



# Transboundary freshwater security governance train

Interactive Online Session: River Basin  
Organisations and the implementation  
of legal commitments'

16 March 2021





# Event Moderator



**Dr. Yumiko Yasuda**

## Senior Network and Transboundary Water Cooperation Specialist, GWP

- Yumiko leads GWP's thematic work on transboundary water, and is the lead faculty of the MOOC on Transboundary Freshwater Security, designed and directed the production of the course.
- Her area of expertise lies in the analysis of water and environmental governance, water diplomacy, political economy analysis surrounding natural resources management, with a focus on transboundary rivers and non-state actors' engagements in natural resources management.
- Dr. Yasuda obtained her PhD degree from the Centre for Water Law, Policy and Science at the University of Dundee, MA in environmental policy from the Tufts University, and MSc in environmental science from Tsukuba University. Her research on the Mekong has culminated in the publication of a book entitled "Rules, Norms and NGO Advocacy Strategies: Hydropower Development on the Mekong River" by Routledge in 2015.

**Fun fact! Yumiko performed stand-up comedy in Scotland.**



**The biggest achievement in life:  
Still working on it!**





# Event Chairs

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**Professor Alistair Rieu-Clarke**  
School of Law, Northumbria  
University, Newcastle



**Dr. Barbara Janusz-Pawletta**  
Vice-Rector on International  
Cooperation at the Kazakh-  
German University (DKU)





# School of Law, Northumbria University, Newcastle

- 20+ years experience in research, teaching and consultancy related to international law and transboundary waters;
- Alistair graduated with an LLB (Hons.) in Law from University of Dundee Law School, a Masters (with Distinction) in Natural Resources Law and Policy and PhD from University of Dundee, Centre for Energy, Petroleum and Mineral Law and Policy;
- Prior to joining Northumbria University, Alistair worked at the Centre for Water Law, Policy & Science, University of Dundee, and also spent 15 months (2017-18) with Water Convention Secretariat in Geneva, working on the SDGs and reporting under the Convention. His research primarily focuses on developing knowledge and understanding of how transboundary watercourse treaties can work better.

“**Fun fact! Alistair lives near St Andrews ('the Home of Golf'), and plays off a 5 handicap.**

**The biggest achievement in life:  
Family, for sure!**



**Professor Alistair Rieu-Clarke**





## Vice-Rector on International Cooperation, Kazakh-German University (DKU)

- Barbara Janusz-Pawletta has obtained her Master Degree on Law in the Jagiellonen University in 2003. And through 4 years she has become a Doctor on Law in Freie Universität Berlin.
- Her teaching and research fields cover legal framework and institutional interstate cooperation including water and energy nexus. She is looking at the worldwide and regional practices especially in Central Asia to facilitate interstate cooperation in managing sustainable management of water resources.
- Dr. Janusz-Pawletta has been dealing with worldwide and best regional practices facilitating sustainable interstate cooperation related to production and maintenance of renewable energies by using water potential.
- Since 2004, Dr. Janusz-Pawletta has on hers account more than 35 research publications in various sources, including foreign ones.
- She is the editor-in-chief of the Journal of the Central Asian Journal of Water Research (CAJWR), which is open-access, peer-reviewed e-Journal dedicated to all aspects of water management in the region of Central Asia.
- In addition to her position with the DKU, Barbara is a member at the Technical Committee of the Global Water Partnership (GWP) and at International Law Association within the Committee "Role of International Law in Sustainable Natural Resource Management for Development". She also serves as the UNESCO Chairholder for water management in Central Asia.

**“ Fun fact! Barbara loves the piano music, but cannot play it anymore, so she is teaching to play piano her 4 sons.**

**Biggest achievement in life: happy and big family.**



**Dr. Barbara Janusz-Pawletta**





# Speakers

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- **Dr. Christina Leb**, Senior Counsel, Environment and International Law Department, World Bank
- **Ivan Zavadsky**, Executive Secretary, ICPDR
- **Sebastián Izquierdo**, Former Binational Coordinator, UNDP





## Senior Counsel, Environment and International Law Department (LEGEN), World Bank



**Dr. Christina Leb**

- Christina Leb works as Senior Counsel at the Environment and International Law Department (LEGEN) of the World Bank where she advises on public international law and the Bank's policy on projects on international waterways.
- Prior to this position, she was the Program Manager of the Central Asia Water Energy Program (CAWEP) and Thematic Focal Point for Transboundary Waters at the Water Global Practice, where she also worked on several other assignments related to water resources management and transboundary water governance in Africa and South and Central Asia.
- Prior to joining the World Bank, Dr. Leb worked at the Faculty of Law of the University of Geneva and continues to be a fellow at the University's Platform for International Water Law. She is also an affiliate member of the International Water Law Academy (IWLA) at Wuhan University.
- She holds a doctorate in public international law from the University of Geneva, a M.A. in international relations from the School of Advanced International Studies (SAIS) of Johns Hopkins University, and a law degree from the Karl Franzens University of Graz, Austria.

**Fun fact: After a year of working from home still trying to learn how to play the Ukulele.** ”

**The biggest achievement in life: Completing the 160km Tour du Lac rowing regatta on Lake Geneva!**





## Executive Secretary, Permanent Secretariat of the International Commission for Protection of the Danube River

- Since August 2013, Mr. Zavadsky works in the Permanent Secretariat of the International Commission for Protection of the Danube River as the Executive Secretary to this Commission.
- First he worked for the Bratislava's Water Utility Company, and then for the Slovak Government in different senior management positions in the water and environment sectors for more than 15 years.
- Since 2001, he managed two UNDP/GEF regional projects in the Danube River Basin and Black Sea region assisting 17 countries in the implementation of a regional convention, addressing the nutrient pollution and ecological rehabilitation of the Black Sea from eutrophication.
- From 2007 until mid-2013, he worked for the GEF Secretariat, where he was responsible for the technical and financial review of complex regional programmes and projects in the GEF International Waters focal area. As the Coordinator for the GEF IW Focal Area, he has led the development of the GEF IW Strategy for the 6th GEF cycle.
- He has a master degree in water management with a specialisation in water supply and sanitation from the Slovak Technical University in Bratislava and a post-gradual degree on water management economics from the same university.

**“ Fun fact! Ivan is not only water engineer and water professional, he is also a passionate and still active canoe racer.**

**Biggest achievement in life: assisting my home country Slovakia to enter the EU!**



**Ivan Zavadsky**







**Sebastián Izquierdo**

## Former Binational Coordinator, United Nations Development Programme

- Sebastián Izquierdo qualified as a civil engineer at the University of Cuenca, Ecuador, and gained his MSc in environmental management at the Université Catholique de Louvain la Neuve, Belgium. He studied techniques of integrated water resources relating to safe drinking water at the University of Bologna.
- Sebastián's most recent role was working as a Binational Coordinator in the United Nations Development Programme (UNDP). He was Executive Director of the Commission for Environmental Management in Cuenca, with responsibility for coordinating, managing, and leading environmental management in the city (climate change, environmental studies, planning, and biodiversity).
- He also worked as environmental manager for Etapa EP, the water supply company in Cuenca, where he led the environmental management of the institution on topics ranging from watershed management to hazardous waste management and environmental education programs.
- Sebastián has extensive expertise in environmental management, and sanitary engineering, planning, and governance. He has shared his knowledge and experience by teaching at Ecuadorian universities and speaking at national and international workshops and conferences.

