



“THE UNITED NATIONS GLOBAL WATER CONVENTIONS:
FOSTERING SUSTAINABLE DEVELOPMENT AND PEACE”



Why is transboundary water cooperation a global issue in need of accelerated action?

- 1) **Water is critical to progressing the Sustainable Development Goals (SDGs)** and is considered to be one of the most pressing challenges facing the world (World Economic Forum 2019).
- 2) Managing transboundary rivers, lakes and aquifers in an equitable and sustainable manner is **key to addressing the water crises and advancing the 2030 Agenda**.
- 3) **Even where populations are not directly situated within transboundary river and lake basins**, or aquifer systems, they are **often reliant upon the goods and services produced therein** or have an interest in ensuring for their equitable, sustainable and peaceful management.
- 4) Through initiatives such as the Global High-level Panel on Water and Peace and debates within the Security Council, **transboundary water cooperation is increasingly being recognised as a driver of peace and conflict prevention**, and as a valuable tool of preventative diplomacy.



Why is transboundary water cooperation a global issue in need of accelerated action? (continued)

5) As water and climate change know no borders, **transboundary cooperation in adaptation to climate change is necessary** to enable the sharing of the costs and benefits of adaptation measures, and **prevent the possible negative effects of unilateral adaptation measures.**

6) The **management of groundwater** poses a particular dilemma, linked to the unique characteristics of this 'hidden' resource.

7) **Cooperative arrangements** concerning transboundary rivers, lakes and aquifers are **often lacking or too weak to deal with growing water-related challenges**, to offer an enabling environment for IWRM, and to reap the shared benefits that transboundary cooperation can offer.

8) The UN global water conventions represent **powerful tools to promote and advance transboundary water cooperation.**



Water Convention: Purpose, scope, content

Purpose

- Foster cooperation over transboundary waters in order to ensure that they are sustainably and equitably managed

3 main pillars of the Convention

- Principle of prevention of transboundary harm
- Principle of equitable and reasonable utilization
- Principle of cooperation



‘Value add’ of the Water Convention



A sound legal framework for shared understanding & common approaches



An active institutional framework to exchange experiences & capacity



Activities & projects ‘on the ground’ to promote practical cooperation



Watercourses Convention: Purpose, scope, content

Purpose

- ‘ensure the utilisation, development, conservation, management and protection of international watercourses and the promotion of the optimal and sustainable utilisation thereof for present and future generations’

3 main pillars of the Convention

- Equitable & reasonable utilisation
- No significant harm
- Cooperation in good faith

Watercourses Convention ‘Value add’



A global legal framework codifying customary international law



Key rules & procedures such as prior notification & agreement for projects



Reference point for international courts in transboundary disputes

UN GLOBAL WATER CONVENTIONS: JOINT MOMENTUM

*“The global opening of the Water Convention, the accession of the first countries from outside the UNECE region -- namely Chad and Senegal -- and the momentum in support of the Convention are promising developments. Along with the Convention on the Law of the Non-Navigational Uses of International Watercourses, the world has the ability to strengthen the rule of law in transboundary cooperation worldwide. **I call on Member States to join both Conventions and to strive for their full implementation.**”*

Watercourses Convention

- Negotiated, developed as a global framework
- Adopted on 27 May 1997 by UN General Assembly
- Vietnam joined in 2014, triggering entry into force

Water Convention

- Negotiated as regional agreement with global vision
- Amended & opened in 2015 for accession globally
- 2 African countries joined in 2018, 20+ countries interested in joining & exploring accession process



UN global water conventions: key similarities & differences

The Watercourses Convention (1997) and Water Convention (1992) are fully consistent and complementary with each other, based on the same principles of international water law.

However, there are some differences:

- Water Convention covers surface water and both confined and un-confined groundwater. The Watercourses Convention only surface water and connected groundwater
- The Water Convention specifically obliges riparian parties to enter into joint agreements or other arrangements and joint bodies (institutions), whereas under the Watercourses Convention this is simply encouraged.
- More detailed procedural requirements under the Water Convention. The Watercourses Convention more detailed on notification, and equitable and reasonable utilization factors
- Water Convention includes institutional framework (MoP, secretariat, etc). No institutional framework under the Watercourses Convention

The differences are a strength, whereby both instruments taken collectively can be seen as a fuller package of norms. In this regard, more detailed provisions in one instrument can inform the other.



UN GLOBAL WATER CONVENTIONS: WHAT 'VALUE ADD'?

Benefits of accession to, & implementation of, UN global water conventions:

- 1) Reinforcing transboundary cooperative arrangements
- 2) Supporting all that transboundary water cooperation has to offer
- 3) A common platform to share experiences, enhance capacity and advance water diplomacy
- 4) Strengthening water governance at both national & transboundary levels
- 5) Increasing finance for transboundary basin development
- 6) Increasing political support for transboundary cooperation at the global level

Ultimately, it is us up to states to make their own assessment on accession.



Many benefits of acceding to the UN global water conventions

Specific benefits that derive from accession to both conventions, include:

- 1) Having a **legal binding framework by which a state can conduct its activities** related to transboundary rivers, lakes and aquifers in a **predictable and transparent manner**.
- 2) Legal frameworks such as the UN global water conventions **help create an enabling environment for investments**.

