

Special Regional Session: Implementing the water related SDGs in the UNECE region. Convened by UNECE

Session report, 15th January 2015

Introduction

The session was convened and chaired by Nataliya Nikiforova, Environmental Affairs Officer at UNECE. She started the session with an overview presentation of the process of setting the Post 2015 Sustainable Development Goals Agenda and the means for implementation. She highlighted the remarkable progress achieved since the beginning of the Post 2015 Agenda setting process in 2012, as well as the unprecedented global consultations process undertaken, which involved high level panels, the UN Global Compact, several regional commissions and different streams of stakeholders including youth and representatives from different sectors. Among the 17 goals established, water is directly tackled in goal number 6: 'Ensure availability and sustainable management of water and sanitation for all' and indirectly influenced by other goals due to its cross-cutting nature. UNECE and other water related international institutions are working to ensure this water goal is maintained and reflects all the aspects involved in the water cycle. These 17 goals have been concentrated into 6 key elements to deliver the SDGs that comprise dignity, justice, partnership, prosperity, planet and people. 2015 is going to be a crucial year of global action where the final version of the 2015 post Agenda will be defined, leaving an important role to member states contributions. Discussions will concentrate around three major events between March and December, where financial aspects will be especially worked through and a the final set of goals will be established.

Besides setting the goals themselves, there is need to work on means for implementation of the goals, which will be the main focus of this Conference. Among the different tools that will be discussed, aspects related to data gathering and access, monitoring, evaluation and reporting and how to make them simple to facilitate implementation by member states will be important.

The UNECE region is comprised by Europe, including the European Union and all the ex-soviet states, the US, Canada and Israel. The European region is not homogeneous in terms of economic development, nor free of geopolitical conflicts and tensions and water related problems. Half of the population lives in water stressed areas and faces problems of conflicting uses, disparities on access to WASH services, deficient capacities of data collection and monitoring and vulnerability to disaster risks. Important tools that can potentially help overcome these challenges include institutional and legal cooperation frameworks, the Nexus approach to water, food, energy and ecosystems, the application of integrated water resources management, the promotion of the human right to water and sanitation and harmonized systems for reporting and monitoring, among others.

The session panel was composed by the following distinguished participants:

- Minna Hanski, Ministry of Agriculture and Forestry, Finland
- Luis Simas, Head of the Drinking Water Quality Department, ERSAR -Portuguese Water and Waste Services Regulation Authority
- Iskandar Abdullaev, Executive Director-Regional Environmental Center for Central Asia – CAREC
- Raimund Mair, Technical Expert for River Basin Management, International Commission for the Protection of the Danube River, Austria



Discussion panel: standing Raimund Mair. Sitting at the panel table, from left to right, Minna Hanski, Nataliya Nikiforova and Iskandar Abdullaev.

Regional cases

The panellists presented the four cases of the session. After each presentation, the chair Nataliya Nikiforova posed some questions to the panellist on especially relevant aspects.

ON the UNECE Water Convention: from regional to global instrument, and its implementation on the ground

Minna Hanski presented the case of the UNECE Water Convention, which has led to strengthened transboundary water cooperation, peace and security through intersectoral and transboundary coordination and cooperation. The Water Convention and the UN Watercourses Convention are based on the same principles and they complement each other. The UNECE Water Convention was signed in 1992 and amended in 2003, and is focused on the prevention, reduction and controlling of adverse transboundary impacts and imposes the obligation to cooperate through agreements and joint institutions. The UN Water Courses Convention entered in force in 2014 and has its focus on the fair and reasonable use of shared water resources by setting basic standards and rules for cooperation between watercourse states on the use, management, and protection of international watercourses. The globalization of these Conventions brings new opportunities for experience sharing.

Finland has a long tradition in transboundary cooperation and in participating in the development of international water law and in promoting international water conventions. The agreement between Finland and Russia concerning frontier watercourses is already 50 years old. It has a wide coverage, both geographically and in terms of the topics included. It meets the

principles of transboundary cooperation: equitable and reasonable use of the water resource, no harm principles and common institutional body; and was developed based on the following pillars:

- A participatory approach during planning and implementation, involving stakeholders to identify their needs, problems and priorities
- The main aim to minimise adverse consequences in the river system as a whole, including flood and drought risk management in both countries, hydropower production and habitats of fish and endangered Saimaa seal.
- Common understanding of risks, benefits and costs in the broad sense.
- Joint rules for watershed regulation in extreme water events - important tool for joint climate change adaptation.