**Fun fact! In high school, he had a nickname from his nickname - Vincent; in fact, some classmates still call him "Vichi". It has nothing to do with his name. Just some people get it.**





# Overview RBOs and their Role in the Implementation of Legal Commitments

Christina Leb

Environment and International law department (LEGEN), World Bank





# “Permanent” – Constituent Agreements

- Established by Treaty
  - Stability of international treaties
- Established based on other form of agreement
  - Lower level of formality

## Evolution Over Time – Example: International Commission for the Protection of the Rhine:

- 1950 Agreement for analysis, knowledge/data sharing, recommendations
- 1963 Convention establishing ICPR (pollution focus)
- 1999 Convention on the Protection of the Rhine (sustainable dev. & ecosystem focus)





# “Capacitated” – Structures *Degree of Institutionalization*



- Structure: national sections, joint bodies, technical committees, secretariats
- Legal personality: Y/N, scope of legal personality
- Physical Presence: standing or non-standing





# “Mandated” – Implementation Role

- ❖ Determined by constituent agreement
- ❖ Evolution over time

## • Roles

- Advisory
- Executive
- Regulatory
- Inclusiveness
- Functional Mandate

## • Expansion of role over time

- Deepening
  - Structural, integration, permanence
- Broadening
  - Geographic, functional







# Keeper of the Danube & Manager of a Shared Basin: the ICPDR

Ivan Zavadsky, Executive Secretary, ICPDR

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# Welcome to the most international River Basin in the World!



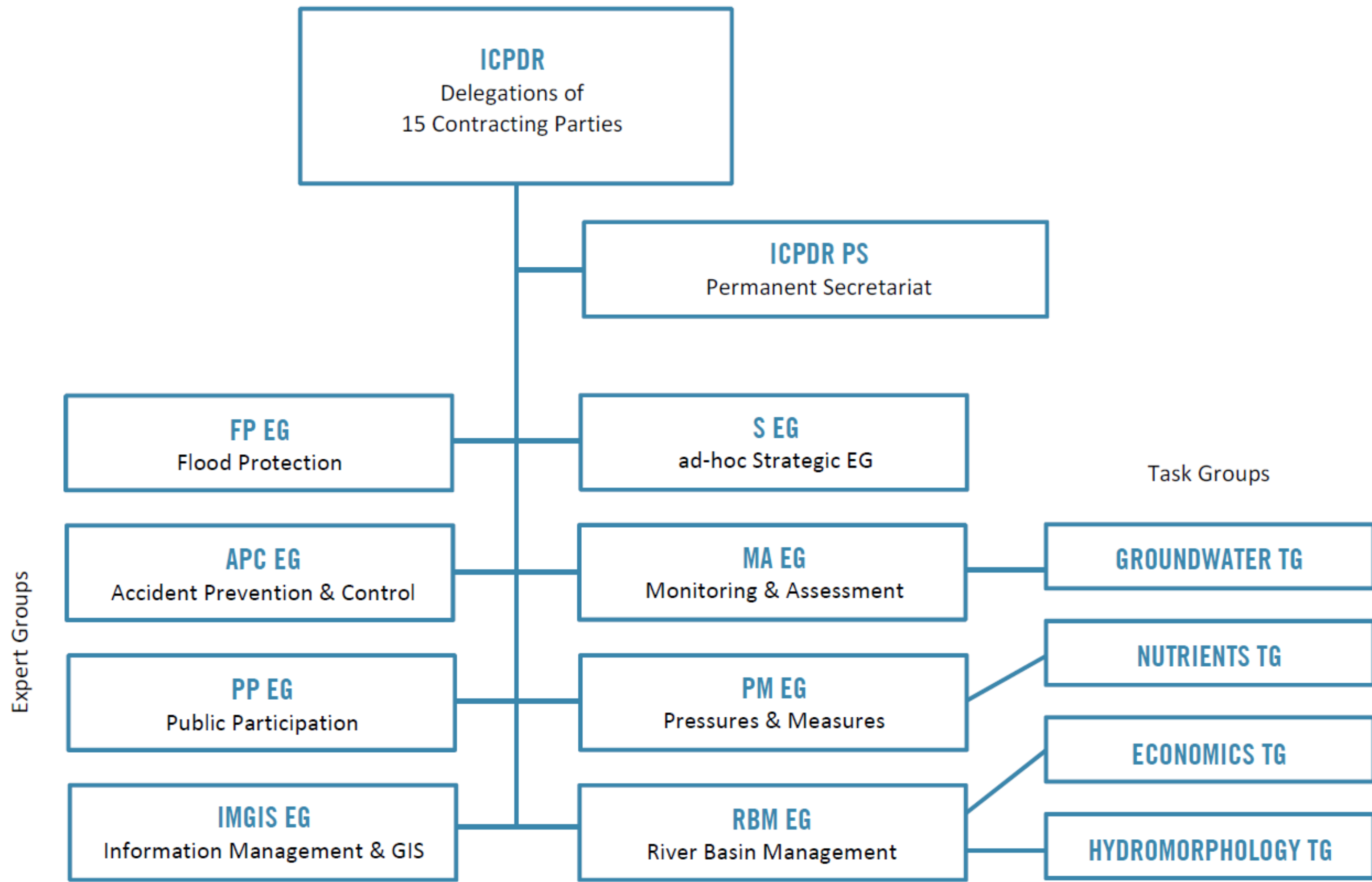


# The Danube River Protection Convention (DRPC)

- A legal document based on principles of international law
- Includes:
  - General provisions (objectives, scope and forms of cooperation)
  - Multilateral cooperation
  - International Commission
  - Procedural and final clauses
  - Annexes (BAT, BEP, list of industries, list of hazardous substances, statute of the ICPDR, arbitration)



