

International Water Governance: Conservation of Freshwater Ecosystems

Vol. 1 International Agreements Compilation and Analysis

Edited by Alejandro Iza



IUCN Environmental Policy and Law Paper No. 55

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Table of contents

Preface	ix
<i>John Scanlon</i>	
Editor's note	xi
<i>Alejandro Iza</i>	
Abbreviations and symbols	xiii
Part I Watercourse agreements	1
1. Global	3
2. Regions	8
2.1 Africa	8
2.1.1 Regional agreements	8
2.1.2 Bilateral and multilateral agreements	10
Congo	10
Cunene/Kunene	10
Gambia	13
Gash	15
Incomati/Komati	15
Jubba-Shabelle	21
Koliba Korubal	21
Lake Chad	22
Lake Tanganyika	24
Limpopo	25
Maputo	25
Niger	26
Nile	30
Okavango	41
Orange/Senqu	42
Ruvuma	44
Senegal	45
Volta	48
Zambezi	48
2.2 The Americas	53
2.2.1 Bilateral and multilateral agreements	53
Amazon	53
Argentina-Chile shared waters	57

Artibonite-Massacre-Pedernales	58
Candelaria-Coatán	59
Achute-Hondo-Suchiate-Usumacinta/Grijalva	
Chuy-Merin/Mirim Lagoon	60
Colorado	63
Columbia	69
Fraser	73
Lake Titicaca-Poopo System	73
Lempa-Paz	76
Maroni	77
Nelson-Saskatchewan	77
Panamá Canal	79
Plata	79
Río Bravo/Río Grande	96
St. Croix	99
St. John	100
St. Lawrence	102
Skagit	112
Souris	112
Tijuana	113
Yaqui	113
2.3 Asia	114
2.3.1 Regional agreements	114
2.3.2 Bilateral and multilateral agreements	115
Amur	115
Aral Sea	118
Atrak	123
Bor Nor Lake-Har Us Nuur-Pu Lun T'o	124
Chu-Talas	124
Ganges-Brahmaputra-Meghna	125
Helmand	129
Indus	130
Jordan	131
Kazakhstan-China shared waters	134
Kura-Araks	135
Mekong	135
Naaf	139

Nahr el-Kebir	139
Ob-Oral/Ural-Volga	140
Tigris-Euphrates (Shatt al Arab)	141
Sepik-Fly	144
2.4 Europe	145
2.4.1 Regional agreements	145
2.4.2 Bilateral and multilateral agreements	148
Bidassoa	148
Danube	151
Daugava	176
Denmark-Germany shared waters	177
Dniester	178
Douro/Duero	179
Elbe	182
Garonne	187
Guadiana	188
Isonzo	189
Kemi-Olanga-Oulu	190
Lake Prespa-Struma-Vardar	192
Lava/Pregel	193
Lielupe	193
Maritsa/Evros/Meriç	194
Memel	195
Minho/Miño	196
Narva	197
Neman	199
Nestos	201
Näätämo	202
Oder/Odra	202
Pasvik	206
Po	208
Rhine	211
Rhone	233
Roia/Roya	240
Scheldt	240
Struma-Vardar	242
Tagus/Tejo	242

Tana	243
Torne/Torneälven	244
Vistula/Wisła	245
Vuoksa/Vuoksi	246
Part II Non-watercourse agreements	249
1. Global	251
2. Regional	257
3. Bilateral and multilateral	271
Part III European legislation	281
1. Primary legislation	283
2. Secondary legislation	285
Part IV Law of the sea	297
1. Global	299
2. Regional agreements	301
2.1 Regional	301
2.2 Conventions and protocols within the UNEP Regional Seas Programme	306

Preface

The World Summit on Sustainable Development (WSSD) Johannesburg Plan of Implementation recognised that “good governance within each country and at the international level is essential for sustainable development”. The UN Millennium Development Goal “to halve, by the year 2015 ... the proportion of people who are unable to reach, or to afford, safe drinking water” and “to stop the unsustainable exploitation of water resources” will require effective governance arrangements to be in place at both the international and national levels.

The IUCN Environmental Law Programme (ELP) releases this book as the first in a series of publications on the *Conservation of Freshwater Ecosystems*. The objective of this new series of publications is to help provide a better understanding of existing governance arrangements for the preservation of freshwater ecosystems, and to assist with the on-going process of the review and evolution of such arrangements.

