

International Conference “Europe-Asia transboundary water cooperation”

Geneva, 15-16 December 2011

Report

BACKGROUND AND OBJECTIVES

Many transboundary river basins lie at the border between Europe and Asia and are an important source of drinking water, irrigation and hydropower. Sustainable use of these resources is a key for the social, economic and environmental development of riparian countries. Transboundary cooperation becomes more and more crucial in view of the expected impacts of economic development, population growth and climate change on water resources, in order to prevent conflicts between riparian countries, optimize the use of resources and ensure sustainability.

The United Nations Economic Commission for Europe (UNECE) Convention on the Protection and Use of Transboundary Watercourses and International Lakes (UNECE Water Convention) has, since its entry into force in 1992, provided an important framework for cooperation on transboundary waters in the UNECE region. In 2003, upon a proposal by Switzerland, the Parties adopted an amendment to open the Convention beyond the UNECE region which will allow accession by non-UNECE countries. The conference, the first one in a series of events for non-ECE countries, therefore served the preparations of the opening of the Water Convention to all UN Member States, beyond the UNECE region, which UN Secretary General Ban Ki-moon welcomed in his speech at the UNECE Executive Committee on 18 October 2011.

The aim of the Conference was to promote dialogue and cooperation on the management and protection of transboundary waters along the border of the two continents, for countries sharing waters between Europe and Asia. The conference also aimed to:

- Debate the current state, the progress achieved and the remaining challenges for cooperation on waters in this border region
- Exchange experience and showcase good practices of transboundary cooperation from different basins within the European and Asian region
- Increase awareness and understanding of the UNECE Water Convention and its work, including the technical and strategic guidance documents developed under its framework and the practical experiences of its application
- Identify options for the way forward.

The conference was attended by more than 100 participants (see information on participants in the annex). The wide representation of countries and organizations that were present at this workshop shows the high interest for cooperation on transboundary water between Europe and Asia, and in other regions of the world as well.

This report provides information about the conference and its main conclusions. All materials related to the conference (presentations, speaking points by panellists, statements by countries) are available at: http://unece.org/euro_asia_conference.html

CONCLUSIONS

General views on transboundary water cooperation and the role of the Water Convention

All countries present considered transboundary cooperation between riparian countries as key for socio-economic development as well as the preservation of transboundary ecosystems in the Europe-Asia region. Transboundary cooperation on shared rivers and groundwaters is especially crucial in the face of the numerous and growing pressures on the water resources, such as population growth, climate change, migrations and others. Many present countries repeatedly stated their willingness to cooperate with neighbouring countries.

The conference showed that significant cooperation is already ongoing between Central Asian ECE-countries and neighbouring non-ECE countries such as between Tajikistan and Afghanistan, Turkmenistan and the Islamic Republic of Iran, the Russian Federation and Mongolia and China.

While the principles of Integrated Water Resources Management have been adopted in most countries, they still face numerous challenges in their national and transboundary water management such as bank erosion, water pollution, floods and droughts, population growth, balancing water allocation between different uses, lack of data exchange.

Countries recognize the importance of having an intergovernmental framework for discussing transboundary water issues. A sound legal, institutional and technical framework is needed to establish sustainable transboundary cooperation. **The UNECE Water Convention is considered by many an important model and a crucial framework for transboundary cooperation in the Pan-European region which has facilitated cooperation** for example on the Kura, Dniester and Drin rivers as well as many others and inspired the development of numerous transboundary agreements. For example, the Russian Federation and Kazakhstan stated that the Convention had helped them to improve their cooperation with neighbouring countries. The new two agreements related to environmental protection concluded in 2011 between Kazakhstan and China used the Water Convention as a model.

Those UNECE countries which have not yet done so were encouraged to ratify the UNECE Water Convention as well as the amendment as soon as possible.

It was recognized that the **UNECE Water Convention, its Parties and its institutional framework, but especially the experience gained under the Convention and the guidance material developed are very valuable for improving transboundary cooperation in the Europe-Asia border region and for non-ECE countries in general.** The fact that the Convention is ratified and implemented by upstream as well as downstream countries, by developed countries as well as countries with economies in transition shows that it can be applied in different settings. The due diligence principle of the UNECE Water Convention means that countries should implement the convention step-by-step according to their means. The Convention is a living instrument, evolving and taking into account new issues such as climate change adaptation in the transboundary context.

