

General guide on how to proceed step by step to accede to the Convention



UNECE

Opening remarks

The roadmap is **recommendatory in nature and not prescriptive** because each country has an administrative organization and procedures that are specific to its domestic legal order.

The different steps outlined in the roadmap are drawn from **good practices and lessons learned** from the finalized accession processes to the Water Convention.

Accession articles for the Conventions

Any Member State of the United Nations may be a party to the two Global Water Conventions

Water Convention (1992): for States outside the UNECE region, accession is based on **Articles 25 and 26** of the ***Convention as amended*** and entered into force since 6 February 2013, in accordance with Decision VI/3 of the Meeting of the Parties on accession by non-UNECE countries

Watercourses Convention (1997): procedure based on **Article 35** of the Convention

Descriptive diagram of the accession process



Preliminary discussion and expression of interest by the Ministry in charge of water

- Appointment of focal points and participation in activities
- Article-by-article review of the Convention by technical and legal services to establish compatibility with commitments
- Presentation of the Convention and discussion between the relevant departments of the Ministry
- Sending a letter of expression of interest

Discussion extended to relevant sectoral ministries and the Ministry of Foreign Affairs as well as any relevant actors

- Discussion in an informal setting (exchange meeting) preparatory to the national workshop) or formal (creation of an interdepartmental committee or working group).
- Prepare the list of questions and topics around the benefits and opportunities to be addressed during the workshop

Organization of a national workshop on the Convention

- Discussion on the benefits of the Convention and the challenges of implementation between key actors for the accession process (relevant sectoral ministries, Ministry of Foreign Affairs, parliament, prime minister, basin bodies, civil society etc.), experts of the Water Convention (Convention secretariat, international experts) and technical and financial partners

Start of the national procedure for ratifying treaties (with a view to accession)

- Procedure varies from country to country but requires close collaboration between the Ministry in charge of the water sector, the Ministry of Foreign Affairs, the Prime Minister, the Parliament, the Office of the President of the Republic and the Secretariat of the Water Convention
- The duration of the procedure varies from country to country and depends on the level of political commitment of the Ministry of Water and the functioning of the institutions.

Descriptive diagram of the standard procedure for ratifying treaties (to be checked with the relevant ministries)

Consideration of the accession project by the Government

- Preparation of the presentation note to the Council of Ministers by the Ministry in charge of water in close collaboration with the Ministry of Foreign Affairs and the General Secretariat of the Government
- Examination of the draft ratification in the Council of Ministers



Review of the constitutionality of the membership project (if necessary)

- Examination by the Constitutional Court or the Supreme Court depending on the country



Examination of the draft accession to Parliament

- Examination and discussion by the competent Law Commission
- Discussion and adoption in plenary by Parliament of the law ratifying the Convention



Signature by the President of the Republic of the instruments of ratification

- Preparation of instruments of ratification by the Ministry of Foreign Affairs
- Instruments should refer to Decision VI/3
- Signature by the President of the Republic
- Publication in the Official Journal
- Publication in the Official Journal



Deposit of the instruments of ratification in New York

- Deposit of instruments of ratification according to the Convention with the Treaty Section of the United Nations Secretariat in New York
- Coordinate the repository with the secretariat of the Water Convention

Lessons learned from accession processes

- It is crucial that a dedicated focal point (ideally senior official), assisted by other staff, follows the process proactively
- Important to mobilize high-level political support
- Link accession to existing commitments such as SDGs
- Support by the regional organizations and basin organizations is very useful
- Importance to involve different crucial ministries early on, such as Foreign Affairs and Justice

Thank you for your attention!

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Possible support from the Water Convention



- Legal and technical support by the secretariat (helpdesk) and, if requested, the Implementation committee can answer questions
- Financial and technical support for the organization of one national workshop on the Convention
- Expert missions
- Support can be facilitated from other existing Parties (“twinning”)
- Support for the participation of experts from eligible countries in activities under the Convention with a view to sharing experience and capacity-building on the Convention