Volume I of this series, “*International Water Governance: International Agreements – Compilation and Analysis*” provides a compilation and an analysis of selected watercourse agreements for shared water resources from around the world, along with an analysis of other multilateral environmental agreements that may impact the conservation of freshwater ecosystems.

This publication provides a much needed contribution to the existing information available in this area by moving beyond the compilation of instruments to providing an analysis of treaty provisions, insofar as they relate to the conservation of freshwater ecosystems. Such an analysis will greatly assist all of us as we seek to implement existing arrangements and to find effective and innovative ways of achieving the UN Millennium Development Goals and to give effect to the WSSD Johannesburg Plan of Implementation.

Through this series, IUCN ELP intends to address the full extent of the legal and governance landscape affecting the conservation of freshwater conservation. This Volume will be followed by a compilation and analysis of national legislation (Volume II), court and tribunal decisions (Volume III), and *soft law* (Volume IV).

IUCN ELP is founded on a basis of partnerships and collective endeavours. This publication is the result of the collective efforts of many people, each of whom deserves our thanks:

- Dr Alejandro Iza, IUCN Environmental Law Centre (ELC) Senior Legal Officer, for his dedication as Editor and mentor of our team of interns;
- Claudiane Chavalier, Katerina Sarafidou and Malin Hollberg, IUCN ELC ‘volunteer’ interns, each of whom was responsible for contributing to the background research and analysis;
- Noemi Nemes, Stefan Levy, Annalisa Savaresi and Dana Zhandayeva, IUCN interns, fellows and secondees, each of whom provided input into the translation and analysis of some of the documents;
- Anni Lukács and Monica Pacheco-Fabig, IUCN ELC Library, for their help with the treaty sources;

- Ann DeVoy, IUCN ELC Secretariat, for her assistance in the preparation of the publication; and
- Maria Socorro Manguiat, IUCN Legal Officer and Jil Self, IUCN ELC Secretariat, for their contribution to proofreading the final version of this publication.

We would also like to extend our most sincere thanks to the German Federal Ministry for Economic Cooperation and Development (BMZ) for supporting this project.

IUCN ELP hopes that this publication makes a valuable contribution towards the conservation of freshwater ecosystems and serves as a fitting tribute to the young and dedicated minds who gave so much time and energy to make the idea for this publication become a reality.

John Scanlon
Head, IUCN Environmental Law Programme
Director, IUCN Environmental Law Centre

Editor's note

The rules concerning freshwater ecosystems conservation are dispersed in a multiplicity of instruments, ranging from international agreements to *soft law*. National legislation and court and tribunal decisions are also relevant.

Some of these instruments address the conservation of freshwater ecosystems in a direct way, particularly the newest ones, whereas others do this in an indirect fashion. It is in the very nature of water that it connects with and influences other sectors and is, in turn, influenced by them. Typical examples of these interactions or interfaces include freshwater and marine, freshwater and species, freshwater and forests, and freshwater and land uses and soils. This is why relevant instruments on these sectors are analysed in this book.

The construction of dams, dredging, extensive cultivation and deforestation, alteration of river banks and channels are classical activities and processes affecting water quantity and changing river flows. However, freshwater ecosystems are not only affected by changing patterns in water quantity but also by the alteration of its quality. Therefore, processes like pollution, the introduction of invasive species, or the interfaces between freshwaters and marine waters are considered in this book.

The book is structured in four parts. Part I relates to watercourse agreements. The analysis has been conducted by region (Africa, the Americas, Asia and Europe) and by scope (regional, and bilateral and multilateral, and within this category, by basin). Whenever possible, and as appropriate, it follows the list of basins provided by the Water Resources E-Atlas, published by IUCN, IWMI, the Ramsar Convention Bureau, and WRI.

The book does not provide a comprehensive analysis of all the agreements regulating the entire spectrum of river and lake basins of the world, but a selection of the most relevant instruments applicable to them. Some of the agreements are quite old, and their provisions could be considered of very indirect value. Nevertheless, they have been included to provide an illustration of how a particular basin regime has evolved over time, or to show the deficiencies in some of them. For the purpose of avoiding overlaps and repetitions, when a treaty or agreement is applicable to more than one river basin, it is indicated in brackets.

A list of the agreements analysed is provided for each basin. Only those that are relevant for the subject matter of this book are further considered.