Most non-UNECE countries expressed interest in participating in the Water Convention's activities, in particular in the exchange of experience and knowledge on transboundary cooperation and called upon donors to provide financial resources for this purpose. Some non UNECE countries asked for support from the UNECE Water Convention for improving their transboundary cooperation. For example, it was suggested to establish pilot projects between ECE and non ECE countries for exchange of experiences.

Several non-ECE countries such as Afghanistan, the Islamic Republic of Iran, Mongolia, Republic of Korea and Vietnam also expressed interest in acceding to the Convention in the medium or the longer term. In this regard, the amendment to the UNECE Water Convention opening it for non-ECE countries which is expected to enter into force by end of 2012 or 2013 was welcomed by many countries. Uzbekistan

announced its ratification of the amendment. Conference participants expressed their hope that the amendments to the Water Convention would enter into force soon and called upon the Meeting of the Parties to agree on a clear and simple procedure for future ratification by non-UNECE countries once the amendments are in force.

The secretariat and chairperson of the Convention announced that non-ECE countries would be invited to the sixth session of the Meeting of the Parties (Rome, Italy, 28-30 November 2012) and that the opening would be included as an important area of work in the draft work programme for 2013-2015.

The Global Environment Facility (GEF) called for a rapid entry into force of the amendment to the Convention which would enable a worldwide sharing of experiences and mechanism for dialogue. This could possibly help the GEF work on international waters as well as climate change adaptation.

In addition to the UNECE Water Convention, several other international organization and conventions were highlighted as essential for facilitating transboundary water cooperation, such as the Caspian Sea Convention, Ramsar Convention, as well as other UNECE Environmental Conventions. Countries also underlined the need for closer cooperation between the UNECE Water Convention secretariat and sub-regional joint bodies dealing with similar issues such as the Caspian Sea Convention secretariat.

Protection of ecosystems and water quality, including monitoring and data exchange

Cooperation on ecosystems and water quality has often been at the origin of transboundary cooperation in the Europe-Asia region since it is often less political and the need for transboundary cooperation in ecosystem is obvious. However, there are multiple challenges such as lack of exchange of information, lack of political will etc.

The origin of the cooperation on water quality and protection of ecosystems are diverse (acute water pollution, need to exchange data for emergency notification, threats to ecosystems...), and the measures taken vary between countries. Measures taken include the establishment of transboundary natural parks or Ramsar sites, joint surveys and monitoring or the conclusion of agreements.

Legal and institutional aspects of transboundary water cooperation and management

Appropriate legal and institutional arrangements were considered crucial for transboundary water management. Priorities for cooperation differ depending on the basin concerned, but include prevention of and response to natural and man-made disasters, protection of ecosystems, balancing multiple water uses, water quality and conflict prevention. Joint commissions have a crucial importance in strengthening cooperation. However, the establishment of joint bodies and the development of agreements are long term processes requiring political will.

Experiences such as from the International Sava River Basin Commission show that cooperation can start or continue even in post-conflict situations and during periods of political instability. For example, the framework agreement on the Sava river basin was the first international agreement signed after the Balkan conflict in 2003.

The establishment of the Chu Talas Commission in 2006 was often mentioned as a good practice example from the region which already inspired others such as Kyrgyzstan and Tajikistan that had developed a draft transboundary agreement in a very short period based on the experience of the Chu Talas Commission.

Appropriate national water management is a precondition for successful transboundary water cooperation. In this regard, the experience of the Mekong River Commission in decentralizing responsibilities from the transboundary to the national level to make sure that national agencies will assume increased financial and implementation responsibility for more ownership was highlighted.

Donors were called upon to support transboundary cooperation between ECE- and non-ECE countries in the Europe-Asia region. Initial funding by donors and the support from international organizations is often crucial to start the cooperation, but in the medium- to long term this responsibility for funding should be handed over to the countries, in order for them to reach self-sufficiency.

Donors as well as international organizations can also help to solve disputes between riparian countries. The expected establishment of an independent implementation mechanism under the UNECE Water Convention by the Meeting of the Parties in November 2012 will be an important development in this regard as it will help Parties in solving transboundary cooperation problems with other riparian countries.

Disaster risk reduction and prevention, preparedness and response to accidental water pollution

Cooperation in disaster risk reduction and prevention, preparedness and response to accidental water pollution is especially important in the Europe-Asia border region due to the existence of many old outdated infrastructure and industrial facilities close to the border which can have significant transboundary impacts in case of accidents. Some good practice examples exist such as the cooperation between Armenia and the Islamic Republic of Iran on monitoring of the Aras' river water quality.

