UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE

Convention on the Protection and Use of Transboundary Watercourses and International Lakes

The global opening of the 1992 UNECE Water Convention

Draft version

UNECE

THE 1992 WATER CONVENTION – TWO DECADES OF SUCCESSFUL COOPERATION

The Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) was adopted in Helsinki in 1992 and entered into force in 1996. As of August 2013, it counts 39 Parties – almost all countries sharing transboundary waters in the region of the United Nations Economic Commission for Europe (UNECE).[1]

The Water Convention strengthens transboundary water cooperation and measures for the ecologically-sound management and protection of transboundary surface waters and groundwaters. The Convention fosters the implementation of integrated water resources management, in particular the basin approach whereby the management is organized at the level of basins. The Convention's implementation contributes to the achievement of the Millennium Development Goals and other international commitments on water, environment and sustainable development. The Convention is expected to support similarly the reaching of the post-2015 Sustainable Development Goals.

The Water Convention requires Parties to prevent, control and reduce transboundary impact, use transboundary waters in a reasonable and equitable way and ensure their sustainable management. Parties bordering the same transboundary waters have to cooperate by entering into specific agreements and establishing joint bodies. As a framework agreement, the Convention does not replace bilateral and multilateral agreements for specific basins or aquifers; instead, it fosters their establishment and implementation, as well as further development. The Convention enshrines a balanced approach, based on equality and reciprocity, that offers benefits to and places similar demands on both upstream and downstream countries.

Since the 1990s, the Water Convention has supported the development of transboundary agreements, the establishment of joint institutions and the strengthening of cooperation at both political and technical levels, in the pan-European region. This has happened in very diverse circumstances, including in the context of economic transition and political tensions, after the dissolution of the Soviet Union, Yugoslavia and Czechoslovakia. By its nature, the Convention is a flexible tool applicable in very different social, economic, political, environmental and hydrological situations.

The Convention has made a clear difference on the ground focusing on implementation and directly facilitating legal, technical and practical assistance. For example, the Convention has contributed to or served as a model for the transboundary agreements on the Chu-Talas, Danube, Dniester, Drin, Rhine and Sava Rivers, as well as agreements on the Belarus-Russian, Belarus-Ukrainian, Estonian-Russian, Kazakh-Russian, Mongolian-Russian, Russian-Ukrainian and many other transboundary waters.

The Water Convention has provided a permanent intergovernmental forum to discuss transboundary water cooperation, share experience and identify best practices in many areas. This has been an open and inclusive forum, supportive of building trust and finding common understanding – the crucial prerequisites to successful transboundary cooperation.

Moreover, over the past 20 years, the work under the Convention has evolved in response to the changing needs of Parties and often other countries, including from outside the UNECE region, for instance by

[1] The UNECE region includes 56 countries located in the European Union (EU), non-EU Western Europe, South-East Europe, Eastern Europe, the Caucasus, Central Asia and North America. As of 31 August 2013, the following countries and organizations are Parties to the Water Convention: Albania, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkmenistan, Ukraine, Uzbekistan and European Union. For the updated status of participation, see http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-5&chapter=27&lang=en.

addressing emerging issues such as ecosystem valuation, adaptation to climate change and the water-food-energy-ecosystems nexus in the transboundary context. It has been a key driver for continuous progress on transboundary water cooperation.

WHAT DOES THE GLOBAL OPENING TO ALL UNITED NATIONS MEMBER STATES MEAN?

In 2003, Parties to the Water Convention amended it to allow accession by United Nations Member States outside the UNECE region. Such a decision was taken because Parties to the Convention realized the advantages of opening the Convention's cooperative framework to the whole world – in particular, they wanted to offer its principles and provisions worldwide, share the experiences of the Convention, learn from other regions of the world and broaden political support for transboundary cooperation at the global level.

The amendment entered into force on 6 February 2013, turning the Water Convention into a global legal framework for transboundary water cooperation. It is expected that countries outside the UNECE region will be able to join the Convention as of early 2014, after the amendments become operational. They will have the same rights and responsibilities as the existing Parties.

The global opening of the Water Convention is opportune as water demand in many areas of the world is unsustainable and the water resource situation is projected to aggravate in the coming decades due to increasing pressures from agriculture, energy production and population growth. As international river basins account for nearly half of the earth's land surface and generate roughly 60% of global freshwater flow, transboundary water cooperation will be increasingly vital to prevent conflicts and ensure effective and sustainable use and management of shared resources. The Water Convention offers a framework, under the umbrella of the United Nations, to ensure water security, prevent conflicts over water and facilitate conflict resolution.