Part II relates to non-watercourse agreements. In this part, consideration is given to a series of global, regional, and bilateral agreements that do not directly refer to the subject matter of this book, but provide further support to the legal foundations for the protection of freshwater ecosystems under international law.

The same argument applies to Part III, which deals with European legislation. In this part, primary legislation (Agreements constituting the European Community and the European Union) and secondary legislation (instruments adopted by the institutions of the European Community) are analysed.

Finally, Part IV of the book refers to the Law of the Sea. Some of the agreements and protocols from the UNEP Regional Seas Programme and the International Maritime Organization impact upon the relationship, and interfaces, between the law of the sea and the law of freshwater resources. They provide further support for the conservation of freshwater ecosystems, and have been included.

Dr Alejandro Iza
Senior Legal Officer
IUCN Environmental Law Centre

Abbreviations and symbols

Abbreviations

EMuT	International Environmental Law. Multilateral Treaties. ICEL, IUCN, Kluwer Law International 2004. First published in 1974
FAO Legislative study	FAO Legislative Study, no. 55. Treaties concerning the non-navigational uses of international watercourses – Asia
ILM	International Legal Materials
Legislative texts	Legislative Texts and Treaty Provisions concerning the utilisation of international rivers for other purposes than navigation, UN Doc. ST/LEG/SER.B12, 1964 League of Nations Treaty Series
UNTS	United Nations Treaty Series
U.S.S.R.	Union of Soviet Socialist Republics

Symbols

•	Relevant
➤	Not relevant
□	Of general importance only
www	Internet sources

Part I

Watercourse agreements

1. Global

- Convention and Statute on the Regime of Navigable Waterways of International Concern
(Barcelona, 20 April 1921)
- Convention relating to the Development of Hydraulic Power affecting more than one State and Protocol of Signature
(Geneva, 9 December 1923)
- Convention on Wetlands of International Importance Especially as Waterfowl Habitat
(Ramsar, 2 February 1971)
- United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses
(UN General Assembly, 21 May 1997)

Convention and Statute on the Regime of Navigable Waterways of International Concern

Place and date

Barcelona, 20 April 1921

Primary focus area

Navigation

Provisions most relevant to ecosystems conservation

According to the Statute on the Regime of Navigable Waterways of International Concern, which is annexed to the Convention, navigable waterways of international concern are all parts which are naturally navigable to and from the sea of a waterway which in its course, naturally navigable to and from the sea, separates or traverses different States, and also any part of any other waterway naturally navigable to and from the sea which connects with the sea a waterway naturally navigable which separates or traverses different States.

In the navigable waterways, the riparian State is bound to refrain from all measures likely to prejudice the navigability of the waterway, or to reduce the facilities for navigation, and to take as rapidly as possible all necessary steps for removing any obstacles and dangers which may occur to navigation.

Institutional framework

The Parties establish an international Commission which includes representatives of States other than the riparian States.

Source

7 UNTS 36

Convention relating to the Development of Hydraulic Power affecting more than one State and Protocol of Signature

Place and date

Geneva, 9 December 1923

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The Convention establishes that its provisions in no way affect the right of each State, within international law, to conduct in its own territory, activities related to the development of hydraulic power. In cases in which the development of hydraulic power involves international investigation, the concerned Parties shall agree to such investigation, at the request of any one of them. If a Party desires to carry out operations for the development of hydraulic power, partly on its own territory and partly on the territory of another Party, or involving alterations on the territory of another Party, which might cause serious prejudice to any other Contracting State, the States concerned shall enter into negotiations with a view to concluding agreements which will allow such operations to be executed. Within the said agreements, the Contracting States may, *inter alia*, provide for

- the protection of sites; and
- the regulation of water flow.

Institutional framework

The text of the Convention does not specify.

Source

League of Nations Treaty Series, Vol. XXXVI, p. 77.

Convention on Wetlands of International Importance Especially as Waterfowl Habitat

Place and date

Ramsar, 2 February 1971

Primary focus area

Conservation of wetlands

Provisions most relevant to ecosystems conservation

The primary objective of the Convention is to conserve and wise use wetlands to provide habitat for waterbirds. However, the Convention has broadened its scope through decision of the Conference of the Contracting Parties to cover all aspects of wetland conservation and wise use, recognising wetlands as ecosystems that are extremely important for biodiversity conservation in general and for the wellbeing of human communities.

