



The 1997 United Nations Convention on the law of the Non-navigational uses of International Watercourses

What is in it for the European Union Member States?

The UN Watercourses Convention requires states to cooperate on the equitable and reasonable use and management of international watercourses, with a view to attaining their sustainable utilization and adequate protection. **We urge the European Commission services, the European Parliament, and all the Member States to secure the speedy entry into force of the convention**, as a global policy framework necessary to:

- Codify and clarify international water law, thereby levelling the playing field among states and, where necessary, strengthening the ability of weaker countries and vulnerable stakeholders within the basin to voice their interests and concerns;
- Contribute to the development of international water law over time, providing a solid basis for the law to respond to evolving circumstances and emerging issues, such as climate change;
- Inform the adoption (or revision) of regional, basin, and sub-basin agreements and arrangements, in line with EU foreign policy;
- Support the implementation of other multilateral environmental conventions, including with respect to transboundary climate change adaptation and the protection of biodiversity within or dependent upon the ecosystems of international watercourses (see *UN Watercourses Convention booklet*);
- Prioritise the need to tackle transboundary water issues as an international development objective, taking into account the needs and special circumstances of developing countries, in line with the *2008 EC Programming Fiche on Water and Sanitation*;
- Better enable the pursuance of the Millennium Development Goals (*UNSGAB 2006*), at the core of the *European Consensus*, including by helping to advance commitments under the EU Water Initiative;
- Foster consensus-building and dialogue among states sharing water resources, by providing a globally endorsed platform to facilitate the promotion, coordination, and monitoring of transboundary water management initiatives;
- Provide a catalyzing bridge between donor and recipient states for the sharing of relevant knowledge and experience (see the *5th World Water Forum European Regional Document*);
- Improve transboundary water cooperation and sustainable management worldwide, thereby preventing disruptions in food production and, in the long-term, helping to secure European imports of water-intensive foods (see WWF 2008, finding that, based on the water footprint of agricultural products, the UK is 62% dependent on water from elsewhere, including from poorly governed transboundary basins).

Ratification of the UN Watercourses Convention will not require any legislative reform on the part of EU Member States. The convention is in harmony with European legal instruments already adopted and transposed into national legislation. Such instruments, including the EU Water Framework Directive and the UNECE Water Convention, are stricter and more detailed than the UN Watercourses Convention.

- Coordination and cooperation among states within transboundary watersheds, on the basis of sound governance mechanisms, are vital for the promotion of human health and well-being, freshwater conservation, food and energy security, and global peace and political stability—all objectives embedded in the Millennium Development Goals.
- However, most of the world's 263 transboundary basins lack adequate legal protection, either because no agreements are in place, the existing agreements are inadequate in content or scope, or because not all states within a basin are involved (see *UNEP 2006*).
- In Africa, specifically, treaties providing for equitable water use or environmental protection are absent in most international watercourses. Effective institutional arrangements for consultation or cooperation, as well as dispute prevention and settlement mechanisms, are the exception across the continent (*2001 Declaration of African Ministers*).
- In the absence of appropriate joint management frameworks and solid institutions, it is questionable whether states will succeed in addressing the challenge of cooperative water management solely through interstate efforts at the basin level.
- Climate change will make things worse, resulting in severe impacts on already stressed water resources and aggravating the risks for interstate conflicts and mass migration.

- Countries can strengthen policy and institutional capacity by relying on the multi-level legal governance of their transboundary watersheds. Following the successful regional example of the Water Framework Directive and the UNECE Water Convention, the UN Watercourses Convention can address governance deficiencies at various levels, set basic uniform standards across neighbouring regions, and bring all relevant stakeholders together under its broad umbrella for faster progress and better coordination and monitoring in the field.

In the United Nations “Decade for Action: Water for Life, we urge the EU Member States to take a leading role in this process, by joining the UN Watercourses Convention and moving forward with the EU block ratification.

The convention counts today 17 parties—18 short of the number required for entry into force. No EU country voted against the convention. Denmark, Finland, Germany, Greece, Hungary, Italy, Latvia, The Netherlands, Portugal, Sweden, and the United Kingdom co-sponsored its adoption. Only Finland, Germany, Hungary, The Netherlands, Portugal, and Sweden are contracting states. Spain and France have triggered the accession process and Slovenia and the Czech Republic are considering ratification.

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The EU Regional Assessment is available here: http://www.internationalwaterlaw.org/bibliography/WWF/RA_European_Union.pdf.

The UN Watercourses Convention booklet is available here: http://assets.panda.org/downloads/wwf_un_watercourses_brochure_for_web_july2009_en.pdf.

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