

THE GLOBAL OPENING

of the 1992 Water Convention



NOTE

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area, or of its authorities, or concerning the delimitation of its frontiers or boundaries.

All references to Internet sites and their URL addresses in this publication are as last accessed in March 2016.

The present publication is an updated version of the original version published in 2013. It reflects the latest changes up to March 2016, in particular the operationalization of the amendments to the Convention allowing Member States from outside the UNECE region to accede to the Convention.

PHOTO CREDITS

Photos for this publication were provided by IISD (page 4), ICPDR (page 8), UNECE (pages 12, 14, 16), BigStock, Fotolia, iStock, and Shutterstock (all other photos).

UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE

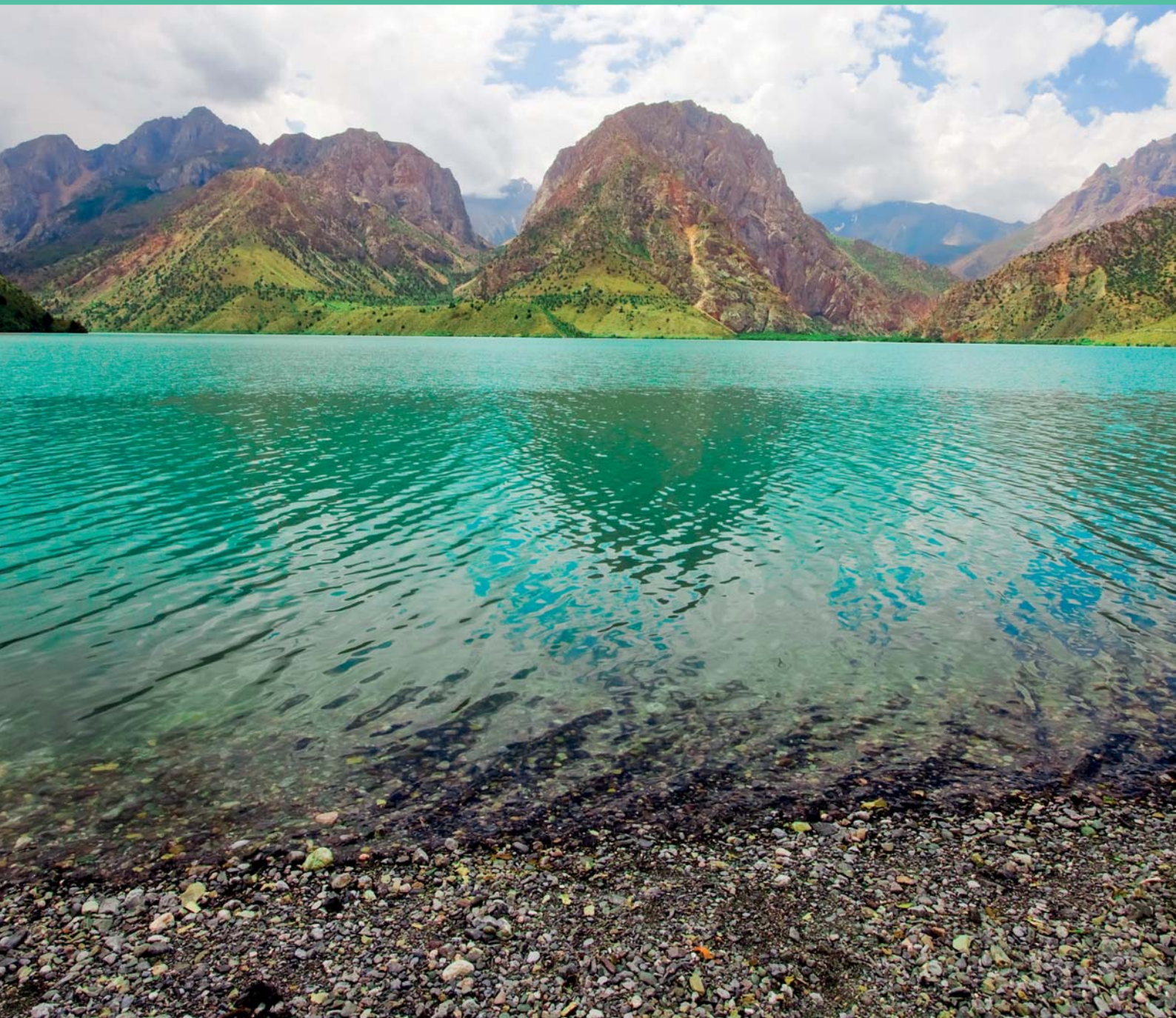
THE GLOBAL OPENING

of the 1992 Water Convention



UNITED NATIONS

New York and Geneva, 2016



Since the 1990s, the Water Convention has supported the development of transboundary agreements, the establishment of joint institutions and the strengthening of cooperation at both political and technical levels, in the pan-European region.

THE 1992 WATER CONVENTION

Two Decades of Successful Cooperation

The Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) was adopted in Helsinki in 1992 and entered into force in 1996. As of March 2016, it counts 41 Parties – almost all countries sharing transboundary waters in the region of the United Nations Economic Commission for Europe (UNECE).¹

The Water Convention strengthens transboundary water cooperation and measures for the ecologically-sound management and protection of transboundary surface waters and groundwaters. The Convention fosters the implementation of integrated water resources management, in particular the basin approach whereby the management is organized at the level of basins. The Convention's implementation supports the achievement of the Sustainable Development Goals and other global commitments.