In recent years countries outside the UNECE region have expressed considerable interest in the Water Convention. More than 40 countries from outside the pan-European region have actively participated in the Convention's activities with, for example, pilot projects being undertaken in basins around the globe. Some countries have already expressed formal interest in acceding to the Convention, and some are considering accession. Parties to the Convention are working with several partners within and outside the United Nations System to strengthen capacity for the application of the Convention in countries outside the UNECE region and to prepare for a global membership.

WHAT ARE THE ADVANTAGES FOR STATES TO BECOME PARTY TO THE CONVENTION?

The advantages for countries to join the Water Convention include:

- **Solid international legal framework**

By becoming a Party, a country joins the international legal regime of the Convention that has already proven its effectiveness over the past two decades and provides benefits for cooperation to both upstream and downstream countries.

- **Developed institutional platform**

When becoming a Party, a country can participate in the Water Convention's institutional structure and decision-making, so fostering

"..[T]he UN Economic Commission for Europe's Convention on the Protection and Use of Transboundary Watercourses and International Lakes will soon be available to all UN Member States. I urge countries outside the UNECE region to join the Convention and further develop it."

– Message of Mr. Ban Ki-moon, United Nations Secretary-General, on World Water Day, 22 March 2013

the implementation of the Convention and its further development. While the vast majority of the meetings under the Convention's framework are open to non-Parties, it is the Parties that decide on the development of the Convention, sit in the Convention's governing bodies and lead activities under the Convention.

- **Recognition by the international community**

By being a Party to the Water Convention, a State signals to other countries, international organizations, financial institutions and other actors its willingness to cooperate on the basis of the norms and standards of the Convention. Such a State is respected by other actors in the international community for adhering to certain rules and standards.

- **Developing the Convention's regime**

Parties to the Water Convention collectively decide on the development of the Convention's regime at the meetings of the Convention's governing bodies. They can initiate the negotiation of new legally-binding instruments such as protocols or amendments to the Convention. They can elaborate new soft-law instruments, such as guidelines, recommendations, model provisions, checklists and other tools. They can decide on the interpretation of the Convention. In this way, they participate in further developing the Convention and international water law.

- **Advice and sharing of experience**

A Party to the Water Convention benefits from the existing experience under the Convention, e.g. its guidance documents, activities and projects on the ground. For example, a State suffering from frequent floods or droughts would benefit from the Convention's activities on adaptation to climate change or on transboundary flood management. A State interested in the joint management of water infrastructure on transboundary rivers would benefit from Convention's activities on dam safety. A basin struggling with the allocation of water for irrigation and energy production would benefit from the Convention's activities on the water-food-energy-ecosystems nexus. The programme of work under the Convention is demand-driven and therefore able to respond to the differing and evolving needs of the Parties. All Parties – no matter whether "new" or "old" – actively participate in the sharing of knowledge and experience and learn from each other.

- **Support to bilateral and basin cooperation**

The Water Convention not only obliges its Parties to enter into bilateral and multilateral agreements for specific basins and establish joint bodies, but provides support to its Parties in establishing such agreements and bodies or in strengthening existing ones. This is particularly valuable in those basins where there are difficulties in achieving agreements.

- **Improvement of water management at the national level**

The implementation of obligations under the Convention, especially of the obligation aimed at prevention, control and reduction of significant transboundary impact, improves water resources management at the national level. The Convention's standards to be applied by all Parties — e.g. pollution prevention, control and reduction at source, prior licensing of waste-water discharges, application of biological treatment or equivalent processes to municipal waste-water, or application of the ecosystems approach — enhance national systems for water resources management and protection.

- **Access to financial assistance and donor cooperation**

Parties to the Water Convention may benefit from the use of the Convention's trust fund, which supports the effective implementation of the Convention. Interested Parties contribute voluntarily to the trust fund, so

allowing them to target efficiently their assistance and to join forces with other donors in a coordinated way. The trust fund can be used for technical support to Parties, particularly to promote and implement the Convention through the organization of seminars and other training activities, studies and pilot projects, as well as for support to participation of experts from eligible countries in workshops, seminars, symposia and other meetings organized within the framework of the Convention. While non-Parties can also benefit from the Convention's trust fund, priority is given to Parties.

- **Support from the community of Parties**

The Water Convention is a collective forum. A Party may bring its needs and expectations to the attention of all other Parties. In other words, a Party is not left alone in its dealings with riparians – its concerns can be voiced at the Meeting of the Parties. The Convention's Implementation Committee can help Parties in all questions regarding implementation of the Convention and facilitate the settlement of the various differences and disputes.