Harmonization of the national regulatory frameworks at the regional level is necessary, which might imply the revision of the national legal framework and organization, as shown by the cooperation on dam safety in Central Asia.

The establishment of cooperation on industrial accidents prevention and disaster risk reduction takes time, and requires continuous improvement, updating of contacts due to staff turnover, information exchange, training, and capacity-building for example through exercises and regular testing. The development of an early warning system for emergency preparedness requires the definition of information required, clarification of responsible authorities, agreement on a format for reporting and early warning. Regular monitoring and training is needed to prevent and enable a rapid response in case of industrial accidents, as well as mutual assistance and exchange of relevant information and data. For example, the Rhine and the Elbe basins have elaborated warning and alarm plans and the International Commission for the Protection of the Danube basin established an Accidental Emergency Warning System.

Natural disasters, such as earthquakes and floods, as a trigger for accidental water pollution, have been neglected so far and need to be further analyzed addressed in the Europe-Asia region, together with the potential impact of climate change.

Balancing different interests for development in transboundary basins

Balancing different interests for water use and development in transboundary is a significant challenge for all countries in the Europe-Asia region many of which are countries with economies in transition. This requires defining and agreeing upon priorities for water use while striving to balance all rights and interests in order to ensure acceptability.

Several factors can help balance different interests for development in transboundary basins:

- Legal prerequisite: understanding of the principles of international water law and development of transboundary water agreements
- Institutional prerequisite: establishment of joint bodies/ commission
- Commitment by both upstream and downstream countries to peaceful management
- Integrated water resources management at the river basin level
- Transparent management practices and decision-making process
- Public involvement

Modalities for balancing different interests need to be found on a case-by-case basis; however, several examples can provide ideas for this, including for financial compensation, for example the agreement on the Chu Talas where downstream Kazakhstan is paying upstream Kyrgyzstan for water infrastructure, or the example of the Finnish – Russian cooperation on Lake Saimaa and River Vuoksi where Finland is compensating the Russian Federation for the loss of hydropower in case of flooding.

The construction of common infrastructures, like the Doosti dam and the Shirtappeh dam between the Islamic Republic of Iran and Turkmenistan, can help to meet water needs of all riparian countries.

Agreements should be developed flexibly and can be revised to reflect changing conditions and ambitions. For example on the Chu and Talas basins, the assessment of the status of environment resulted in recommendations for amendments to the current agreement 10 years after its entry into force.

Participants criticized that the ecosystems' need for water was often not sufficiently considered in balancing multiple water uses: ecosystem monitoring network and the definition of environmental flow norms on transboundary rivers were recommended as possible measures to address this problem.

Environmental Impact Assessment in the transboundary context as included in the Espoo Convention as well as strategic environmental assessment were mentioned as tools for balancing conflicting water uses.

It was also suggested to develop a collection of good practices collection on transboundary cooperation, especially the financial aspects.

Extreme weather events and adaptation to climate change in transboundary basins

Adaptation to climate change is a growing challenge that should also be considered in the elaboration of basin development strategies.

It was recognized that Central Asia and neighbouring countries are among the most vulnerable to climate change and many impacts are transmitted through water. Some possible climate change impacts were already visible such as glacial melting, desertification, changes in frequency and severity of extreme events. These impacts already affected society and economy, for example power generation and hydro-electrical potential, ecosystems services, agriculture and husbandry for example due to land degradation, resulting in rural exodus and migration to cities.

Several participants recognized the importance of transboundary cooperation in climate change adaptation since it might prevent negative impacts of unilateral adaptation measures in riparian countries (thereby preventing potential conflict), and enable more effective and efficient adaptation through wider knowledge base, larger planning space (take measures in the basin where they have optimum effect), and possibility to share costs and benefits.

Effective and flexible transboundary agreements and institutions are necessary for transboundary cooperation in adaptation. Amendment of existing agreements might be necessary to adapt to changing conditions, like the Albufeira Agreement between Portugal and Spain which contains a guarantee of minimum trimester or weekly flow regimes on rivers in complement to the already defined minimum annual water flow regimes.

Cost-effectiveness of adaptation measures under climate variability and sustainability of investments should be considered in the definition of adaptation measures.

Recommendations of the conference:

The conference recognized the importance of a global intergovernmental framework for discussing transboundary water issues which the Water Convention could provide.