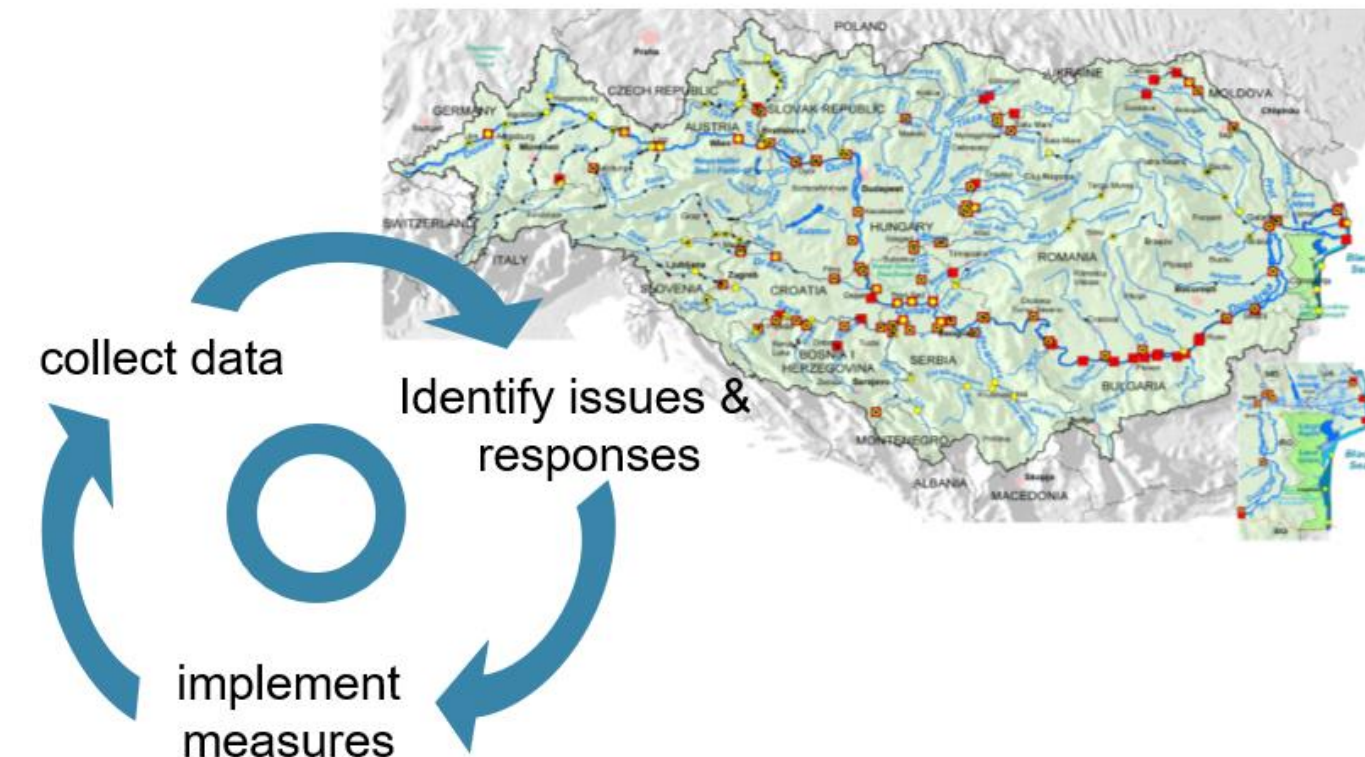






# TNMN: Monitoring Waters

- The **TransNational Monitoring Network** is an important tool under DRPC, whose Contracting Parties are committed to co-operate in the field of monitoring and assessment.
- Formally launched in 1996, the TNMN aims to provide a well-balanced overall view of pollution and long-term trends in water quality and pollution loads in the major rivers in the Danube River Basin.
- The main objective of the TNMN is to provide a structured and well-balanced overall view of pollution and long-term trends in water quality and pollution loads in the major rivers of the Danube River Basin.
- The collected data is published annually in the TNMN Yearbooks.





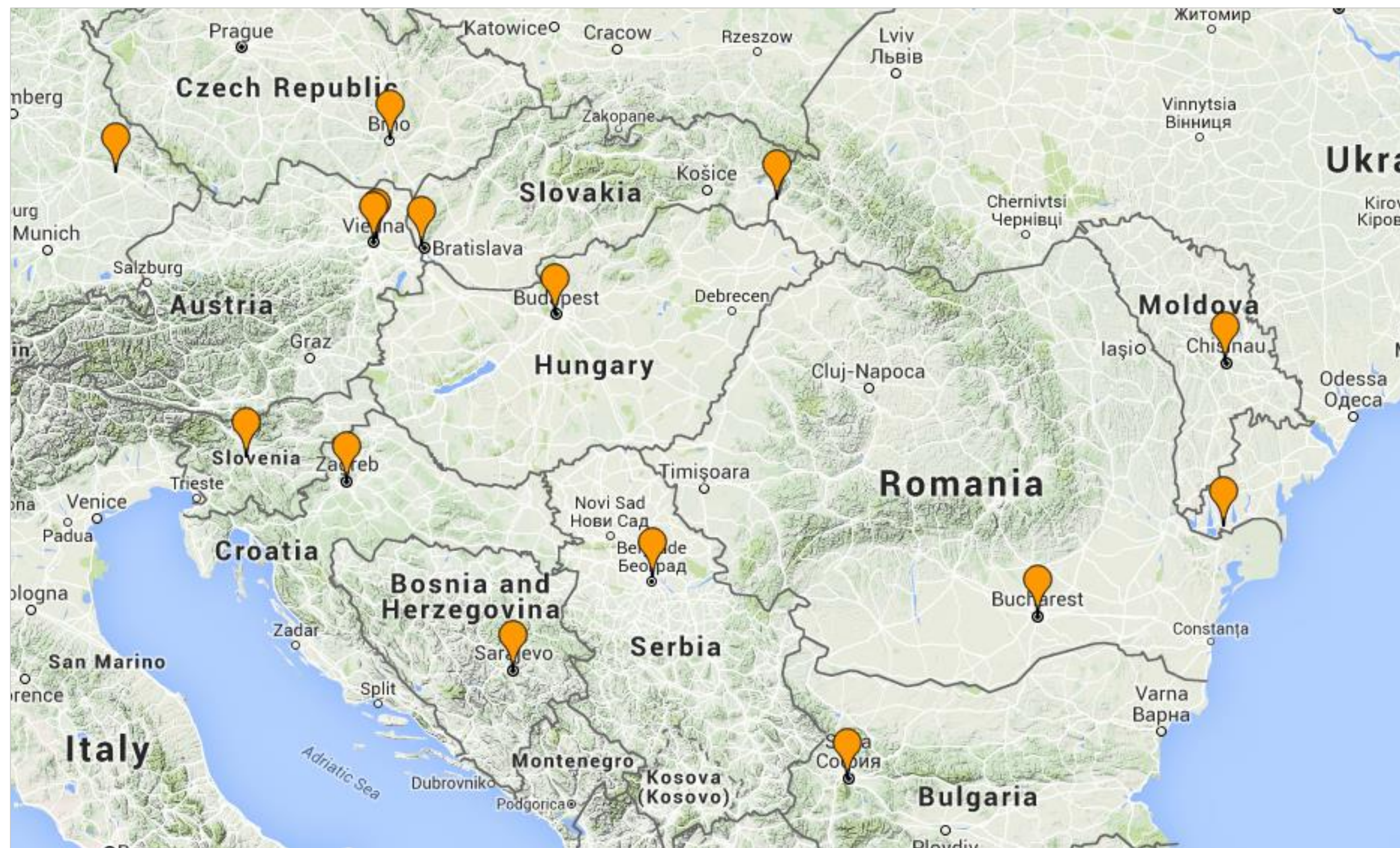
# Danube AEWs

- Communication system for
  - Principal International Alert Centres (PIACs)
  - during accidental pollution incidents
  - on rivers in the Danube River Basin
- Web-based system =
  - Centrally maintained
  - Low requirements for users





