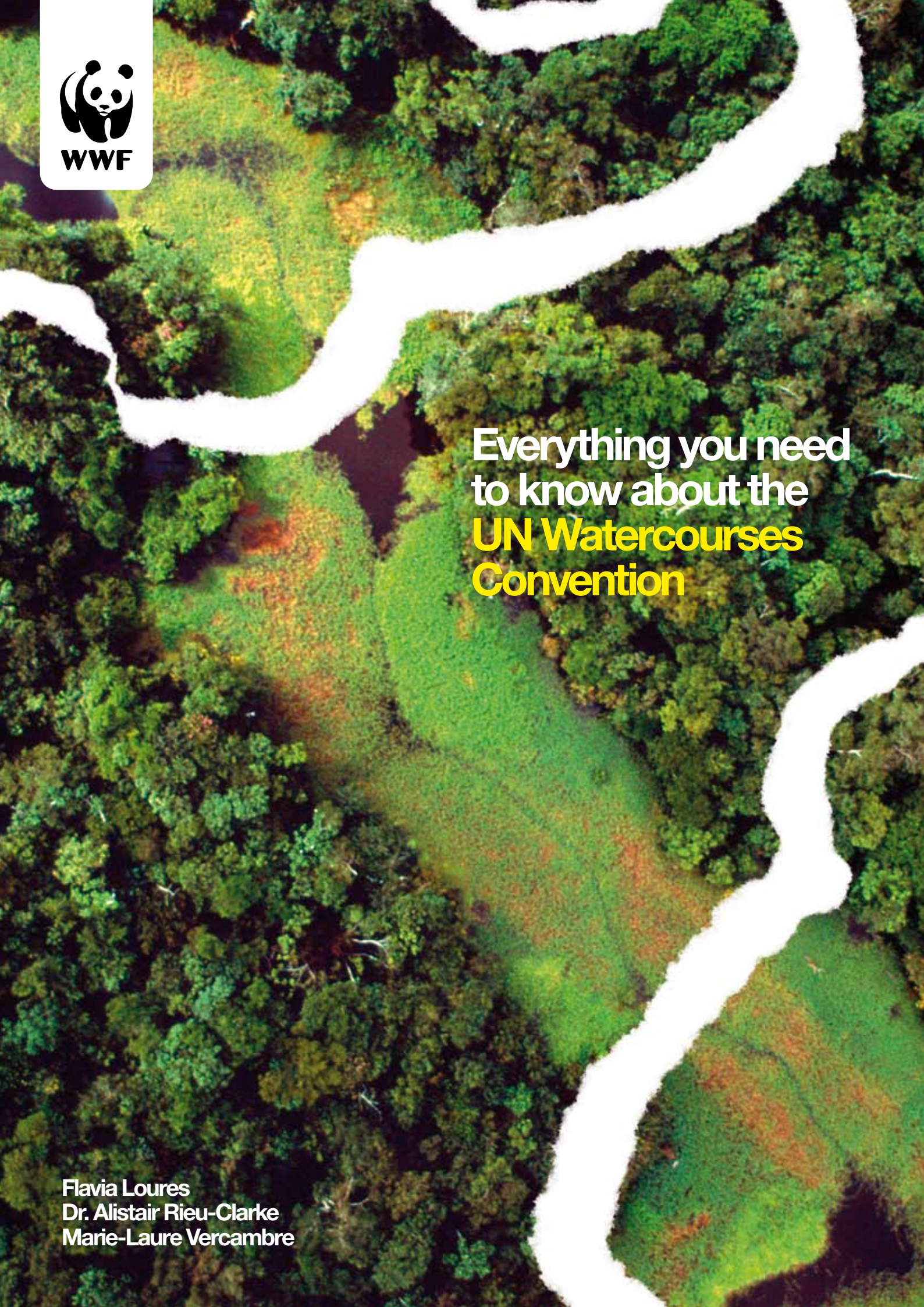

Everything you need to know about the UN Watercourses Convention

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In 1997, more than one hundred nations joined together to adopt the United Nations Convention on the Law of the Non-Navigational uses of International Watercourses (UN Watercourses Convention)—**a flexible and overarching global legal framework** that establishes basic standards and rules for cooperation between watercourse states on the use, management, and protection of international watercourses. The Convention counts today **16 contracting states—19 short of the number required for entry into force**.

Since the Convention's adoption, water pollution and overuse have worsened in many places, and the world's poorest people are already facing shrinking supplies. **The scale of the freshwater challenge is enormous**, especially **with climate change** making water availability more unpredictable and causing more frequent, widespread droughts and floods. Securing the water we need to meet growing human needs, safeguard fragile ecosystems, and maintain economic prosperity is actually one of the most serious and urgent tasks confronting the world in the 21st Century.

In order to succeed, we will depend not only on water bodies located entirely within one state's territory, but also on **freshwater systems that mark or cross international boundaries**. Transboundary waters are physically shared between two or more countries and are some of the most important and vulnerable freshwater resources on the planet. The states concerned have a responsibility to protect them, and to work together to manage them in a sustainable and integrated manner. But **transboundary water cooperation** raises **major practical** and **political issues**.

In the past, nations have addressed those issues by adopting and implementing treaties that govern interstate cooperation on specific international watercourses, lakes, and aquifers. As a result, there are many different watercourse agreements, but **most of the world's transboundary water resources still lack sufficient legal protection.** In most basins, either no management agreements are in place, existing agreements are inadequate, or not all states within the basin are parties to existing agreements. Without such protection, it will be difficult, if not impossible, for watercourse states to cope cooperatively with existing and future threats from human pressure and environmental change.