Several non-ECE countries expressed interest in acceding to the Convention in the medium term.

Non-ECE countries especially appreciated the Convention as it enables exchanging of experience, capacity-building and coordination.

The conference therefore called for a rapid entry into force of the amendments opening the Convention to non-ECE countries and called upon all countries which had not yet done so to ratify the amendment as soon as possible.

Conference participants expressed hope that the ratification procedure for accession for non-ECE countries as set out in the amendment would be facilitated as soon as possible.

Non-ECE countries expressed a high interest to participate in future meetings under the UNECE Water Convention such as the sixth session of the Meeting of the Parties in 2012, and to be involved in the future programme of work under the Convention.

It was recognized that additional human and financial resources would be needed for the opening of the Convention and for involving non-ECE countries.

Several non-ECE countries requested support from the secretariat in improving their transboundary cooperation with neighbouring countries. Pilot projects to support transboundary cooperation between ECE and non-ECE countries in the Europe-Asia region could be developed in this regard focusing for example on water quality or climate change adaptation.

Participants suggested that similar conference should be organized in the future, for other regions bordering the UNECE-region.

ANNEX

ORGANIZATION OF THE WORK

The conference consisted of different sessions of presentations (sessions 3 and 5) in alternance with panel discussions (sessions 2, 4, 6). Each session was followed by questions and discussions.

The following speakers made speeches, presentations or took part to the discussions:

0. Keynote speech

- 0.1. Cooperation between Europe and Asia on transboundary waters – key to regional stability, Ms. Charlotte Warakaulle, Chief of Section, Political Affairs, External Relations and Inter Agency Affairs, United Nations Office in Geneva, on behalf of Mr. Kassym-Jomart Tokayev, Director-General, United Nations Office in Geneva
- 0.2. Promoting transboundary cooperation at the global level by using the experience of the Water Convention, Mr. Andrey Vasilyev, Deputy Executive Secretary, UNECE
- 0.3. The UNECE Water Convention: obligations and practical application, Ms. Francesca Bernardini, Secretary to the UNECE Water Convention, UNECE

1. Setting the scene - Transboundary water cooperation: views from the countries on the progress achieved, the remaining challenges and the vision for the future

Statements from the delegations of Afghanistan, Islamic Republic of Iran, Democratic People's Republic of Korea, Kazakhstan, Kyrgyzstan, Mongolia, Republic of Korea, Russian Federation, Tajikistan, Thailand, Turkmenistan, Uzbekistan and Vietnam

2. Protection of ecosystems and water quality, including monitoring and data exchange

- 2.1. Mr. Alexandr Bragin, Director, Department of International Environmental Conventions and Agreements, Ministry of Environmental Protection, Kazakhstan, on the cooperation between Kazakhstan and China
- 2.2. Mr. Eugene Simonov, Coordinator, Rivers without Boundaries International Coalition, on the protection of ecosystems and wetlands in the transboundary Amur / Argun river basin
- 2.3. Mr. Talaibek Makeev, Director, Regional Environmental Center for Central Asia, on the launch of a platform for cooperation on water quality in transboundary rivers in Central Asia

3. Legal and institutional aspects of transboundary water cooperation and management

- 3.1. How to develop transboundary agreements and institutions for their implementation based on the Water Convention, Ms. Iulia Trombitcaia, UNECE
- 3.2. The Framework Agreement on the Sava River Basin and its implementation, Mr. Samo Grošelj, Deputy Secretary, International Sava River Basin Secretariat
- 3.3. Legal and institutional framework for transboundary water cooperation in Central Asia, Mr. Saghit Ibatullin, Chairperson, Executive Committee of the International Fund for Saving the Aral Sea (EC – IFAS)
- 3.4. Transboundary water cooperation between the Russian Federation and its neighbours: legal and institutional aspects, Mr. Vasily Kuriyanov, Deputy Head, Federal Agency for Water Resources, Russian Federation
- 3.5. Ongoing process of institutional reform to decentralize the Mekong River Commission: towards more ownership to the countries, Mr Duc Trung Le, Director General, Viet Nam National Mekong Committee, Mekong River Commission

4. Disaster risk reduction and prevention, preparedness and response to accidental water pollution

- 4.1. Mr. Shukhrat Talipov, Chief Specialist, State inspection Gosvodhoznadzor, Uzbekistan, on the cooperation on dam safety in Central Asia

