

# Sharing Ghana's experience with the two UN Global Water Conventions

Processes and Benefits of accession and implementation

# Benefits of accession and implementation

# Enhancing Good Governance & Investment

- Accession to the Global Water Conventions signals to other countries, international organizations, financial institutions and other actors the willingness to cooperate on the basis of transboundary norms and standards. It will also enhance the trust of international investors in terms of good governance (clear processes, rules, standards and norms).
- E.g. Currently, Ghana is the chair of the Council of Ministers of the Volta Basin Authority, our only international platform for transboundary water cooperation. Acceding to these conventions provides Ghana the strength and footing to lead actions and negotiations.

# Platform for enhancing International Cooperation for Shared Rivers and Aquifers

- The 1992 and 1997 Global UN Water Conventions provide the framework and support to the Parties in establishing agreements and bodies for specific basins or in strengthening existing ones.
- E.g. This is particularly valuable to Ghana in the case of other transboundary basins and aquifers without agreements and joint bodies – Bia, Tano and Todzie-Aka basins and the shared aquifers.

# Availability of specific standards & procedures for proposed developments

- The Conventions provide specific timeframes, standards and procedures for riparian states proposing either single or joint transboundary projects.
- E.g. Ghana has an interest in developing single and joint trans-border water infrastructure such as the Sogakope-Lome Water Supply, the Pwalugu Multipurpose Dam, and the Water Transport Infrastructure projects.

# Framework for data exchange and information sharing

- The Conventions allows countries to have formal arrangements for the exchange of vital data and information such as water and waste-water discharges, environmental conditions, and planned measures/developments. The 1992 Convention also provides for joint training programmes and relevant seminars and meeting on data exchange.
- E.g. Currently, there is an informal arrangement between Ghana and Burkina Faso for data on water discharges on the Bagre Dam in Burkina Faso and on planned measures/developments. On the other hand, there is no agreement on the obligatory minimum amount of water that should flow into Ghana for use especially in the dry season. Applicable provisions of the Water Conventions could resolve this critical issue to Ghana. However, while Burkina Faso has ratified the 1997 Watercourses Convention, Ghana is now almost ready to do so.

# Prevention, Control and Reduction of Transboundary Impacts

- Another benefit to Ghana is the implementation of obligations, especially the obligation aimed at prevention, control and reduction of significant transboundary impacts.
- For instance, the application of standards and obligations on impacts such as the perennial spillage from the Bagre dam in Burkina Faso into Ghana and the pollution of the Bia River by illegal mining activities in Ghana that led to the cessation of water production and supply in Cote d'Ivoire in early 2017, are crucial for Ghana.

# Dispute avoidance and dispute resolution

- The UN Global Water Conventions have step by step mechanisms (such as negotiation, mediation, and arbitration) which States can choose to pursue conflict prevention and resolution.
- In this way, it creates room for Ghana to engage its neighbours on activities inimical to us as the downstream state. Fortunately, Ghana's riparian neighbours - Benin, Burkina Faso and Cote d'Ivoire - have ratified the 1997 Watercourses Convention and seeking to do same with the 1992 Water Convention. It inures to the benefit of Ghana to do the same.



# Attaining the Sustainable Development Goals (SDGs)

- Governance in the context of transboundary waters is a major impediment to achieving the SDGs especially targets 6.5 (implement integrated water resources management at all levels, including through transboundary cooperation as appropriate).
- The UN Conventions provide the necessary framework in terms of international principles, standards and practices for Ghana to enhance the sound management of her international watercourses and contribute to the implementation of SDG target 6.5.

# Technical Assistance and Support

- A country as a Party to the 1992 Water Convention may benefit from the use of the Convention's trust fund. The trust fund provides for technical assistance to Parties on studies and pilot projects; and support for capacity building. While non-Parties can also benefit from the convention's trust fund, priority is given to Parties.
- The 1992 Water Convention also provides benefits from existing experiences, such as its guidance documents, activities and projects on the ground. For example, Ghana would benefit from the Convention's activities on adaptation to climate change and on transboundary flood management.

# Costs involved?

- No financial contributions are required to be made to the Conference of the Parties.
- Cost of administrative processes leading and following accession and ratification.

# Accession processes

- Ghana is a transboundary country with a large percentage of its surface area (70+%) covered by water bodies some of which drain from riparian states.
- Ghana has been aware of the 1997 Watercourses Convention and the 1992 Water Convention transboundary convention since the early 2000s.
- The UNECE and Green Cross (NGO) have over the years provided technical and advocacy support to Ghana to trigger the accession process unto these two conventions.
- Engagement of technical bureaucrats in the form of training programmes, invitations to 1992 Water Convention COPS and IWRM technical meetings and finally a sensitization workshop in Ghana, set the stage for full engagement of Ghana in this accession process.

# Steps towards accession

- A national stakeholder workshop was held to discuss the importance for Ghana to ratify and accede to the two international transboundary water conventions.
- Technical support from Water Convention secretariat
- Participants from state agencies (environment, water, justice and foreign affairs), major water users, civil society and NGO community unanimously agreed that Ghana should proceed with the accession of the Convention.
- The accession and ratification kit was enhanced with views expressed, and submitted to the Ministry for Water Resources and the Office of the Attorney General for action – iterative step.

# Stakeholders involved

- Water Resources Commission (lead agency)
- Environmental Protection Agency
- Ministry of Sanitation and Water Resources (lead ministry)
- Ministry of Foreign Affairs and Regional Integration
- Office of the Attorney General and Ministry of Justice
- Ministry of Local Government and Rural Development
- Ministry of Finance
- Water Research Institute
- Coalition of NGOs in the Water and Sanitation Sector (CONIWAS) and Global Water Partnership
- Major Water User Institutions including the Volta River Authority, the Ghana Water Company and the Ghana Irrigation Development Authority
- Water related regulatory institutions including Environmental Protection Agency, Forestry Commission and Minerals Commission
- Local Non-Governmental Organizations
- Private water-related entities
- The Media

# **The current stage of the accession process**

- Both Conventions have been signed and submitted to Parliament in October, 2019 awaiting ratification.

## **The next steps**

- Follow-up and facilitate ratification after Parliament
- Prepare and submit Instrument of Instrument (Ministry of Foreign Affairs and Regional Integration), Office of the President.

# Ratification processes

- This process is led by the sector from which the convention or treaty emanates. For a watercourse treaty and its protocols, the Ministry in charge of water is the main proponent of ratification. A ratification kit is required to be prepared in the form of a CABINET MEMORANDUM under the hand of the sector Minister.
- The Minister refers the Memorandum to Parliament to Cabinet for ratification in a format to be specified below.
- After ratification by Parliament, the President signs a Certificate of Ratification which is then deposited with the designated Depositary of the Convention.



- The process of ratification of treaties in Ghana requires the full engagement of all sector wide stakeholders.
- This requires effective and clear communication.
- Timelines for ratification differ and cannot be conclusively estimated. However from experience, a period of 6 months to one year is to be expected.

# Lessons Learned

- Lead agency key to initiate all necessary steps and to get the political buy-in;
- Adequately brief the key institutions, leadership and decision makers on the need to accede to and ratify these conventions to get their commitment;
- In seeking political commitment, take advantage of the linkages with other major global agreements such as the SDGs and national policies and commitments and use them as selling points;
- Package the benefits of the conventions to the country in a simple document for dissemination; and

THANK YOU