# AEWS PIACs map





# Key features

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**Structured forms**  
focused on relevant  
information for reports  
on accidental pollution  
incidents

**Automatic routing** of  
reports to the relevant  
recipients

**Notifications** (by e-mail  
and SMS) on new  
content

**Confirmations** of  
receipt

**Translations** of user  
interface incl.  
structured form  
elements

**Commenting** function  
for feedback

Additional informal  
communication  
channel integrated

Threshold calculation  
tool included

Adaptive user interface  
layout (tablets, phones)





# Public Participation & Public Consultation (1/2)

- As an international institution, we naturally support stakeholder and public involvement at all possible levels
- Public Consultation on the two management plans (DRBMP and DFRMP) is a legal requirement of the WFD and FD
- Both plans lie at the core of the ICPDR's central work programs – so they really should be developed with strong involvement of civil society and stakeholders from the beginning.
- The public consultation process offers the public an opportunity to scrutinize the plans, give their input, and more generally giving the public a chance to get more engaged in our work, while we build closer ties to them.





# Public Participation & Public Consultation (2/2)

- Outreach & education events
  - Danube Day, 29 June
  - tens of thousands of participants every year
  - 14 countries jointly celebrating one of Europe's greatest river systems
  - A new motto and brand identity every year
  - Danube Art Master, an environmental art competition with over 60 works
- Our communication instruments
  - Our in-house magazine Danube Watch with almost 5000 subscribers
  - Our website ICPDR.ORG
  - Our social media channels launched in 2019





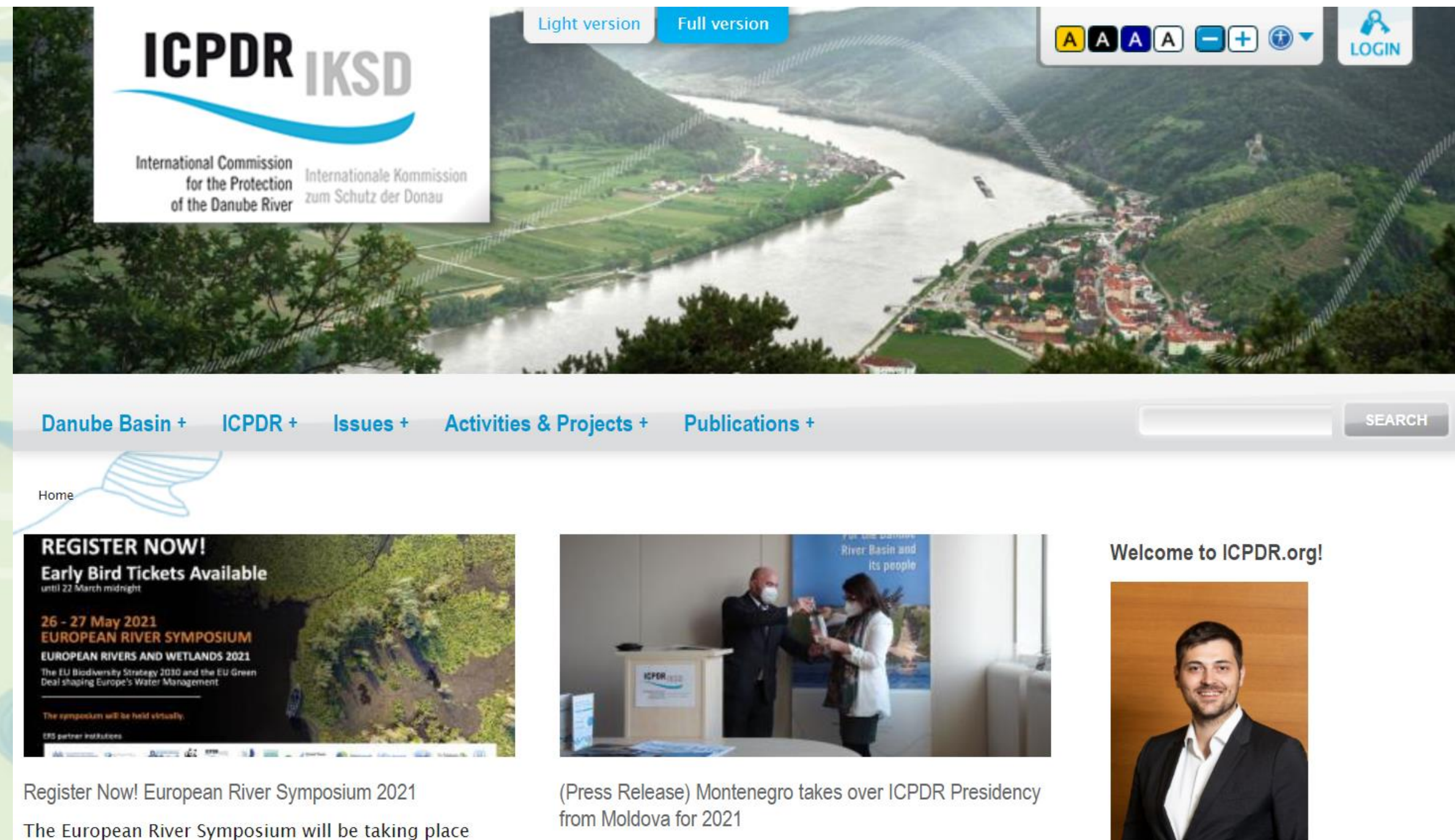
# The '5 ingredients' of our success

1. Our legal international mandate
2. The ICPDR' very sound scientific and technical basis with our expert and task groups
3. Understanding that there can be no progress in water resources management without transboundary cooperation and that River Basin Management is the only functioning water management mechanism
4. The basin-wide approach has a proven track record of success in water resources management
5. Involving the public - a fundamental requirement but also a day-to-day mission





# Thank you for your attention!



Follow us!





