

# The Water Convention: serving the planet

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## THE WATER CONVENTION: SERVING THE PLANET

Worldwide, water is the critical resource of our century. While demands for water continue to increase, availability is dwindling. Water resources are stressed by overuse and pollution. Moreover, floods and droughts are becoming more frequent and intense.

Water resources that cross political boundaries cover nearly half of the Earth's land surface and account for an estimated 60 per cent of global freshwater flow. They support the income and livelihood of millions of people, and play a crucial role for countless ecosystems. Therefore, cooperation on shared water resources is vital to secure peace and stability, economic development and growth, protection of natural resources and sustainable development.

The Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) aims to protect and ensure the quantity, quality and sustainable use of these transboundary water resources by facilitating and promoting cooperation.



### FROM REGIONAL TO GLOBAL

The Water Convention started as a regional convention, negotiated by the member States of the United Nations Economic Commission for Europe (UNECE). The Convention was adopted in Helsinki, Finland, in 1992 and entered into force in 1996. Since then, it has provided an overarching framework for transboundary water cooperation across the UNECE region and has proved its effectiveness in different economic, social and environmental conditions. Like the United Nations Convention on the Law of Non-Navigational Uses of International Watercourses, the UNECE Water Convention is based on and reflects customary international law. Many countries are Parties to both instruments.

In 2003, driven by the aim to share the Convention's experience and promote transboundary water cooperation worldwide, the Parties amended the Convention to make it possible for any United Nations Member State to accede to this instrument. The entry into force of the amendment makes the Convention a global legal framework for transboundary water cooperation. Since 2009, more and more non-European countries have participated in activities under the Water Convention, recognizing its relevance and role also beyond the UNECE region.

“Your Water Convention deserves support and I hope it will soon become open to countries outside the UNECE region”

**United Nations Secretary-General  
Ban Ki-moon, at the meeting of the UNECE  
Executive Committee on 18 October 2011**

# The three pillars of the Water Convention

The Water Convention provides a sound legal framework for stable and reliable cooperation and for achieving the goal of sustainable, equitable and reasonable use of transboundary surface waters and groundwaters.

## THE THREE CENTRAL OBLIGATIONS OF THE CONVENTION, ITS THREE PILLARS, ARE:

1

### PREVENT, CONTROL AND REDUCE TRANSBOUNDARY IMPACTS

Parties shall take measures to prevent, control and reduce any transboundary impact on the environment, human health and safety and socio-economic conditions. Such measures include applying environmental impact assessment and other means of assessment, prevention and reduction of pollution at source, licensing and monitoring wastewater discharges and developing and applying best environmental practices to reduce inputs of nutrients and hazardous substances from agriculture and other diffuse sources.

Parties should use water resources sustainably, taking into account the ecosystem approach. They are also required to set water-quality objectives and criteria, draw up contingency plans, and minimize the risk of accidental water pollution.

2

### ENSURE REASONABLE AND EQUITABLE USE

Parties shall ensure that transboundary waters are used in a reasonable and equitable way. Whether the use of a watercourse can be considered reasonable and equitable depends on the specific characteristics of the basin, the population dependent on its waters, the existing and potential uses, the impact of such uses, the availability of alternative uses and other factors. In any case the use of water must be sustainable — that is, it should take into account the needs of future generations.

3

### COOPERATE THROUGH AGREEMENTS AND JOINT BODIES

In order to translate the two previous obligations into practice, the Convention requires Parties to conclude transboundary agreements and set up joint bodies to cooperate on the management and protection of their transboundary waters. The Convention encourages cooperation on the basis of the river basin. Joint bodies, such as river or lake commissions, are tasked to:

- Provide a forum for the exchange of information on existing and planned uses of waters, as well as on pollution sources and environmental conditions of waters.
- Be the platform for regular consultations.
- Set up joint monitoring programmes.
- Carry out joint or coordinated assessments of the conditions of their shared waters and of the effectiveness of the measures taken to address transboundary impacts.
- Decide on emission limits for wastewater and set up joint water quality objectives.
- Develop concerted action plans for the reduction of pollution loads.
- Establish warning and alarm procedures.



## SETTING UP AGREEMENTS AND JOINT INSTITUTIONS: FROM THE DANUBE TO THE CHU AND TALAS RIVERS

The Water Convention has played and continues to play a crucial role in the pan-European region in supporting the establishment and strengthening of cooperation. Most of the transboundary water agreements negotiated after the break up of the Soviet Union and of former Yugoslavia are modelled on the Convention. Among them are the 1994 Convention on Cooperation for the Protection and Sustainable Use of the River Danube and the 1999 Convention on the Protection of the Rhine. Other examples include the agreements on the rivers Sava, Meuse and Scheldt, on Lake Peipsi, as well as on Kazakh-Russian and Russian-Ukrainian transboundary waters. The Convention has also inspired agreements beyond the UNECE region.