- **Contribution to international peace and security**

Participation in and cooperation through the intergovernmental platform of the Water Convention reduces uncertainty in relations between riparian States and helps prevent potential tensions, disagreements and differences, so contributing to the maintenance of international peace and security.

WHY SHOULD A COUNTRY JOIN WHEN IT ALREADY HAS TRANSBOUNDARY AGREEMENTS WITH NEIGHBOURING COUNTRIES?

Transboundary water cooperation does not end with the adoption of agreements with neighbouring countries – in fact, that is only the start! The existence of a transboundary water agreement raises transboundary water cooperation to a certain level and allows the identification of new issues and the expansion of cooperation through a step-by-step approach. For example, undertaking joint or coordinated assessments of transboundary waters or setting up warning and alarm systems require a certain level of cooperation between riparian countries. However while the availability of an agreement and a joint institution in a basin brings in new opportunities for cooperation, it does not eliminate all challenges. Using the intergovernmental platform of the Water Convention, Parties can openly discuss and resolve challenges and address new, more advanced issues in cooperation in specific basins through the exchange of experiences and good practices.

In fact, most Parties to the Convention are Parties to several bilateral or multilateral agreements and actively bring in their experience of cooperation in bilateral and multilateral settings to the discussions in the framework of the Convention's intergovernmental platform.

WHAT IS THE WATER CONVENTION'S INSTITUTIONAL MECHANISM?

The institutional mechanism of the Water Convention is led by the Meeting of the Parties. The Meeting of the Parties is the highest political level where all important issues are decided. It holds its regular sessions every three years and adopts the programme of work for the next three-year period. In between the sessions of the Meeting of the Parties, the decision making is vested with the Bureau – an elected body comprising 11 Parties to the Convention from the various geographic regions under the Convention.

The Meeting of the Parties establishes working or subsidiary bodies to develop specific areas of work under the work programme. These include the Working Group on Integrated Water Resources Management, the Working Group on Monitoring and Assessment, the Implementation Committee, the Legal Board, the Joint

Ad Hoc Expert Group on Water and Industrial Accidents, the International Water Assessment Centre and, currently, Task Forces on Water and Climate and on the Water-Food-Energy-Ecosystems Nexus.

Each body receives a clear mandate from the Meeting of the Parties and implements the activities in one or several areas of the programme of work. The exact set up of the working bodies therefore changes depending on the work programme of the Convention – this ensures flexibility and responsiveness to changing needs. The working bodies are the main venue for the exchange of experience and where cooperation develops in specific areas.

The Convention's secretariat is provided by UNECE. The secretariat is responsible for servicing the meetings under the Convention and assisting the Convention bodies in implementing the programme of work.

Countries joining the Water Convention become part of its institutional mechanism in the same way and on the same equal footing as current Parties. That is to say that they will have the same rights to participate in decision making, to be elected to the bodies of the Convention, to lead the activities under the Convention, to receive assistance and so on.

HOW DOES THE CONVENTION WORK?

The Water Convention's programme of work encompasses a variety of activities at different levels (multilateral, transboundary or basin, national) of both a technical and a political nature. Activities are usually lead by lead Parties and overseen by the respective bodies, e.g. by the Working Group on Integrated Water Resources Management or a specific Task Force.

The highlights of the programme of work for 2013–2015 include:

- Thematic assessment of water-food-energy-ecosystems nexus in selected transboundary basins worldwide
- Development of a guidance note on the quantification of benefits of transboundary water cooperation
- Support to cooperation on adaptation of water resources to climate change in transboundary basins worldwide through pilot projects, exchange of experience and a collection of lessons learnt
- Projects to facilitate the development and implementation of transboundary water agreements and joint institutions, for example, in the Aral Sea Basin, Chu and Talas Basins, Drin River Basin, Dniester River Basin, Kura River Basin and Afghan-Tajik cooperation on environment and hydrology
- Support and advice in national water sector reforms through the national policy dialogues in the countries of Eastern Europe, the Caucasus and Central Asia
- Activities to raise awareness on the Convention in other regions of the world through capacity building and partnerships.

Water Convention activities: the example of adaptation to climate change

Despite some uncertainties, climate change impacts are evident in many regions in the world and some of the effects are already visible. As many rivers in the world cross national boundaries, transboundary cooperation is necessary to prevent negative impacts of unilateral activities and to support the coordination of adaptation measures at the river-basin or aquifer level and joint development of more cost-effective solutions.

