



# INTERNATIONAL ROUNDTABLE TRANSBOUNDARY WATER RESOURCES MANAGEMENT IN THE SOUTHERN MEDITERRANEAN

26 - 27 November 2012, Chamber of Deputies,  
Rome, Italy

## The UNECE Water Convention: obligations and practical application

Francesca Bernardini  
Secretary

UNECE Water Convention

Within the framework of  
**UNECE Water Convention**  
**Union for the Mediterranean**  
**GEF IW:LEARN, Activity D2**





## Two Conventions: similar but different

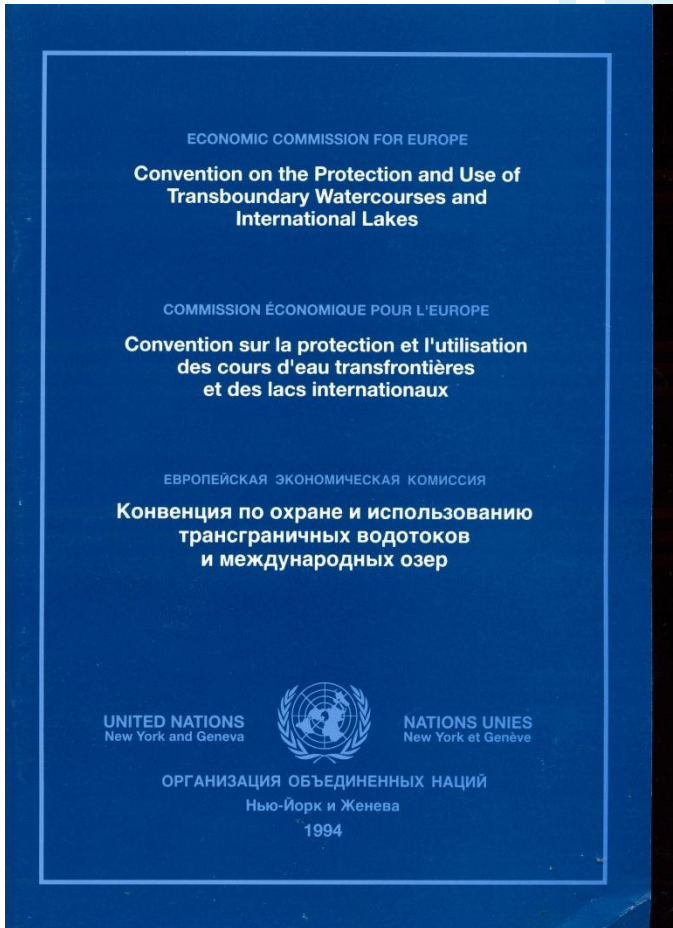
- Two based on the same principles, very similar obligations, need to be interpreted in light of each other, fully compatible, complementary
- 1997 UN Watercourses Convention
  - Negotiated by the ILC and GA
  - Not in force
  - Without an intergovernmental framework
- 1992 UNECE Water Convention
  - Negotiated by UNECE countries
  - In force since 1996
  - With an intergovernmental framework



## What is Europe?

- Not only EU, include all ex-Soviet Union countries
- Not a peaceful continent
- Not a homogeneous continent
- Not a water-problem free continent

# The Water Convention



- Signed on 17 March 1992
- Entered into force on 6 October 1996
- Protocol on Water and Health adopted in 1999, entered into force in 2005
- Protocol on Civil Liability adopted in 2003

