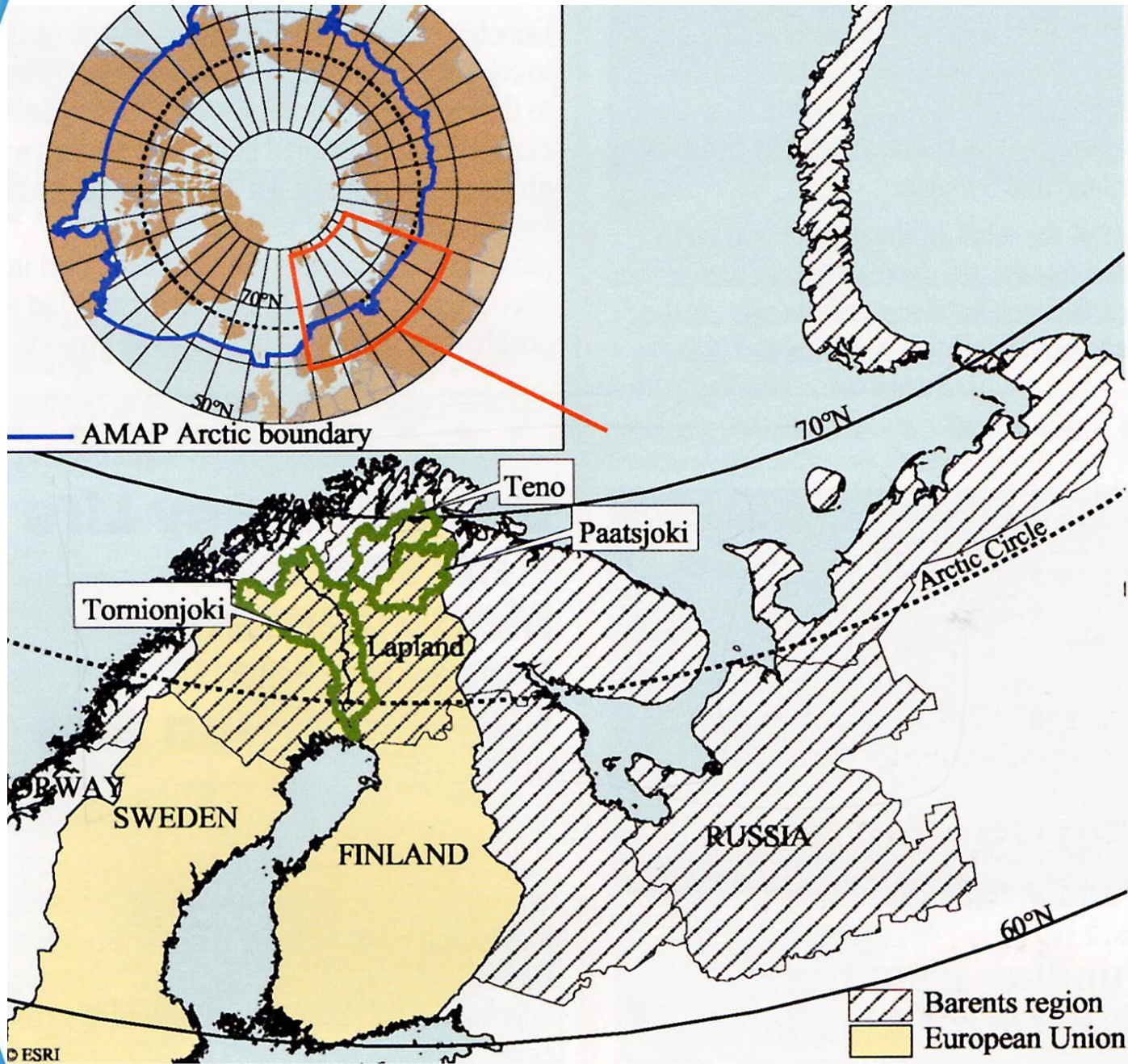


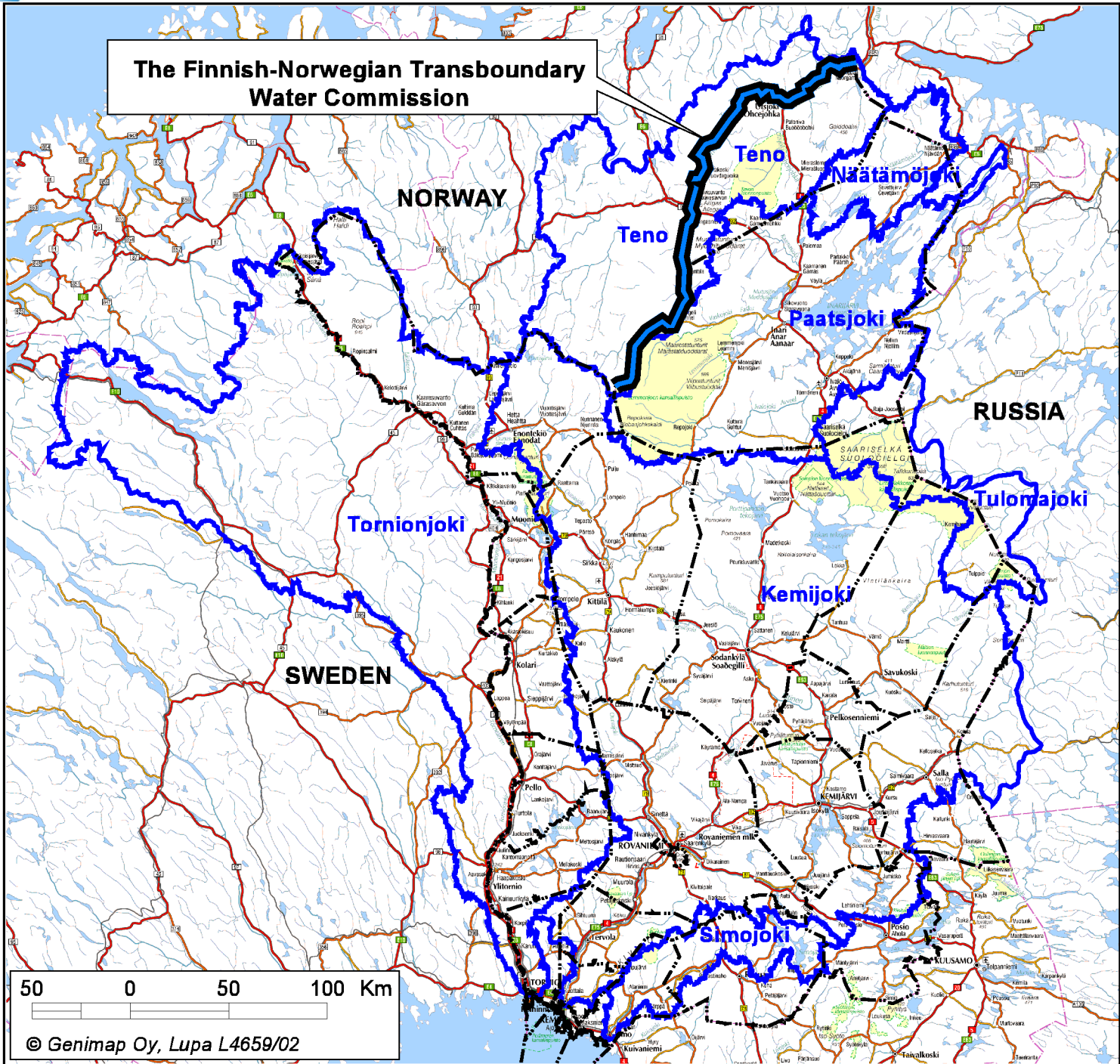
# FINNISH TRANSBOUNDARY COOPERATION

Prof. Kari Kinnunen





The Finnish-Norwegian Transboundary Water Commission



# THE NEW FINNISH-SWEDISH TRANSBOUNDARY RIVER AGREEMENT



# HISTORY OF THE TRANSBOUNDARY WATER AGREEMENT

- PEACE TREATY OF HAMINA 1809 AND BORDER TREATY 1810
- AGREEMENT OF SALMON FISHING 1927
- LOG-RAFTING AGREEMENTS 1917 AND 1949
- TRANSBOUNDARY AGREEMENT 1971, FOUNDING OF THE FINNISH-SWEDISH TRANS-BOUNDARY RIVER COMMISSION ("OLD COMMISSION")