Therefore, **the UN Watercourses Convention is more relevant than ever**. Its **widespread ratification** and **implementation** are necessary to ensure that states properly utilise and protect those precious water supplies—now and in the future.

We join other stakeholders in pressing governments, multilateral organisations, and the international water community at large to take **immediate** and **effective action** to achieve this.

A CALL TO ACTION: WHAT NEEDS TO BE DONE NOW

In the UN 'Decade for Action: Water for Life,' and ahead of the 2009 World Water Day, which will focus on transboundary waters, we call on the international community to do whatever is necessary to bring into force and widely implement the UN Watercourses Convention.

In particular, we ask:

- **All countries who have not yet done so** to become contracting states to the Convention;
- **Current contracting states** to call on their neighbours and partner countries to join the Convention as well;
- **All states** to employ their best efforts to accelerate the process for entry into force of the Convention and to promote its broad ratification and effective implementation, including by:
  - Involving **joint river basin organisations** in the process and seeking guidance from their experts;
  - Authorising the **regional economic integration organisations** of which they may be part to accede to the Convention and engage in its implementation; and
  - Asking the **United Nations General Assembly** to give a mandate to an appropriate UN agency or programme to lead the efforts to raise awareness and promote the entry into force and implementation of the Convention within the United Nations system;
- **All regional economic integration organisations** duly authorised to do so by their member states to accede to the Convention;
- **UN Water, the relevant UN agencies, programmes, and initiatives, the World Bank, and other development institutions** to provide financial and technical assistance to countries through the ratification and implementation processes; and
- **The international water community at large,** including non-governmental organisations in the fields of water, conservation, human rights, and gender, to raise awareness of the value and importance of the Convention, especially among ministers and parliamentarians, for getting the 19 additional ratifications necessary for its entry into force.

KEY FACTS: THE STATUS OF THE WORLD'S INTERNATIONAL WATERCOURSES AND THEIR GOVERNANCE

- Human consumption appropriates **54% of the world's accessible freshwater runoff**. However, increases in accessible water supplies are unlikely to keep up with population growth, and per capita water availability will shrink in the coming century.
- Worldwide, over **1.1 billion people lack access to safe drinking water and around 2.6 billion people have no access to adequate sanitation**. As a result, more than five million people die each year from water-related diseases that are mostly preventable.
- **Water shortages** already affect two billion people in over **40 countries**.
- Of all biomes, freshwater ecosystems are the most threatened, and 1/5 of freshwater fish species are in rapid decline.
- **Water security** is reaching the top of the international agenda, as awareness grows of the links between the water crisis and energy and food security, and as water overuse and pollution affect more and more people every year.
- The world's **263 international watercourses** contain key freshwater supplies and sustain rich ecosystems in **145 countries**.

  They cover almost **half the earth's surface**, are home to around **40% of the world's population**, and generate about **60% of global freshwater flow**.
- States have made some progress in adopting watercourse agreements at basin and sub-basin levels, but **cooperative management frameworks** exist for only about **40% of the world's international watercourses**.
- Where agreements exist, **80% involve only two countries**, even though **other states may also be part of the watercourse in question**.

  The states that are parties to these "partial" agreements, as they seek to promote the integrated management of the watercourse, have to rely on the good will of non-parties to engage informally in the cooperation process.

  In other cases, parties to partial agreements make decisions among themselves without due regard for the interests and needs of other co-watercourse states that are not parties to those agreements.
- Many states are parties to several watercourse agreements, each with their own unique policies and obligations, which makes **effective implementation** more difficult.
- Many agreements have **significant gaps or failings**.

  Among other problems, some treaties fail to consider long-term changes in water availability and the need to revisit water allocations accordingly. Periodical revisions may prove necessary for sustaining the resource, protecting ecosystems, and meeting human needs, while maintaining a fair balance between all the states concerned.

  Such treaties are less likely to aid parties in responding to **the effects of climate change on water resources** in a cooperative and sustainable manner.

A GLIMPSE AT THE PROBLEMS IN THE LEGAL GOVERNANCE OF INTERNATIONAL WATERCOURSES

Types of Problems
International watercourses: a) With no agreements at all; and b) With agreements, mainly or exclusively: (i) Covering navigation or flood control, (ii) Delimiting borders, or (iii) Focusing on specific development projects.

Examples of where they occur
Americas: Yukon, San Juan and Orinoco basins

Asia: Salween, Ili, Red/Song Hong, Ayeyarwady, Torasi and Benanin basins

East Africa: Lake Turkana

And numerous smaller basins, but not necessarily less important, in West, North and East Africa, in East and South-Asia, and in Central and South America.

Case studies of why they matter
Colombia and Venezuela share the relatively pristine Orinoco basin and have made efforts to cooperate on water issues through joint commissions. However, planned unilateral hydropower development and water diversions in major tributaries represent a growing threat. The two countries have not yet reached agreement on basic standards and procedures for the sustainable development of the basin, such as those contained in the UN Watercourses Convention.

Smaller international watercourses are often precious to dependent communities or vulnerable ecosystems. Even so, such resources may not get sufficient political visibility to push countries to adopt watercourse agreements until greater problems begin to arise. This is the case, for example, with the Fly and Sepik basins shared between Papua New Guinea and Indonesia, and the small watersheds that drain the Heart of Borneo, in South-Asia. For those basins, the UN Watercourses Convention could serve as a 'catch all' for promoting good management where special agreements are missing.

Types of Problems
International watercourses with agreements that do not involve all the states within the basin.

Examples of where they occur
Amur, Congo, Ganges-Brahmaputra, Ob, Mekong, and Nile basins.

