

SESSION 6: Update on main content feedback from group work sessions and gaps to address

Transboundary Water Allocation Handbook

21 October 2019

Room IV, Palais des Nations
Geneva, Switzerland



Main feedback – Thematic Groups

ENGINEERING & INFRASTRUCTURE

Recommendations:

- Prioritize drinking water needs.
- Use percentages rather than quantities.
- Introduce tradeoffs and offsets to optimize water allocation within and between basins.
- Determine allocations in a basin-integrated model: efficiency, availability of water, and reuse of water.
- Consider demands in different parts of the basin, including environmental demands.
- Take into account the needs of different sectors for benefit-sharing.

Main feedback – Thematic Groups

LAW & GOVERNANCE [1/2]

Recommendations:

1. Structure of the legal chapter: Include bottom-up + environmental, human rights and humanitarian law aspects and considerations.
2. Content of the Handbook:
 - Should include a summary of existing allocation methodologies.
 - Allocation should be based on the needs rather than rights-based approach (numbers vs. perceptions).
 - Should make a distinction between consumptive vs non-consumptive uses of water, since the two have different legal consequences.
 - Should be flexible: fixed percentages are too rigid.
 - Should include emerging principles, such as environmental flows.

Main feedback – Thematic Groups

LAW & GOVERNANCE [2/2]

Recommendations:

3. Institutional and governance issues chapter, prerequisites for ‘success’:

- Robust institutions
- Strategy and planning
- Good governance principles

Suggested Case Studies

- Amu-Darya – legal revamping of the system
- Syr-Darya flood protection system
- INCOMATI-MAPUTO basin
- Danube River Basin

Main feedback – Thematic Groups

HYDRO-DIPLOMACY & NEGOTIATIONS

Recommendations [1/2]

1. Questions to consider about inclusivity:
 - Who's represented in negotiations and in management (interest groups)?
 - What are the quantities (minimums during droughts, maximums during floods), quality (including temperature, for nuclear stations for example) and timing?
 - How are the needs measured and negotiated? (For instance, can a country ask the neighbor to store more water/let more water flow?)
2. Governance and structure – choosing between different models:
 - Internal sovereignty vs. participation

Main feedback – Thematic Groups

HYDRO-DIPLOMACY & NEGOTIATIONS

Recommendations [2/2]

3. Importance of including unrepresented & marginalized views, including local and indigenous views.

Suggested Case Studies

- France and Switzerland; US and Canada (bilateral interests, rather than of each country); Danube river, Jordan (allocations and NGO participation), Nile (incorporating local and indigenous values). Hydro-diplomacy also concerns cooperation between different districts and regions within one country.

Main feedback – Thematic Groups

HYDROLOGY & GEOLOGY

Recommendations:

1. Water assessment is not a static phenomenon.
2. Difficulties associated with data scarcity: quality & communicating metadata.
3. Inclusion of future basin development plans in the Handbook.
4. Choice of Handbook format: either a comprehensive guide or a shorter and less detailed document that refers to other publications. It is important to ensure the Handbook consistency, so that some chapters are not more detailed than others.

SUGGESTED CASE STUDIES

- Senegal
- South America (La Plata river)

Main feedback – Thematic Groups

ENVIRONMENTAL SCIENCE

Recommendations

1. The Handbook should include information on ecological flows, especially water quality and quantity aspects.
2. The Handbook might provide recommendations on the harmonization of laws and regulations in a given basin.
3. Important to identify transboundary ground waters protection zones and take into account their water needs, where flow is used for their recharge.
4. The Handbook may recommend developing an ecological status classification system based on bio, chemical and hydro-morphological quality data.

Suggested Case Studies

- Russia Azerbaijan Samur River agreement, Agreement on Joint Management of intergovernmental water sources in Central Asia, ICDPR

Main feedback – Thematic Groups

ECONOMICS & PUBLIC POLICY

Recommendations

- Demand management: efficiency, change use, demography
- Net benefit AND cost sharing
- % rather than fixed numbers.
- Policy objectives might differ between countries and change over time
- Beneficiary Pays Principle, not the Polluter Pays Principle. Cross sectoral benefits sharing: rural vs. urban, competing interests
- Approaches to data differ between countries
- Water accounting as a tool
- Limitations of water allocations: minimum ecological flows

Recurring comments:

- Shift the focus from legal principles to practical issues
- Ensure that environmental, human rights, and humanitarian law aspects are included in the Handbook

Geographical representation

- **LATIN AMERICA:** No representatives present at meeting (OAS contributed via email), need to increase representation within next Expert Group.

Thematic areas

- **GROUNDWATER:** Need to enhance the prominence of groundwater in the Handbook and ensure inclusion of notable case studies on aquifer allocation.

Regional Workshops

- **WORKSHOP 3:** several countries have proposed options for workshops in their regions; Southern Africa one main proposal.

Timeline for development and publication



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Questions & Comments?