The Water Convention requires Parties to prevent, control and reduce transboundary impact, use transboundary waters in a reasonable and equitable way and ensure their sustainable management. Parties bordering the same transboundary waters have to cooperate by entering into specific agreements

and establishing joint bodies. As a framework agreement, the Convention does not replace bilateral and multilateral agreements for specific basins or aquifers; instead, it fosters their establishment and implementation, as well as further development. The Convention enshrines a balanced approach, based on equality and reciprocity that offers benefits to and places similar demands on both upstream and downstream countries.

Since the 1990s, the Water Convention has supported the development of transboundary agreements, the establishment of joint institutions and the strengthening of cooperation at both political and technical levels, in the pan-European region. This has happened in very diverse circumstances, including in the context of economic transition and political tensions, after the dissolution of the Soviet Union, Yugoslavia

¹ The UNECE region includes 56 countries located in the European Union (EU), non-EU Western Europe, South-East Europe, Eastern Europe, the Caucasus, Central Asia and North America. As of March 2016, the following countries and organizations are Parties to the Water Convention: Albania, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkmenistan, Ukraine, Uzbekistan and European Union. For the updated status of participation, see http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-5&chapter=27&lang=en.

and Czechoslovakia. By its nature, the Convention is a flexible tool applicable in very different social, economic, political, environmental and hydrological situations.

The Convention has made a clear difference on the ground focusing on implementation and directly facilitating legal, technical and practical assistance. For example, the Convention has contributed to or served as a model for the transboundary agreements on the Chu-Talas, Danube, Dniester, Drin, Rhine and Sava Rivers, as well as agreements on the Belarus-Russian, Belarus-Ukrainian, Estonian-Russian, Kazakh-Russian, Mongolian-Russian, Russian-Ukrainian and many other transboundary waters. The Water Convention has provided a permanent intergovernmental forum to discuss trans-

boundary water cooperation, share experience and identify best practices in many areas. This has been an open and inclusive forum, supportive of building trust and finding common understanding – the crucial prerequisites to successful transboundary cooperation.

Moreover, over the past 20 years, the work under the Convention has evolved in response to the changing needs of Parties and often other countries, including from outside the UNECE region, for instance by addressing emerging issues such as ecosystem valuation, adaptation to climate change and the water-food-energy-ecosystems nexus in the transboundary context. It has been a key driver for continuous progress on transboundary water cooperation.



WHAT DOES THE GLOBAL OPENING TO ALL UNITED NATIONS MEMBER STATES MEAN?

In 2003, Parties to the Water Convention amended it to allow accession by United Nations Member States outside the UNECE region.

Such a decision was taken because Parties to the Convention realized the advantages of opening the Convention's cooperative framework to the whole world – in particular, they wanted to offer its principles and provisions worldwide, share the experiences of the Convention, learn from other regions of the world and broaden political support for transboundary cooperation at the global level.

The amendments entered into force on 6 February 2013 and were ratified by all Parties that adopted them on 1 December 2015, turning the Water Convention into a global legal framework for transboundary water cooperation. Countries outside the UNECE region are now able to join the Convention. Parties from outside the UNECE region have the same rights and responsibilities as the UNECE Parties.

The implementation of the Water Convention at the global level is crucial as water demand in many areas of the world is unsustainable and the water resource situation is projected to aggravate in the coming decades due to increasing pressures from agriculture, energy

production and population growth. As international river basins account for nearly half of the earth's land surface and generate roughly 60% of global freshwater flow, transboundary water cooperation will be increasingly vital to prevent conflicts and ensure effective and sustainable use and management of shared resources. The Water Convention offers a framework, under the umbrella of the United Nations, to ensure water security, prevent conflicts over water and facilitate conflict resolution.

In recent years countries outside the UNECE region have expressed considerable interest in the Water Convention. More than 40 countries from outside the pan-European region have actively participated in the Convention's activities with, for example, pilot projects being undertaken in basins around the globe. Some countries have already expressed formal interest in acceding to the Convention, and some are considering accession. Parties to the Convention are working with several partners within and outside the United Nations System to strengthen capacity for the application of the Convention in countries outside the UNECE region and to prepare for a global membership.

"...[T]he UN Economic Commission for Europe's Convention on the Protection and Use of Transboundary Watercourses and International Lakes [is] available to all UN Member States. I urge countries outside the UNECE region to join the Convention and further develop it."

– Message of Mr. Ban Ki-moon, United Nations Secretary-General, on World Water Day, 22 March 2013

WHAT ARE THE ADVANTAGES FOR STATES TO BECOME PARTY TO THE CONVENTION?

The advantages for countries to join the Water Convention include:

Solid international legal framework

By becoming a Party, a country joins the international legal regime of the Convention that has already proven its effectiveness over the past two decades and provides benefits for cooperation to both upstream and downstream countries.

Developed institutional platform

When becoming a Party, a country can participate in the Water Convention's institutional structure and decision-making, so fostering the implementation of the Convention and its further development. While the vast majority of the meetings under the Convention's framework are open to non-Parties, it is the Parties that decide on the development of the Convention, sit in the Convention's governing bodies and lead activities under the Convention.

Recognition by the international community

erning bodies. They can initiate the negotiation of new legally-binding instruments such as protocols or amendments to the Convention. They can elaborate new soft-law instruments, such as guidelines, recommendations, model provisions, checklists and other tools. They can decide on the interpretation of the Convention. In this way, they participate in further developing the Convention and international water law.

Advice and sharing of experience

A Party to the Water Convention benefits from the existing experience under the Convention, e.g. its guidance documents, activities and projects on the ground. For example, a State suffering from frequent floods or droughts would benefit from the Convention's activities on adaptation to climate change or on transboundary flood management. A State interested in the joint management of water infrastructure on transboundary rivers would benefit from Convention's activities on dam safety. A basin struggling with the allo-

预览已结束，完整报告链接和二维码如下：

https://www.yunbaogao.cn/report/index/report?reportId=5_1527