Case studies of why they matter
In the Ganges-Brahmaputra basin, India has reportedly accused China of not sharing information on the Brahmaputra river's status that could have prevented flooding in India and Bangladesh in 2000. In 2007, The Daily Star announced that Nepal and India were exchanging blame for the most catastrophic flooding in South Asia in decades. Similar situations will happen again unless all states within the basin become engaged in an effective, meaningful, open, and continuous dialogue. Through its substantive norms and procedural mechanisms, the UN Watercourses Convention could progressively bring all countries within that basin closer together and help avoid similar situations in the future.

Types of Problems
Gaps or failings in watercourse agreements that may pose a serious obstacle to cooperation.

Examples of where they occur
The recently adopted treaty on the Volta basin incorporates the general principle of notification to warn neighbouring countries when emergencies occur. But it neither addresses the prevention of harmful conditions, such as floods, nor contains detailed rules governing emergencies.

A 1944 Mexico/US treaty determines a fixed partition of the waters, instead of creating a process for water allocation and periodical reviews.

A 1909 US/Canada treaty fails to cover domestic tributaries of international watercourses.

The agreements governing the Niger and Lake Chad basins lack water allocation criteria and do not require regular information exchange.

The convention on the Gambia River does not cover groundwater.

The only agreement governing the Amazon basin lacks effective rules dealing with dispute settlement.

Case studies of why they matter
In the Volta basin, for example, according to BBC News, Ghana accused Burkina Faso in 2007 of aggravating floods downstream by opening the flood gates of a dam located in the upper stretches of the river. The Volta Basin Convention is a significant commendable step taken by the states concerned to improve transboundary cooperation within the basin. However, that convention has little to offer to prevent a similar situation from happening again, or to clarify the rights and duties of the watercourse states involved in like-accidents in the future. In its turn, the UN Watercourses Convention deals in more detail with harmful conditions and emergencies, and could be applied to supplement the Volta Basin Convention in regards to those issue (see Articles 27-28 of the UN Watercourses Convention).

THE LEGAL GOVERNANCE OF INTERNATIONAL WATERCOURSES: ISSUES, RISKS AND OPPORTUNITIES

- The inadequacy of existing watercourse agreements and the lack of agreements for numerous international watercourses are alarming legal **weaknesses in today's international legal structure governing transboundary waters**.
- Such weaknesses make it far too easy for some countries to manage their rivers unilaterally, arbitrarily, and without sharing relevant information their neighbours may need.
- If action is not taken to improve the legal governance of transboundary waters, **states are likely to fail to cooperate towards promoting the integrated management of international watercourses**.
- The result will be conflict over increasingly scarce and polluted supplies, deteriorating biodiversity, and serious threats to economic development, human health, and long-term sustainability, especially in poorer countries—all **significant barriers to achieving the Millennium Development Goals**.

The picture appears grim, but what we are actually facing is **a key moment of opportunity**. Through the entry into force and implementation of the UN Watercourses Convention, we can influence the management of the world's transboundary waters in a positive way. The Convention will promote the **equitable utilisation** and **environmental protection** of international watercourses, **catalysing regional integration and sustainable development** around the world.

Many watercourse states are already working together to face the challenges and share the benefits from transboundary water cooperation, including, for example, in the Danube, Mekong, Nile, Rhine, and Zambezi basins. And with growing worldwide awareness of the speed and consequences of climate change, there is far greater willingness from governments to cooperate towards addressing those issues.

UN WATERCOURSES CONVENTION, 21 MAY 1997

What it seeks to achieve

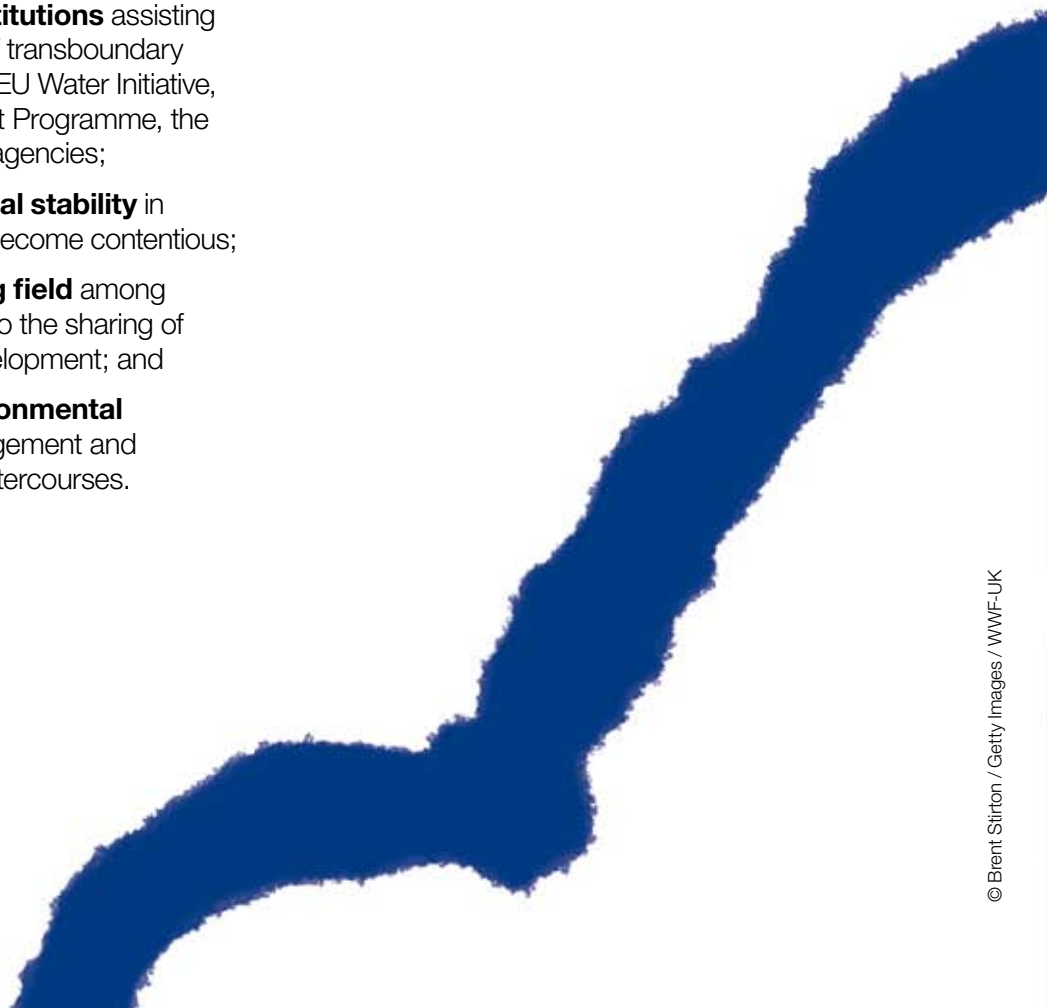
The United Nations General Assembly adopted UN Watercourses Convention in 1997 by an overwhelming majority. The Convention sets out the rights and obligations of countries sharing international watercourses.

