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Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes

Seventh session

Budapest, 17–19 November 2015

Report of the Meeting of the Parties on its seventh session

Addendum

Decisions and principles for effective joint bodies for transboundary water cooperation

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Decision VII/1 General issues of implementation

The Meeting of the Parties,

Having regard to its decision VI/1 on support to implementation and compliance (see ECE/MP.WAT/37/Add.2),

Taking note of the report of the Implementation Committee to the Meeting of the Parties at its seventh session (ECE/MP.WAT/2015/5), and endorsing its findings,

Welcoming the way in which the Committee has been working and the progress made in establishing working procedures and in promoting the mechanism to support implementation and compliance,

1. *Stresses* that Parties are under a good faith obligation to cooperate with the Committee's information-gathering procedures;

2. *Recalls* that transboundary cooperation is a key principle of the Convention, as it supports the achievement of the Convention's object and purpose;

3. *Recognizes*, however, that cooperation per se is not the only objective of the Convention and that the principles of reasonable and equitable use and of prevention, control and reduction of transboundary impact are no less important;

4. *Notes* that a reporting mechanism (decision VII/2) will be key for providing the Committee with the information it needs to carry out its functions;

5. *Encourages* Parties and other stakeholders to seek the Committee's assistance, support and facilitation to address difficulties in implementing and complying with the Convention, so as to ensure that the object and purpose of the Convention are advanced and to prevent water-related disputes.

Decision VII/2 Reporting under the Convention

The Meeting of the Parties,

Determined to facilitate the implementation and application of and compliance with the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention),

Recalling article 17, paragraph 2 (f), of the Convention, which states that the Meeting of the Parties shall consider and undertake any additional action that may be required for the achievements of the purposes of the Convention,

Also recalling article 17, paragraph 2, of the Convention, which states that, at their meetings, the Parties shall keep under continuous review the implementation of the Convention,

Recognizing that reporting is key for reviewing and enhancing national implementation of the Convention as well as accession to it,

Also recognizing that reporting provides a means to enhance basin-specific cooperation,

Noting that regular reporting may also serve as a means to keep the public informed of measures taken to implement the Convention,

Underlining that reporting provides information that helps to identify the specific needs of basins, and thereby supports the mobilization of resources, for example, for capacity-building and technical assistance activities,

Noting that reporting also allows for the identification of emerging issues and difficulties in the implementation of the Convention, and so can inform the development of future programmes of work under the Convention and the work of the Implementation Committee,

Recognizing that reporting promotes the accumulation and exchange of lessons learned, good practices and experiences to enhance implementation of the Convention,

Recalling the adoption by the international community of the 2030 Agenda for Sustainable Development, including the establishment of Sustainable Development Goal 6 to “Ensure availability and sustainable management of water and sanitation for all”, with a target calling for transboundary cooperation to implement integrated water resources management (target 6.5),

Recognizing the relevance of the Water Convention as an instrument that can help countries reach the Sustainable Development Goal on water,

Emphasizing the role of reporting under the Convention as a useful means for reviewing countries’ progress towards achieving target 6.5,

1. *Decides* to establish a regular reporting mechanism under the Convention;
2. *Also decides* to start with a pilot reporting exercise in 2016–2017 in order to test the template for reporting contained in the annex to this decision, and to set 30 June 2017 as the deadline for submitting the pilot reports in order to leave enough time for revision of the template, if needed, before its eighth session;
3. *Encourages* all Parties and non-Parties, especially those sharing basins with Parties and those considering accession to the Convention, to participate in the pilot reporting exercise and submit to the secretariat their filled out reporting forms electronically in the English, French or Russian languages, in accordance with the template set out in the annex to this decision, as well as their comments on the reporting template, by 30 June 2017;
4. *Requests* the secretariat to post the national reports on the United Nations Economic Commission for Europe (ECE) website in the languages in which they are available and to prepare a synthesis report in all official languages for the Meeting of the Parties, summarizing the progress made and identifying significant trends, challenges and solutions;
5. *Decides* to review the reporting template and reporting procedures at its next session in 2018, also in the light of the follow-up to and review of the implementation of the 2030 Agenda for Sustainable Development, the Sustainable Development Goals and their indicators, currently under development;
6. *Requests* the Working Group on Integrated Water Resources Management, in consultation with the Implementation Committee, to review the reporting template in 2017–2018 based on the experience with the pilot reporting exercise and the comments received, and to submit to the Meeting of the Parties at its eighth session a draft decision on reporting, including the frequency and modalities of reporting, together with a revised template.

Annex
Template for reporting under the Convention

Country name: [fill in]

This template or reporting form is in the form of a questionnaire to be filled out. Questions can be either “closed”, Yes /No , with appropriate boxes to tick; “open”, requiring further information to be supplied, indicated by the words in square brackets [fill in]; or a combination of both. Depending on the country situation, it will not always be necessary to fill in extra information where space is provided for this.