# Binational Commission for Integrated Water Resources Management in the Ecuadorian – Peruvian transboundary basins

Creation process, experience and mandate



Presented by: SEBASTIAN IZQUIERDO,  
FORMER PROJECT COORDINATOR: “INTEGRATED WATER RESOURCES MANAGEMENT IN THE  
PUYANGO-TUMBES, CATAMAYO-CHIRA AND ZARUMILLA TRANSBOUNDARY AQUIFERS AND RIVER  
BASINS (ECUADOR – PERU )”





# Outline

- Context for the IWRM of transboundary basins  
Ecuador Perú
- Political process for the formation of the Binational Commission
- Contributing factors for formation of the Commission
- The agreement and its content
- The Binational Commission IWRM
- Challenges and opportunities





# Context for the IWRM of transboundary basins

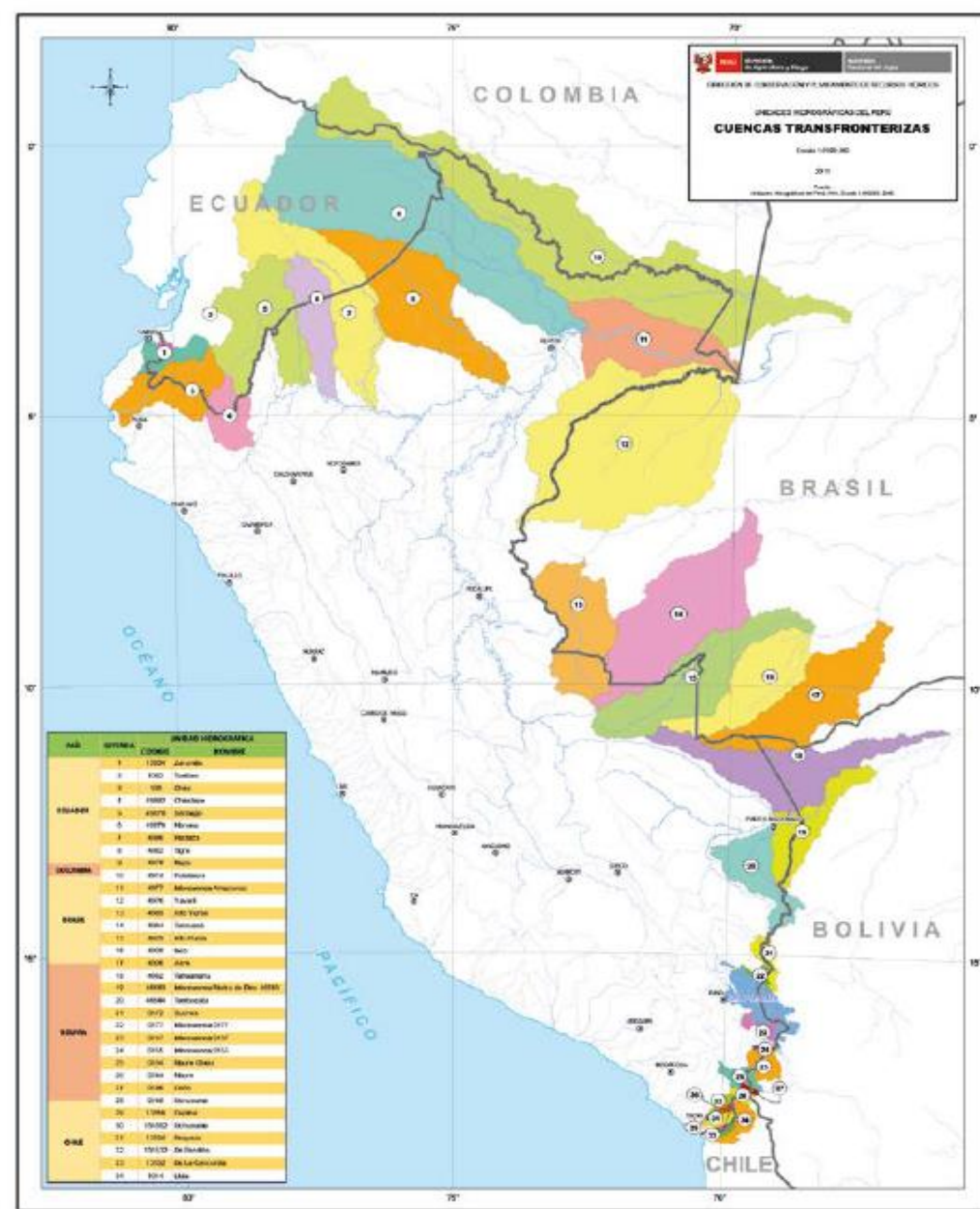
Transboundary basins:

1. Zarumilla
2. Puyango – Tumbes
3. Catamayo – Chira
4. Mayo – Chinchipe
5. Santiago
6. Morona
7. Pastaza
8. Conambo – Tigre
9. Napo

TOTAL AREA: 270,302 km<sup>2</sup>

Peru: 132.852 km<sup>2</sup> (49,15%)

Ecuador: 137,450 km<sup>2</sup> (50,85%)



