

UNECE

FREQUENTLY ASKED QUESTIONS ON THE 1992 WATER CONVENTION

with the Road map to facilitate accession processes



UNITED NATIONS

UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE

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ACCESSION PROCESSES**



United Nations

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FOREWORD

Through the adoption of the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals, the international community has committed to promoting peace, equality and sustainability. Cooperation on transboundary waters, which cover nearly half of the world's surface, is fundamental to the implementation of this transformative agenda. Transboundary waters not only unite populations across borders, they drive economic prosperity and sustain ecosystems.

Cooperation on transboundary waters brings numerous benefits. The 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention), serviced by the United Nations Economic Commission for Europe (UNECE), has fostered cooperation at both political and technical levels and has achieved many concrete results, including improvements in water quality, better human health, the mitigation of the impacts of floods and droughts, and the conservation of ecosystems. It has thus contributed to regional integration and the prevention of conflicts across the pan-European region and beyond. Building on these successes, the Water Convention was opened to all United Nations Member States in 2016.

Pressure on water resources is increasing across the globe, including through climate change, pollution and the growing demands for water. A global Water Convention is crucial for fostering political will to cooperate, coordinating activities and interventions, galvanizing the commitments made by a broad range of actors, tracking progress, and monitoring hotspots. It provides a framework for bringing together development interventions and preventive diplomacy.

Accession to the Water Convention of the first countries from outside the UNECE region, namely Chad (2018), Senegal (2018) and Ghana (2020), and ongoing accession processes in many other countries are promising developments.

Another important asset to build upon is the entry into force in 2014 of the 1997 Convention on the Law of the Non-navigational Uses of International Watercourses.

Together, these Conventions can strengthen the rule of law in transboundary cooperation worldwide. That is why, the United Nations Secretary-General António Guterres has called upon Member States to join both Conventions and to strive for their full implementation. The United Nations system is committed to supporting governments in these efforts.

I am convinced that the *Frequently Asked Questions on the 1992 Water Convention* will become a powerful tool to support accession to the Water Convention and its implementation, thereby enlarging the community of States cooperating under its framework for the sustainable management of transboundary waters and the well-being of communities around the globe.



Olga Algayerova
Executive Secretary
United Nations
Economic Commission for Europe



Waterfalls in the National Park Krka, Croatia

PREFACE

The Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention), for which the United Nations Economic Commission for Europe (UNECE) provides the secretariat, serves as a mechanism to strengthen national measures and international cooperation for the ecologically sound management and protection of transboundary surface waters and groundwaters.

Originally adopted as a regional treaty, the Water Convention became a global instrument in 2016. Many countries outside the pan-European region are now in the process of accession to the Convention. The Convention's programme of work for 2019–2021 provides strong support to capacity-building activities. Support is provided to countries interested in accession and includes legal and technical advice to help them understand the Convention's provisions and organize national workshops so as to build capacity for the implementation of the Convention and to discuss the benefits of accession.

This publication was prepared to support awareness-raising activities and to build up political support for the Water Convention in line with the strategic objectives of the 2018 Strategy for the implementation of the Convention at the global level. It is based on real questions and requests for clarification received by the Convention secretariat from countries in the accession process in the period 2013–2020. Combining legal theory with easy-to-understand explanations and examples, it covers a wide range of issues, from the principles and obligations of the Convention and the operation of its institutional structure to its added value at global, transboundary and national levels.

This publication was prepared by the secretariat in consultation with the Bureau and the Chair of the Implementation Committee under the Convention. It is based on the *Guide to Implementing the Water Convention* adopted at the fifth session of the Meeting of the Parties in 2009 with updates introduced in 2013, as well as other soft law instruments, tools and publications developed under the Water Convention. Whereas the *Guide to Implementing the Water Convention* constitutes a comprehensive commentary to the Convention's provisions, this publication provides more direct and hands-on answers to the questions that arose in the countries interested in accession.

This publication targets water experts and legal advisers in ministries in charge of water, as well as staff in relevant other ministries (e.g. environment, agriculture, energy, foreign affairs), presidential administrations, and national parliaments in countries interested in accession to the Water Convention. It can also be useful for current Parties to the Convention. Furthermore, it targets basin organizations and technical and financial partners working on the issues of international cooperation and transboundary water management around the world.



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