The questions are divided into three parts: national (section I); by transboundary basin, river, lake or aquifer (section II); and final questions (section III). Please answer open questions very briefly, and in less than 200 words, using bullet points as appropriate. Section II will need to be completed for each of the transboundary basins, rivers, lakes or aquifers (please just copy the template for these questions and fill out again for each additional transboundary basin, river, lake or aquifer).

The template encourages those reporting to refer to the reporting under other multilateral environmental agreements to which their country is a Party. Both Parties and non-Parties are encouraged to fill out the reporting form.

I. Transboundary water management at the national level

In this first section, you are requested to provide general information on transboundary water management at the national level. Information on specific transboundary basins, rivers, lakes or aquifers and agreements should be presented in section II and not repeated here.

1. (a) Does your country’s national legislation refer to measures to prevent, control and reduce any transboundary impact (art. 2 of the Convention)?

Yes /No

If yes, list the main national legislation: [fill in]

- (b) Do your country’s national policies, action plans and strategies refer to measures to prevent, control and reduce any transboundary impact?

Yes /No

If yes, list the main national policies, action plans and strategies: [fill in]

- (c) Does your country’s legislation provide for the following principles?

Precautionary principle Yes /No

Polluter pays principle Yes /No

Sustainable development Yes /No

- (d) Does your country have a national licensing or permitting system for wastewater discharges and other point source pollution (art. 3, para. 1 (b)) (*e.g., in industry, mining, energy, municipal, wastewater management or other sectors*)?

Yes /No

If yes, for which sectors? (please list): [fill in]

If not, please explain why not (giving the most important reasons) or provide information if there are plans to introduce a licensing or permitting system: [fill in]

If your country has a licensing system, does the system provide for setting emission limits based on best available technology?

Yes /No

(e) Are the authorized discharges monitored and controlled (art. 3, para. 1 (b))?

Yes /No

If yes, how? (Please tick the ones applicable):

Monitoring of discharges

Monitoring of physical and chemical impacts on water

Monitoring of ecological impacts on water

Conditions on permits

Inspectorate

Other means (*please list*): [fill in]

If your country does not have a discharge monitoring system, please explain why not or provide information if there are plans to introduce a discharge monitoring system: [fill in]

(f) What are the main measures which your country takes to reduce diffuse sources of water pollution on transboundary waters (art. 3, para. 1) (*e.g., from agriculture, transport, forestry or aquaculture*)? *The measures listed below relate to agriculture, but other sectors may be more significant. Please be sure to include these under "others":*

Legislative measures

Norm for uses of fertilizers

Norms for uses of manure

Bans on or norms for use of pesticides

Others (*please list*): [fill in]

Economic and financial measures

Monetary incentives

Environmental taxes (such as fertilizer taxes)

Others (*please list*): [fill in]

Agricultural extension services

Technical measures

Source control measures

Crop rotation

Tillage control

Winter cover crops

Others (*please list*): [fill in]

Other measures

Buffer/filter strips

Wetland reconstruction

- Sedimentation traps
- Chemical measures
- Others (*please list*): [fill in]
- Other types of measures**

If yes, please list: [fill in]

(g) What are the main measures which your country takes to enhance water efficiency (art. 3)?

Please tick as appropriate (not all might be relevant)

- A regulatory system regarding water abstraction
- Monitoring and control of abstractions
- Water rights are clearly defined
- Water allocation priorities are listed
- Water-saving technologies
- Advanced irrigation techniques
- Demand management activities
- Other means (*please list*)

(h) Does your country apply the ecosystems approach (art. 3, para. 1 (i), and art. 2, para. 1 (d))?

Yes /No

If yes, please describe how: [fill in]

(i) Does your country take specific measures to prevent the pollution of groundwaters (art. 3, para. 1 (k))?

Yes /No

If yes, please list the most important measures: [fill in]

2. Does your country require transboundary environmental impact assessment (EIA)?

Yes /No

Does your country have procedures for transboundary EIA?

Yes /No

If yes, please make reference to the legislative basis (please insert the name and section of the relevant laws). (Please note: If your country is a Party to the Convention on Environmental Impact Assessment in a Transboundary Context, you may refer to your country's report under that Convention.): [fill in]

3. Does your country have transboundary agreements or arrangements for the protection and/or management of transboundary waters (i.e., surface waters or aquifers), whether bilateral, multilateral and/or at the basin level?

Yes /No

If yes, list the bilateral, multilateral and basin agreements (listing for each of the countries concerned): [fill in]

II. Questions for each transboundary basin, river, lake or aquifer

Please complete this second section for each transboundary basin, river, lake or aquifer, or for group of basins covered by the same agreement or arrangement and where conditions are similar. It might also be convenient to group basins or sub-basins for which your country's share is very small.¹ In some instances, you may provide information on both a basin and one or more of its sub-basins, for example, where you have agreements² on both the basin and its sub-basin. You may coordinate your responses with other States with which your country shares the basin or aquifer or even prepare a joint report for shared basins. General information on transboundary water management at the national level should be provided in section I and not repeated here.

Please reproduce the whole section II with its questions for each transboundary basin, river, lake or aquifer, or group of basins for which you will provide a reply.