Global Water  
Partnership



國際水法中心  
INTERNATIONAL WATER LAW ACADEMY



武汉大学  
WUHAN UNIVERSITY

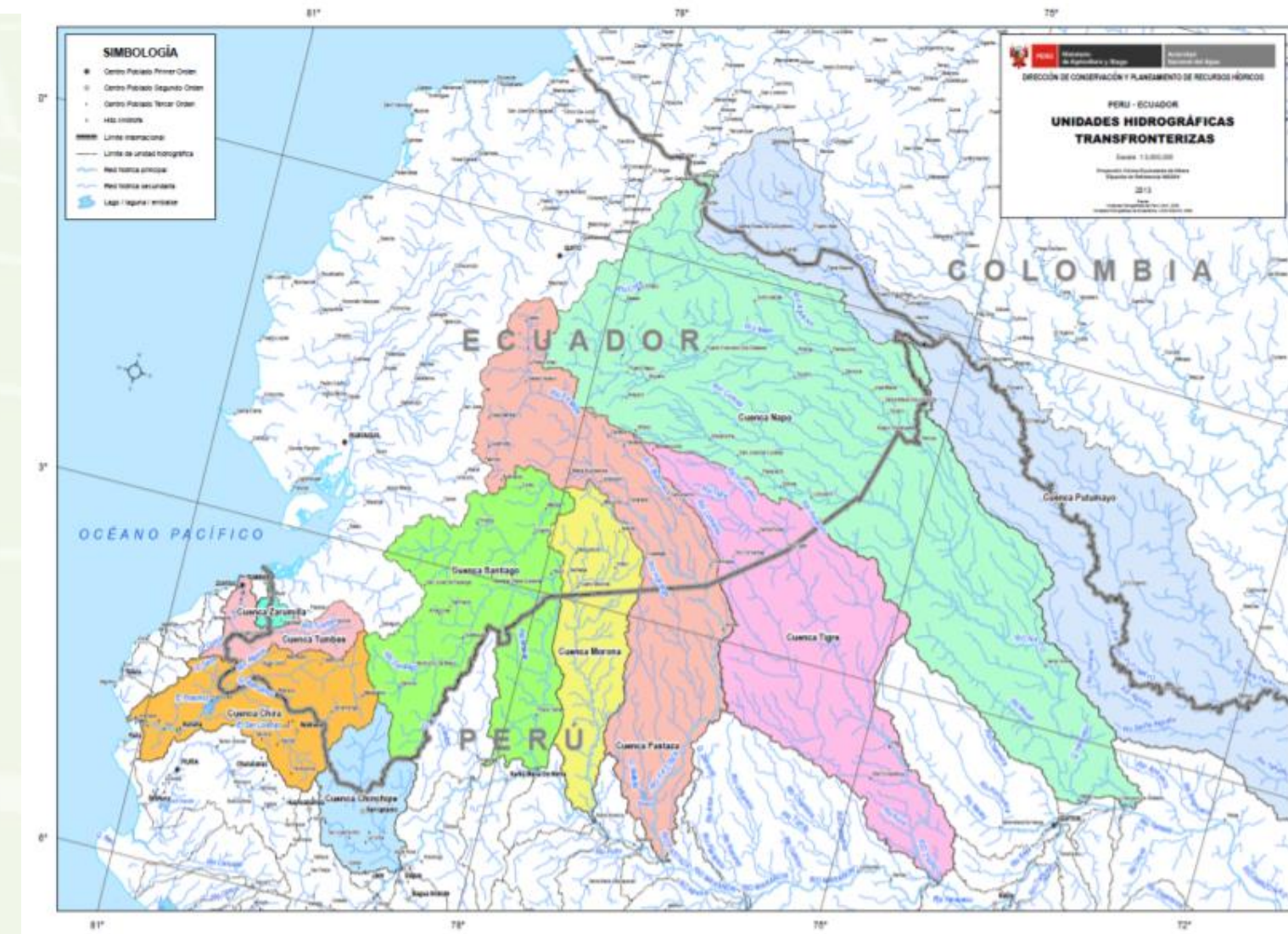




# Political process for the formation of the Binational Commission

Presidential Mandates and Agreements addressed the importance of IWRM for transboundary basins and set short, medium and long term objectives as follows:

September 1971	Agreement for the use of Binational Hydrographic Basins Puyango - Tumbes and Catamayo - Chira.
October 1998	Peace agreement. Development and Neighborhood Agreement.
October 2009	Agreement between Peru and Ecuador for the establishment of the Binational Commission for the Integrated Water Resources Management - IWRM- of the Transboundary Hydrographic Basin of the Zarumilla River.
October 2010	Presidential Meeting. The competent authorities were instructed to take joint urgent actions to solve pollution problems in the Puyango - Tumbes and Catamayo - Chira Basins.
October 2011	The Foreign Ministries and Water Authorities evaluated the convenience of conformation and operation of a single binational commission for the management of all transboundary basins (Zarumilla: Puyango - Tumbes; Catamayo - Chira; Mayo - Chinchipe; Santiago; Morona; Pastaza; Conambo - Tigre; Napo).





# Political process for the formation of the Binational Commission

February 2012	Presidential Meeting. The competent authorities were arranged to agree and implement integrated management plans for all transboundary basins, starting with: Zarumilla, Catamayo - Chira and Puyango - Tumbes.
November 2012	VI Meeting of the Binational Cabinet of Ministers of Ecuador and Peru. The installation of the Binational Commission for the IWRM of the Transboundary Hydrographic Basin of the Zarumilla River was recognized.
November 2013	Presidential Statement and VII Meeting of the Binational Cabinet of Ministers. It was stated that the Water Authorities move forward in the process of creating the Binational Commission for the IWRM.
October 2014	Presidential Statement . The water authorities were prepared to sign the agreement that allows the creation of the binational commission for the IWRM of the transboundary basins.
October 2016	Presidential Declaration of Macas. It was arranged to continue advancing in the negotiation of the Agreement that creates the Binational Commission for the IWRM of the nine river basins.
October 2017	Thus, in October 2017, the "Agreement established by the Binational Commission for the integrated management of water resources in transboundary river basins between the Republic of Peru and the Republic of Ecuador" is signed in the City of Trujillo.

MORE THAN 6 YEARS



## Ecuador y Perú suscriben Declaración de Trujillo y acuerdos de cooperación

Como parte del encuentro, los Ejecutivos de ambos países abordarán cinco ejes temáticos: Asuntos sociales y culturales; temas productivos, comerciales, inversión y turismo; asuntos ambientales, energéticos y mineros; infraestructura y conectividad; y seguridad y defensa.

Por Metro Ecuador  
Viernes 20 de octubre de 2017, a las 16:57

Twitter Presidencia - Lenín Moreno y su homólogo peruano Pedro Pablo Kuczynski



Secretaría del Agua @AguaEc · 24 oct.  
Junto a @AguaEc y @PNUDEcuador, en @CancileriaEc, da inicio la PRIMERA REUNIÓN DE LA COMISIÓN BINACIONAL #GIRHT ECUADOR-PERÚ sobre la gestión de cuencas transfronterizas #JuntosPorElAgua





# Contributing factors for formation of the Commission

## Bilateral country relations

Joint management agreements since 1971.

Peace agreement between Ecuador and Peru 1998.

Insufficient national water and environmental management institutions.

International cooperation for the development of the border area and water management.

## Population concerns

Deficit in sanitation and drinking water (remote areas and under war problems),

Complaints about pollution problems,

Increase in the demand for water for agroindustrial activities,

Millions of economic losses due to extreme events.

## Hydrological and environmental aspects

Hydrological regime with few months of rain and several months of drought.

Shared aquifer with more than 1500 wells in Ecuador and Peru.

Vulnerable territory to "El Niño-Southern Oscillation" and to Climate Change, floods and droughts.

Variety of ecosystems (wasteland, mountain forest, dry forest, mangrove)