## **Inspired by "Helsinki rules on the uses of water of international rivers", by the International Law Association, 1966:**

- Unilateral decision making should be limited
- Economic assets should be divided fair
- Joint bodies for administrative arrangements are favourable



# OBJECTIVES

- Use water resources for mutual benefit
- Support development of local society
- Protect nature
- Protect fish resources
- Prevent pollution of water

# Transboundary River Commission

- Issues **FINAL** permits/licences (not possible to appeal)
- General and coordinating responsibility for supervision on use of water and emissions to water
- Specific responsibility for supervision on fishery
- Decisions on claims for compensation
- Funds for remediation measures





# Comparison with Convention on Transboundary Rivers and Lakes

- Poor guiding principles and general objectives
- No environmental quality objectives
- No programmes of measures
- No inventories of impact
- No monitoring and assessment
- No warning and alarm procedures
- No research and development



# DEMANDS FOR THE NEW AGREEMENT

- ALL FIRST LEVEL PERMITS MUST BE APPEALABLE
- DEVELOPMENT OF COOPERATION IN THE BORDER AREA
- DEMANDS OF EU LEGISLATION, DIRECTIVES AND INTERNATIONAL AGREEMENTS



# ROADMAP TO THE NEW AGREEMENT

- SWEDISH SETTLEMENT PERSON REPORT 1997
- THE TORNE RIVER WORKING-GROUP 1999-2002
- AGREEMENT NEGOTIATIONS 2002-2004; 207-2009
- NEW AGREEMENT VALID 01.10.2010

# NEW TRANSBOUNDARY RIVER AGREEMENT

- NATIONAL AUTHORITIES ARE ISSUING WATER RELATED PERMITS
- FISHING ISSUES TO THE NATIONAL AUTHORITIES
- NEW FISHING RULES
- ESTABLISHMENT OF THE NEW FINNISH-SWEDISH TRANSBOUNDARY RIVER COMMISSION

# TASKS OF THE NEW COMMISSION

- ENHANCE COOPERATION
- HARMONIZING THE WORK OF AUTHORITIES
  - IMPLEMENTATION PLANS/WFD
  - PLANNING OF FLOOD RISK MANAGEMENT/FLOOD DIRECTIVE
  - FIGHTING ENVIRONMENTAL DAMAGES IN THE TRANSBOUNDARY RIVERS
  - NATURE PROTECTION PLANS





# TASKS OF THE NEW COMMISSION (cont:)

- COMMON REPORTING ABOUT PROGRAMS AND PLANS; COMMON HEARINGS
- APPROVE OR REJECT RBMPs, PoMs (WFD AND FLOOD DIRECTIVE)
- MONITOR IMPLEMENTATION OF THE AGREEMENT AND LICENSING
- PROPOSING CHANGES FOR THE AGREEMENT IF NEEDED



# TASKS OF THE NEW COMMISSION (cont:)

- STATE ABOUT LICENSES AND OTHER ACTIVITIES AFFECTING THE STATE OF THE TRANSBOUNDARY WATERS
- APPEAL THE LICENSES IF APPROPRIATE
- STATE ABOUT FISHING REGULATIONS AND EXCEPTIONS
- WORKS AS THE HARMONIZING BODY FOR THE WFD AND FLOOD DIRECTIVE