Name of the transboundary basin, river, lake or aquifer, or group thereof, list of the riparian States, and country's share of the basin: [fill in]

1. Is there one or more transboundary (bilateral or multilateral) agreement(s) or arrangement(s) on this basin (art. 9)?

One or more agreements or arrangements exist and are in force

Agreement or arrangement developed but not in force

Agreement or arrangement developed, but not in force for all riparians

Please insert the name of the agreement or agreements or arrangements: [fill in]

Agreement or arrangement is under development

No agreement

If there is no agreement or arrangement or it is not in force, please explain briefly why not and provide information on any plans to address the situation: [fill in]

If there is no agreement or arrangement and no joint body for the transboundary basin, river, lake or aquifer then jump to question 4; if there is no agreement, but a joint body then go to question 3. →

Questions 2 and 3 to be completed for each bilateral or multilateral agreement or arrangement in force in the transboundary basin, river, lake or aquifer or group of basins or sub-basins

2. (a) Does this agreement or arrangement specify the basin area subject to cooperation?

Yes /No

If yes, does it cover the entire basin, or group of basins, and all riparian States?

Yes /No

¹ In principle, section 2 should be submitted for every transboundary basin, river, lake or aquifer in the country, but States may decide to group basins in which their share is small or leave out basins in which their share is very minor, e.g., below 1 per cent.

² In section II, "agreement" covers all kinds of treaties, conventions and agreements ensuring cooperation in the field of transboundary waters. Section II can also be completed for other types of arrangements, such as memorandums of understanding.

If not, what does it cover?: [fill in]

Or, if the agreement or arrangement relates to a sub-basin, does it cover the entire sub-basin?

Yes /No

Which States (including your own) are bound by the agreement or arrangement?
(Please list): [fill in]

(b) Are connected³ aquifers (or groundwater bodies) covered by the agreement/arrangement?

Yes /No

(c) What is the sectoral scope of the agreement or arrangement?

All water uses

A single water use or sector

Several water uses or sectors

If several water uses or sectors, please list (check as appropriate):

Water uses or sectors

Industry

Agriculture

Transport (e.g., navigation)

Households

Energy: hydropower and other energy types

Tourism

Nature protection

Other (please list): [fill in]

(d) What topics or subjects of cooperation are included in the agreement or arrangement (art. 9)?

Procedural and institutional issues

Dispute and conflict prevention and resolution

Institutional cooperation (joint bodies)

Consultation on planned measures

Mutual assistance (art. 15)

Topics of cooperation

Joint vision and management objectives

Joint significant water management issues

Navigation

Environmental protection (ecosystem)

³ Either hydraulically connected to the watercourse or those located within the basin area.

Water quality

Water quantity or allocation

Cooperation in addressing floods

Cooperation in addressing droughts

Climate change adaptation

Monitoring and exchange

Joint assessments

Data collection and exchange (art. 13)

Joint monitoring (art. 11)

Maintenance of joint pollution inventories

Elaboration of joint water quality objectives

Common early warning and alarm procedures (art. 14)

Exchange of experience between riparian States

Exchange of information on planned measures

Joint planning and management

Development of joint regulations on specific topics

Development of international or joint river, lake or aquifer basin management or action plans

Management of shared infrastructure

Development of shared infrastructure

Other (*please list*): [fill in]

(e) What are the main difficulties and challenges that your country faces with the agreement or arrangement and its implementation, if any (*please describe, if applicable*): [fill in]

(f) What are the main achievements in implementing the agreement or arrangement and what were the keys to achieving such success?: [fill in]

(g) Please attach a copy of the agreement or arrangement or provide the web address of the document (*please attach document or insert web address, if applicable*): [fill in]

3. Is your country a member of an operational joint body or joint bodies for this agreement/arrangement (art. 9)?

Yes /No

If no, why not? (please explain): [fill in]

Where there is a joint body (or bodies)

(a) If there is a joint body, which kind of joint body (*please tick one*)?

Plenipotentiaries

Bilateral commission

Basin or similar commission

Other (*please describe*): [fill in]

(b) Does the joint body cover the entire transboundary basin or sub-basin, river, lake or aquifer, or group of basins, and all riparian States?

Yes /No

(c) Which States (including your own) are member of the joint body? (*Please list*): [fill in]

(d) Does the joint body have any of the following features (*please tick the ones applicable*)?

A secretariat

If the secretariat is a permanent one, is it a joint secretariat or does each country host its own secretariat? (Please describe): [fill in]

A subsidiary body or bodies

Please list (e.g., working groups on specific topics): [fill in]

Other features (*please list*): [fill in]

(e) What are the tasks and activities of this joint body (art. 9, para. 2)?⁴

Identification of pollution sources

Data collection and exchange

Joint monitoring

Maintenance of joint pollution inventories

Setting emission limits

Elaboration of joint water quality objectives

Management and prevention of flood or drought risks

Preparedness for extreme events, e.g., common early warning and alarm procedures

Water allocation and/or flow regulation

Policy development

Control of implementation

Exchange of experience between riparian States

Exchange of information on existing and planned uses of water and related installations

Settling of differences and conflicts

Consultations on planned measures

Exchange of information on best available technology

Participation in transboundary EIA

⁴ This may include tasks according to the agreement or tasks added by the joint body, or its subsidiaries. Both tasks which joint bodies coordinate and tasks which they implement should be included.