Looking at the future challenges for implementation of the SDGs, Water Conventions and their regional implementation are important instruments for water diplomacy and conflict prevention that can contribute to increase water security. Transboundary agreements can lower the threshold for initiating discussions leading to solving disputes, while creating win win opportunities that rise above the national level.

Was it easy to reach an agreement on the discharge rule and, in general, what is the best way to find a consensus on the issue?

It was not easy, but a 20 years process that required a lot of planning, assessments, etc. There were also counterarguments in both countries. But it is important to note that these types of processes are not always easy. The proctor for success was stakeholder involvement and the wide assessment of impacts.

In this case, besides the UNECE WC, which meets only once a year, there are also regular working groups, regional authorities, regional research institutes, that work regularly on cooperation and information sharing. On this basis if the commission cannot reach consensus in a matter, it can submit it to the government, although this has never happened yet.

Are international forums used to help reach agreement Finnish-Russian cooperation?

International forums are very helpful. The principles of the Finnish-Russian agreement are the same as those of the UNECE convention and thus it is important to receive feedback and inputs from other countries, especially in aspects of future relevance like coping with climate change or the water-energy nexus.

Reporting under the Protocol on Water and Health and the EU Directives

Reporting and monitoring is an essential tool for the implementation of the 6th SDG on water. Within the European Union, the Water Framework Directive establishes the bases of a water quality reporting and monitoring system to assess the state and quality of water bodies and ensure their protection; and another reporting system is linked to the Drinking Water Directive. Upscaling to the UNECE region, an important monitoring and reporting tool is given by the Protocol on Water and Health, which constitutes the world's only legal treaty designed to reduce water-related deaths and diseases through improved water management. It is a practical instrument to achieve the water related MDGs and a framework to implement the human right to water and sanitation, focused on governance, integration of policies and on cooperation. Its key objectives are the access to drinking water and the provision of sanitation for everybody. It has currently been ratified by 26 of the 36 UNECE countries. Within its scope it includes coastal en estuarine waters, surface waters, wastewater collection, transport, treatment, discharge and reuse. Every three years the parties shall evaluate progress towards the targets set and submit

a summary report in accordance with guidelines established by the Meeting of the Parties. Two reporting cycles have been conducted in 2010 and 2013 and the third cycle will take place in 2015. The reporting has the objectives of assessing progress (self assessment by Party and assessment by the Meeting of the Parties), exchanging experience and lessons learned, demonstrating the main challenges/obstacles in implementing the Protocol and having a basis of harmonized information throughout the region. This protocol could be revised as a result of the Post 2015 Agenda, adjusting the guidelines and targets; increasing the focus on sanitation, wastewater, safe and efficient water management, equitable access, health promotion, financing, human resources; and integrating the reporting with global monitoring frameworks.

The implementation of these frameworks into an independent regulatory framework in Portugal has led to an increase from 84% to 99% of waters compiling the drinking water standards in 10 years, with improved conditions in treated wastewaters, surface waters, coastal bathing waters and river bathing waters.

On the importance of a regulator

What is the role of the ERSAR?

ERSAR has a very Portuguese approach on water regulation that encompasses not only drinking water, but also solid waste and wastewater. The economic, quality of service, drinking water and legal regulations are all under the same umbrella. All the conflictive aspects are discussed within the institution to provide a consensual opinion and solution to external parties such as water providers. This holistic approach in regulation has worked well in Portugal.

Another key aspect is that ERSAR is independent from the governments in economic, regulatory and functional terms. It gives advice to the governments on how the rules for the water sector should be. This independency from the government allows for doing the right work without any external conditioning or influencing forces.

In what ways has Portugal conducted its active participation in supporting the UN special rapporteur in human rights to water and sanitation?

Extensive work was done on the following aspects:

- Social tariffs for those who cannot pay the basic services of drinking water and sewage, as these are basic rights and needs that need to be ensured for the poorest.
- Tariffs for larger families
- Elimination of connection charges
- Assessment of affordability that aims to ensure that the water bill is less than 1% of the household income and prompt water provider to adjust their prices based on this standard.

