



WATER  
CONVENTION

# Transboundary Water Allocation Handbook

**2<sup>nd</sup> Expert Group Meeting  
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***Thematic Group Discussion:  
Negotiations***

***Case study:  
International Joint Commission***



# IJC's Institutional Framework for Negotiating Transboundary Water Allocation Issues

- IJC is built on a strong institutional structure: the 1909 Boundary Waters Treaty between the United States and Great Britain (Canada) and the Great Lakes Water Quality Agreement.
- IJC has equal representation from the U.S. and Canada. It has three offices with over 50 professionals divided between: Canada, U.S. and a binational office for the Great Lakes. The IJC also has over 20 binational control and watershed boards across the entire U.S. and Canadian border.
- The IJC remains a single integrated body working collegially in a spirit of openness, mutual trust and confidence, and in the common interest of both countries.
- All IJC participants (including its professional staff and binational boards) work in their personal and professional capacity and do not represent their respective governments.
- IJC's professional staff plays an important role in facilitating negotiation processes and assisting binational working groups to collect, analyze and interpret information.
- The IJC employs joint science-based fact-finding as a foundation for building consensus and determining appropriate actions.

# Continued:

- The IJC includes an adaptive management process and various strategies to address unknown contingencies and a changing climate.
- IJC makes sure its work is very transparent and the process is continually open to the public.
- The IJC works closely with relevant governments leaders and decision-makers.
- The IJC's [Shared Vision Model](#) is a good example for negotiating binational water allocation issues. It brings together an equal number of experts, decision-makers and stakeholders from both countries to create a system model that connect science, public preferences and decision-making criteria.
- Recent examples of the Shared Vision Model include:
  - Operations of a dam to control Lake Ontario water levels and outflows into the St Lawrence Seaway (2014);
  - Operations of a dam to control Lake Superior water levels and outflows into Lake Superior and Lake Huron (2012); and
  - Operations of dams on Rainy and Namakan lakes to control lake levels and outflows into Rainy River and Lake of the Woods water levels (2018).

# Shared Vision Model Process

- The Shared Vision Model consists of the following basic steps.
  - First, establish “binational” working groups/boards. These working groups must be inclusive and balanced and include local interests and experts from within the basin
    - A science group consisting of the best experts from the private sector, academia and governments to oversee the creation of the scientific foundation for negotiations.
    - A citizen advisory group representing community leaders, public interest groups and businesses.
  - Second, these groups would work together to define the issues and options to address in the negotiation process.
  - Third, they would become comfortable with the technical information and methods used.
  - Fourth, they would collect data and operate models to show the trade-offs between the various economic values for uses and important environmental indicators. They would work together to refine models, options and outcomes.
  - Fifth, both groups would make sure the process and outcomes are transparent and open to the public for the entire duration of the negotiation process. The rationale for all outcomes must be clearly explained and justified by the citizen leaders and experts from within the basin.
  - Lastly, final outcomes and reports will be submitted to the U.S. and Canadian governments for adoption/implementation. The IJC would continually provide technical advice to governments in their deliberations.

# Lessons Learned Using the Shared Vision Model

- It is not possible to satisfy all interests.
- Work toward consensus knowing that complete consensus is not possible and that decisions may be made with a super majority of participants in the process.
- Building a strong scientific and economic foundation for the models is critical.
- Document and justify all data and models used and the reasons for specific recommendations to governments.
- Continually provide scientific, economic and other forms of information to the general public throughout the negotiation process.
- The presenters of the above information, outcomes and recommendations should be presented by the local participants (leaders) from within the science and citizen working groups.
- Incorporate an adaptive management process into the implementation of the recommendations to address changing conditions and unknowns.

# SLIDE 1: Key reactions on current content of this thematic element of transboundary water allocation

- What are the most important aspects of this thematic element to include in the Handbook?
- Where would you highlight this thematic element within the different Chapters and how?
  - How would you avoid repetition and demonstrate linkages?

# SLIDE 2: Reaction / proposal on illustrative case study/s

- Some case studies have been identified as relevant to this thematic element.
  - If you know these examples, what do you think are the main lessons and common conclusions that can be drawn from them regarding this thematic element?
  - If not, do you know of any other examples that may be relevant to illustrate this specific thematic element and can you describe briefly the main lessons?