The Task Force on Water and Climate under the Water Convention was created in 2006 to address this challenge through different activities, including policy advice, field projects, capacity-building and exchange of experience.

The *Guidance on Water and Adaptation to Climate Change*, developed by the Task Force in 2007-2009 and adopted by the Meeting of the Parties in 2009, provides step-by-step advice to decision makers and water managers on how to assess the impacts of climate change on water quantity and quality, how to perform risk assessment (including health risk assessment), how to gauge vulnerability and how to design and implement appropriate adaptation strategies.

The programme of *pilot projects* on adaptation to climate change in transboundary basins aims to strengthen the capacity to adapt to climate change. The programme also creates positive examples demonstrating the benefits of transboundary cooperation in adaptation planning and implementation. The pilot projects each include joint impact and vulnerability assessment and the development of a basin-wide adaptation strategy. A core group of representatives of the pilot projects meets annually, which enables a direct exchange of experience between the projects.

From 2013, this programme has been broadened to include additional basins from several regions of the world. Currently, the *global network of basins working on adaptation to climate change* includes the basins of Chu and Talas, Congo, Danube, Dniester, Drin, Mekong, Meuse, Neman, Niger, Rhine, Sava, Senegal and Upper Paraguay Rivers, the Amur / Argun / Daursky Biosphere Reserve and the Sahara and Sahel Observatory / Consultation Mechanism of the North Sahara Aquifer System.

The collection and exchange of experience is ensured through a *platform for sharing experience* on adaptation to climate change in transboundary basins, which includes regular meetings and annual workshops as well as a web-based platform.

Water Convention and groundwater

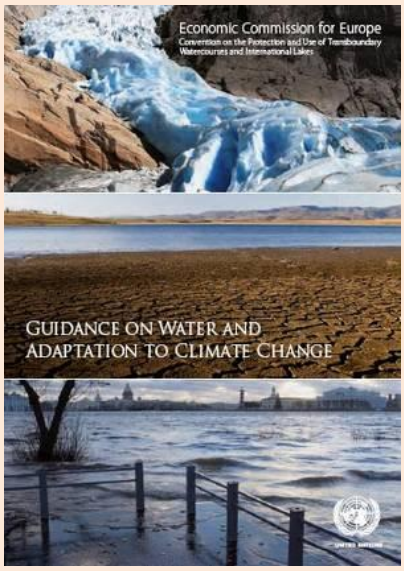
The principles and provisions of the Water Convention address surface waters and groundwaters, including both confined and unconfined aquifers.

A number of soft-law instruments have been developed under the Water Convention to provide concrete guidance for and to facilitate the implementation of the Convention with regard to groundwater. For example, the 2012 Model Provisions on Transboundary Groundwaters are a tool to assist riparian countries to develop agreements or protocols to govern cooperation over their transboundary groundwaters. The Model Provisions reflect the lessons learned and experience gained in the implementation of the Convention and build on the 2008 draft Articles on the Law of Transboundary Aquifers developed by the United Nations International Law Commission. Specific guidance has also been developed under the Water Convention on monitoring and assessment of transboundary groundwaters (2000).

The Parties to the Convention cooperate closely with UNESCO with the shared objective to promote the protection and the reasonable, equitable and sustainable use of transboundary groundwaters, through the exchange of experience and the organization of joint activities.

Selected guidelines and other soft-law instruments developed under the Water Convention[2]

- Recommendations on the prevention of water pollution from hazardous substances (1994)
- Guidelines on the prevention and control of water pollution from fertilizers and pesticides in agriculture (1995)
- Guidelines on licensing waste-water discharges from point sources into transboundary waters (1996)
- Guidelines on Monitoring and Assessment of Transboundary Rivers (1996, 2000)
- Guidelines on Monitoring and Assessment of Transboundary Groundwater (2000)
- Guidelines on Sustainable Flood Prevention (2000)
- Safety guidelines and good practices for pipelines (2006)
- Model Provisions on Transboundary Flood Management (2006)
- Recommendations on Payments for Ecosystem Services in Integrated Water Resources Management (2007)
- Safety Guidelines and Good Practices for Tailings Management Facilities (2009)
- Guidance on Water and Adaptation to Climate Change (2009)
- Guide to Implementing the Water Convention (2009) [3]
- Model Provisions on Transboundary Groundwaters (2012)



[2] See http://www.unece.org/env/water/publications/pub.html for a complete list of publications.