“Wetlands” is defined by the Convention as areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres. The Convention operates on the basis of a site listing and each Contracting Party shall designate at least one suitable wetland within its territory

for inclusion in the List of Wetlands of International Importance, and has the right to add further wetlands to the List. The wetlands should be selected for the List on account of their international significance in terms of ecology, botany, zoology, limnology or hydrology. The Contracting Parties shall formulate and implement their planning so as to promote the conservation of wetlands included in the List, and as far as possible the wise use of wetlands in their territory. Furthermore, the conservation of wetlands and waterfowl shall be promoted by establishing nature reserves on wetlands and provide adequately for their wardening.

At the 7th meeting of the Conference of the Parties held in San José, 10–18 May 1999, several guidelines on wise use of wetlands were adopted, being the most relevant for freshwater ecosystems conservation: the Guidelines for integrating wetland conservation and wise use into river basin management; the Guidelines for establishing and strengthening local communities and indigenous peoples' participation in the management of the wetlands; Guidelines for reviewing laws and institutions to promote the wise use of wetlands; and Guidelines for international co-operation under the Ramsar Convention. With regard to the Guidelines for integrating wetland conservation and wise use into river basin management, specific guidance is provided in the following sectors:

- integrated river basin management;
- development and strengthening of policy and legislation for integrated water resources management;
- establishment of river basin management authorities and strengthening of institutional capacity;
- involvement of stakeholders, community participation and public awareness;
- assessment and enhancement of the role of wetlands for water management;
- identification of current and future supply and demand for water;
- assist the Contracting Parties to minimise the impacts of land-use projects on wetlands and their biodiversity;
- reduction of impacts of water development projects;
- maintenance of natural water regimes to conserve wetlands;
- protection on restoration of wetlands and biodiversity;
- management of shared river basins and wetlands systems; and
- partnership with relevant conventions, organisations and initiatives.

During the 8th Conference of the Parties held in Valencia, 18–26 November 2002, further guidance for promoting the wise use of wetlands was adopted. The Parties adopted Resolution VIII.1, entitled “Guidelines for the allocation and management of water for maintaining the ecological functions of wetlands.” The Resolution urges the Contracting Parties to the Ramsar Convention to give priority to their application, adapting them to suit national conditions and circumstances. Further, it encourages Parties with wetlands lying in shared river basins to apply these guidelines within the context of the management of water allocations in transboundary basins. The allocation

of water for wetland ecosystems should be based on the following guiding principles: sustainability; clarity of process; equity in participation and decision-making; credibility of science; transparency in implementation; flexibility of management; and accountability for decisions. The Resolution further provides specific actions that should be undertaken in order to operationalise the seven referred to principles.

The Guidelines themselves relate to:

- policy and legislation;
- valuation of wetlands ecosystems;
- environmental flow assessment downstream of dams;
- determination of water allocations for a particular wetland ecosystem; and
- implementing water allocations to wetlands.

Institutional framework

The institutional framework shall be a Conference of the Contracting Parties, in charge of reviewing and promoting the implementation of the Convention. IUCN shall continue the bureau duties under the Convention, which are carried out by the Ramsar Secretariat.

Source

996 UNTS 245

United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses

Place and date

New York, 21 May 1997

Primary focus area

Management of international watercourses, conservation of watercourses, uses of water for other purposes than navigation

Provisions most relevant to ecosystems conservation

The Convention is applicable to the “international watercourse” which means a system of surface water and ground waters constituting by virtue of their physical relationship a unitary whole and normally flowing into a common terminus, parts of which are situated in different States.

The cornerstone of the Convention includes obligations to:

- utilise the international watercourse in an equitable and reasonable manner; and
- prevent harm to other riparian states.

According to the Convention, watercourse states have the right to utilise the watercourse within its territory in an equitable and reasonable manner. The international watercourse shall be used and developed with a view of achieving optimal and sustainable utilisation, taking into account the interest of other watercourse states, and the protection of the watercourse. The Convention refers to the factors relevant to determine equitable and reasonable utilisation and the obligation of prevention of harm to other riparian states. The obligation is not absolute as the Convention refers to a duty for the Parties to take all appropriate

measures. Furthermore, the threshold for the degree of harm, used by the Convention is relatively high. It uses the word “significant” leaving aside the harm that is minor or perhaps even serious. The determination of “significant harm” is governed by the circumstances of each particular case. The Convention lists a series of factors and considerations to be evaluated in determining what actions are within the notion of equitable utilisation.