- Development of river, lake or aquifer basin management or action plans
- Management of shared infrastructure
- Addressing hydromorphological alterations
- Climate change adaptation
- Joint communication strategy
- Basin-wide or joint public participation and consultation of, for example, basin management plans
- Joint resources to support transboundary cooperation
- Capacity-building
- Any other tasks (*please list*): [fill in]

(f) What are the main difficulties and challenges that your country faces with the operation of the joint body, if any?

- Governance issues
Please describe, if any: [fill in]
- Unexpected planning delays
Please describe, if any: [fill in]
- Lack of resources
Please describe, if true: [fill in]
- Lack of mechanism for implementing measures
Please describe, if true: [fill in]
- Lack of effective measures
Please describe, if true: [fill in]
- Unexpected extreme events
Please describe, if any: [fill in]
- Lack of information and reliable forecasts
Please describe, if any: [fill in]
- Others (*please list and describe, as appropriate*): [fill in]

(g) If not all riparian States are members of the joint body how does the body cooperate with them?

- No cooperation
- They have observer status
- Other (*please describe*): [fill in]

(h) What are the main achievements with regards to the joint body?: [fill in]

(i) Are representatives of international organizations invited to the meetings of the joint body (or bodies) as observers?

Yes /No

(j) Did the joint body ever invite a coastal State to cooperate (art. 9, paras. 3 and 4)?

Yes /No

If yes, please give details. If no, why not?: [fill in]

4. Is there an action plan or strategy specifically to improve the status of the transboundary waters subject to cooperation (art. 9, para. 2 (f)) ?

Yes /No

If yes, please provide further details: [fill in]

5. How is the transboundary basin, river, lake or aquifer protected, including the protection of ecosystems, in the context of sustainable and rational water use (art. 2, para. 2 (b), and art. 3, para. 1 (i)) ?

Afforestation

Restoration of ecosystems

Environmental flow norms

Groundwater measures (e.g., protection zones)

Other measures (*please list*): [fill in]

6. (a) Does your country exchange information and data with other riparian States in the basin (art. 13)?

Yes /No

(b) If yes, on what subjects are information and data exchanged?

Environmental conditions (art. 13, para. (1) (a))

Research activities and application of best available techniques (arts. 5, 12 and 13, para. 1 (b))

Emission monitoring data (art. 13, para. 1 (c))

Planned measures taken to prevent, control or reduce transboundary impacts (art. 13, para. 1 (d))

Point source pollution sources

Diffuse pollution sources

Existing hydromorphological alterations (dams, etc.)

Discharges

Water abstractions

Future planned measures with transboundary impacts, such as infrastructure development

Other subjects (*please list*): [fill in]

(c) Is there a shared database or information platform?

Yes /No

(d) Is the database publicly available?

Yes /No

If yes, please provide the web address: [fill in]

- (e) What are the main difficulties and challenges to data exchange, if applicable?
(*please describe*): [fill in]
- (f) What are the main benefits of data exchange on the transboundary waters subject to cooperation? (*please describe*): [fill in]
7. Do the riparian States carry out joint monitoring in the transboundary basin, river, lake or aquifer (art. 11, para. 1)?
Yes /No
- (a) If yes, what does the joint monitoring cover?
- | | Covered? | Hydrological | Ecological | Chemical |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| Border surface waters | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Surface waters in the entire basin | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Surface waters on the main watercourse | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Connected aquifers (or groundwaters) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Unconnected aquifers (or groundwaters) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- (b) If joint monitoring is carried out, how is this done?
- National monitoring stations connected through a network or common stations
- Joint and agreed methodologies
- Joint sampling
- Common monitoring network
- Common agreed parameters
- (c) Please describe the main achievements regarding joint monitoring, if any: [fill in]
- (d) Please describe any difficulties experienced with joint monitoring: [fill in]
8. Do the riparian States carry out joint assessment of the transboundary basin, river, lake or aquifer (art. 11)?
Yes /No
- If yes, please provide the date of the last or only assessment, the frequency and scope (e.g., surface waters or groundwaters only, pollution sources, etc.) of the assessment:* [fill in]
9. Have the riparian States agreed to use joint water quality standards?
Yes /No
- If yes, is the basis an international or regional standard (please specify which) or has it been adapted from the national standards of the riparian States?:* [fill in]
10. What are the measures implemented to prevent or limit the transboundary impact of accidental pollution (art. 14)?
- Notification and communication
- Coordinated or joint alarm system for accidental water pollution
- Other (*please list*): [fill in]
- No measures

If not, why not? What difficulties does your country face in putting in place such measures?: [fill in]

11. What are the measures implemented to prevent or limit the transboundary impact of extreme weather events (art. 14)?

- Notification and communication
- Coordinated or joint alarm system for floods
- Coordinated or joint alarm system for droughts
- Joint climate change adaptation strategy
- Joint disaster risk reduction strategy
- Other (*please list*): [fill in]
- No measures

If not, why not? What difficulties does your country face in putting in place such measures?: [fill in]

12. Are procedures in place for mutual assistance in case of a critical situation (art. 15)?

Yes /No

If yes, please provide a brief summary: [fill in]

13. Are the public or relevant stakeholders involved in transboundary water management in the basin, river, lake or aquifer? (art. 16)?