# INTERNATIONAL RIVER BASIN MANAGEMENT PLAN-IRBMP

Part A/FS-COMMISSION  
International RBMP incl.  
Joint PoM

Part B  
National  
RBMP  
FINLAND

Part B  
National  
RBMP  
SWEDEN

# RESOURCES OF THE COMMISSION

- 3 MEMBERS AND SUBSTITUTE MEMBERS PER COUNTRY (water authority, local representative, local business community)
- OFFICE IN HAPARANDA, SWEDEN
- SECRETARY AND ASSISTING SECRETARY
- BUDGET ABOUT 250 000 EURO/YEAR
- EVALUATION IN EVERY SECOND YEAR
- MAIN STAKEHOLDERS ARE: MUNICIPALITIES, AUTHORITIES, PROVINCIA BOTHNIENSIS AND NGOs

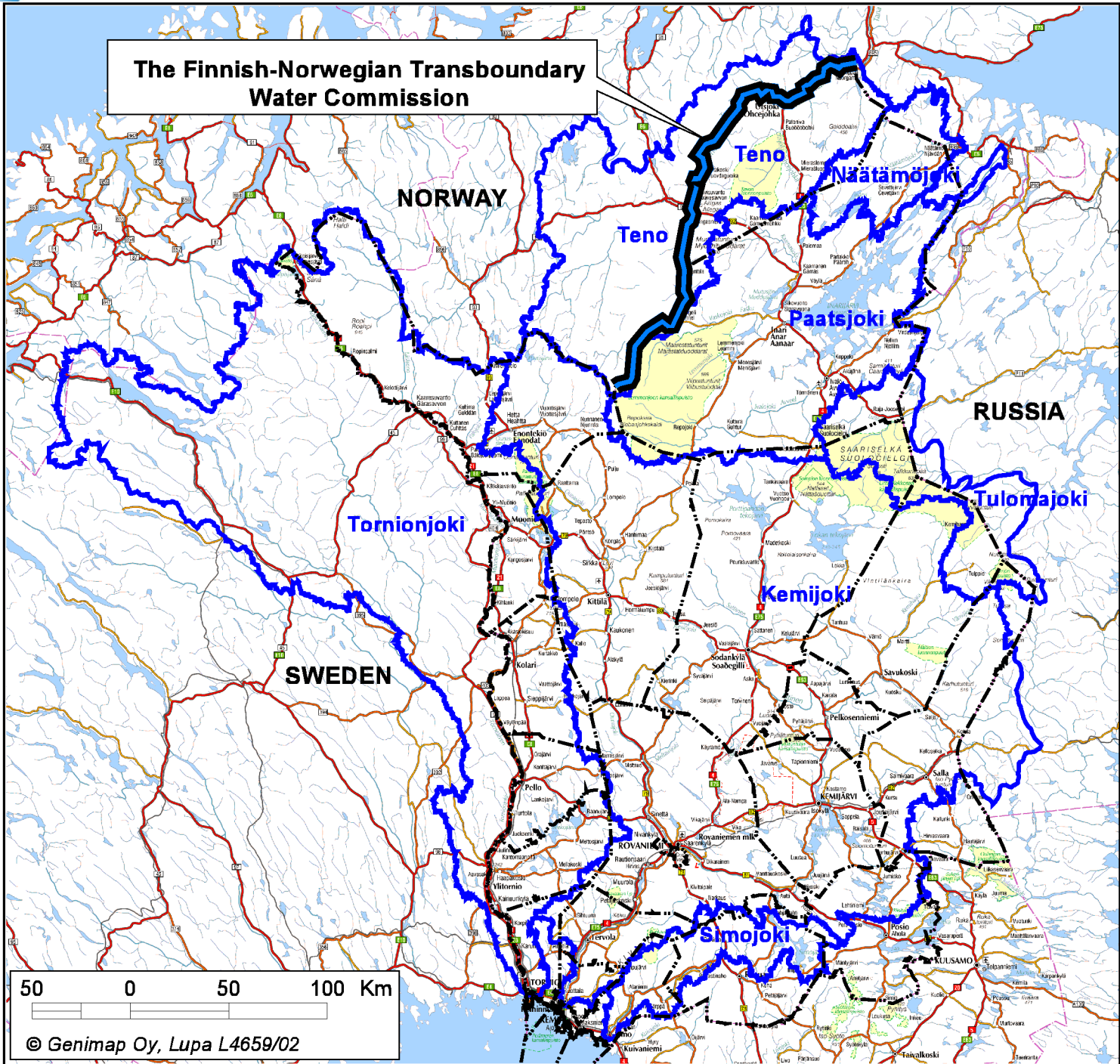


# FINNISH-NORWEGIAN TRANSBOUNDARY WATER CO- OPERATION





The Finnish-Norwegian Transboundary Water Commission



# THE FINNISH-NORWEGIAN TRANSBOUNDARY WATER COMMISSION

- Agreement signed in November 5th 1980
- Advisory role
- The main tasks:
  - submits proposals and statements on matters related to the management the transboundary waters between Finland and Norway;
  - supervises and monitors the condition and quality of the transboundary waters;
  - conserves the transboundary waters and water ecosystems as natural as possible for the benefit of local population;
  - monitors construction along the waterways and other activities affecting the state of the transboundary waters.



