



**Convention on the Protection and Use of Transboundary
Watercourses and International Lakes**

Working Group on Integrated Water Resources Management

Twelfth meeting

Geneva, 5 and 6 July 2017

Item 8 of the provisional agenda

The water-food-energy-ecosystem nexus in transboundary basins

**Draft concept note for the global workshop on water allocation
(Geneva, 16-17 October 2017)**

Summary

At its seventh session in November 2015, the Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention), decided to include in the Convention's programme of work for 2016-2018 the organization of a global workshop in 2017 on water allocation, water sharing and benefits sharing in transboundary basins. The workshop should support the collection of good practice examples on water allocation, water sharing and benefits sharing from different transboundary surface water basins and groundwaters.

The workshop is scheduled to be held on 16 and 17 October 2017 in Geneva, back-to-back with the fifth meeting of the Convention's Task Force on the Water-Food-Energy-Ecosystem Nexus.

The present document describes the background for this work, outlines objectives and scope of the workshop together with a tentative programme. As the twelfth meeting of the Working Group on Integrated Water Resources Management represents a useful opportunity to further shape and enrich the workshop's objectives, scope and programme, the document presents a number of questions to be discussed in small groups during agenda item 8.

I. Background

Water allocation, which is the allocation over time of water resources between and within different sectors and for different uses, is one of the biggest challenges in water management. Increasing demands on water, growing water scarcity and climate variability have led to a rising global interest on the topic. For instance, the recent OECD report "Water Resources Allocation - Sharing Risks and Opportunities"¹ sheds a light on current water allocation practices at the national level and provides recommendations for national reforms.

In the transboundary context, increasing competition over water resources between countries and the deriving risks of political tensions and conflicts, make water allocation ever more relevant. The key principles of international water law (the principle of equitable and reasonable use of shared water resources, the no-harm rule, the sustainability principle), embedded in the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention), provide orientation for allocating water in transboundary basins, as well as development and use of river basins and aquifers which indirectly influence water availability and hence water available for allocation. Nonetheless, there are no universally accepted formulas or guidelines for allocating shared water resources, or their benefits - as it is often argued that the allocation of benefits should drive the allocation of water resources.

In order to address questions of water allocation in the transboundary context, riparians may implement ad-hoc solutions, or they may have cooperation arrangements that include provisions for water allocation. There are different options for formalizing aspects of water allocation at the transboundary level, ranging from

¹ OECD (2015), Water Resources Allocation: Sharing Risks and Opportunities, OECD Publishing, Paris.

provisions in the main water cooperation agreement to supplementary agreements, protocols and operational flow regulation rules. However, only a minority of transboundary agreements actually include water allocation provisions. Moreover, the implementation of some of the agreed allocation frameworks is proving challenging and highlights weaknesses due to different reasons: from the fact that the agreed allocation is not robust and flexible enough to deal with increasing variability in water availability, to the growing recognition of the need to factor in environmental conservation concerns, such as environmental flows, to the sustainability of the existing solutions.

Given the growing importance of the topic and the specific challenges faced in the transboundary context, at its seventh session in November 2015, the Meeting of the Parties to the Water Convention decided to collect good practice examples on water allocation, water sharing and benefits sharing from different transboundary surface water basins and groundwaters, through the organization of a global workshop on this theme.

This activity should build on previous and ongoing work carried out under the Convention on the water-food-energy-ecosystem nexus and on the benefits of cooperation. The Meeting of the Parties also stressed the need to focus on the intersectoral and transboundary implications of water scarcity; this establishes links also with the Convention's work on adapting to climate change in transboundary basins.

The global workshop on water allocation will take place on 16 and 17 October 2017 in Geneva, back-to-back with the fifth meeting of the Task Force on the water-food-energy-ecosystems nexus (18 October), under the leadership of Finland and in cooperation with partner organizations still to be defined.

II. Objectives and scope

The overarching objective of the workshop is to support efforts to develop sustainable and equitable transboundary arrangements on water allocation that strike a balance between robustness and flexibility. To this end, the workshop aims to increase understanding and knowledge of criteria, mechanisms, tools and good practices for water allocation in transboundary basins.

Examples of water allocation arrangements and practices in the transboundary context as well as insights on water allocation from the perspective of international water law and other disciplines will be discussed. Participants will be invited to share experiences, identify good practices and lessons learned, and formulate questions and needs informing possible future work on water allocation under the Water Convention.

The workshop will draw upon practical and theoretical approaches to illustrate different options for addressing water allocation in practice from different entry points (development, water scarcity, hydrological extremes, protection of ecosystems etc.). It will do so by, firstly, recalling the necessary elements of a good transboundary water allocation mechanism, and, secondly, going through issues related to implementation and possible revision of such a mechanisms. The programme will highlight opportunities in water allocation but also limitations, stressing the need to complement it with other approaches such as sharing benefits from water resources, increasing water use efficiency and managing demand.

Considering the diversity of circumstances (climate conditions, socio-economic situations etc.) as well as different histories of developing cooperation on water allocation, there is great potential for learning about water allocation practices between the different regions of the world. Therefore, world-wide participation and diversity of cases illustrated will be of utmost importance for the success and relevance of the workshop.

III. Tentative workshop programme

The workshop should include a mix of plenary presentations and interactive sessions, such as work in groups or world café.

A tentative programme is outlined below. The final scope and duration of the sessions will be defined on the basis of the good practice examples that will be illustrated.

Day 1 – Morning

Opening

Introduction to considerations in water allocation

- Transboundary water allocation in light of the history and principles of international water law
- Principles and considerations for water allocation in the transboundary context
- Data and monitoring requirements to inform water allocation decisions in the transboundary context.

Day 1 – Afternoon

Prioritization between and among conflicting interests and uses in the transboundary context

- The role of integrated water resource management, stakeholder consultations, addressing minimum environmental flow, the human right to water
- Creating of a common baseline in terms of understanding water availability, the current level of use, outlook and variability

Water allocation mechanisms and tools

- Existing solutions for water allocation challenges in the transboundary context.

Day 2 – Morning

Developing arrangements and agreements

- Options for including water allocation arrangements in transboundary cooperation agreements, informal arrangements
- Creating sustainable agreements in light of changing hydrological conditions

Day 2 – Afternoon

Implementing and revising agreements

- Implementation and revision of water allocation arrangements; challenges, lessons learned and success factors

IV. Questions for discussion during the Working Group meeting

An interactive discussion session will be held at the occasion of at the twelfth meeting of the Working Group on Integrated Water Resources Management on 6 July 2017 to further shape the objectives, scope and programme of the workshop. Within small groups, participants in the Working Group meeting will discuss the following two sets of questions:

Group 1 (with sub-groups):

1. What are the challenges in developing water allocation mechanisms in transboundary basins?
2. Which topics would you like to see included in the programme of the workshop?

Group 2 (with sub-groups):

1. What are success factors in developing water allocation mechanisms in transboundary basins?
2. Which topics would you like to see included in the programme of the workshop?

In addition, the participants of the Working Group are encouraged to share with the secretariat good practices and case examples of water allocation arrangements for possible inclusion in the workshop programme.