Yes /No

If yes, how? (please tick all applicable) (Please note: If your country is a Party to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), you may refer to your country's report under that Convention.):

- Stakeholders have observer status in a joint body
- If yes, please specify the stakeholders for each joint body: [fill in]*
- Availability of information to the public
- Consultation on planned measures or river basin management plans⁵
- Public involvement
- Other (*please specify*): [fill in]

Please remember to complete section II for each of the transboundary basins, rivers, lakes or aquifers. Please also remember to attach copies of agreements, if any.

III. Final questions

1. What are the main challenges your country faces in implementing the Convention? (*Please describe*): [fill in]

⁵ Or, where applicable, aquifer management plans.

2. What have been the main achievements in implementing the Convention? What were the keys to achieving that success? (*Please describe concrete examples*): [fill in]
3. Name and contact details of the person(s) who filled out the questionnaire (*please insert*): [fill in]
Date: [fill in] Signature: [fill in]
4. Please include any additional information on the process of preparing the report (e.g., whether there was an exchange or consultation within the joint body or with riparian countries), in particular which institutions have been consulted (*please describe*): [fill in]
5. If you have any other comments please add them here (*insert comments*): [fill in]

Thank you very much for taking the time to complete this report.

Decision VII/3

Establishing a framework for the implementation of the Convention at the global level

The Meeting of the Parties,

Recalling that 60 per cent of all freshwater courses worldwide cross borders and that 40 per cent of the world's population live in shared basins,

Recognizing that, given the growing pressures on shared waters and the increasing impacts of climate change, cooperation among riparian States on transboundary rivers, lakes and groundwaters is key to ensure sustainable development and peace,

Seeking to create a global intergovernmental framework for transboundary water cooperation under the auspices of the United Nations, to foster advancement in this area at the policy, legal and technical levels, and to promote coherence and coordination of interventions by different actors,

Recalling decision III/1 amending the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) to enable the accession by all United Nations Member States and the amendment's entry into force on 6 February 2013,

Also recalling decision VI/3 approving any future request for accession to the Convention by any Member of the United Nations not a member of the United Nations Economic Commission for Europe (ECE),

Emphasizing the enrichment of the work under the Convention arising from its global opening, and the active participation and contributions since 2012 of over 60 countries from outside the ECE region, fostering broad exchanges of experience and good practices, to the benefit of both ECE and non-ECE countries,

Reaffirming therefore the value of global membership in the Convention and participation in its activities by countries worldwide,

Recognizing the importance of strong partnerships for building awareness and capacity and supporting implementation of the Convention at the global level, as reflected in decision VII/4 on cooperation with partners for the implementation of the Convention,

Welcoming the entry into force of the Convention on the Law of the Non-navigational Uses of International Watercourses (Watercourses Convention) on 17 August 2014,

Reaffirming the coherence and compatibility of the two Conventions, as recognized in numerous studies, and stressing the importance of their joint implementation,

Recalling the adoption by the international community of the 2030 Agenda for Sustainable Development, including the establishment of Sustainable Development Goal 6 to “Ensure availability and sustainable management of water and sanitation for all”, with target 6.5 calling for transboundary cooperation to implement integrated water resources management,

Emphasizing the important role that can be played by both Conventions to support countries in implementing the 2030 Agenda for Sustainable Development, the Sendai Framework for Disaster Risk Reduction 2015–2030 and the outcome of the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change in Paris,

1. *Encourages* United Nations Member States to accede to both Conventions and to implement them jointly;

2. *Calls upon* Parties to assist other Member States from within and outside the ECE region in their efforts to accede to and implement the Water Convention and the Watercourses Convention, including through advice, exchange of experience and development cooperation activities;

3. *Invites* interested countries from outside the ECE region to participate in and contribute to the activities in the Water Convention’s programme of work, in particular by sharing their experience;

4. *Requests* the secretariat to facilitate the participation of interested non-ECE countries in the Water Convention’s activities, including through communication and outreach, arranging for interpretation into Arabic and Spanish at its intergovernmental meetings, and translation of official documentation and publications into these languages, as needed and subject to the availability of resources;

5. *Also requests* the secretariat, in consultation with the Bureau, to develop and implement activities of the Water Convention’s programme of work in interested non-ECE countries upon their request, in order to build capacity and foster the Convention’s implementation, in close cooperation with national, regional and global partners and subject to the availability of resources;