# SPECIAL FEATURES OF THE COMMISSION AREA

- Mostly sparsely populated areas with some bigger modern villages
- Home area of the indigenous people, the saami
- Important spawning rivers for Atlantic salmon
- Arctic area

# MAIN ACHIEVEMENTS

- Common water quality monitoring and reporting program of the river Tenojoki
- Common multiple use plans (integrated river basin management plans) for the main rivers:
  - Tenojoki 1990 (revised 2005, municipalities responsible)
  - Näätämöjoki 1992
  - Paatsjoki 1996 (Finland, Norway, Russia)
  - Common monitoring and reporting program for WFD
- Many common research and planning programs
- Improved cooperation with Norwegian and Finnish border municipalities
- Improved water quality in border rivers

## Some remarks:

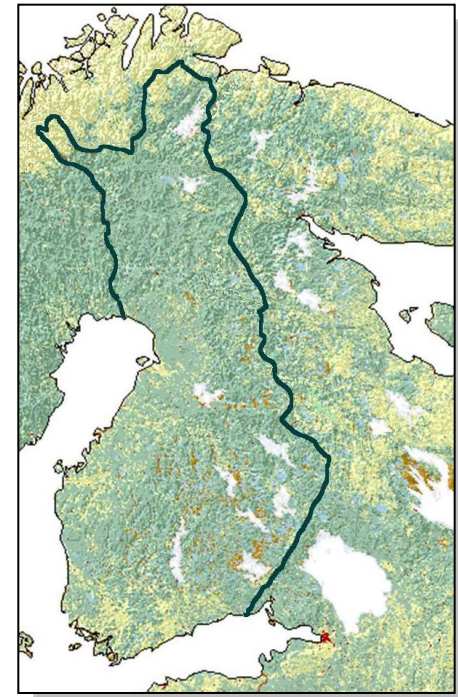
- It is very important to include the interests of the local population in the transboundary water agreements
- When implementing the proposals of the Commission, ownership of the local population and the decision-making ministries is essential
- Transboundary water commissions can promote other co-operation between neighbouring countries
- A transboundary agreement should cover whole catchments areas not only the main border rivers or lakes

