Item 4(c) Supporting the development of agreements and the establishment of joint bodies

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1. Elaboration of a Practical Guide on the development of agreements or other arrangements for transboundary water cooperation

Background

Nur-sultan, 10-12 October 2018, Meeting of the Parties to the Water Convention adopts programme of work for 2019-2021

Programme of work includes checklist
Preparation of the first draft annotated outline (secretariat in cooperation with several partners)

28-29 July 2020, Virtual Workshop
Tailored to support the preparation of the checklist and to gather input from participants

30 September-2 October, 15th meeting of the WGIWWRM
Draft annotated outline submitted for consideration and review by the Working Group

27 Nov. 2020 - Present Drafting group
Formation of a drafting group and development of the text of the checklist
Virtual Workshop on designing legal frameworks
28-29 July 2020

Virtual Global workshop in partnership with Hungary, Germany, INBO, IUCN; GWP; University of Northumbria; Geneva Water Hub/University of Geneva, ICPDR, OMVS to take stock of existing experience worldwide with drafting and design, explore common challenges and gather lessons learned.

Objectives:
- The main objective of the Virtual Workshop is to assist countries and/or other relevant stakeholders in the design and drafting of agreements or other arrangements for transboundary waters.
- The Workshop was tailored to support the preparation of a checklist on developing legal frameworks for transboundary water cooperation.

Outcomes of the Virtual Workshop – Key messages
- Developing an agreement/arrangement remains first and foremost a negotiation process.
- The implementation of the agreement/arrangement should be thought of and anticipated from the drafting stage.
Background Practical Guide Development (Drafting Group)

- **Drafting phase I**
  - **27 November 2020**, 1st meeting of the DG. Agreement on allocation of responsibilities

- **Drafting phase II**
  - **28 January 2021**, 2nd meeting of the DG. Main issues related to first draft are discussed

- **Review phase**
  - **25 March 2021**, 3rd meeting of the DG. Agreement on allocation of responsibilities

- **Finalization phase**
  - **26-28 April 2021**, Review by WGIWM and focal points

- **29 Sept – 1 Oct 2021**
  - MOP of the Water Convention and submission of the Checklist

- **Group of experts (Hungary (Lead Party) as Chair) with proven experience in working on the development and practical implementation of legal arrangements for transboundary water resources.**

- **Responsibilities**: written inputs, selection of cases studies, peer review and editing

9° session of the Meeting of the Parties to the Water Convention

29 September – 1 October 2021 Geneva & Hybrid
2. About the Practical Guide

• Aimed at supporting countries in the design and drafting of agreements or other arrangements for transboundary waters
• Focus on content and drafting options rather than on process
• Target audience: State representatives, legal and technical experts, decision-makers involved in negotiation of agreements or other arrangements for transboundary waters, the staff of river basin organizations, regional organizations, and other stakeholders working on transboundary cooperation and water diplomacy are the target audience of the Practical Guide.
3. Practical Guide on the development of legal frameworks for transboundary water cooperation

Practical Guide to serve as an agreement/arrangement builder

- 3 Parts
- 6 thematic modules
- **Building blocks**: provisions/issues that countries may consider including within each module
- **Key aspects**, help define content of building blocks
- **Introductory text** to each building block, setting out its context and rationale;
- **Key considerations**, which explain different approaches that might be taken within the arrangements, and the implications thereof;
- **Examples from treaty practice** that illustrate how to frame a particular provision; and
- **Supporting resources**, assist in further developing the content
4. Proposed future activities for 2022-2024 workplan

• The “Practical Guide on the development of agreements and arrangements for transboundary water cooperation” will be further developed into an online toolkit, with good practices collected, links to agreements, etc.

• Two regional or basin workshops on developing agreements and establishing joint bodies will be organized to support cooperation processes, promoting the “Practical Guide on the development of legal frameworks for transboundary water cooperation” and the “Principles for Effective Joint Bodies for Transboundary Water Cooperation”, and facilitating the exchange of experiences.
5. Proposed future activities for 2022-2024 workplan (cont’d)

• **Upon request from the concerned countries and pending the availability of resources**, a number of **basin-level projects supporting the development of agreements and strengthening of institutions** will be implemented. Possible basins for the implementation of such projects include the Lake Chad basin and the Lake Kivu/Ruzizi River basin, the Bug-Neman, Chu-Talas, Comoé-Bia-Tanoé, Dniester, Drin, Euphrates and Tigris, Gambia, Kura, Mejerda, Mono, Motagua, Ogooué-Ntem-Nyanga-Komo, Okavango-Cubango, Prut, Rio Jurado, Tisza and Volta River basins, as well as the Ocotepeque and Senegalo-Mauritanian aquifer basins and the Trifinio region.

• **Activities will also include support to regional cooperation**, such as work on dam safety and water quality in Central Asia, support to regional economic communities in Africa and in Latin America for the development of regional frameworks for water cooperation.
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Thank you

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