As a global legal umbrella, the Convention seeks to **supplement**, **facilitate**, and **sustain transboundary water cooperation at all levels**, by:

- **Addressing the legal weaknesses** in the current international water governance structure, in the absence of other applicable legal instruments;
- Providing **coherent policy guidance** for the adoption and implementation of sound and comprehensive watercourse agreements—guidance that will **facilitate the work of bilateral and multilateral institutions** assisting watercourse states in matters of transboundary water cooperation, such as the EU Water Initiative, the United Nations Development Programme, the World Bank, and development agencies;
- Fostering and preserving **political stability** in situations that might otherwise become contentious;
- Establishing a **fair level playing field** among watercourse states, conducive to the sharing of benefits and to sustainable development; and
- Incorporating **social and environmental considerations** into the management and development of international watercourses.

Back in 1997, the UN member states could have simply agreed on a non-binding declaration of principles and mechanisms guiding relations between watercourse states. Instead, the United Nations General Assembly adopted the UN Watercourses Convention, as such, with the expectation that entry into force and widespread implementation would validate its political and legal relevance as a source of international water law and enable it to develop into a solid, widely-accepted global code in the field.

Our challenge now is to take action to ensure that the UN Watercourses Convention is widely ratified and enters into force—and quickly.



SCOPE AND MAIN PROVISIONS

The UN Watercourses Convention governs the utilisation, management, and protection of international watercourses. The Convention defines a watercourse as a single unit of surface and underground waters that includes the main river, its tributaries and distributaries, and any connected lakes, wetlands, and aquifers.

The UN Watercourses Convention requires states to use international watercourses in an equitable and reasonable manner consistent with their protection. The goal is to utilise these resources in an optimal and sustainable way, while paying special regard to vital human needs and to the interests of the other watercourse states (Articles 5-7, 10). In particular, the Convention requires states to:

- Cooperate in adopting agreements that **implement and/or adjust the Convention to their specific circumstances and needs** (Article 3);
- **Participate actively and equitably** in the development and protection of international watercourses and engage in good-faith and mutually beneficial cooperation, for example, through the regular exchange of relevant information (Articles 5, 8, 9, 25);
- Take all appropriate measures, when utilising an international watercourse, to **avoid causing significant harm** to other co-watercourse states; where significant harm nevertheless occurs, states must act diligently to **eliminate or mitigate** such harm, in consultation with the affected neighbouring country, with a view to restoring a fair balance between the states concerned in the development of beneficial water uses and the protection of the watercourse (Article 7);
- **Follow a procedure of consultation, negotiation,** and **data exchange** before implementing any measures that could have a significant adverse effect upon other watercourse states (Articles 11-19);
- Jointly with other states concerned, or individually, protect and preserve the ecosystems of international watercourses and manage them in a manner that **safeguards the marine environment, including estuaries** (Articles 20, 22);
- **Prevent, reduce and control pollution** in international watercourses, with a view to avoiding significant transboundary harm (Article 21);
- Take all necessary measures to **prevent the introduction into international watercourses of exotic species** that may cause significant harm to other states;
- Take all appropriate measures to **prevent** and **mitigate harmful conditions** related to an international watercourse, as well as to **address emergencies**, including by notifying other states that could be affected and the relevant international organisations as quickly as possible, and by preventing, mitigating, and eliminating their harmful effects (Article 27-28);
- **Consult over the establishment of joint management mechanisms**, such as basin organisations, transboundary management plans, joint contingency plans, and agreed water quality standards (Articles 21-24); and
- **Seek the peaceful settlement of disputes**, following the Convention's procedures in the absence of applicable agreements (Article 33).

The primary functions

The UN Watercourses Convention already enables and sustains transboundary water cooperation in numerous ways. However, entry into force and widespread implementation are necessary for the Convention to perform all of such functions effectively and fully, as described and explained in the Table overleaf. The table also shows in what circumstances each function may be relevant, clarifies which stakeholders may be affected in each case, lists examples of when the Convention has influenced concrete situations, and refers to key documents and stakeholders recognising the Convention's relevance to perform certain functions.