- 4.2. Ms. Heide Jekel, Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, Germany, on the cooperation on the prevention of accidental industrial water pollution in the Rhine and Elbe basins
- 4.3. Mr. Boris Minarik, Director, International Water Assessment Centre, on the cooperation on the prevention of accidental industrial water pollution in the Danube basin

5. Balancing different interests for development in transboundary basins

- 5.1. Iran and Turkmenistan: lessons learned from transboundary water cooperation, Mr. Mohammad Reza Attarzadeh, Deputy Minister of Energy in Water and Waste Water Affairs, Ministry of Energy, Islamic Republic of Iran
- 5.2. Sharing costs of water infrastructure and joint decision-making on water allocation: the Agreement and Commission on the Chu Talas Rivers, Mr. Chyngyzbek Uzakbaev, Commission on the Use of Water Management - Facilities of Intergovernmental Status on the Chu and Talas Rivers, Kyrgyzstan
- 5.3. Hydropower and flood protection: the cooperation between Finland and the Russian Federation, Mr. Kai Kaatra, Director, Head of Unit, Ministry of Agriculture and Forestry, Finland
- 5.4. Mining developments in Mongolia and possible transboundary impact of water transfers from Orkhon and Herlen Rivers, Ms. Dugersuren Sukhgerel, Executive Director, Mongolian Council of Environmental NGOs, Mongolia

6. Extreme weather events and adaptation to climate change in transboundary basins

- 6.1. Ms. Sonja Koeppel, UNECE secretariat, on the importance of transboundary cooperation in climate change adaptation
- 6.2. Mr. Sulton Rahimov, First Deputy Minister, Ministry of Melioration and Water Resources, Tajikistan, on the adaptation to climate change in Tajikistan
- 6.3. Mr. António Guerreiro de Brito, President, River Basin Administration of the Northern region, Portugal, on the integration of climate change and variability into transboundary agreements, with the example of Spain and Portugal
- 6.4. Mr. Badrakh Tsend, Director, Water Authority, Mongolia, on climate change and its effects on water resources

In addition, 2 lunch-time sessions were held to inform participants about the UNECE Environment Division and in particular:

- on 15 December: activities under the UNECE Water Convention

Regional dialogue and cooperation on water resources management in Central Asia, EU Water Initiative National Policy Dialogue, Second Assessment of Transboundary Rivers, Lakes and Groundwaters, and Support to implementation and conflict prevention

- on 16 December: activities of the other UNECE environmental conventions

Convention on Long-range Transboundary Air Pollution, Convention on Environmental Impact Assessment in a Transboundary Context, Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, Convention on the Transboundary Effects of Industrial Accidents, and Protocol on Water and Health

ATTENDANCE

The International Conference on “Europe-Asia transboundary water cooperation”, held in Geneva from 15 to 16 December 2011 was organized by the United Nations Economic Commission for Europe (UNECE) in the framework of the UNECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) at the invitation of the Government of Switzerland.

Experts and official representatives from Afghanistan, Ethiopia, Finland, France, Germany, Islamic Republic of Iran, Democratic People's Republic of Korea, Kazakhstan, Kyrgyzstan, Mongolia, Portugal, Republic of Korea, Russian Federation, Switzerland, Tajikistan, Thailand, Turkmenistan, United States of America, Uzbekistan and Vietnam participated.

Representatives of the United Nations Office at Geneva (UNOG), United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Development Project (UNDP) / Greater Tumen Initiative, United Nations Environmental Programme (UNEP), Global Environmental Facility (GEF), The World Bank, RAMSAR-secretariat attended.

Representatives from the following intergovernmental organizations participated: Executive Committee of the International Fund for Saving the Aral Sea (EC-IFAS), International Sava River Basin Commission (ISRBC), Office of the EU Special Representative for Central Asia, Organization for Security and Cooperation in Europe (OSCE), the Scientific Information Center of Interstate Coordination Water Commission (SIC-ICWC), the Regional Environmental Center for Central Asia (CAREC).

In addition, representatives of the following Non-Governmental Organizations, academia and other organizations participated: Mongolian Council of Environmental NGOs, Moving Mountains of the People's Republic of China, NGO Development Partners Association, Rivers without Boundaries and the Daursky Biosphere Reserve, Scientific Public Coordinative Center “Clean Water”, union for the Defense of the Aral Sea and Amu Darya, WaterLex, International Water Assessment Centre (IWAC) and Hokkaido University.