[3] An updated version is to be published in late 2013.

WHAT ARE THE OBLIGATIONS UNDER THE WATER CONVENTION?

The Water Convention has a three-pillar normative structure: (a) the due diligence obligation to prevent, control and reduce significant transboundary impact ("no-harm rule"); (b) the equitable and reasonable utilization principle; and (c) the principle of cooperation, as the catalyst for the realization of the prior two. The due diligence nature of the obligation to prevent, control and reduce significant transboundary impact requires a Party to take "all appropriate measures" to implement the obligation. In the determination of "all appropriate measures", consideration should be given to the level of economic development and technological, infrastructure and institutional capacity of a Party, as well as to the nature and degree of the risk of occurrence of transboundary impact in light of the specific circumstances and individual features of the relevant water basin.

The objectives of the Water Convention are to be achieved through a two-tiered approach, which envisages two main categories of obligations. The first set of obligations, contained in Part I, are more general and apply to all Parties to the Convention. The second, contained in Part II, are more specific and must be implemented through the conclusion of further agreements by Riparian Parties sharing the same transboundary waters.

In order to facilitate implementation of the obligations under the Convention, the Guide to Implementing the Water Convention has been developed by the Convention's Legal Board and adopted by the Meeting of the Parties in 2009. The Guide provides insights and explanations of both legal and technical aspects of the Convention's requirements, as well as examples of their practical application.

DOES THE WATER CONVENTION FOLLOW INTERNATIONAL CUSTOMARY LAW?

The Water Convention is based on and fully in line with the international customary law. The Convention goes beyond international customary law by specifying and further developing the above key obligations. For example, the principle of cooperation is further detailed in the obligations to enter into specific agreements and establish joint bodies, to hold consultations, to exchange information, to provide mutual assistance upon request, etc. Also, the Convention goes further than international customary law by providing an institutional mechanism for cooperation and standing out as intergovernmental platform for the day-to-day development of transboundary cooperation.

HOW DOES THE WATER CONVENTION RELATE TO THE 1997 UNITED NATIONS WATERCOURSES CONVENTION?

The globalization of the 1992 Water Convention is important vis-à-vis the expected entry into force of the 1997 United Nations Convention on the Law of the Non-navigational Uses of International Watercourses (1997 Watercourses Convention).

The two Conventions are fully compatible with no contradiction between them. A country can be a Party to both Conventions. In fact, many countries – Denmark, Finland, France, Germany, Greece, Hungary, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden and Uzbekistan[4] – are already Parties to both Conventions.

Moreover, the two Conventions are in many ways mutually complementary, e.g.:

[4] As of 31 August 2013.

- The 1997 Watercourses Convention complements the 1992 Water Convention including by detailing the factors relevant to equitable and reasonable utilization (Art. 6 of the 1997 Watercourses Convention), by providing the procedures for consultations on planned measures (Part III of the 1997 Watercourses Convention) and by describing the consequences of the occurrence of transboundary impact (Art. 7(2) of the 1997 Watercourses Convention);

- The other way around, the 1992 Water Convention complements the 1997 Watercourses Convention including by prescribing the content of specific agreements and tasks of joint bodies (Art. 9 of the 1992 Water Convention), by detailing the information subject to exchange and joint assessment (Arts. 13 and 11 of the 1992 Water Convention) and by providing detailed guidance on the water quality objectives and best available technology (annexes to the 1992 Water Convention).

There are some differences between the two Conventions:

- The 1992 Water Convention obliges Riparian Parties to enter into agreements and establish joint bodies for their shared waters, whereas the 1997 Watercourses Convention only recommends watercourse States to conclude specific agreements and cooperate through joint institutions

- The 1992 Water Convention also provides for the obligation to adapt existing watercourse agreements in line with the basic principles of the Convention, whereas there is no such requirement under the 1997 Watercourses Convention

- The 1992 Water Convention establishes an institutional mechanism based on the Meeting of the Parties, whereas the 1997 Watercourses Convention does not provide for such a cooperation mechanism

- Whereas the 1997 Watercourses Convention leaves confined groundwater outside its scope, the 1992 Water Convention covers all transboundary groundwater, including confined aquifers

- The 1992 Water Convention allows limiting the exchange of information between Riparian Parties on the ground of intellectual property rights, whereas the 1997 Watercourses Convention does not allow such a limitation.

