

Conclusions of the seminar

« How the two global water conventions support transboundary water cooperation »

31 August 2014, Stockholm

Convenor: UNECE

Co-convenors: Dundee Centre for Water Law, Policy & Science, Finnish Water Forum, Government of Hungary, Government of the Netherlands, Green Cross International, IUCN, Ministry for Foreign Affairs of Finland, Ministry of Foreign Affairs and International Development of France, Ministry of Water and Forestry of Cote d'Ivoire, SIWI, UNEP-DHI Partnership – Centre on Water and Environment, UNESCO, WWF

The 1997 UN Convention on the Law of the Non-Navigational Uses of International Watercourses (UN Watercourses Convention) entered into force in August 2014 and counts 35 Parties. The 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes (UNECE Water Convention or Helsinki Convention), which counts 40 Parties, became open for accession worldwide in 2013 with the entry into force of amendments. There are now two global legal frameworks for transboundary water cooperation which are fully compatible and complement each other. Together, as a package of norms, they jointly contribute to advancing transboundary water cooperation and foster a common language and shared understanding in transboundary basins.

Representatives from Albania, Côte d'Ivoire, Iraq and the Netherlands, countries which have ratified one or both Conventions, underlined that the water conventions have helped them in strengthening their cooperation with neighbouring countries on shared waters, such as the Drin, Rhine, Volta and other rivers. All speakers welcomed this breakthrough for international water law, but underlined that implementation now needs to be fostered and more countries should ratify these crucial legal frameworks.

60 countries in total have ratified one or both Conventions, while 133 countries have not joined either Convention. Therefore, additional efforts are needed to promote and explain the Conventions jointly, in particular demonstrating the benefits of the Conventions also to upstream countries. For example, the European Union has promoted the two Conventions through its Council Conclusions on Water Diplomacy, a Demarche to promote the two Conventions and follow-up actions. Non-governmental actors also play an important role in promoting the Conventions and transboundary cooperation in general.

The discussion showed that many misunderstandings and open questions persist (for example, how to deal with existing transboundary basin agreements and how to convince upstream countries to join) and the benefits of joining the legal frameworks need to be demonstrated. During the discussion, several countries such as Iraq, Mexico and Sudan expressed their interest to study in more detail the Conventions.

Supporting implementation of the Conventions requires data and information exchange, capacity-development and much more. In the 18 years since its entry into force, a wealth of experience has been collected under the UNECE Water Convention and its institutional framework that can also assist other countries on transboundary water issues.

The two Conventions need to be implemented in a synergetic way. This was also stressed by donors, for example the Global Environment Facility, which recognized the importance of the Conventions as frameworks to support cooperation, for example through the work under the UNECE Water Convention on the benefits of transboundary water cooperation and on the water-food-energy-ecosystems nexus. It was underlined that intersectoral cooperation at the level of the basin is crucial to ensure efficient and sustainable use of shared water resources.

Another tool available in this respect is the Transboundary Waters Assessment Programme, which provides a global overview of the status and vulnerability of transboundary basins worldwide, including their legal and institutional arrangements for transboundary cooperation.

The entry into force of the UN Watercourses Convention, the global opening of the UNECE Water Convention, but also the inclusion of a target on transboundary cooperation into the draft SDG on water provide a powerful opportunity to advance transboundary cooperation worldwide. Parties to the Conventions have a leading role to play in further promoting the Conventions, ensuring their synergetic implementation and raising the importance given to water in the post-2015 agenda.

*More information on the seminar, including the presentations, is available at:
<http://programme.worldwaterweek.org/event/how-the-two-3637>*