## Amendment 2003

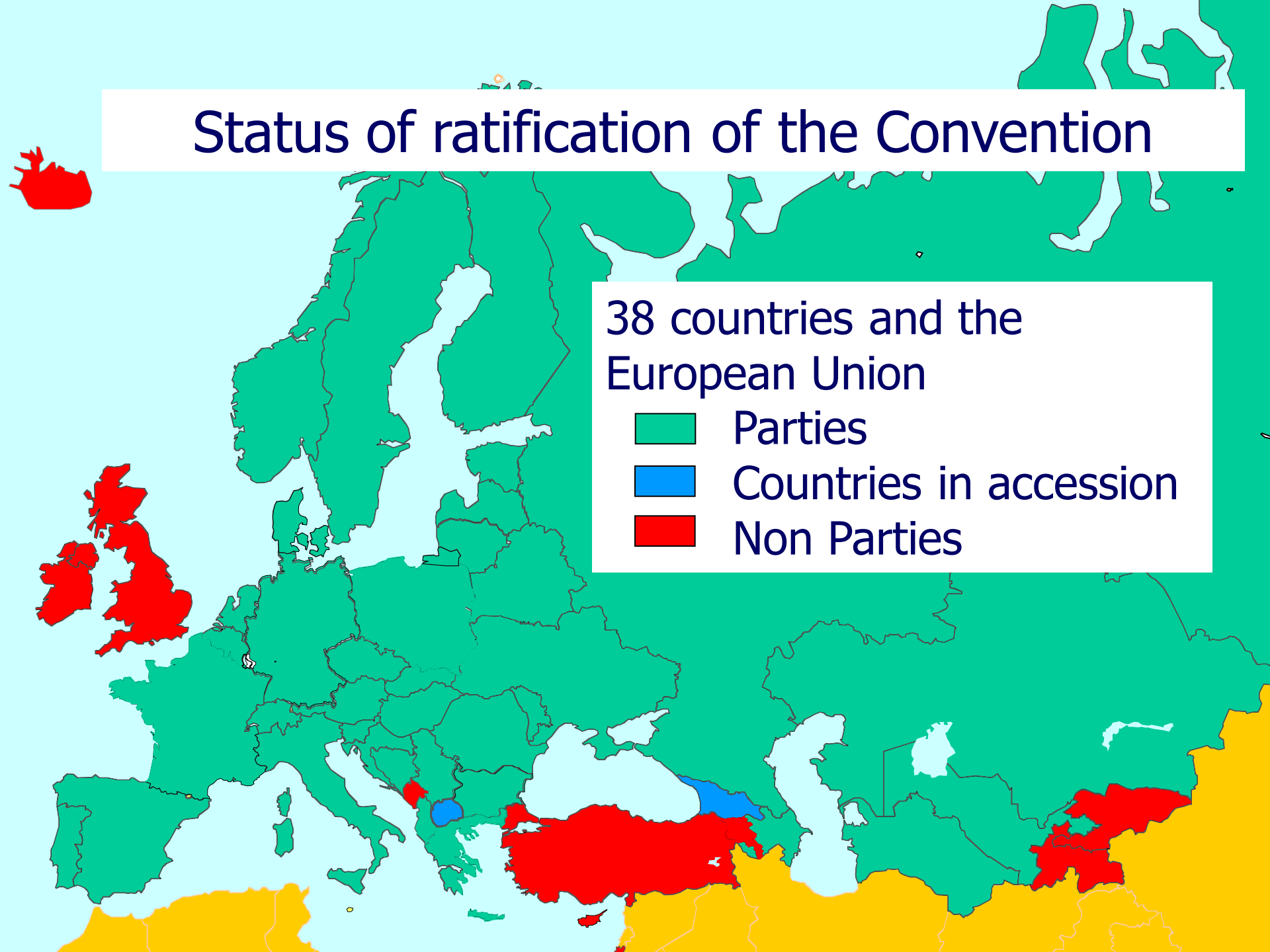


- Opening up the Convention to non-UNECE states
- Strong commitment to entry into force by 2012/2013
- ⇒ Promote exchange/share experience
- ⇒ Raise awareness and build capacity
- ⇒ Work together

# Status of ratification of the Convention

38 countries and the  
European Union

- Parties
- Countries in accession
- Non Parties



# Main obligations under the Convention



- Protection of transboundary waters by preventing, controlling and reducing transboundary impacts
  - Reasonable and equitable use of transboundary waters
  - Obligation to cooperate through agreements and joint institutions
- => Overall objective of sustainability

## Two categories of obligations

- For all Parties => also benefit for national legislation
- For Riparian Parties => the Convention does not replace basin agreements



## General obligations for all Parties

- Licensing of waste-water discharges by the competent national authorities and monitoring of authorized discharges
- Best environmental practice for non-point pollution sources
- Minimization of the risk of accidental pollution
- Application of EIA

## Provisions relating to Riparian Parties

- Cooperate on the basis of equality and reciprocity
- Conclude bilateral and multilateral agreements or revise existing ones
- Establish joint bodies (e.g. river commissions)
- Consult and exchange of information
- Joint monitoring and assessment
- Elaborate joint objectives and concerted action programme for their shared waters

## Step-by-step approach

- Due diligence nature of the obligation to prevent, control and reduce transboundary impacts
- “All appropriate measures” depend on potential risk involved, capacity of the country...
- Good practice to develop a national implementation plan

## Holistic approach

- Transboundary impacts means significant adverse effect on human health and safety, flora, fauna, soil, air, water, climate, landscape and historical monuments or other physical structures, and socio-economic conditions
- => Looks at economic, social and environmental dimensions of water
- Covers surface and groundwaters, and links to the recipient seas
- Catchments area concept => IWRM