What is the score card on equitable access self-evaluation undertaken in Portugal?

The equity balance score card allowed ERSAR to identify gaps in the legislation and what kinds of groups were being excluded, and use it to advice the government on the aspects that needed to be changed in the legislation, such as the example of eliminating the connection charges to allow global access. It also revealed that it was necessary to bring to the citizens the idea that they needed to do something in return to the investment made by the government: they had to respond by connecting. This is a balance that needs to exist.

On cooperation mechanisms in Central Asia: achievements and challenges

Environmental challenges hanging over Central Asia include anthropogenic pressures on water quality and quantity, diversity and functions; climate change related impacts such as reduction of river flows and higher water-energy demands; degraded natural biodiversity and reduced ecosystem services. Thus stronger institutional capacities, social resilience and economic power are required.

Particularly regional cooperation is a pre-requisite for sustainable development due to the transboundary nature of Central Asian natural resources, processes and infrastructure, the past dependency and common challenges, and the economic growth limitations and need for social cohesion. Regional cooperation is being fostered by the creation of regional organizations (IFAS, ICSD, ICWC - partnership Memoranda's and active cooperation); regional networks (research- academia, basin organizations, environmental experts); regional working groups (water quality, basin planning, SEIS, PES); regional processes (ASBP-3, Regional Environmental Goals, Green Business Club); and partnerships among the state, civil – society, business and international processes. These have provided with ownership, internalization, rotation of governance, professionalization, regional dialogue processes and platforms for discussion, reduction of conflicts and short-term solutions (water allocation). Successful examples and initiatives include the Central Asia Initiative (CAI), Water Quality cooperation (UNECE+CAREC) and the Aral Sea programmes (ASBP-I,II,III). Among the main challenges for regional cooperation are the sectoral, un-coordinated, longer process of negotiations and decision making; outdated processes un-linked from national priorities and global development; and ad-hock, context based, conflictive and result less cooperation. Some new efforts are being started, highlighting the EU Strategy for Central Asia, New Silk Road Initiative, Berlin Process and some regional organizations.

In this context, there is a great interest in Central Asia to implement the SDGs for prosperity, security and sustainability purposes, though its representation in the Post 2015 Agenda process could be improved through regional institutions. A successful implementation of the SDGs will require a monitoring system including indicators and information management and exchange. Some accountability mechanisms that could help this process are the Promotion of Sets of indicators such as Shared Environmental Information System (SEIS), Using Advanced Reporting Approaches and Tools like the Annual State of Environmental Reporting (SoE), Improving Public Access to the Information (Aarhus Centres), methodological support and advice and capacity building for regional networks.

What support would Central Asia need from the International Community?

First, there is need to set up regional dialogues that bring regions and organizations together. Second, there is need to exchange knowledge and instruments with other parts of the UNECE to bridge the knowledge breach. This is very important for the region, which sometimes gets locked by language or experience constrains. Third, the need for platforms to give support to both what is needed and what has already been achieved.

On Intersectoral cooperation to support implementation of SDGs at basin level

Almost two thirds of the global landmass is covered by international river basins. Considering the cross-cutting and interdisciplinary nature of water and the inclusion of water issues among the SDGs, cooperation in international basins becomes particularly important. In this context and in view of the warnings raised by the most recent IPCC technical reports on predictable

risks to water quality and availability, the International Commission for the Protection of the Danube River (ICPDR) was asked by the Ministers of the Danube countries in 2010 to prepare the first transboundary Climate Change Adaptation Strategy for the whole basin. The Strategy was finalised and adopted in December 2012, and is based on a scientific research study which summarises all relevant information on climate change and expected impacts on water for the Danube River Basin.