The Water Convention has influenced the work of many joint bodies and prompted the establishment of several new ones. Examples include the commissions for the Oder and Sava Rivers, and for lakes Peipsi and Ohrid.

In Central Asia, the sharing of water resources between upstream and downstream countries is particularly problematic, generating tension and insecurity. The cooperation on the Chu and Talas Rivers shared by Kazakhstan and Kyrgyzstan is a remarkable example of progress towards finding mutually beneficial solutions. The two countries concluded an agreement in 2000 and inaugurated the Chu-Talas Commission in 2006. The Commission is a mechanism for Kazakhstan and Kyrgyzstan to share responsibility for water infrastructure used by both countries. The Water Convention supported this important step and continues to help the two riparian countries broaden their cooperation and improve the management of the Chu and Talas Rivers.

## LEGAL FRAMEWORKS TO IMPROVE WATER GOVERNANCE: THE EXAMPLE OF TURKMENISTAN

The National Policy Dialogues (NPD) on Integrated Water Resources Management (IWRM) and Water Supply and Sanitation are the main operational instrument of the European Union Water Initiative in the countries of Eastern Europe, the Caucasus and Central Asia. The NPDs on IWRM, implemented under the Water Convention's work programme, provide practical assistance to strengthen integrated water resources management in nine countries with economies in transition.

Since 2010, the NPD in Turkmenistan is supporting the process of accession to the Water Convention and allows the revision of the national legal frameworks for water management and protection. Improving the management of water resources is crucial to achieving a better use of resources in this arid country, and to further develop transboundary cooperation.



## THE STRENGTHS OF THE WATER CONVENTION

The Water Convention is applied in very different settings and conditions. It is implemented in water-rich as well as water-scarce countries. As the level of ambition of the implementation required is proportionate to the capacity and means of Parties, the Convention is ratified and implemented by developed and wealthy countries as well as countries with economies in transition. As the Convention is based on equality and reciprocity, its Parties are both upstream and downstream countries.

An important strength of the Convention lies in its institutional framework, based on the Meeting of the Parties (MOP), its subsidiary bodies such as working groups and task forces, and a permanent secretariat. That institutional framework assists Parties in implementation and progressive development of the Convention, including exchange of experience and good practices, elaboration of guidelines and recommendations, the development of legally binding protocols and capacity-building. In other words, a Party is not left alone to implement the Convention: its needs and expectations may be brought to the attention of the MOP and its subsidiary bodies.

The work under the Convention is very dynamic and responds to the challenges faced by Parties. Work under the Convention is intense in water-stressed regions, such as Central Asia and South Eastern Europe, and addresses emerging issues such as climate change.

The Water Convention partners with numerous international and non-governmental organizations to foster transboundary water cooperation and management. The International Water Assessment Centre — the Convention's collaborative centre based in Bratislava — is another important operational asset.

Finally, non-Parties also participate in many activities under the Convention and can request assistance so that they can accede to it and implement its provisions.

## IMPROVING DAM SAFETY IN CENTRAL ASIA

Failure of a dam, even of medium size, can have disastrous consequences in the often densely populated downstream regions and countries. In Central Asia, there is a growing concern over the safety of more than 100 large dams and other water infrastructure located on transboundary rivers. The Dam Safety Project under the auspices of the Water Convention helps Central Asian countries to develop, revise and harmonize their national laws on the safety of dams and other water infrastructure and also to strengthen institutions in charge of dam safety. The project strengthens regional collaboration on dam safety with the objective to ensure permanent cooperation, including through the timely exchange of information and notification in case of dam-related accidents.





## JOINTLY MONITORING AND ASSESSING TRANSBOUNDARY WATERS AS A BASIS FOR BETTER MANAGEMENT

The monitoring and assessment of water resources is of fundamental importance, as it forms the basis for rational decision-making and for management. Therefore the Water Convention requires Parties to undertake joint monitoring and assessment of their shared waters. Guidelines on monitoring and assessment of transboundary rivers, lakes and groundwaters were developed to assist riparian countries in these tasks. Furthermore, Parties carry out regular assessments of transboundary surface and groundwaters in the whole pan-European region. The Second Assessment was published in 2011.



## JOINTLY ADAPTING WATER MANAGEMENT TO CLIMATE CHANGE

Water resources can be strongly affected by climate change with serious negative impacts on dependent sectors such as agriculture, hydropower generation, etc. Transboundary cooperation in adaptation helps to prevent the negative impacts of unilateral adaptation measures and to maximize the benefits of cooperation. For this reason, the Parties to the Water Convention have developed a range of activities on adaptation to climate change in a transboundary context, including a *Guidance on Water and Adaptation to Climate Change*, a programme of pilot projects and a platform for exchanging experience on adaptation to climate change in transboundary basins.

One of the pilot projects is located in the Neman River Basin, where, after a long absence of multilateral cooperation, experts from Lithuania, Belarus and the Russian Federation are now jointly discussing river basin management under climate change conditions.

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