

Pan-European Regional Preparatory Meeting for the United Nations 2023 Water Conference
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Statement made by GREECE from the floor during the Session on Groundwaters

Model Provisions on Groundwaters of the UNECE Water Convention

The UNECE Water Convention addresses groundwaters without distinguishing them from surface waters, thus providing for its application to both kinds of waters.

However, the distinguishing features of groundwaters, such as their vulnerability in case of pollution, in connection to their non-renewable, or less renewable, character compared to surface waters, appeared to call for special regulatory guidance and the adoption of special protective measures for the proper and effective application of the legal regime of the Convention in this area.

The UN International Law Commission, provided, in its 2008 Draft Articles on the Law of Transboundary Aquifers, a consolidation of the general principles of international water law applicable in this area, such as the equitable and reasonable utilization principle, the no-harm rule and the obligation to cooperate.

Building on this, the Meeting of the Parties to the Water Convention adopted, in 2012, the Model Provisions on Groundwater with commentaries, to assist States willing either to conclude a Protocol additional to an existing water agreement lacking specific reference to groundwater, or to include provisions addressing groundwater and transboundary cooperation in the main body of agreements or arrangements on transboundary waters.

Allow me to stress that the Model Provisions aim to provide concrete guidance for implementing, with regard to groundwater, the Water Convention, in the light of the lessons learnt and the experience gained from its implementation. [They reflect the basic customary rules and principles of international water law as firmly consolidated and codified by the Water Convention.]

Their main added value does not lie so much in an attempt to promote new law, as much as in the promotion of the application of existing law to the specificities of groundwater, with the aim of assisting aquifer States in preserving groundwater bodies to the maximum extent reasonably possible.

Thank you for this opportunity.