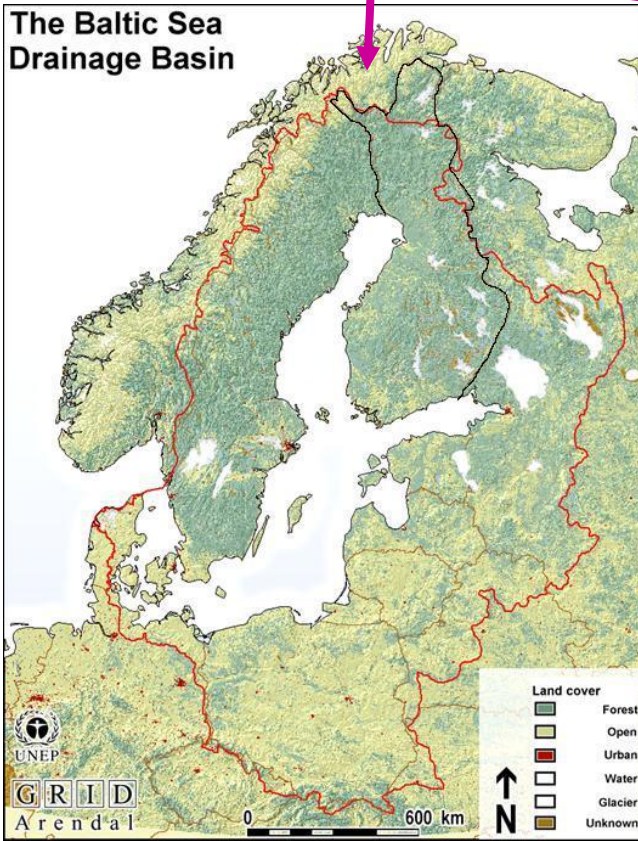
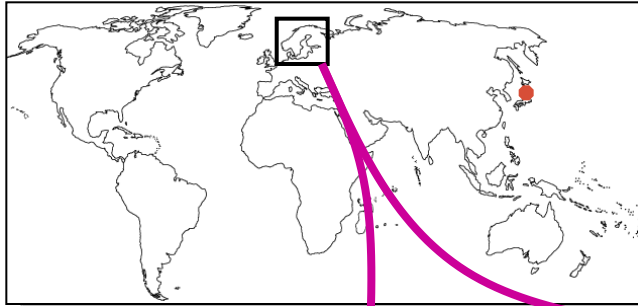




# FINNISH - RUSSIAN AGREEMENT ON TRANSBOUNDARY WATERS 1966

- Encompasses most of Finland's eastern frontier with exception of sea areas
- Covers all fields of water management
- Provides a basis for agreeing on a variety of questions concerning utilization and conservation of watercourses
- Contains regulations
  - the main waterways should be kept open
  - controlling measures that may change or pollute transboundary watercourses
- Establishes a Joint Finnish-Russian Commission

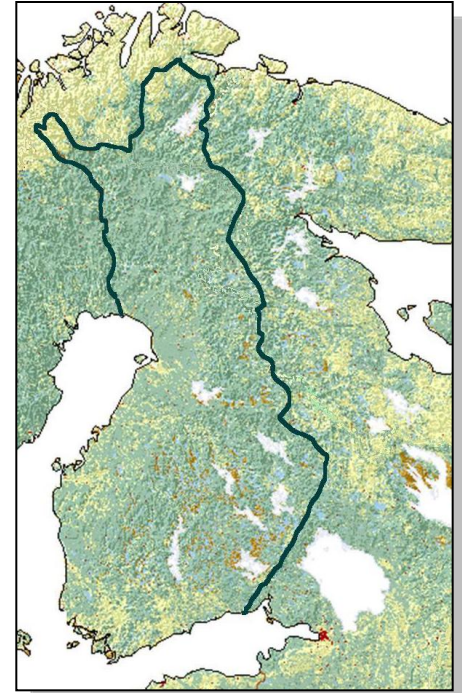






## A JOINT FINNISH –RUSSIAN COMMISSION ON THE UTILIZATION OF FRONTIER WATERCOURSES

- To deal with undertakings that may have bearing on transboundary watercourses
- Commission handles all kinds of measures which may cause transboundary impact
- Contracting parties can give the commission a mandate to solve cases or give advisory opinion
- Decisions are made unanimously and are binding on both parties
- Each party appoints three members and three deputy members
- Each party also provides experts and secretaries
- Practical work is mainly carried out by working groups
- The Commission operates in the Finnish and Russian language



## RESULTS

- The pollution load has drastically diminished
- The commission has established a joint monitoring programme for water protection
- The discharge rule for Saimaa and Vuoksi
- Large number of fishery studies
- The interests of both riparian countries have been taken into account equitably
- The Commission has the capacity to solve problems flexibly and equitably
- Long experience and results used as a model

Photo: Jari Tuiskunen