# The agreement and its content

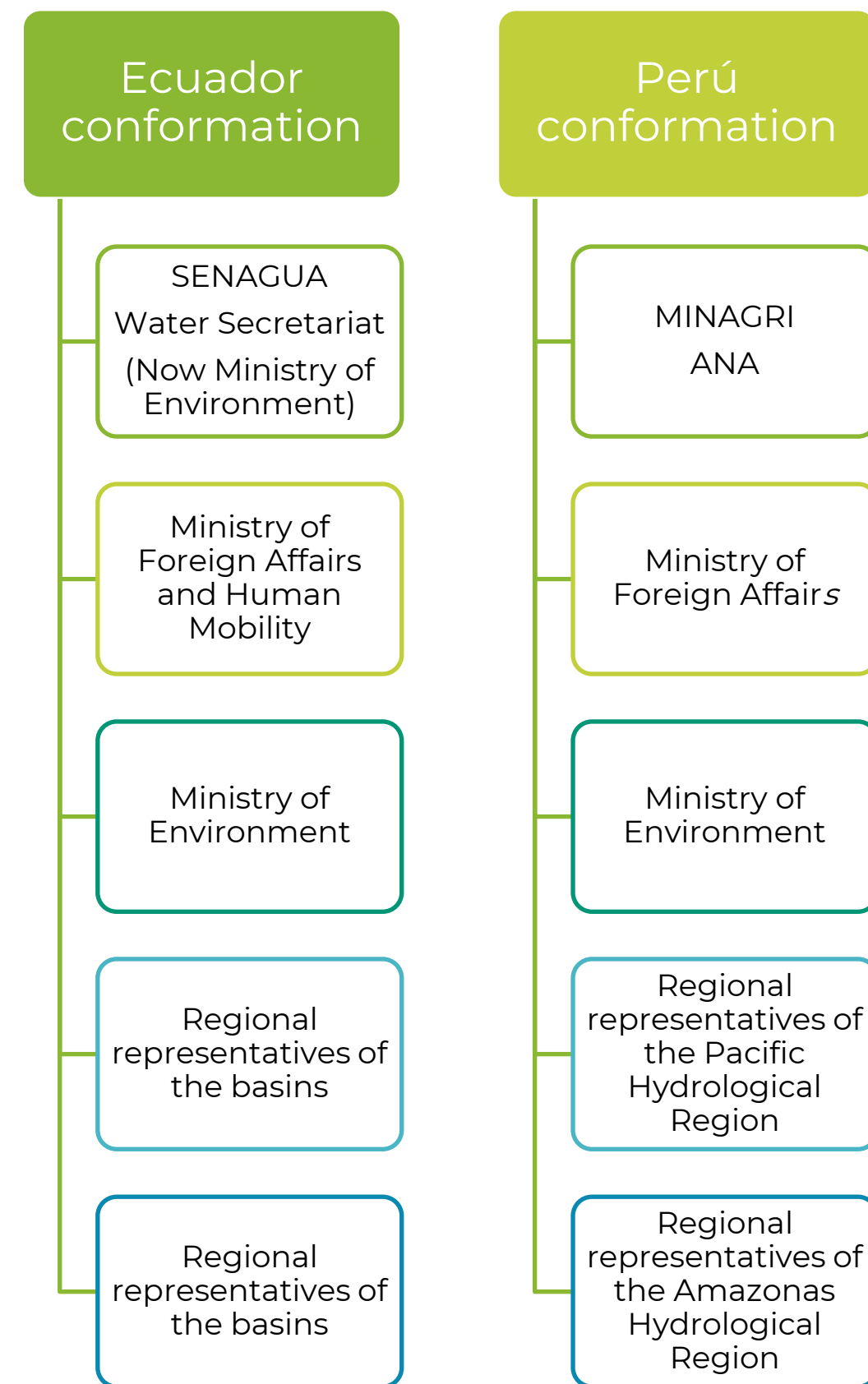
Article 1: Terms	Article 10: Binational Technical Secretariat
Article 2: Creation of the Binational Commission for IWRM of Transboundary Basins between Ecuador and Peru	Article 11: GIRH Committees per basins
Article 3: General objective of the agreement	Article 12: Funding
Article 4: Specific objectives of the agreement	Article 13: Planning instruments for the Binational Commission GIRH
Article 5: Conformation of the Binational Commission GIRH Peru – Ecuador	Article 14: Conflict resolution
Article 6: Structure of the Binational Commission GIRH	Article 15: Amendments
Article 7: Scope of action	Article 16: Complaints
Article 8: Functions of the Binational Commission GIRH	Article 17: Duration and entry into force
Article 9: Pro Tempore Presidency	Article 18: Complementary provisions

## Article 3: General objective of the agreement

- **To consolidate bilateral cooperation** for the best **use and management** of water resources in transboundary basins. This cooperation is guided by the Peace Agreements of 1998 and its binding instruments, as well as an **ecosystem** and sustainability approach. To this end, it establishes mechanisms of bilateral participation, liaising, and effective coordination.







# The Binational Commission IWRM (GIRH by its Spanish acronym)

-5 representatives Ecuador  
-5 representatives Peru





# Challenges and opportunities

- Main reasons for delays in implementation
  - Political instability in governments:
    - 5 Ministers of the Environment in Ecuador since May 2017. The merger of the Ministry of Water with the Ministry of the Environment, March 2020.
    - 4 Presidents in Peru since July 2016
  - Extreme events and health emergency
    - Droughts, floods, COVID 19 require the attention of authorities.
- **Opportunities:**
  - Diagnosis (TDA) and strategic planning (SAP) of the transboundary basins approved, as well as other technical studies.
  - GEF approval of a new IW project for SAP implementation (now in the PPG phase, beginning 2022). 1st component to strengthen the institutional framework
  - Support of the BRIDGE Project (Building River Dialogue and Governance) of IUCN.
- **Challenges:**
  - Preparation of the Regulation for the Binational Commission. Key points: information exchange, water quality protocol, financing and conflict resolution.
  - Strengthen technical officials and authorities of both countries for decision-making.





# THANK YOU GRACIAS



<https://iwrnzarumilla.iwlearn.org>





## 2021 Recruitment Announcement: LLM and PhD Programmes in International Water Law

*Emerging Scholars programme  
with possibility of Scholarship*

**PROGRAMME HIGHLIGHTS**  
*Building a new generation of global water leaders  
Community of Scholars programme  
Leading experts in international law and  
transboundary water cooperation  
Interactive learning, sharing and engagement*



Global recruitment - Invitation to apply for the new graduate degree programme at the International Water Law Academy, CIBOS, Wuhan University <https://iwla.whu.edu.cn/>



The International Water Law Academy offers a comprehensive programme of graduate study, research and executive training, based upon its Community of Scholars initiative and supported by world-leading academics and professionals from around the world, experts in international law and transboundary water cooperation.



Programme Overview - Graduate degree programme in English language devised for outstanding students interested in deepening their scholarship in the field of international law with a focus on transboundary water cooperation. With solid supervision and academic support from international experts in this area, Emerging Scholars accepted on this programme should have an established ability to carry out independent research and strive to contribute first-class scholarship.

### WHAT WE OFFER

- graduate courses delivered in most appropriate medium focusing on interactive sessions, regular research exchanges and supervised learning, with constructive critical feedback.



PhD programme - 15 credits (including 6 compulsory credits\*) plus a PhD dissertation over minimum 3 academic years, no longer than 6 academic years (insert website link/download brochure)



LLM programme - 36 credits (including compulsory credits\*) plus an LLM dissertation over minimum of 2 academic years, no longer than 4 academic years (insert website link/download brochure).

