



Global Workshop on the Development of Transboundary Water Cooperation Agreements or other Arrangements

CONCEPT NOTE

7-8 November 2023 | Budapest | Hungary

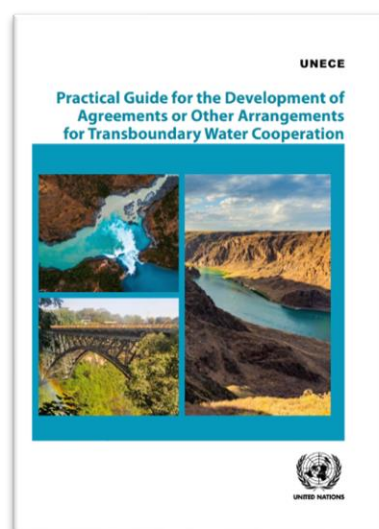
I. Background and Rationale

Transboundary rivers, lakes, and aquifers play a vital role in supporting the livelihoods of billions of people worldwide. Roughly 60% of global freshwater flow is in shared basins. About 40% of the world's population lives in shared basins. The development of operational arrangements on shared waters serves as a fundamental instrument to prevent conflicts and ensure effective, equitable and sustainable use and management of water resources. Operational arrangements enhance cooperation, promote peace, prevent conflicts, and protect ecosystems. Cooperation in the management of shared water resources is also key to reducing water-related risks – such as floods and droughts, and to increasing resilience to climate change.

However, the development and management of transboundary water resources have historically been fraught with challenges. Divergent interests, inadequate legal frameworks, and limited technical capacity have often impeded equitable and sustainable cooperation among riparian states. This has led to disputes, environmental degradation, and hindered socio-economic development in many regions. The current status of basin cooperation around the world varies significantly depending on the specific region and water basin in question. The UNECE-UNESCO report “Progress on Transboundary Water Cooperation 2021 - Global status of SDG indicator 6.5.2. and acceleration

needs” shows that out of 153 states sharing transboundary lakes, rivers or aquifers, only 24 have all their basins covered by operational arrangements¹. Moreover, some basins with existing legal and institutional frameworks for transboundary water cooperation face numerous challenges, including those related to climate change. Therefore, more efforts are needed in all regions of the world, to develop new agreements and strengthen existing ones to ensure that transboundary rivers, lakes and aquifers are governed equitably and sustainably.

The adoption of agreements or other arrangements is one of the main obligations under the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention). The Convention on the Law of Non-Navigational Uses of International Watercourses (Watercourses Convention) also recommends harmonizing existing agreements with the basic principles of the Convention. To promote the development of agreement or other arrangements, the publication entitled “[Practical Guide for the Development of Agreements or Other Arrangements for Transboundary Water Cooperation](#)” (Practical Guide) was developed by a drafting group and adopted during the ninth session of the Meeting of the Parties to the 1992 Water Convention. The Practical Guide aims to support countries and other stakeholders in the design and drafting or review of agreements or other arrangements for transboundary waters, including both surface waters and groundwaters. In response to the abovementioned challenges, this Global Workshop will present how the Practical Guide and other relevant materials and tools developed by partners can help in drafting new or improving existing transboundary water agreements. The workshop endeavours to empower states, basin organizations and other relevant stakeholders to develop effective cooperation frameworks and ensure the equitable and sustainable management of shared water resources.



II. Objectives

The key objective of the workshop is to support states, basin organizations, international and regional organizations in discussing and developing, through a step-by-step approach, agreements and other arrangements on transboundary rivers, lakes and aquifers. The workshop will provide practical and interactive opportunities for countries and other international and regional actors to learn how to develop sustainable, adaptable and effective transboundary water agreements or to revise existing ones on the basis of case studies from all over the world. Specific attention will be paid to legal and institutional tools and techniques to prevent or mitigate conflict risks and foster cooperation. By sharing insights and experiences, the workshop aims to foster a deeper understanding of how to develop and revise agreements or other arrangements that not only enhance transboundary water cooperation but also mitigate potential conflicts and may contribute to supporting peace in fragile contexts.

¹ For an arrangement to be “operational” in accordance with SDG indicator 6.5.2, there should be an established joint body or mechanism, at least annual meetings and exchanges of data and information between States, and joint or coordinated water management plan(s), or similar instruments must be in place. See UNECE and UNESCO, Step-by-step monitoring methodology for SDG indicator 6.5.2 (revised version, 2020), <https://www.unwater.org/publications/step-step-methodology-monitoring-transboundary-cooperation-6-5-2>.

More specific objectives are to:

- To provide practical guidance and support for negotiating agreements or other arrangement, including in complex environments through a systematic, step-by-step process, also in cases where cooperation is complicated;
- To share knowledge, experiences, and lessons learned on proven strategies for crafting effective transboundary water agreements or other arrangements that yield mutual benefits for countries and basins;
- To create a conducive environment for acquiring valuable insights into conflict prevention and the promotion of harmonious practices in water management, enhancing the prospects of peaceful cooperation;
- To provide a platform for networking, establishment of valuable partnerships, and strengthening collaborative efforts to develop agreements or other arrangements;
- To contribute to the broader understanding of the pivotal role of legal and institutional frameworks in achieving sustainable development, conflict prevention and regional stability, and environmental protection.