The functions of the UN Watercourses Convention

Functions	Circumstances	Stakeholders affected	Examples
Inspires future regional or watercourse agreements.	New agreements, to govern basins without agreements or to supplement existing agreements. Revised agreements replacing existing ones, for strengthening, readjusting, expanding, or updating those agreements.	Although any state can consult the Convention when negotiating agreements, consensus around its basic principles will be greater among parties. Widespread ratification will therefore make the Convention more relevant as a basis for watercourse negotiations.	The 2000 Revised SADC Protocol on Shared Watercourses and the Senegal River Charter make express reference to the UN Watercourses Convention as a basis for their drafting.
Supports the implementation of regional or watercourse agreements.	Interpretation of agreements, e.g., the Convention can help clarify ambiguous provisions. Application of agreements, e.g., the Convention can guide decision-makers in solving disputes.	The Convention performs this function regardless of whether the states involved are parties to it or not. This impact will heighten progressively in line with the number of states becoming a party to it, but could weaken over time and possibly cease completely in the case of non-entry into force.	In 1997, the International Court of Justice, in a dispute concerning the Danube, invoked the UN Watercourses Convention to justify its decision.
Governs international watercourses in the absence of applicable agreements.	No Agreements Partial agreements, i.e., agreements not involving all watercourse states, if both states concerned have joined the Convention, but only one is a party to the existing agreement. Issues not covered by existing agreements.	Binding on parties.	Only upon entry into force.

The functions of the UN Watercourses Convention

Functions	Circumstances	Stakeholders affected	Examples
Supplements environmental conventions.	Convention on Biodiversity Ramsar Convention Convention on Climate Change	International Community	CBD Decisions VIII/27 & IX/19 urge states to ratify the UN Watercourses Convention as a means to help protect biodiversity in international watercourses.
Advances international policy goals.	Millennium Development Goals IWRM-related international development cooperation.	International Community	UNSGAB's Hashimoto Action Plan urges states to become parties to the UN Watercourses Convention to improve transboundary IWRM and so help advance the MDGs.
Offers a basis for the development of treaty law at the global level.	Issues not covered by the Convention. Issues which deserve further development (e.g., transboundary aquifers).	All states sharing water resources could benefit from a universally agreed basis for further developing this field of law. Once in force, the Convention will be politically better suited to serve as a mother treaty for future protocols adopted with that intent.	The ILC Draft Articles on Transboundary Aquifers draw heavily from the Convention, applying and adjusting it to the special case of groundwaters. Because the Convention is still not in force, it is possible that the draft articles are adopted as a separate, independent treaty, rather than a protocol to the convention. This outcome would run counter to the goal of promoting integrated water resources management.

HOW THE UN WATERCOURSES CONVENTION RELATES TO KEY POLICY GOALS AND AGREEMENTS

Millennium Development Goals:
The Hashimoto Action Plan of the UN Secretary General's Advisory Board on Water and Sanitation (UNSGAB) **calls on governments to ratify and implement** the UN Watercourses Convention. UNSGAB includes **leading international political, legal,** and **scientific water experts**. Their action plan identifies the **concrete measures** needed to **achieve the Millennium Development Goal** number 7, Target 10, on sustainable access to safe drinking water and basic sanitation.

The protection of the ecosystems of international watercourses, the maintenance of peaceful and equitable relations between watercourse states, and the cooperative management and use of shared river basins in support of socioeconomic progress are all preconditions for achieving Target 10. The UN Watercourses Convention will **contribute to meeting those conditions** and therefore support the MDGs.

Sustaining aquatic ecosystems:

- Healthy, well-managed aquatic ecosystems sustain the ecological functions and services that are critical for livelihoods and water uses, especially in the developing world, and thus for achieving the MDGs.
- The Convention aims to secure the environmental integrity of watercourses, while enabling states to co-utilise such resources to benefit their economies and populations. States must pursue mutually beneficial and sustainable outcomes through the fair sharing of water resources, consistent with their adequate protection.
- The Convention promotes an integrated management approach through the equitable participation of all co-watercourse states in the protection and use of international watercourses and in the negotiation and implementation of specific agreements.

International peace and security:

- Sustainable development, needed to advance the MDGs, cannot flourish amidst conflict and political instability. But political tensions inevitably erupt when watercourse states fail to cooperate with one another.
- Water—or the lack of it—has often fuelled interstate disagreements. As we gaze into the future, there have already been warnings of more frequent and widespread water conflicts, even wars, and climate change will only make this worse.
- Freshwater will increasingly be a source of tensions and dispute unless international legal instruments are in place, supported by appropriate levels of investment. Such agreements are crucial to govern and promote the cooperative and fair management and use of international watercourses, as well as to establish efficient and clear rules to prevent and settle disagreements between watercourse states.
- The UN Watercourses Convention is designed to provide exactly this, and it now seems clear that we cannot rely only on existing watercourse agreements.

Economic progress and human development:

- Close and stable cooperation between watercourse states is the only possible avenue for promoting win-win solutions towards the optimal and sustainable use of a river basin, in support of the MDGs.
- The UN Watercourses Convention expressly recognises the special needs of developing countries. When establishing the rights and duties of parties, the Convention takes into account the varying levels of technical and economic capacity among states.
- The Convention is flexible enough to adjust to the specific circumstances of each watercourse, without overlooking wider social needs when balancing the rights and interests of parties.
- While the Convention does not explicitly recognise a right to water, it will support the practical application of such a right, including with respect to water access, sanitation, and food security, and benefit under-served populations.
- The Convention requires states to allocate water among them in a fair and reasonable manner, taking into account dependent populations and giving special regard to vital human needs. Any form of water utilisation which might significantly harm human health and safety would be a violation of the Convention.