6. *Calls upon* bilateral and multilateral donors to provide resources to support participation of eligible countries as well as implementation of the Convention and its programme of work in interested countries worldwide;

7. *Invites* relevant international organizations, financing institutions, non-governmental organizations, academia and other stakeholders to use both Conventions, as well the Water Convention guidance documents and programme of work, as a basis for their activities on the ground;

8. *Entrusts* the Bureau and the Working Group on Integrated Water Resources Management, in cooperation with non-Parties, key partners and the secretariat, to develop a strategy for the implementation of the Convention at the global level, including the relationship with the Watercourses Convention and the role of key partners, for adoption at its next session;

9. *Also entrusts* the Bureau and the Working Group on Integrated Water Resources Management, in cooperation with non-Parties, key partners and the secretariat, to develop a strategy for the Convention's contribution to the achievement of the water-related Sustainable Development Goals and targets, including their follow-up and review activities under the high-level political forum on sustainable development;

10. *Greatly welcomes* the fact that non-Parties and observer organizations present at the seventh session have associated themselves with this decision.

Decision VII/4 Cooperation with partners for the implementation of the Convention

The Meeting of the Parties,

Recognizing the significant progress made since the entry into force in 1996 of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, which provides a sound legal framework and an effective intergovernmental platform for the promotion of cooperation and the sustainable management of water resources at the basin, regional and international levels that are key for peace and sustainable development,

Also recognizing that such progress has only been possible thanks to the cooperation and contribution of many partners,

Recalling its decision III/1 opening the Convention for accession by all United Nations Member States,

Also recalling its decision VII/3 establishing a framework for the implementation of the Convention at the global level,

Further recalling the adoption by the international community of the 2030 Agenda for Sustainable Development, including the establishment of Sustainable Development Goal 6 to "Ensure availability and sustainable management of water and sanitation for all", with target 6.5 calling for transboundary cooperation to implement integrated water resources management,

Affirming the need to further strengthen partnerships in order to reach the objectives of the Convention at the global level and the water-related Sustainable Development Goals and targets, in particular as this will entail strengthening cross-sectoral cooperation,

Recalling its decision VI/4 on cooperation with the Global Environment Facility (GEF) and its decision VI/5 on cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO),

1. *Emphasizes* the importance of partnerships with international organizations, in particular regional commissions and other UN-Water members, financing institutions, joint bodies, non-governmental organizations (NGOs), academia and the business sector to strengthen transboundary water cooperation, support the Convention's implementation on the ground and ensure the execution of its programme of work;

2. *Expresses its appreciation* for the results of the cooperation with GEF following decision VI/4;

3. *Decides* to continue cooperating closely with GEF — coordinating activities and exchanging experience, in particular between the GEF International Waters Learning

Exchange and Resource Network (IW:LEARN) and the different bodies and activities under the Convention;

4. *Entrusts* the secretariat and the Bureau to further strengthen the cooperation with GEF on different levels — including discussing modalities for formalizing the cooperation, the preparation and submission of project proposals according to GEF procedures and their implementation, and the use by GEF of the Convention and its tools in its interventions — and to report on this cooperation at the next meetings of the Working Group on Integrated Water Resources Management and at the eighth session of the Meeting of the Parties to the Convention;

5. *Expresses its appreciation* for the results of the cooperation with UNESCO following decision VI/5 and decides to continue and further strengthen this cooperation;

6. *Also expresses its appreciation* to the many partner organizations that have actively contributed to the implementation of the Convention and its programme of work in the past intersessional period (see ECE/MP.WAT/2015/1), and for the efforts to ensure coordination and synergies;

7. *Decides* to continue and further enhance cooperation with existing partners and to seek new partnerships, in particular in the light of the global opening of the Convention and of the implementation of the 2030 Agenda for Sustainable Development, the Sendai Framework for Disaster Risk Reduction 2015–2030 and the outcome of the twenty-first session of the Conference of the Parties of the United Nations Framework Convention on Climate Change in Paris;

8. *Invites* relevant international organizations, regional commissions and other UN-Water members, financing institutions, NGOs, joint bodies, the business sector, academia and other potential future partners to identify areas of mutual interest and cooperation possibilities and to signal those to the secretariat;

9. *Entrusts* the secretariat and the Bureau to further develop and formalize the modalities of existing and future partnerships, as appropriate and needed;

10. *Decides* to regularly review progress and gaps in the development of partnerships, also in connection with the development of the strategies for the implementation of the Convention at the global level and its contribution to the achievement of the water-related Sustainable Development Goals, at the next meetings of the Working Group on Integrated Water Resources Management and the eighth session of the Meeting of the Parties;

11. *Greatly welcomes* the fact that non-Parties and partner organizations present at the seventh session have associated themselves with this decision.