These differences are not, however, of a nature that would mean that implementation of one Convention would impede implementation of the other. As authoritatively stated by the United Nations International Law Commission, according to the principle of harmonization, when several norms bear on a single issue they should, to the extent possible, be interpreted so as to give rise to a single set of compatible obligations.[5] The differences between the Conventions can therefore be reconciled by way of interpretation in order to reinforce and strengthen implementation of both instruments.

Moreover, being a Party to both Conventions allows a country to benefit from their strong legal frameworks and to advance the development and application of international water law by reinforcing the role of such law at the global level.

"The globalization of the [Water] Convention should also go hand-in-hand with the expected entry into force of the United Nations Watercourses Convention. These two instruments are based on the same principles. They complement each other and should be implemented in a coherent manner."

– Message of Mr. Ban Ki-moon, United Nations Secretary-General, to the sixth session of the Meeting of the Parties to the Water Convention, 28 November 2012

[5] "Fragmentation of International Law: Difficulties Arising from the Diversification and Expansion of International Law", Report of the Study Group of the International Law Commission, 2006.

The United Nations Secretary-General and many countries and organizations have already called for the establishment of synergies in the implementation of the two Conventions.

The Meeting of the Parties to the Water Convention (at its sixth session, 28–30 November 2012) has decided to promote synergies and coordination with the 1997 Watercourses Convention by sharing the experience collected under the Water Convention to support the implementation of the 1997 Watercourses Convention, promoting exchanges and coordination between the Parties to the two Conventions and offering an intergovernmental framework for discussion on the two Conventions.

WHO ARE THE CONVENTION'S PARTNERS?

A strong focus on countries – first of all, Parties to the Convention but also other States – and on inter-State cooperation is at heart of the Convention's activities. Cooperation with the existing river basin commissions and other institutions for transboundary water cooperation in specific basins is part of the day-to-day work.

The Parties to the Water Convention work in partnership with many international intergovernmental and non-governmental organizations and other actors in implementation of Convention's activities and to enhance the Convention's impact and efficiency.

Among others, these include all United Nations regional commissions, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Global Environment Facility (GEF), the United Nations Environment Programme (UNEP), the United Nations Development Programme (UNDP), the World Meteorological Organization (WMO), the Food and Agriculture Organization of the United Nations (FAO), the European Commission, the European Environment Agency, the Organization for Economic Cooperation and Development (OECD), the Organization for Security and Cooperation in Europe (OSCE), the International Network of Basin Organizations (INBO), the International Union for Conservation of Nature (IUCN), the Global Water Partnership (GWP), the Environment and Security Initiative (ENVSEC), Regional Environmental Centres (RECs), Conservation International, Dundee University, the World Wide Fund for Nature (WWF), Green Cross International, the Stockholm International Water Institute (SIWI), Zoï Environment Network, Women in Europe for a Common Future, the Alliance for Global Water Adaptation and many others.

The Water Convention actively cooperates with the secretariats and governing bodies of other multilateral agreements, e.g. the United Nations Framework Convention on Climate Change (UNFCCC), the Convention on Wetlands of International Importance (Ramsar Convention), the United Nations Convention to Combat Desertification (UNCCD), the Alpine Convention and all UNECE multilateral environmental agreements. It also contributes to UN-Water activities, for example by co-chairing the UN-Water Thematic Priority Area on Transboundary Waters and by providing input to the United Nations World Water Development Reports.

The Parties to the Water Convention are committed to expanding partnerships for strengthening the implementation of the Convention and for broadening political support for transboundary water cooperation.

HOW CAN A COUNTRY JOIN THE 1992 WATER CONVENTION?

Any State that is a Member of the United Nations may accede to the Water Convention. The exact national process by which a State becomes a Party depends on that State's domestic legislation concerning the conclusion of treaties, which is often set out in that State's Constitution.

Preparations for the accession can be made by assessing the changes to the existing domestic legislation and to bilateral and multilateral agreements that the Convention requires. An effective approach is to establish an official working group to assess the impact of the Convention on domestic law and policies and on transboundary cooperation. If needed, a country can request assistance in the accession process from the Convention's Meeting of the Parties or secretariat.

For States outside the UNECE region, accession takes place on the basis of the Convention's articles 25 and 26 as amended and in force since 6 February 2013, and in conformity with the decision VI/3 of the Meeting of the Parties on accession by non-UNECE countries.