Climate Change:

Climate change will have an enormous adverse effect on water resources, with disastrous environmental, social, and economic consequences, especially in the poorest nations. It will fuel the potential for water to become **a source of serious conflict within and between countries**. And the most vulnerable nations are often those with weak governance mechanisms, or none at all. In much of the developed world, robust watercourse agreements are in place. Yet, those countries would feel at home the effects of water conflicts abroad, in the form of **mass migrations, economic and political disruption**, and **rising food prices**.

To pre-empt and address these issues, the UN Framework Convention on Climate Change (**UNFCCC**) is **crucial**, but it is **not enough on its own** to promote better collaboration among watercourse states:

- The UNFCCC does **not specifically** aim to enable transboundary **climate change adaptation** through the sustainable and cooperative **management of international watercourses**;
- Nor is it **intended** to prevent and peacefully **settle** the types of **disputes** that typically arise **between watercourse states**.

The UN Watercourses Convention, as a **global legal instrument specifically designed to govern relations between watercourse states**, is so important in this context, because it will:

- **Support cooperation between watercourse states** towards responding to environmental disasters, such as droughts and floods, and adapting their water-sharing and management strategies to the effects of climate change; and
- **Help ensure** that any **measures** governments may take **under the UNFCCC**, such as hydropower development and water storage, neither **injure** the **ecosystems** of international watercourses, nor disregard the **health and livelihoods** of dependent communities.

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Biodiversity:

The Convention on Biological Diversity (CBD) promotes the conservation and sustainable use of biodiversity, especially through the protection of ecosystems. At the same time, the CBD respects countries' sovereign rights over biological resources within their own territories. For international watercourses, **cooperation between watercourse states is essential to protect the wider ecosystem**. The UN Watercourses Convention offers the **necessary legal framework** for this collaboration to take place—something the CBD has called for, but alone cannot provide.

For example, the UN Watercourses Convention:

- Recognises **freshwater flows** needed to protect ecosystems as being **just as important** as other forms of water utilisation in questions of **water allocation**;
- Includes **natural conditions, transboundary environmental effects**, and the **conservation of water resources** among the factors that must be considered in the promotion of reasonable and equitable water use and benefit-sharing across borders;
- Integrates the management of **water quality and quantity**; and
- Requires states to act diligently in the **protection and preservation of the ecosystems** of international watercourses.

In many respects, the **UN Watercourses Convention supplements the CBD**.

- Article 14(1)(c) of the CBD requires parties planning to implement **major measures** to notify and consult with other states who might be significantly affected. The UN Watercourses Convention creates a detailed procedure for doing this, with specific obligations and timetables.
- The same is true with **transboundary pollution**—a key threat to biodiversity that the CBD does not address specifically, but which the UN Watercourses Convention clearly covers.
- While the CBD merely requires its parties to facilitate the **exchange of relevant information**, the UN Watercourses Convention sets out in more detail how this should be done.

  The UN Watercourses Convention will therefore encourage the production and dissemination of the sort of information that could be included in the web portal of the CBD's River Basin Initiative (RBI). In its turn, this portal could help to promote the importance of the UN Watercourses Convention.

Desertification:

The Convention to Combat Desertification (UNFCCD) requires states to promote the restoration, conservation, and sustainable management of land and water, and to cooperate with each other for the protection of those resources. The UNFCCD also requires neighbouring countries to work together in developing action programmes, which may include the joint sustainable management of transboundary water resources.

The UN Watercourses Convention will offer **an enhanced legal framework** for managing and sustainably using international watercourses. In so doing, the convention will better enable states to cooperate towards tackling any harmful conditions relating to those resource, such as drought and desertification. It will therefore **facilitate the implementation of the UNFCCD**.

For example, the UN Watercourses Convention:

- Recognises that **climatic factors and variability** are important in the achievement of an **equitable and reasonable balance** among watercourse states;
- Requires watercourse states to, when developing, managing and protecting international watercourses, do what they can to **prevent and mitigate the effects of drought and desertification** that may be harmful to their neighbours; and
- Requires states to collect, process, and exchange **information on meteorological conditions**.

Wetlands:

The Ramsar Convention on Wetlands (Ramsar Convention) promotes the protection and management of wetlands, requiring **countries to consult with each other** in relation to transboundary wetland systems or shared freshwater resources. Existing Ramsar resolutions further recognise the need for transboundary water cooperation, but **available guidance only goes as far as to recommend**, for example, that states jointly identify and manage transboundary wetlands, establish management regimes for shared river basins, and exchange expertise and information.

The Ramsar Convention works mostly by **moral persuasion** and **lacks detailed binding rules** clarifying the rights and duties of states sharing water resources. There is, therefore, a need for a more substantive framework governing interstate cooperation, dispute prevention and settlement to supplement the Ramsar Convention and its guidelines on international cooperation.

The UN Watercourses Convention can supply this. It contains key **standards**, **obligations**, and **procedures** for preventing disputes and fostering cooperation on the development and conservation of international watercourses and their ecosystems, including wetlands. For the worst cases, the UN Watercourses Convention also establishes **robust conflict resolution mechanisms**. These procedures will further reinforce implementation of relevant recommendations under the Ramsar Convention.

The UN Watercourses Convention will therefore help to ensure the adequate protection and sustainable management of those wetlands that are shared between two or more countries or are connected to international watercourses.