Additional benefits of acceding to both, irrespective of whether neighbours are parties:

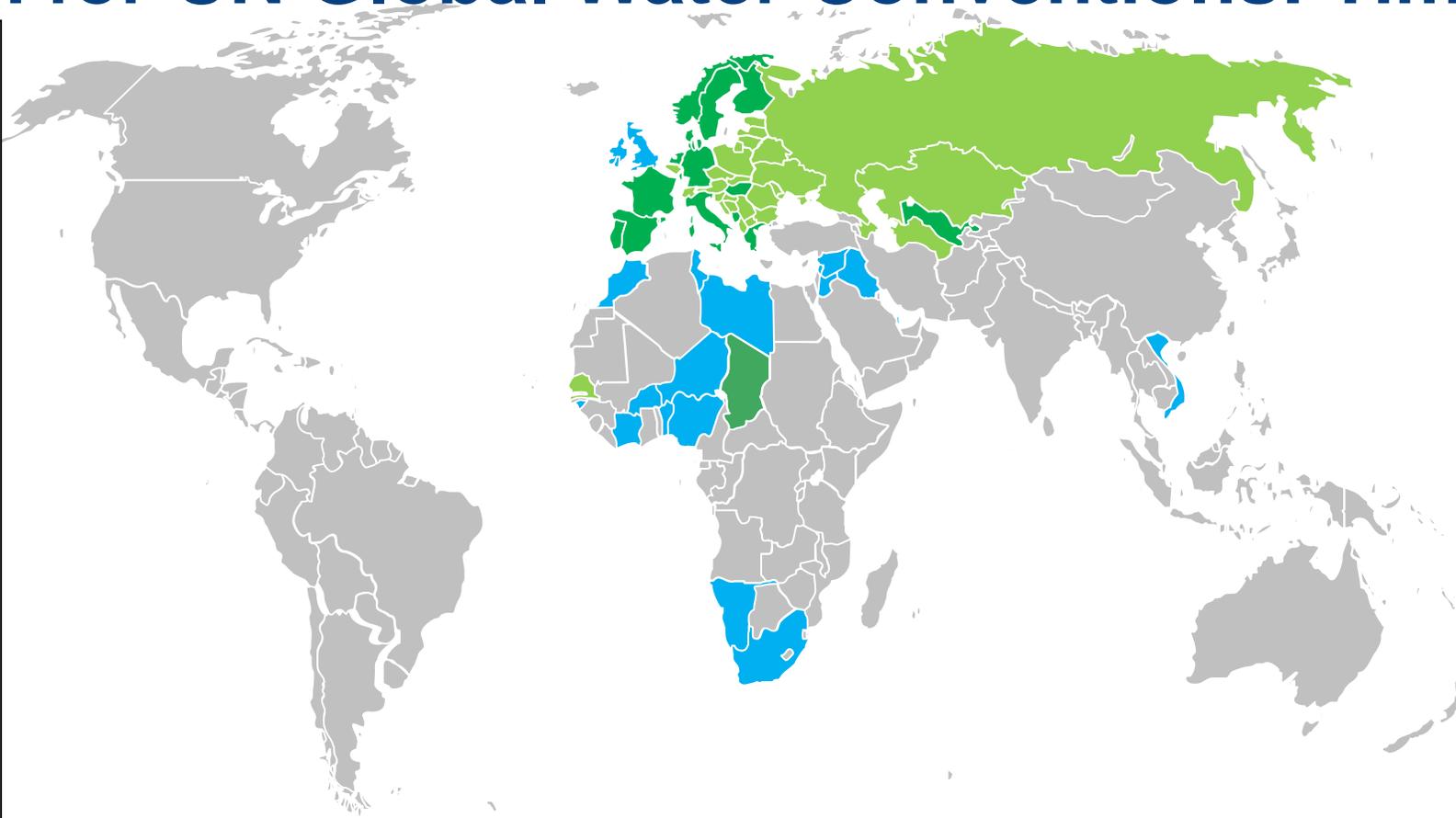
- 1) Being a Party sends a clear signal to non-Parties of the type of legal commitments that a country is willing enter into.
- 2) Recognition by countries and the international community of a long-term commitment to transboundary water cooperation.
- 3) Stronger water management at the national level.
- 4) accession process offers a means by which to strengthen national awareness and capacity on transboundary water issues amongst key stakeholders.



Momentum for UN Global Water Conventions: Time to act now!

“The Convention has been an important guidance for several treaties and river basin commissions to which Germany is a Party. The Water Convention’s working structure offers a unique platform for Germany to exchange knowledge and experience, with other UNECE countries, but already also beyond the UNECE region as well as with numerous organizations and NGOs.”

Testimonial of Ms. Heide Jekel, delegate from Germany at the 11th WG on IWRM, Geneva, 18 October 2016



“The two key global conventions on water (1992 Water Convention and 1997 Watercourses Convention) which are open to all United Nations Member States now serve as the mechanism that member States of the Volta Basin Authority are being called upon to accede to in order to strengthen our international cooperation and national measures for the sound utilization, management and development of transboundary surface waters and groundwater resources.”

Remarks by H.E. Cecilia Abena Dapaah, Minister for Sanitation and Water Resources of Ghana, Accra, 10 May 2019



Party to the Watercourses Convention (1997)

Party to the Water Convention (1992)

Party to both global water Conventions