### Admission Requirements

- As the course is delivered in English, TOEFL or equivalent evidence required.
- Maximum 2-page motivation letter setting out the candidate's interest in pursuing graduate studies in the field of international law as it applies to transboundary water cooperation
- Certified copies of past degrees and transcripts
- Two academic letters of reference

### Fees and Details

PhD Programme: Tuition Fee: ¥36,000 per year.  
LLM Programme: Tuition Fee: ¥33,000 per year.  
Application Fees: ¥800. Accommodation options please refer to:  
<http://admission.whu.edu.cn/en/?c>

### Scholarships

There are up to 4 Chinese Government Scholarship places in total available for these programmes, offered on a competitive basis - for details see <http://sie.whu.edu.cn/info/1093/3323.htm>

### Deadlines

For Self-sponsored Applicants: Jun. 15, 2021.  
For Chinese Government Scholarship Applicants: March 31, 2021.  
Apply here: <http://admission.whu.edu.cn/en/>

### For more information

Contact: Ms. TIAN Yunhe, Secretary of the IWL Academy  
Tel: +86.18802706275 ; +86.(027).68756726  
Email: [tianyunhe@whu.edu.cn](mailto:tianyunhe@whu.edu.cn)





# IWLA 2021 LLM and PhD Programmes in International Water Law



- [PhD](#) and [LLM](#) programmes
- **Requirements:**
  - 2-page motivation letter
  - Certified copies of past degrees and transcripts
  - Two academic letters of reference
- **Scholarships** available
- **Deadlines:**
  - Scholarship applicants: March 31, 2021
  - Self-funded: June 15, 2021

[Learn more](#) | [Apply now](#)

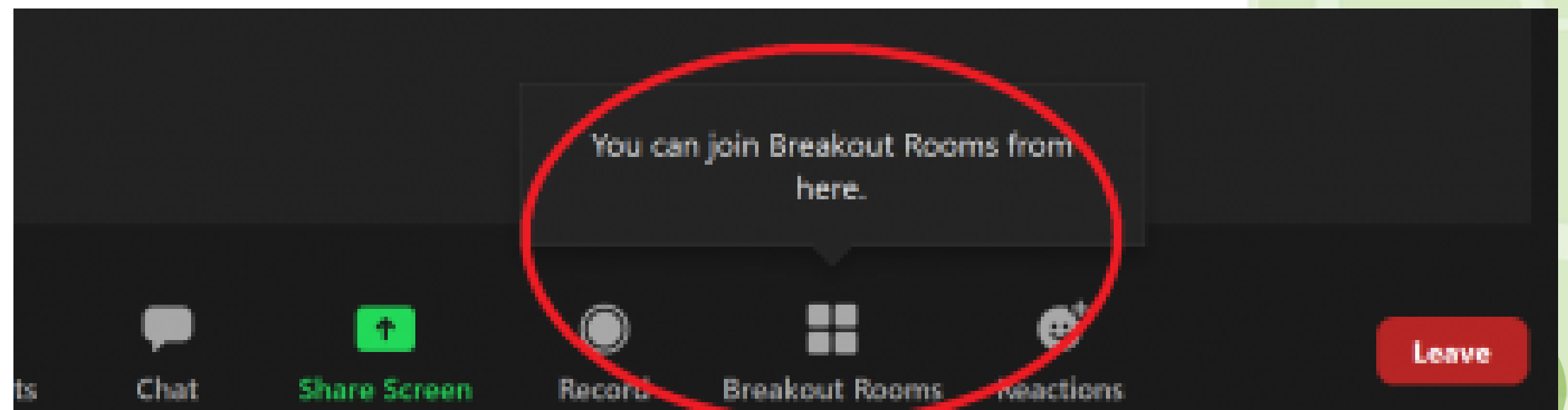




# Let's meet each other!

- Participants are invited to continue the discussion with the speakers in 4 Breakout Groups. The discussion will last for up to 20 minutes.
  - Main Room: Patricia Wouters and Yumiko Yasuda
  - Group 1: Christina Leb and Alistair Rieu-Clarke
  - Group 2: Ivan Zavadsky and Barbara Janusz-Pawletta
  - Group 3: Sebastián Izquierdo and David Devlaeminck

To join the breakout room, please click on the button “Breakout Rooms” and then select preferred Room.



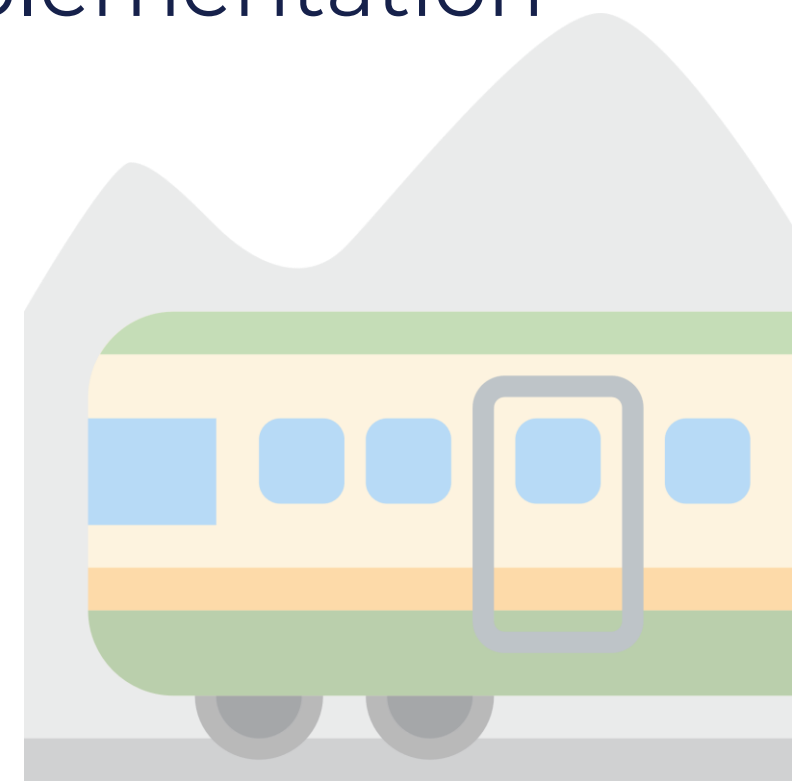




# Thanks to all the speakers & participants!

Interactive Online Session: River Basin  
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16 March 2021





# Sign up for the MOOC!



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TRANSBOUNDARY  
FRESHWATER SECURITY**  
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## Modules

1. Introduction to transboundary water cooperation and water security
2. Water diplomacy and negotiation skills
3. International water law
4. Institutions
5. Management tools and mechanisms
6. Finance for transboundary water security

## Sign up at:

- <https://www.edx.org/course/governance-for-transboundary-freshwater-security>

## More information from:

- <https://www.gwp.org/en/learn/capacity-building/governance-for-transboundary-freshwater-security--a-massive-open-online-course-mooc/>







# SAVE THE DATE

## See you next time!

### Interactive Online Session: IWL & Climate Change

What strategies are there to help countries adapt to / tackle climate change within a transboundary context? What are the legal challenges and how can national, regional and global legal requirements be addressed?

20 April 2021