ANNEX I: RATIFICATION HISTORY AS OF DECEMBER 2008

The Table below contains the current signatories and contracting states to the UN Watercourses Convention. The second column shows the signatories, i.e., those countries which signed the Convention during the 3-year period in which it was open for signature (Article 34). Among those, six states have yet to complete the process for becoming parties by actually ratifying the Convention. The other countries, which became contracting states after that 3-year period, did not have to sign it. They directly accepted it, approved it, or acceded to the Convention. The legal effects of ratification, acceptance, approval or accession are the same. Ratification applies when the final act for becoming a party is preceded by signature. The terms "accession," "acceptance," and "approval" vary according to a country's internal usage, but again, produce the exact same legal effects.

Country/regional economic integration organisation	Date of signature	States that ratified (r), accepted (A), approved (AA), acceded to the convention (a)
Côte d'Ivoire	25 Sep 1998	
Finland	31 Oct 1997	23 Jan 1998 A
Germany	13 Aug 1998	15 Jan 2007 r
Hungary	20 Jul 1999	26 Jan 2000 AA
Iraq		9 Jul 2001 a
Jordan	17 Apr 1998	22 Jun 1999 r
Lebanon		25 May 1999 a
Libyan Arab Jamahiriya		14 Jun 2005 a
Luxembourg	14 Oct 1997	
Namibia	19 May 2000	29 Aug 2001 r
Netherlands	9 Mar 2000	9 Jan 2001 A
Norway	30 Sep 1998	30 Sep 1998 r
Paraguay	25 Aug 1998	
Portugal	11 Nov 1997	22 Jun 2005 r
Qatar		28 Feb 2002 a
South Africa	13 Aug 1997	26 Oct 1998 r
Sweden		15 Jun 2000 a
Syrian Arab Republic	11 Aug 1997	2 Apr 1998 r
Tunisia	19 May 2000	22 Apr 2009 r
Uzbekistan		4 Sep. 2007 a
Venezuela (Bolivarian Republic of)	22 Sep 1997	
Yemen	17 May 2000	

ANNEX II: VOTING RECORDS

On 21 May 1997, the United Nations General Assembly, at its 51st Session, approved Resolution A/RES/51/229, adopting the UN Watercourses Convention and inviting countries to become parties to it (UN Doc. A/51/PV.99). The table below shows the voting records, including the Convention's sponsors. During the voting, those states underscored the importance of the Convention and urged all member states of the United Nations to support its adoption. The states that sponsored and voted in favour of the Convention are not under a legal obligation to become parties. However, their sponsorship and approving vote created an expectation in the international community that, in response to the call for ratifications contained in Resolution A/RES/51/229, those countries would eventually join the Convention.

Sponsors (38)

Antigua and Barbuda, Bangladesh, Bhutan, Brazil, Cambodia, Cameroon, Canada, Chile, Denmark, Finland, Germany, Greece, Grenada, Honduras, Hungary, Italy, Japan, Jordan, Lao People's Democratic Republic, Latvia, Liechtenstein, Malaysia, Mexico, Nepal, Netherlands, Norway, Portugal, Republic of Korea, Romania, Sudan, Sweden, Syrian Arab Republic, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Vietnam.

In Favour (106)

Albania, Algeria, Angola, Antigua and Barbuda, Armenia, Australia, Austria, Bahrain, Bangladesh, Belarus, Belgium*, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Estonia, Fiji*, Finland, Gabon, Georgia, Germany, Greece, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nigeria*, Norway, Oman, Papua New Guinea, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Vietnam, Yemen, Zambia.

* The official vote recorded 103 votes in favour and 27 abstentions. Subsequently, however, Belgium, Fiji, and Nigeria informed that they had intended to vote in favour. For this reason, this list includes them among countries casting a vote of approval.

Abstentions (26)

Andorra, Argentina, Azerbaijan, Bolivia, Bulgaria, Colombia, Cuba, Ecuador, Egypt, Ethiopia, France, Ghana, Guatemala, India, Israel, Mali, Monaco, Mongolia, Pakistan, Panama, Paraguay, Peru, Rwanda, Spain, United Republic of Tanzania, Uzbekistan.

Absent (31)

Afghanistan, Bahamas, Barbados, Belize, Benin, Bhutan, Cape Verde, Comoros, Democratic People's Republic of Korea, Dominican Republic, El Salvador, Eritrea, Guinea, Lebanon, Mauritania, Myanmar, Niger, Palau, Saint Kitts & Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Solomon Islands, Sri Lanka, Swaziland, Tajikistan, The former Yugoslav Republic of Macedonia, Turkmenistan, Uganda, Zaire, Zimbabwe.

Against (3)

Burundi, China, Turkey.

ANNEX III: THE INTERNATIONAL COMMUNITY

The UN Watercourses Convention in the eyes of the International Community

Calls for ratifications:

UNSGAB's 2006 Hashimoto Action Plan

2006 Decision VIII/27 of the 8th Conference of the Parties to the Convention on Biodiversity, reiterated at COP-9, in 2008, by CBD Decision IX/19

UN Secretary-General, acting in his capacity as depositary, ahead of the 2007 and 2008 United Nations Treaty Events

The Dutch Government and the United Nations Development Program, in support of the 2007 United Nations Treaty Event

2007 Call for Action on the Ratification of the UN Watercourses Convention by West African States

His Royal Highness the Prince of Orange, speaking to the Plenary of the 118th Assembly of the Inter-Parliamentarian Union, as Chair of UNSGAB, in 2008

Global Public Policy Network (GPPN), NGOs, Women, and The Dutch Government, in the context of the Review of CSD-13 Decisions on Water & Sanitation, during the 16th Session of the Commission on Sustainable Development, in 2008

The Government of Iraq during the 36th Meeting of the Ramsar Standing Committee on 25-29 February 2008

The Dutch Government, during the recent informal Meeting of Water Directors of the European Union. Candidate and EFTA Countries, in 2008

