessment
- Elaborate joint objectives and concerted action programme for their shared waters

Step-by-step approach

- Due diligence nature of the obligation to prevent, control and reduce transboundary impacts
- “All appropriate measures” depend on potential risk involved, capacity of the country...
- Good practice to develop a national implementation plan

Holistic approach

- Transboundary impacts means significant adverse effect on human health and safety, flora, fauna, soil, air, water, climate, landscape and historical monuments or other physical structures, and socio-economic conditions
- Surface and groundwaters, and links to the recipient seas
- Catchments area concept => IWRM
- "Significant" => acceptable threshold of harm

In practice...

- Played a crucial role in the region in supporting cooperation
- Most of the existing agreements are modelled on the Convention (Danube, Sava, Bug, Kazakh-Russian, Lake Peipsi, also the Water Framework Directive)
- Influenced the work of river commissions



Not only rights and obligations (1)

Becoming a Party = joining an institutional regime

Progressive development of the Convention

Forum for bilateral and multilateral cooperation

Sharing of experience and good practices



Not only rights and obligations (2)

Capacity building

Projects on the ground

Address requests on clarifications

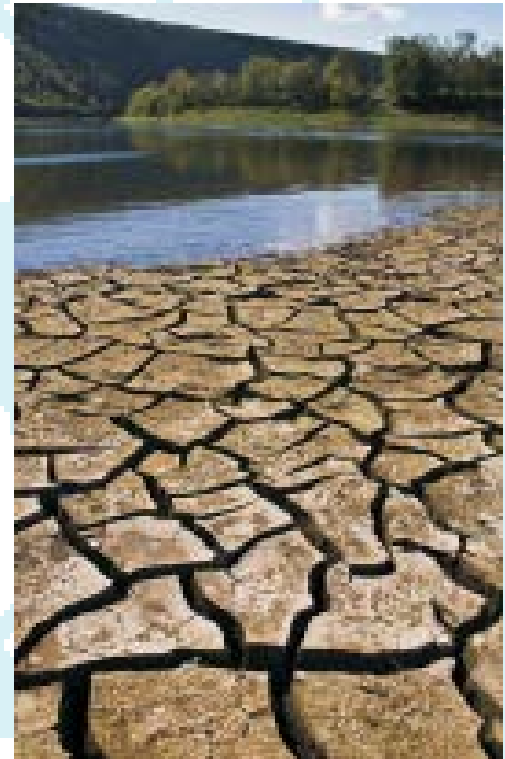
A Party is not left alone in its dealings
with the other riparians

Support to implementation

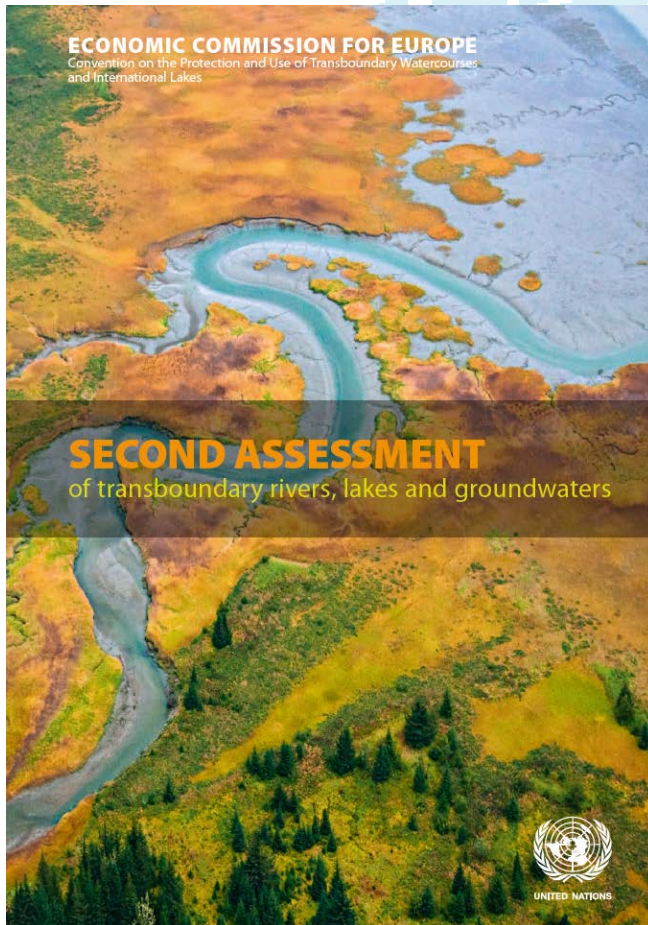
- Guide to Implementing the Water Convention (adopted by Meeting of the Parties 2009)
- Other guidelines: monitoring and assessment, transboundary floods...

Responding to new challenges

- Guidance on Water and Adaptation to Climate Change
- Recommendations on Payments for Ecosystem Services



Assessing results



The Second Assessment

- Covers more than 140 rivers, 25 lakes, about 200 groundwaters and 25 Ramsar Sites and other wetlands of transboundary importance
- Involved more than 150 experts from 40 countries
- Pressure factors, quantity and quality status, transboundary impacts, responses and future trends

Convention bodies

- Meeting of the Parties
- Bureau
- Working Group on Monitoring and Assessment
- Working Group on Integrated Water Resources Management
- Task Force on Water and Climate
- (Task Force on Water/Food/Energy Nexus)
- Legal Board
- Joint ad-hoc Expert Group on Water and Industrial Accidents
- International Water Assessment Center (IWAC)

Supported by:

UNECE Executive Secretary and the secretariat



Strengths

- Sound legal framework coupled with action to support implementation
- Catalyst for cooperation
- Strong ownership by Parties
- Even non-Parties participate
- Continuously evolving
- Cooperation with numerous UN agencies, NGOs and other partners

Possible future activities for 2013-2015 related to the opening

- Build capacity on the Convention outside ECE and promote exchange of experience
 - Organization of training in other regions
 - Contribute to training/events organized by others
 - Participation of non-ECE countries in regular activities (climate change, nexus, etc)
- Synergies with the 1997 Convention on the Law of the Non-navigational Uses of International Watercourses
- Cooperation with GEF



Thank you!

More information

including guidelines, publications and information on activities under the Convention can be found at

<http://unece.org/env/water>
water.convention@unece.org