

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

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Challenges for water management in EECCA countries

- Quality of transboundary waters and regional seas threatened by industry and agriculture
- Allocation of water and demand management
- Water quantity problems: water scarcity and floods
- Lack of access to safe water and sanitation



A topographic map of the Eastern Europe, Caucasus and Central Asia (EECCA) region. The map shows a dense network of rivers, with major ones like the Volga, Danube, and Terek highlighted in blue. The terrain is color-coded by elevation, with green for lower elevations and yellow/orange for higher elevations. The map covers parts of Russia, Ukraine, Georgia, Armenia, Azerbaijan, Kazakhstan, and Kyrgyzstan. The text 'Importance of transboundary waters in EECCA countries' is overlaid in blue at the top right.

Importance of transboundary waters in EECCA countries

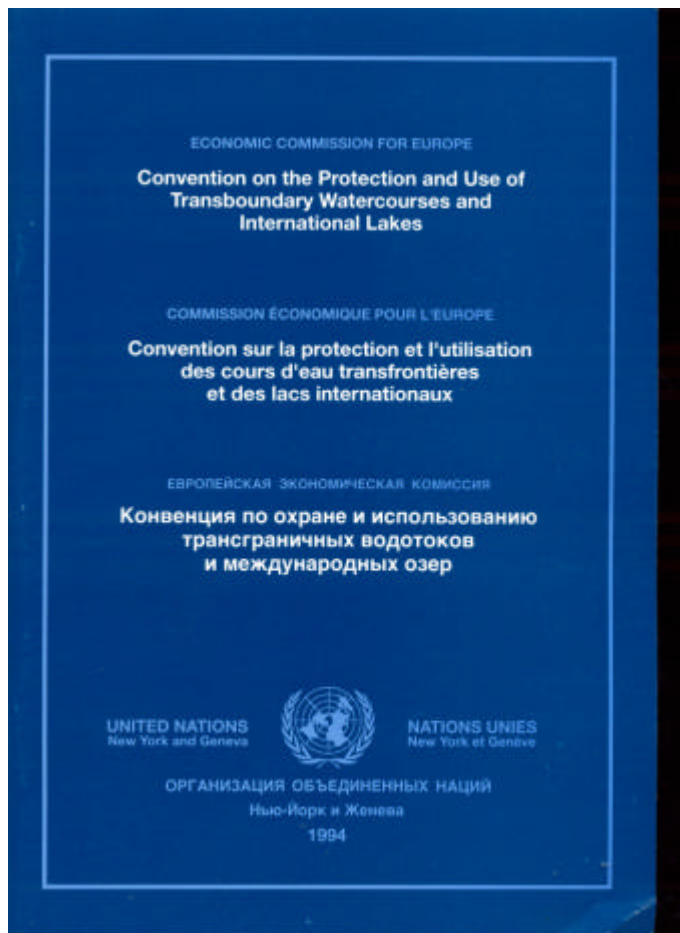
- Inter-dependence between countries from the environmental, social and economical points of view
- Main source of drinking water

This led to the adoption of:

- Convention on the Protection and Use of Transboundary Watercourses and International Lakes (1992)
- Protocol on Water and Health to the 1992 Water Convention (1999)
- Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters (2003)



The Water Convention



- Signed on 17 March 1992
- Entered into force on 6 October 1996
- 34 countries and the European Community have ratified the Convention



Main provision – Art. 2

Parties shall take all appropriate measures **to prevent, control and reduce any transboundary impact.**

Transboundary impacts are

- any significant adverse effect on the environment
- resulting from a change in the conditions of transboundary waters
- caused by a human activity
- including effects on human health and safety, flora, fauna, soil, air, water, climate, landscape and historical monuments or other physical structures or the interaction among these factors.



Aims of the Convention

- Protection of transboundary waters by preventing, controlling and reducing pollution
- Ecologically sound and rationale management of transboundary waters
- Reasonable and equitable use of transboundary waters
- Conservation and restoration of ecosystems



Replies received

- Complete replies from:
Armenia, Azerbaijan, Belarus, Georgia and Tajikistan
- Incomplete replies from:
Kyrgyzstan and Ukraine
- No reply from:
Kazakhstan, Republic of Moldova, Russian Federation, Turkmenistan and Uzbekistan (but a reply from IFAS)



Two sets of provisions:

- Provisions applying to all Parties
- Provisions applying to Parties sharing transboundary waters



Basic principles (1)

- **The precautionary principle**
 - Well reflected in applicable laws and regulations in EECCA countries
 - Only Azerbaijan says that the principle is not fully reflected in the national water law. However, the Water Law has a specific provision: “even if the law does not contain specific international rules, these rules anyhow apply”.



Basic principles (2)

- **The polluter-pays principle**

Well-reflected in water laws and regulations (tariffs for water use, for waste-water discharge, liability and compensation mechanisms for water pollution, such as from industrial accidents).

- Application/enforcement of these pieces of legislation?
- Transboundary dimension?



Basic principles (3)

- **Sustainable water management principle**

The principle that “water resources shall be managed so that the needs of the present generation are met without compromising the ability of future generations to meet their own needs” is well reflected in the applicable water laws and even in the Constitutions.