International Policy Documents taking note of the importance of the Convention:

1999 Ramsar Convention Guidelines for Integrating Wetland Conservation and Wise Use into River Basin Management (Annex to Resolution VII.18)

1999 Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes

2000 Report of the World Commission on Dams

2003 "Water for Peace Statement," adopted during the 3rd World Water Forum, in Japan

2004 United Nations "Water without Borders" Backgrounder, launched ahead of the UN International Decade for Action: Water for Life

The UN Watercourse Convention Global Initiative

Partners in events and other activities to raise awareness of the UN Watercourses Convention:

African Centre for Water Research

Conservation International

Economic Community of West African States (ECOWAS)

Global Public Policy Network on Water Management (GPPN)

Global Water Partnership in West Africa and Bangladesh

Government of Ghana

Government of Italy

Green Cross

GTZ

IHP – HELP Centre for Water Law, Policy and Science, under the auspices of UNESCO

International Water Association

IUCN—The World Conservation Union

London School of Economics and Political Science: London Water Research Group

The Netherlands

Secretariat of the Convention on Biological Diversity (SCBD)

Secretariat to the Ramsar Convention on Wetlands

Stockholm International Water Institute (SIWI)

Swedish Network of Peace, Conflict and Development Research

United Nations Development Programme (UNDP)

United Nations Environment Programme

UN Office of Legal Affairs

UNSGAB

World Development Movement

WWF

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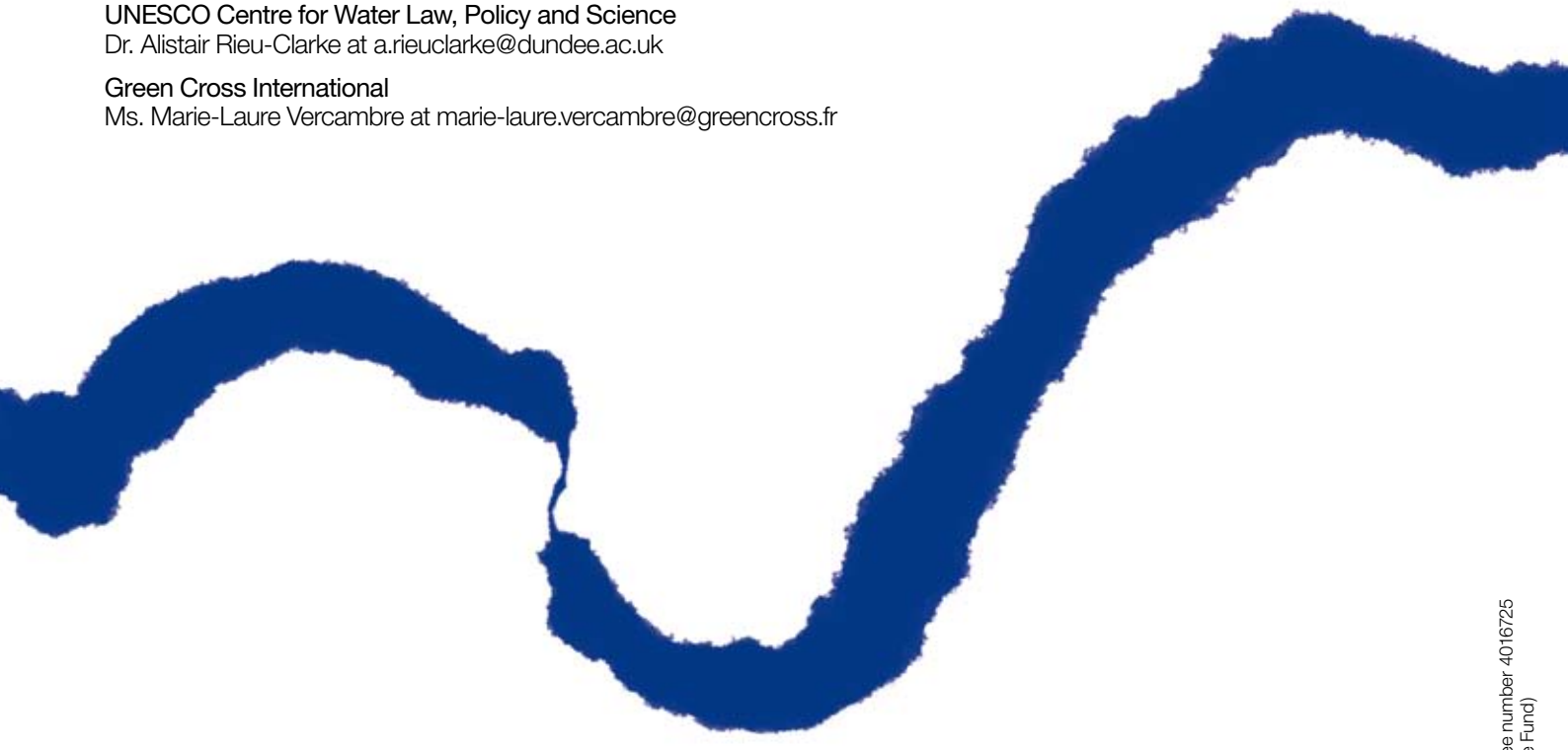

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Formed in 2007, the HSBC Climate Partnership brings together HSBC, The Climate Group, Earthwatch Institute, Smithsonian Tropical Research Institute and WWF to tackle the urgent threat of climate change on people, water, forests and cities.

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The mission of WWF is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature, by:
· conserving the world's biological diversity
· ensuring that the use of renewable resources is sustainable
· reducing pollution and wasteful consumption.

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