

Frequently Asked Questions About the Conventions



Alistair Rieu-Clarke, Legal Advisor
Secretariat of the UNECE Water Convention
Water Allocation Workshop, 16th October 2017, Geneva



Frequently asked questions

- ***Why do we have two conventions related to transboundary waters?***
 - UN Watercourses Convention evolved through work of UN General Assembly and International Law Commission. Slow to enter into force (1997-2014)
 - UNECE Water Convention originally drafted as regional instrument but recognition of its global relevance steadily growing since early 2000s
- ***Which one is better?***
 - At their core they both say the same thing – cooperate over transboundary waters!
 - Some details missing from one convention can be found in the other
 - Accession to both therefore offers a fuller set of legal rules and principles
- ***Should I wait for my neighbour to accede?***
 - Conventions have acted as a catalyst and basis for negotiation
 - Demonstrates commitment to international water law (lead by example)
 - A party is not required to implement Convention with riparian countries that are not parties
 - Platform and common language by which to share experiences across basins and regions

- ***Will the conventions replace the agreements I already have?***
 - No. Both instruments are framework instruments. States can use the Conventions as a basis to revise/ adopt more specific arrangements at the basin/ sub-basin level
 - There is a lot of diversity in the types of arrangements that the parties to both Conventions have entered into. No one size fits all
- ***Which countries benefit more – upstream or downstream?***
 - Both instruments reflect compromise text from upstream and downstream states (and midstream, and those that are both upstream and downstream, and...)
 - Transboundary impacts can travel both ways
 - Predictability is good for all States
 - Cooperation can bring benefits beyond water
- ***Will I win the Stockholm Water Prize if I can get my country to accede to the Conventions?***

Thanks!

Alistair Rieu-Clarke, Legal Advisor
Secretariat of the UNECE Water Convention
Water Allocation Workshop, 16th October 2017, Geneva