And it is clearly specified that these need are **social, economic and environmental.**



Environmental impact assessment

- Existing agreements:
 - Not in the Georgia/Armenia agreement
 - Not in the Georgia/Azerbaijan agreement
- New draft agreements:
 - Required in the Zapadnaya Dvina/Daugava agreement
 - Not in the Nemunas agreement



Provisions relating to Riparian Parties

Parties bordering the same transboundary waters are obliged to conclude **specific bilateral or multilateral agreements** providing for the establishment of **joint bodies**



Establishment of joint bodies

- It's a common provision, reflected in almost all transboundary agreements
- The problem is its practical implementation:
 - They don't meet in practice
 - They don't have real power



Development of joint monitoring programmes

- It's a fundamental task, the basis for water management
- Almost all transboundary agreements provide for it



Other joint bodies tasks

- **Elaborate joint water-quality objectives**
Not in the agreement between Azerbaijan and Georgia
- **Develop concerted action plans**
More or less in all agreements
- **Establish warning and alarm procedures**
In all agreements



Other Riparian Parties obligations

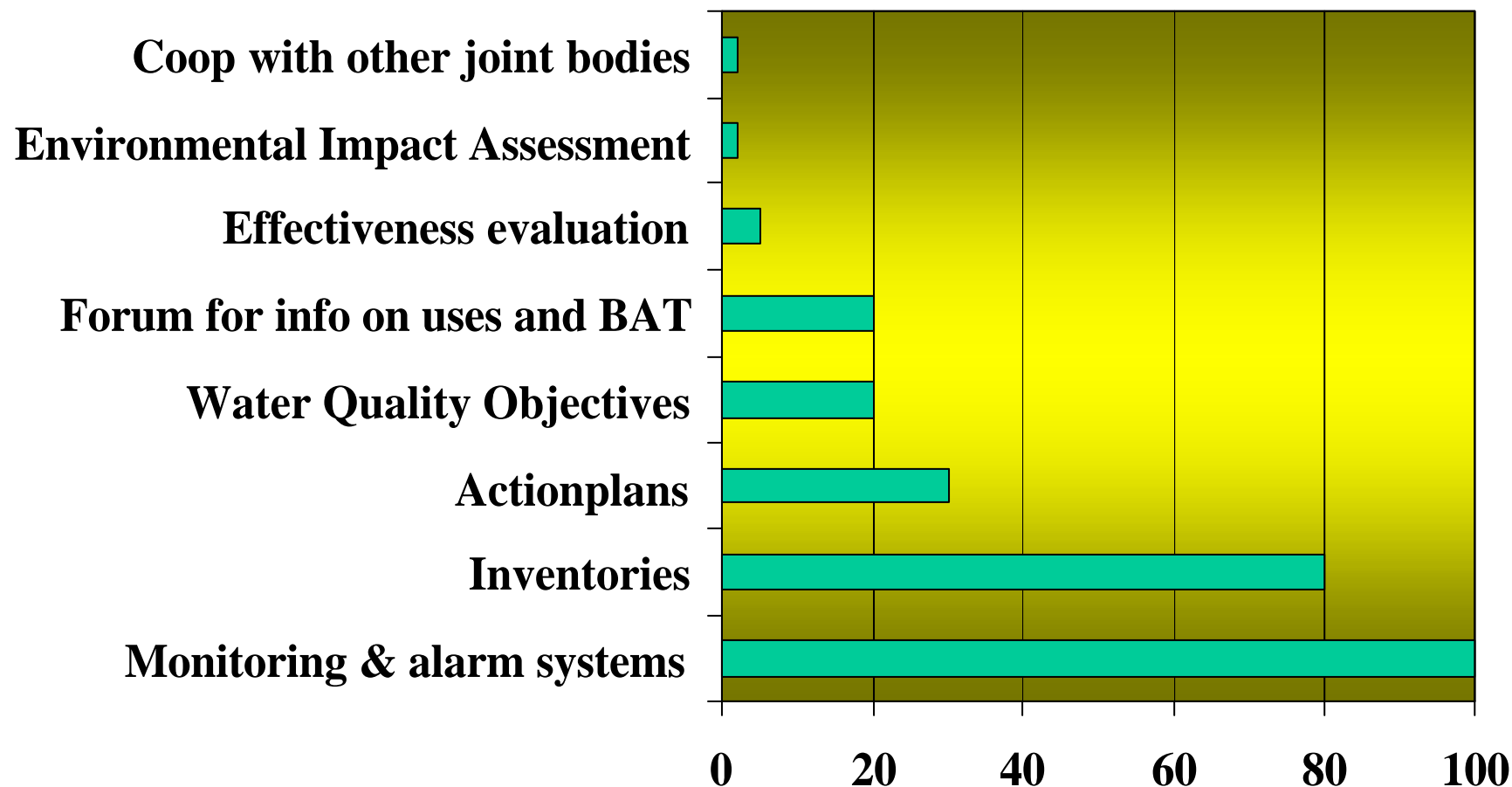
- Exchange of information
- Ensure that information on transboundary waters is made available to the public

These provisions are included in almost all reported agreements

- Mutual assistance
Some good experience (Kyrgyzstan/Kazakhstan on Chu Talas, on-going project between Georgia and Azerbaijan)



Implementation of selected tasks by joint bodies in the UNECE region



Conclusions

- Water Convention = framework convention
While bilateral/multilateral agreements need to be specific
- Specific + complete = more likely to be implemented
- Still the agreements cannot cover all possible issues: recommendations, decisions, “soft law” arrangements are still needed
- Without political will nothing can be done!



More information

including guidelines, publications and information on activities under the Convention can be found at

<http://unece.org/env/water>