## In practice...

- Played a crucial role in the region in supporting cooperation
- Most of the existing agreements are modelled on the Convention (Danube, Sava, Bug, Kazakh-Russian, Lake Peipsi, also the Water Framework Directive)
- Influenced the work of river commissions
- Promoted the IWRM approach

## Not only rights and obligations (1)

Becoming a Party = joining an institutional regime

Progressive development of the Convention

Forum for bilateral and multilateral cooperation

Sharing of experience and good practices

## Not only rights and obligations (2)

Capacity building

Projects on the ground

Address requests on clarifications

A Party is not left alone in its dealings with the other riparians

## Support to implementation

- Guide to Implementing the Water Convention (adopted by Meeting of the Parties 2009)
- Other guidelines: monitoring and assessment, transboundary floods management, etc

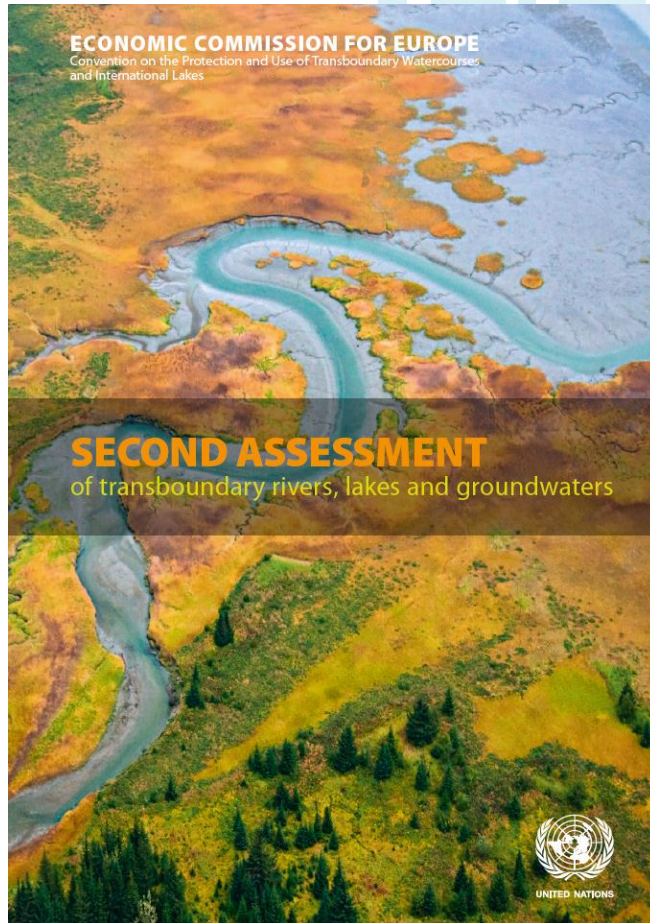


## Responding to challenges

- Guidance on Water and Adaptation to Climate Change
- Recommendations on Payments for Ecosystem Services
- Model provisions on transboundary groundwaters



# Assessing results



## The Second Assessment

- Covers more than 140 rivers, 25 lakes, about 200 groundwaters and 25 Ramsar Sites and other wetlands of transboundary importance
  - Involved more than 250 experts from 50 countries
  - Illustrates pressure factors, quantity and quality status, transboundary impacts, responses and future trends
- ⇒ future thematic assessment on the water/food/energy/ecosystem nexus

## Convention bodies

- Meeting of the Parties
- Bureau
- Working Group on Monitoring and Assessment
- Working Group on Integrated Water Resources Management
- Task Force on Water and Climate
- (Task Force on Water/Food/Energy Nexus)
- Legal Board
- (Implementation Committee)
- Joint ad-hoc Expert Group on Water and Industrial Accidents
- International Water Assessment Center (IWAC)

**Supported by:**

## Strengths

- Sound legal framework coupled with action to support implementation
- Catalyst for cooperation
- Strong ownership by Parties
- Even non-Parties participate
- Continuously evolving
- Cooperation with numerous UN agencies, NGOs and other partners

## Planned activities for 2013-2015 related to the opening

- Participation of non-ECE countries in regular activities (climate change, nexus, etc)
- Build capacity on the Convention outside ECE and promote exchange of experience
  - Organization of training in other regions
  - Contribute to training/events organized by others
- Synergies with the 1997 Convention on the Law of the Non-navigational Uses of International Watercourses
- Cooperation with other partners to support implementation of the Convention (GEF, UNESCO, etc)

**Thank you!**

**More information**

including guidelines, publications and information on activities under the Convention can be found at

<http://unece.org/env/water>

[water.convention@unece.org](mailto:water.convention@unece.org)