While the text of article 25, paragraph 3, allows the accession to the Water Convention by non-UNECE countries upon approval by the Meeting of the Parties, through its decision VI/3 the Meeting of the Parties gave blanket approval of any future request for accession to the Convention by United Nations Member States that are not members of UNECE. This approval contained in decision VI/3 is subject to the entry into force, for all the States and organizations that were Parties to the Convention on 28 November 2003, of the amendments to articles 25 and 26. It is envisaged that non-UNECE States will be able to accede to the Convention as of early 2014. By effectively lifting the approval requirement, the Meeting of the Parties made the procedure of accession for non-UNECE Member States the same as that for UNECE member States.

In order to become a Party, a State outside the UNECE region must deposit its instrument of accession with the Secretary-General of the United Nations, making reference to decision VI/3.

Accession to the Water Convention implies that a State becomes bound by the decisions of the Meeting of the Parties taken before the time of its accession. It does not imply accession to the Convention's protocols.[6]

CONTACT INFORMATION

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[6] The Water Convention has two Protocols: the 1999 Protocol on Water and Health and the 2003 Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters.

THE WATER CONVENTION: 20 years of successful water cooperation

1989-1992

Discharge Rule of Lake Saimaa and river Vuoksi (FI-RU), 1989

Water Convention negotiated by the Working Party on Water Problems under the auspices of the Senior Advisers to UNECE Governments on Environmental and Water Problems (1990–1992)

1992

The Central Asian States agreement (KZ, KG, TJ, TM, UZ) establishes the Interstate Commission for Water Coordination of Central Asia

Germany-Poland, Russian Federation-Ukraine and Kazakhstan-Russian Federation agreements

The Water Convention is adopted in Helsinki

1993

Recommendations to UNECE Governments on Water-Quality Criteria and Objectives

Guidelines on the Ecosystem Approach in Water Management

1994

Lake Maggiore returns to an oligotrophic state thanks to measures recommended by the Swiss-Italian Commission in 1984

The Convention on Cooperation for the Protection and Sustainable Use of the River Danube (AT, BA, BG, HR, CZ, DE, HU, MD, ME, RO, RS, SK, SI, UA, EU) establishes the International Commission for the Protection of the Danube River

Meuse and Scheldt, Hungary-Slovenia, Croatia-Hungary, Slovakia-Ukraine and Republic of Moldova-Ukraine agreements

Recommendations to UNECE Governments on the Prevention of Water Pollution from Hazardous Substances

1995

Mesta/Nestos (BG, GR), Czech Republic-Germany and Mongolia-Russian Federation agreements

Guidelines for UNECE Governments on the Prevention and Control of Water Pollution from Fertilizers and Pesticides in Agriculture

1996

The Protocol to the Ems-Dollart Treaty (DE, NL) regulates the cooperation on water and nature protection issues in the Ems estuary

Convention on the International Commission for the Protection of the Oder (CZ, DE, PL)

Croatia-Slovenia, Bosnia and Herzegovina-Croatia and Poland-Ukraine agreements

The Water Convention enters into force

First Guidelines on Water-Quality Monitoring and Assessment of Transboundary Rivers adopted

Start of pilot projects on monitoring and assessment of transboundary rivers

1997

UN Convention on the Law of the Non-navigational Uses of International Watercourses (UN Watercourses Convention) adopted

Estonia-Russian Federation, Poland-Slovakia, Hungary-Ukraine and Romania-Ukraine agreements

1998

Albufeira Convention (ES-PT)

Joint Expert Group established under Industrial Accidents and Water Conventions

1999

Convention on the Protection of the Rhine (CH, DE, FR, LU, NL, EU) following the 1963 Convention

Agreement on the status of the International Fund for Saving the Aral Sea

Czech Republic-Slovakia agreement

The Protocol on Water and Health is adopted in London

First inventory of transboundary groundwaters in the pan-European region

2000

Adoption of the EU Water Framework Directive

Establishment of the International Water Assessment Centre (IWAC) in the Netherlands

Revised Guidelines on Monitoring and Assessment of Transboundary Rivers adopted

Guidelines on Monitoring and Assessment of Transboundary Groundwaters adopted and start of related pilot projects

Report on the relationship between the UNECE Water Convention and the UN Watercourses Convention prepared by the Task Force on Legal and Administrative Aspects

Guidelines on Sustainable Flood Prevention

2001

First Joint Danube Survey for the analysis of the water quality and the ecological status of the Danube River

Belarus-Ukraine and China-Kazakhstan agreements

Set up of the Danube Black Sea Task Force to ensure cooperation for the protection of water and water-related ecosystems in the Danube and the Black Sea

2002

Framework Agreement on the Sava River Basin (BA, HR, SI, RS) and Belarus-Russian Federation agreement