III. Target audience

The workshop is targeted at government representatives, legal and technical experts, and decision-makers directly engaged in the processes of negotiation and establishment of new agreements, revision of existing agreements or other arrangements for transboundary waters.

Targeted participants will also include representatives of joint bodies' secretariats, Parties of existing joint bodies/Conventions, intergovernmental and non-governmental organisations promoting transboundary water cooperation, experts, and academia.

The workshop aims to assist basins which have recently embarked on the development of agreements or are committed to start such process in the near future.

IV. Format of the workshop and the sessions

The workshop will employ a combination of interactive sessions, panel discussions, case studies, group work and practical exercises to address common challenges related to the development of legal arrangements and, more broadly, transboundary water cooperation. Participants will have the opportunity to engage in peer-to-peer learning and knowledge exchange.

The workshop will review the key steps in the process of developing legal arrangements in line with the Practical Guide, addressing issues pertinent for states in early or more advanced stages of cooperation.

The following themes are foreseen to be covered:

- 1. Getting the process of developing legal frameworks started:** How to agree on having an agreement or other arrangement? When to formalize cooperation within a legal arrangement? What does such cooperation imply? What are the prerequisites, or likely barriers, to initiating the negotiation of an agreement? How to create the conditions to support the political willingness necessary to start the negotiation of a legal framework? Which actors, tools and circumstances can help to initiate the negotiation process? What can be the role of third parties? Which level/ sector at the national level should be involved in the

negotiation process? How to develop a common understanding of shared benefits, including outside the water sector?

2. **Design the content of legal frameworks:** What are the elements that countries may consider in light of their particular context? Which water management and protection issues can an agreement address, and how might such issues be determined? What are the different designs of agreements or other arrangements? What are the provisions that form the basic structure of an agreement or other arrangement? What to consider when drafting provision on the scope? How to address groundwater? Should the arrangement include provisions on procedural norms? Should the arrangement include provisions on sectoral and intersectoral issues? What type of legal provisions contribute to the establishment of an effective institutional framework, including inter basin mechanisms, allowing the expression of a strong political will and the development of ambitious development plans delivering concrete benefits? What legal and technical aspects might an arrangement cover to make it functional? How can the financing base for the implementation agreements or other arrangements be secured? What are the practices, tools and methods on conflict prevention, mitigation and settlement? How to enhance existing practices in light of the specific features of international watercourses?
3. **Evolution of existing legal frameworks:** What are the practices, tools and methods that can be put in place to ensure that agreements or other arrangements take into account changing needs and circumstances? When might agreements need to be amended? How to develop protocols and rules of procedure? How can consistency with customary international law, the global water conventions or regional directives be ensured when amending existing agreements? What should be the role of RBOs in amending existing arrangements? How can a cooperation regime progressively evolve over time in legal and, consequently, institutional terms? What are possible alternatives to amending a legal framework?
4. **Conflicts prevention and dispute settlement over shared water resources:** Which factors, approaches, and tools are available to mitigate or prevent risks of conflict? What are the practices and tools of dispute settlement and compliance monitoring that might be incorporated within an agreement? What can be the role of third parties such as RBOs, Global Convention mechanism (e.g. Water Convention implementation Committee) etc.?

V. Partners

The workshop will be organized under the leadership of the Governments of Hungary and Germany, with the support of the secretariat of the Water Convention. Funding for the workshop is provided by Germany, Hungary, GEF IW-LEARN.

The following organizations are partners in organizing this workshop: GEF IW-LEARN, Geneva Water Hub/University of Geneva, Global Water Partnership (GWP), International Network of Basin Organizations (INBO); International Union for Conservation of Nature (IUCN), Northumbria University, World Bank (WB) and others.

VI. Practical information

The workshop will start at 9.00 a.m. on Tuesday, 7 November, and it will end at 6.00 p.m. on Wednesday, 8 November. The working languages will be English, French, Russian, Spanish, and Arabic. Simultaneous interpretation in all these languages will be provided during all plenary sessions.

Requests for financial support from developing countries and countries with economies in transition could be submitted using the financial support request form to the Secretariat (john.sasuya@un.org), duly signed by the authorized high-level official. **No applications will be accepted after 26 September 2023.** Given the limited funding available for this workshop, priority will be given to participants engaged in the development and implementation of agreements or other legal arrangements for transboundary cooperation.

Participants requiring entry visas should inform the Water Convention Secretariat as soon as possible. Since Hungary is part of the Schengen Zone, obtaining a visa might take up to 5 weeks. Participants needing a visa are therefore requested to submit their application as soon as possible and initiate visa procedures **not later than 29 September 2023.**

In accordance with United Nations accreditation procedures, delegates attending the meeting are required to register **as soon as possible, but no later than 20 October 2023**, at the following link: <https://indico.un.org/event/1007489/>.

For assistance with registration, please kindly find some links with instructions on registration at:

- [How to create an indico account](#)
- [How to register for an online meeting](#)

Further information and relevant material will be made available on the following website in due course: <https://unece.org/water-global-workshop-2023-budapest>