The Strategy is currently under implementation, whereas the most important tools for taking the required adaptation measures are the international Danube River Basin Management and Danube Flood Risk Management Plans. Drafts for both plans are currently in public consultation and will be finalised and adopted in December 2015. The plans are based on 6 years management cycles after which they will be revised and updated, as mechanism to cope with uncertainty and keep them flexible and adaptive. Meanwhile, they are developed under a multidisciplinary and integrated approach, including experts from both the water and other cross-cutting sectors (like hydropower) addressing different water management aspects, as well as involving stakeholders through public consultation processes. The involvement of stakeholders during the decision making process has proved beneficial and effective as, despite making this step more complex and timely, it results in a smoother and quicker implementation phase. Parallel to the general approach, certain especially conflicting aspects such as inland navigation, hydropower and marine ecosystems integrity required specific action. Targeted activities like the political mandate to develop 'Guiding Principles on Sustainable Hydropower Development in the Danube Basin' were launched to ensure a minimal disturbance of the basin water and environmental integrity by the construction of big infrastructure projects.

The main conclusions drawn from this experience were the importance of Integrated Transboundary River Basin Management to achieve the different SDGs (water, energy, ecosystems, etc.), as well as its potential role as a catalyser for national dialogues and processes. However, pre-requisites for effective transboundary river management are the existence of a legal and institutional framework for transboundary cooperation and resources and the political support and dedication of actors involved.

How was cooperation structured in this alliance that includes countries within and outside the EU, with different economic levels and political structures?

The Danube basin has a lot of socio-economic diversity and heterogeneity. In the case of the EU member states, the EU legal framework, i.e. the Water Framework Directive (WFD) with its requirements and deadlines, prompt them to automatically also fulfil the requirements stemming from the Danube River Protection Convention. Non-EU countries politically agreed to work on the implementation of the WFD. Cooperation in the frame of the convention brings them closer to the EU, while the application of these principles also results in benefits for them. Meanwhile, the commission also tries to get external funds from international donors to provide targeted support to the countries with lower economic levels in order to soften the gaps, and to fund some of the activities.

Does ICPDR also use global platforms and projects to make sure this cooperation is affective at the basin level?

The Danube cooperation was started with important financial support from the UN, EU and other international donors, and several platforms were created to engage the different countries. At some points the countries started to contribute financially and in the meantime the work of the ICPDR is generally self-financed without dependency on external funds. All countries make equal contributions with transitional periods according to their socio-economic situation. But

ICPDR has a commitment to give something in return to the global community for their help, so they try to get involved in different activities at the global level like the UNECE for instance.

Have the guidelines and tools mentioned contributed to ease agreement in conflicting sectors like hydropower or navigation?

Besides the application of the guiding principles, annual meetings and workshops for reporting progress and allowing for an exchange of experiences in the practical application are being organized. The core element was to get the relevant actors, including countries and sector representatives on board, in order to balance the gains from hydropower or inland navigation with environmental protection. These documents helped them get to the right balance and accelerate implementation. A lesson learnt was that this strategic planning could lead to practical solutions in direct way, avoiding the need for long and tedious negotiations.

Open discussion

How are the different scales integrated in river basin management?

In the case of the ICPDR there are three management levels. At the basin level the ICPDR focuses on the management of the major rivers and water bodies and deals with river basin scale issues. At the national level each country makes a more detailed planning of their national water bodies. The third level is the sub-basins, which in many cases also have their specific management plans. The challenge is the communication among the three levels. The national level has the important role to work as a connector, communicating national and local issues to the international level, and bringing back from the international meetings and discussions the basin wide issues, as well as to promote activities to contribute to basin wide objectives.

Can the local community affect the national policies and how are they involved?

Local communities can contribute to the national and international planning through the public consultation processes. Comments provided in this process are addressed in working groups with different stakeholder representatives in an open and transparent way.

In the case of Federal States, provincial governments are involved through the participation in the international meetings and discussion.

How is the Aral Sea disaster being managed?

After the last urgent international meeting, the ASBPIII plan has been designed and efforts are ongoing.

Final messages and conclusions

International cooperation instruments and Integrated Transboundary River Basin Management is pre-requisite for the achievement of several SDGs as well as driving forces for water diplomacy and conflict prevention. The benefits of cooperation on shared waters rise above national interests but can also create win-win situations. However, the building of these processes requires legal and institutional framework for transboundary cooperation as well as political support and dedication from all actors. In addition, monitoring, reporting and communicating is crucial to assess the real situation, transfer the knowledge and experience required to take effective action and coordinate the efforts to address the problems in the same direction.