Principles for Effective Joint Bodies for Transboundary Water Cooperation

1. According to the definition of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention), a “joint body” means any bilateral or multilateral commission or other appropriate institutional arrangements for cooperation between the Riparian Parties. The existing joint commissions and other joint bodies for transboundary water cooperation differ from one another, for example, in terms of the scope of application, competence, functions, powers and organizational structure. Because of this diversity of institutional arrangements for transboundary water cooperation, it is challenging to draw general conclusions or make recommendations about their set-up or operation. Furthermore, the practice of existing joint bodies has been established in specific hydrological, political, economic, ecological/environmental and social contexts.
2. Nevertheless, the experience of joint bodies and the development of international law on the management of transboundary water resources can provide a basis for identifying certain principles of organization and activities that generally increase the efficiency of joint bodies and can contribute to reaching a mature level of cooperation between the riparian States.
3. The principles aim to synthesize valuable lessons from the collective experience of joint bodies for transboundary water cooperation, Parties to the Water Convention and other States, as well as other stakeholders.
4. The principles of organization and activities set out below generally increase the efficiency of joint bodies for transboundary water cooperation and contribute to reaching a higher level of cooperation between riparian States. Despite the effort to make the principles general enough to be widely applicable, it is acknowledged that, due to the differences between such joint bodies related to their mandates and the scope of their work, as well as to the challenges that they address, not all the principles will be applicable or relevant in each case.

A. Establishment, structure and functions

5. **Broad competence.** The broad competence of a joint body allows for addressing in a complex way, on the basis of an integrated water resources management approach, the entire spectrum of issues related to the sustainable development, management, use (including infrastructure) and protection of transboundary waters.
6. **Clear definition of the waters.** A clear definition of the waters subject to cooperation, in accordance with the basin approach, is crucial, as well as the participation of all basin countries in a joint body. The conclusion of bilateral agreements and the establishment of bilateral joint bodies for boundary or frontier waters (i.e., depending on the approach, from the section of the transboundary waters around the border to the whole transboundary basin) is important; however, it should not be regarded as a substitute for cooperation on the entire transboundary basin(s). Aquifers and other groundwater bodies should be considered in the scope of agreements, although drawing up a separate agreement on groundwaters, particularly where a given aquifer is unrelated to surface waters or cannot be easily assigned to a specific international river basin, is also an opportunity. Including coastal waters in the scope of agreements should be encouraged.

7. **Clearly defined tasks and powers.** Tasks and powers⁶ for the joint body need to be clearly defined, and these need to be sufficient for effective activities related to the management, development, use and protection of transboundary waters. Tasks and powers sufficient to ensure the effective activities of a joint body will differ from case to case. The Water Convention lists the non-exhaustive core set of tasks of joint bodies, at the same time allowing Riparian Parties to tailor their institutional framework for cooperation to their specific needs.

8. **Adequate organizational structure.** An organizational structure that allows for developing and adopting decisions as well as implementing them is essential. This entails the existence of decision-making, executive and working (technical) bodies, including preferably a permanent organ (secretariat) to support the activities of a joint body. It also requires a clear definition of tasks and functions for each body in the organizational structure.

9. **Adequate representation of national authorities.** An adequately broad and comprehensive representation of national authorities in the joint body should be ensured, implying participation beyond the water management authorities to include representatives from the areas of environment, fishery, agriculture, transport, health and energy, the hydrometeorology authorities and ministries of economy and finance, as appropriate. An appropriate breadth of representation of authorities is linked to the actual water uses in the shared basin or aquifer and their relative importance. A balance may need to be struck between ensuring that the different interests and concerns are considered and maintaining the structure at a size and scope that allows it to operate effectively. If very broad participation in the joint body is not practical, opportunities for coordination, including regular consultations with non-represented State agencies should be provided.⁷

10. **Flexible agreement.** A certain flexibility of the agreement establishing the joint body is needed, making it possible to progressively develop cooperation, in terms of scope, mandate and the riparian States involved. When a basin-wide agreement by all riparian States cannot be reached, cooperation may start from an agreement and a joint body established by some of the riparian States, with a view to attracting all riparian States to participate in the future.

11. **Availability of support.** The availability of technical, informational, scientific and other support for the activities of joint bodies, through the appropriate design of the organizational structure, is critical. The establishment of subsidiary bodies like working groups or task forces on topics of relevance to the work of the joint body allows for flexibility in responding to thematic issues, including emerging ones, and for involving the necessary technical expertise. They are also potential forums for involving external expertise and for public participation.

12. **Regularity.** The principle of regularity in the work of a joint body implies a clearly agreed meeting schedule ensuring regular meetings on all levels.

⁶ The functions of joint bodies, as described in *River basin commissions and other institutions for transboundary water cooperation*: Capacity for water cooperation in Eastern Europe, Caucasus and Central Asia (ECE/MP.WAT/32, United Nations publication, Sales No. E.09.II.E.16, available from <http://www.unece.org/index.php?id=11628>), include: (a) a coordination and advisory function; (b) an executive function; and (c) a control of implementation and dispute settlement function. These can be further detailed in the tasks.

⁷ The Global Environment Facility (GEF) has as a principle for its projects to establish an inter-agency committee for the preparation of transboundary discussions. This could be an option to involve a broad or full inclusion of agencies. Too many actors in the actual commission may lead to an unfocused discussion.

