**Proposal by Hungary to Sherpa Colleagues on the way ahead (Tranboundary Water Governance)**

*The state of transboundary water governance*

Today, there are two global conventions that provide a basic framework for transboundary water governance: 1997 Convention on the Law of the Non-navigational Uses of International Watercourses (UN International Watercourses Convention) and the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes (UNECE Water Convention). The UNECE instrument has developed a broadly recognised practice based on the close cooperation of riparian countries and the Convention bodies. Yet, neither instruments offer more than a set of fundamental principles and basic procedural mechanisms to prevent or jointly resolve major transboundary water issues.

In reality, most transboundary water management takes place through particular multi- or bilateral treaties, rather than the two global instruments. In 2013 the Transboundary Freshwater Dispute Database counted around 250 proper basin or sub-basin agreements. While these cover less than 50% of the number of international river basins, such treaties apply to the most significant river basins, accounting for 70% of the world’s transboundary areas (42 million km2) and 80% of the people living in those regions (2.8 billion).

The trend of the past 50 years shows that about 30 new treaties are signed every decade. However, often these multi- or bilateral agreements lack a comprehensive character and cover only selected aspects of river basin management. The geographical coverage of the treaties may also be inconsistent. E.g. a recent global survey concluded that only around one-third of multilateral basins have treaties signed by at least three states, only 11 basins have treaties that include all riparians and only about a quarter of all treaties cover the entire basin to which they apply.

**Proposed actions by the Panel**

*General actions:*

1. Request UNWater to consolidate, improve and update the UN water treaty database and include information on river basin organisations[[1]](#footnote-1). *(Deadline: November 20)*
2. The Panel should promote the widest ratification of the two global conventions. *(Deadlin: Draft statement be prepared by the Joint Secretariat by November 20.)*
3. The Panel should encourage task UN regional commissions having a broad mandate to monitor, improve and assist transboundary water governance in their particular constituencies. *(Deadline: See as in para 2: Draft short statement be prepared by the Joint Secretariat by November 20.)*
4. The Panel should request UNWater (in cooperation with UN regional commissions) to elaborate suggestions for the improvement of mechanisms of dispute settlement. *(Request can be done immediately, and the suggestions should be prepared for the Davos meeting of the Panel.)*
5. The Panel should endorse the OECD principles of water governance (as stated in Action2 / Water Governance of the Action Plan). *(Deadline: See as in para 2: Draft statement be prepared by the Joint Secretariat by November 20.)*
6. The Panel may encourage development aid to be regarded as a stimulus for transboundary water cooperation[[2]](#footnote-2). *(Decision might be prepared for the Davos meeting of the Panel.)*

*Basin-specific actions:*

1. Encourage UN regional commissions to review the state of transboundary governance at each basin and major sub-basin. (*Deadline:* *See in para 2:* *Draft statement be prepared by the Joint Secretariat by November 20.)*
2. The Panel should encourage UNWater and the relevant UN regional commissions to develop regional model treaties and review checklist. *(Request can be done immediately, announced in Budapest, and the delivery might be expected by the HLPF meeting in July 2017.)*
3. The Panel should promote the establishment of transboundary river basin organisations. *(Deadline: To be established after having received the report defined in para 1. A political statement can be prepared for the Davos meeting of the Panel.)*
1. NB: FAO already has a wide treaty database, but it has no analytical functions, differs from other databases and contains no information on basin organisations. [↑](#footnote-ref-1)
2. The most notable example of this linkage was the pressure of the World Bank to conclude the Indus Waters Treaty in 1960 that is widely believed to have averted armed conflicts between India and Pakistan. [↑](#footnote-ref-2)