



TRANSBOUNDARY WATER COOPERATION OF FINLAND

- **NATIONAL SEMINAR ON INTERNATIONAL WATER LAW**
- **ISSYL-KUL 12-13 SEPTEMBER 2013**
- **Kari Kinnunen (Finnish-Swedish Transboundary River Commission)**

FINNISH TRANSBOUNDARY WATER ORGANIZATIONS

- FINNISH-SWEDISH TRANSBOUNDARY RIVER COMMISSION 1971 ; 2010
- JOINT FINNISH –RUSSIAN COMISSION ON THE UTILIZATION OF FRONTIER WATERCOURCES 1966
- FINNISH-NORWEGIAN TRANSBOUNDARY WATER COMMISSION 1980
- LAKE INARI REGULATION DELEGATION (FINLAND, NORWAY AND RUSSIA) 1975

FINNISH-SWEDISH TRANS-BOUNDARY RIVER AGREEMENTS

HISTORY OF THE FINNISH-SWEDISH TRANS-BOUNDARY WATER AGREEMENTS

- PEACE TREATY OF HAMINA 1809 AND BORDER TREATY 1810
- AGREEMENT OF SALMON FISHING 1927
- LOG-RAFTING AGREEMENTS 1917 AND 1949
- TRANS-BOUNDARY AGREEMENT 1971, FOUNDING OF THE FINNISH-SWEDISH TRANS-BOUNDARY RIVER COMMISSION (“OLD COMMISSION”)

Inspired by "Helsinki rules on the uses of water of international rivers", by the International Law Association, 1966:

- Unilateral decision making should be limited
- Economic assets should be divided fair
- Joint bodies for administrative arrangements are favourable

OBJECTIVES

- **use water resources for mutual benefit**
- **support development of local society**
- **protect nature**
- **protect fish resources**
- **prevent pollution of water**

Transboundary River Commission

- Issues **FINAL** permits/licences (not possible to appeal)
- General and co-ordinating responsibility for supervision on use of water and emissions to water
- Specific responsibility for supervision on fishery
- Decisions on claims for compensation
- Funds for remediation measures

Comparison with Convention on Transboundary Rivers and Lakes

- **Poor Guiding Principles and General Objectives**
- **No environmental quality objectives**
- **No Programmes of measures**
- **No inventories of impact**
- **No monitoring and assessment**
- **No warning and alarm procedures**
- **No research and development**

DEMANDS FOR THE NEW AGREEMENT

- ALL FIRST LEVEL PERMITS MUST BE APPEALABLE
- DEVELOPMENT OF CO-OPERATION IN THE BORDER AREA
- DEMANDS OF EU LEGISLATION, DIRECTIVES AND INTERNATIONAL AGREEMENTS

ROADMAP TO THE NEW AGREEMENT

- **SWEDISH SETTLEMENT PERSON REPORT 1997**
- **RIVER TONIONJOKI WORKING-GROUP 1999-2002**
- **AGREEMENT NEGOTIATIONS 2002-2004; 2007-2009**
- **NEW AGREEMENT VALID 01.10.2010**

NEW TRANSBOUNDARY RIVER AGREEMENT

- **NATIONAL AUTHORITIES ARE ISSUING WATER RELATED PERMITS**
- **FISHING ISSUES TO THE NATIONAL AUTHORITIES**
- **NEW FISHING RULES**
- **ESTABLISHMENT OF THE NEW FINNISH-SWEDISH TRANSBOUNDARY RIVER COMMISSION**

TASKS OF THE NEW COMMISSION

- **ENHANCE COOPERATION**
- **HARMONIZING THE WORK OF AUTHORITIES**
- **IMPLEMENTATION PLANS/WFD**
- **PLANNING OF FLOOD RISK
MANAGEMENT/FLOOD DIRECTIVE**
- **FIGHTING ENVIRONMENTAL DAMAGES IN THE
TRASBOUNDARY RIVERS**
- **NATURE PROTECTION PLANS**

TASKS OF THE NEW COMMISSION (cont:)

- **COMMON REPORTING ABOUT PROGRAMS AND PLANS; COMMON HEARINGS**
- **APPROVE OR REJECT RBMPs, PoMs (WFD AND FLOOD DIRECTIVE)**
- **MONITOR IMPLEMENTATION OF THE AGREEMENT AND LICENCING**
- **PROPOSING CHANGES FOR THE AGREEMENT IF NEEDED**

TASKS OF THE NEW COMMISSION (cont:)

- **STATE ABOUT LICENCIAS AND OTHER ACTIVITIES AFFECTING THE STATE OF THE TRANSBOUNDARY WATERS**
- **APPEAL THE LICENCIAS IF APPROPRIATE**
- **STATE ABOUT FISHING REGULATIONS AND EXEPTIONS**
- **WORKS AS THE HARMONIZING BODY FOR THE WFD AND FLOOD DIRECTIVE**

INTERNATIONAL RIVER BASIN MANAGEMENT PLAN-IRBMP

Part A/FS-COMMISSION
International RBMP incl.
Joint PoM

Part B
National
RBMP
FINLAND

Part B
National
RBMP
SWEDEN

RESOURCES OF THE COMMISSION

- 3 MEMBERS AND SUBSTITUTE MEMBERS PER COUNTRY (**regional** water authority, **local** representative, **local** undefined)
- OFFICE IN HAPARANDA, SWEDEN
- SECRETARY AND ASSISTING SECRETARY
- BUDGET ABOUT 250000 SEK/YEAR
- EVALUATION IN EVERY SECOND YEAR
- MAIN STAKEHOLDERS ARE: MUNICIPALITIES, AUTHORITIES, PROVINCIA BOTHNIENSIS AND NGOs



FINNISH-NORWEGIAN TRANSBOUNDARY WATER CO-OPERATION

THE FINNISH-NORWEGIAN TRANSBOUNDARY WATER COMMISSION

- Agreement signed in November 5th 1980
- Advisory role
- The main tasks:
 - submits proposals and statements on matters related to the management the transboundary waters between Finland and Norway;
 - supervises and monitors the condition and quality of the transboundary waters;
 - conserves the transboundary waters and water ecosystems as natural as possible for the benefit of local population;
 - monitors constrution along the waterways and other activities affecting the state of the transboundary waters.

MAIN ACHIEVEMENTS

- Common water quality monitoring and reporting program of the river Tenojoki.
- Common multiple use plans for the main rivers:
 - Tenojoki 1990 (revised 2005)
 - Näätämöjoki 1992
 - Paatsjoki 1996 (Finland, Norway, Russia)
 - Common monitoring and reporting program for WFD
- Many common research and planning programs.
- Improved cooperation with Norwegian and Finnish border municipalities
- Improved water quality in border rivers.

Multiuse-plans – IWRM- planning

The multiple-use plans in the 1990's

- for all three of the largest "common" catchment areas:
of the Tenojoki (Tana), the Näätamöjoki (Neiden) and the Paatsjoki (Pasvik) Rivers

Contents

background reports on each area
common objectives
common recommendations

Updating

- **local ownership**
- EU funding support : Interreg III

LESSONS LEARNED:

- It is also very important to promote the interests of the local population in the transboundary water agreements.
- When developing/implementing transboundary water agreements utilization of indigenous or local knowledge is valuable
- Transboundary water commissions can promote other cooperation between neighbouring countries.
- A transboundary agreement should cover whole catchments areas not only the main border rivers or lakes.
- Transboundary water cooperation is a long lasting and continuous process