13. **Availability of information.** A good information basis to support the activities of a joint body, including joint studies of the basin, is necessary. This refers to the availability of information on, among others, the quality and quantity status of waters, environmental and biodiversity conditions, economic and social conditions, and water uses and other pressures. A valuable part of this may be an analysis of the national authorities, organizations and institutions in each riparian State to identify their competences, functions and expertise contributing to integrated water resources management, as well as to ensure the close cooperation of all the relevant national authorities with the joint body, which can be complemented with a stakeholder analysis.⁸

14. **Mandate to identify and assess benefits.** A mandate to identify and assess accurately the potential benefits of transboundary water cooperation, taking into account economic, social, environmental and geopolitical aspects, is beneficial.

B. Operation

1. Procedural considerations

15. **Accountability mechanisms.** Effective accountability mechanisms for the joint body should be in place to ensure the implementation of its activities and obligations.

16. **Mechanisms for cooperation and implementation.** Effective mechanisms for cooperation of the joint body with national authorities are necessary, as well as the availability of mechanisms to support implementation of decisions.⁹

17. **Clearly defined reporting lines and mechanisms.** Clearly defined reporting lines and mechanisms should be established.

18. **Public participation and stakeholder involvement.** Mechanisms for public participation and stakeholder involvement in the activities of the joint body are key. Appropriate tools for public participation and stakeholder involvement should be selected according to their purpose — i.e., to identify stakeholders and the interested public, to notify, inform or consult the stakeholders and the public, or to take due account of their comments — reflecting also the specific context and the objectives. For a consistent provision of necessary funds to support public participation and stakeholder involvement, it is important to institutionalize the mechanisms for participation of stakeholders and public. Drawing on the United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, the following criteria should be taken into account for effective public participation and stakeholder involvement: equity and inclusiveness; accountability and transparency; flexibility; effectiveness and responsiveness.

19. **Neutral facilitators and external expertise.** Neutral facilitators and external expertise are valuable in the process of initiating or restarting a dialogue and cooperation.¹⁰

⁸ The Transboundary Diagnostic Analyses, promoted by GEF, which are science-based analyses of transboundary water-related concerns and opportunities that exist in multi-country water systems, can be mentioned as an example of a broad-based study of a transboundary basin or an aquifer. They are used to identify priorities for joint action, as well as the root causes and scope of the concerns or opportunities.

⁹ See footnote 7 above on inter-agency committees. An appropriate intersectoral scope also serves coordination.

¹⁰ Advice and practical case-tailored assistance can be provided by the Water Convention's Implementation Committee in a facilitative, supportive and preventive manner, in accordance with the cooperative spirit of the Convention.

20. **Coordination with other joint bodies.** Activities should be coordinated with other joint bodies in the same catchment area, as well as with relevant joint bodies established for the preservation of the marine environment.

21. **Exchange of information and data.** The joint body should function as a forum for the exchange of information and data, including on planned measures and activities, and for the harmonization of monitoring approaches.

2. Selected technical aspects

22. **Ensuring the consideration of groundwater issues.** A mechanism that ensures the involvement of groundwater expertise and the consideration of groundwater issues in the work of the joint body, whose scope includes integrated management of transboundary surface water and groundwater, is needed.

23. **Facilitation of impact monitoring and assessment.** Facilitation of the assessment of impacts (transboundary and intersectoral) from developments in the basin, and the agreement on such assessments between the riparians at the transboundary level, is crucial. The joint body should provide a framework for monitoring of the long-term impacts of infrastructure projects and then, as appropriate, for signalling or even agreeing on the possible need for mitigation or compensation.

24. **Capacity to adapt to change.** It is essential that the joint body has the capacity or can provide the means to flexibly handle variations in water availability and water quality, allowing for adjustments to changes in flow resulting from climate variability and change, as well as to respond to extreme hydrological events.

25. **Early warning mechanisms.** Early warning mechanisms, e.g., alert systems in case of emergencies such as accidental pollution, extreme weather events, landslides, etc., should be in place.

3. Financial and human resources

26. **Adequate financial and human resources.** Adequate, stable and timely financial and human resources in the riparian States and in the secretariat of a joint body (where it exists) are necessary to support, in a sustainable manner, the joint body's organizational structure; to ensure the development, adoption and implementation of decisions and, as appropriate, to provide means for the implementation of joint programmes.

27. **Financial sustainability.** Financial sustainability of a joint body should be ensured by clearly defining the financial commitments of the Parties and by analysing possible additional funding mechanisms. As a priority, coverage of defined core costs and minimum functionality should be ensured. The financial contributions from member countries and their in-kind responsibilities, where applicable, should be clearly defined. As appropriate, the expectations need to be reflected in a corresponding mandate for fundraising. While some funding can be provided by external donors, especially in the beginning, it is important to ensure that the operation and basic functions of a joint body are eventually supported by the riparian States themselves. Involvement of the private sector and other innovative arrangements can be explored as complementary sources of funding, but caution should be exercised not to depend heavily on such sources.