New Meuse (BE, DE, FR, LU, NL) and Scheldt (BE, FR, NL) agreements entrust the Scheldt and Meuse commissions with the coordination of the implementation of the EU Water Framework Directive

Major floods in Central Europe trigger the development of model provisions for transboundary flood management under the Water Convention

2nd International Conference on Sustainable Management of Transboundary Waters in Europe organized in Poland to celebrate the Convention's 10th anniversary

UNITED NATIONS

2003

Hungary-Romania and Estonia-Latvia agreements

Amendment to the Convention adopted at the 3rd Meeting of the Parties to allow accession to the Convention to all UN Member States

Guidelines on Monitoring and Assessment of Transboundary and International Lakes adopted

Protocol on Civil Liability signed at the 5th "Environment for Europe" Ministerial Conference as a response to the Baia Mare accident

2004

Agreement for the Protection and Sustainable Development of Lake Ohrid and its Watershed (AL, MK)

Amendment of the International Warning and Emergency Plan for the Elbe River and enhancement with the Elbe Alarm Model

Start of the Dniester Project to facilitate cooperation between the Republic of Moldova and Ukraine

2005

Albania-Greece and Lithuania-Poland agreements

Entry into force of the Protocol on Water and Health

2006

Chu-Talas Commission (KZ-KG) established

Recommendations on Payments for Ecosystem Services in Integrated Water Resources Management (IWRM) adopted

Strategies on Monitoring and Assessment adopted

Model Provisions on Transboundary Flood Management adopted

Safety Guidelines and Good Practices for Pipelines, developed jointly with the Industrial Accidents Convention

Dam safety project starts in Central Asia

Start of the National Policy Dialogues (NPDs) on IWRM under the EU Water Initiative in Armenia, the Republic of Moldova and Ukraine

2007

The new Franco-Swiss Genevese aquifer agreement is signed

Iran-Turkmenistan and Croatia-Montenegro agreements

EU Floods Directive

First Assessment of Transboundary Rivers, Lakes and Groundwaters presented at the 6th "Environment for Europe" Ministerial Conference

Start of the activities on climate change adaptation

2008

Countries finalize first River Basin Management Plans under the EU Water Framework Directive

Amendment of the Albufeira Convention (ES-PT) to address climate variability

China-Russian Federation agreement

Safety Guidelines and Good Practices for Tailing Management Facilities developed jointly with the Industrial Accidents Convention

NPD on IWRM initiated in Kyrgyzstan

Creation of the UN-Water Task Force on transboundary waters, co-chaired by UNECE and UNESCO

Water quality project starts in Central Asia

2009

Memorandum of understanding (MoU) for the management of the extended transboundary Drin basin (AL, GR, MK, Kosovo (United Nations administered region, Security Council resolution 1244), ME)

China-Kazakhstan water quality agreement

MoU "Towards the implementation of the Integrated Tisza River Basin Management Plan supporting the sustainable development of the region" (HU, RO, RS, SK, UA) signed, following the 2004 MoU to develop a River Basin Management Plan for the Tisza River

New Finland-Sweden, Republic of Moldova-Romania and Samur (AZ-RU) agreements

Protocol on Flood Protection to the Framework Agreement on the Sava River basin

Agreement on the Protection and Sustainable Development of the Prespa Park Area (AL, GR, MK)

The International Commission for the Protection of Lake Geneva adopts its action plan for 2011-2020

IWAC transferred to Slovakia

Guide to implementing the Water Convention adopted

Guidance on Water and Adaptation to Climate Change adopted

Non-UNECE countries start to get involved in Water Convention activities

2010

NPDs on IWRM initiated in Azerbaijan, Georgia, Tajikistan and Turkmenistan

Start of the Kura Project to facilitate cooperation between Georgia and Azerbaijan

Start of the pilot projects on adaptation to climate change in transboundary basins and on payment for ecosystem services

2011

7th "Environment for Europe" Ministerial Conference: launch of the Second Assessment of Transboundary Rivers, Lakes and Groundwaters and adoption of the Astana Water Action

International conference on Europe-Asia cooperation; formal interest expressed by non-UNECE countries in joining the Convention

Start of a project between Tajikistan and Afghanistan

2012

Finnish-Russian Commission holds its 50th meeting

NPD on IWRM initiated in Kazakhstan

Model Provisions on Transboundary Groundwater developed

Proposal for the Implementation Committee developed

Start of the work on the water-energy-food nexus in the transboundary context

Expected globalization of the Water Convention