The Convention establishes that watercourse states shall, individually and, where appropriate, jointly, protect and preserve the ecosystems of international watercourses. This standard covers not only quality but also quantity objectives. In effect, the Convention contains provisions related to prevention, reduction and control of pollution, introduction of alien species and protection of the marine environment. A distinction should be made between the standard of protection granted to pollution prevention, reduction and control and the protection of ecosystems. The obligation to preserve ecosystems does not depend on causing significant harm. Those provisions dealing with pollution prevention, reduction and control depend on the possibility of causing significant harm to other watercourse states or to their environment.

Under the heading of protection and preservation of the marine environment, the Convention includes the estuaries. The estuaries, interface zones where freshwaters and marine waters meet, are not traditionally covered by the law of international watercourses or the law of the sea. The issue of environment flows is particularly relevant in the context of estuaries, since an inadequate level of freshwater reaching the estuarine zone can have deleterious effects on the estuarine and coastal zone environment.

The Convention also stresses the importance of co-operation between the States in the management of the watercourse. In doing so, the Convention deals with the regulation of the watercourse flow. Regulation is defined as “the use of hydraulic works or any other continuing measure to alter, vary or otherwise control the flow of the waters of an international watercourse.” The Convention also includes a clause reflecting the general obligation to co-operate between the States.

Institutional framework

The text of the Convention does not specify.

Source

UN Doc. A/51/869

2. Regions

2.1 Africa

2.1.1 Regional agreements

- Protocol on shared watercourse systems in the Southern African Development Community
(Johannesburg, 28 August 1995)
- Revised Protocol on shared watercourse systems in the Southern African Development Community
(Windhoek, 7 August 2000)

Protocol on shared watercourse systems in the Southern Africa Development Community

Place and date

Johannesburg, 28 August 1995

Signatories

Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe

Geographical area covered

The territories of the Parties to the Southern African Development Community (SADC)

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The Protocol provides that:

- Member States lying within the basin of a shared watercourse system shall maintain a proper balance between resource development for a higher standard of living for their people and conservation and enhancement of the environment to promote sustainable development;
- Member States shall take all measures necessary to prevent the introduction of alien aquatic species into a shared watercourse system which may have detrimental effects on the ecosystem; and
- Member States shall maintain and protect shared watercourse systems and related installations, facilities and other works in order to prevent pollution or environmental degradation.

Member States undertake to establish river basin management institutions for shared watercourse systems in the SADC region.

Institutional framework

The institutional framework between the Member States shall be the principal institutions of SADC: the Council of Ministers and the Secretariat.

Source

www.faolex.fao.org/faolex/

Revised Protocol on shared watercourse systems in the Southern Africa Development Community**Place and date**

Windhoek, 7 August 2000

Signatories

Angola, Botswana, the Democratic Republic of Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe

Geographical area covered

The territories of the Parties to the Southern Africa Development Community (SADC)

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The revised Protocol has the objective to foster closer co-operation for the sustainable and co-ordinated management, and protection and utilisation of shared watercourses. Parties are to harmonise the water uses in the shared watercourses, and to ensure that all necessary interventions are consistent with the sustainable development of all Watercourse States.

Parties shall individually and, where appropriate, jointly, protect and preserve the ecosystems of a shared watercourse, including estuaries. Measures shall be taken to prevent the introduction of species, alien or new, into a shared watercourse which may have effects detrimental to the ecosystems of the watercourse resulting in significant harm to other Watercourse States.

Institutional framework

The Parties establish the following institutional mechanism responsible for the implementation of the Protocol:

- SADC Water Sector Organs, such as:
 - the Committee of Water Ministers;
 - the Committee of Water Senior Officials;
 - the Water Sector Co-ordinating Unit; and
 - the Water Resources Technical Committees and sub-Committees.

Source

www.faolex.fao.org/faolex/

2.1.2 Bilateral and multilateral agreements

Congo

- Convention between Belgium and Portugal regarding various questions of economic interest of the colonies Belgian Congo and Angola (Saint-Paul de Loanda, 20 July 1927)

Convention between Belgium and Portugal regarding various questions of economic interest of the colonies Belgian Congo and Angola

Place and date

Saint-Paul de Loanda, 20 July 1927

Signatories

Belgium and Portugal

Geographical area covered

M'Pozo

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The Portuguese and the Belgian Governments agree that for the purpose of constructing a dam on the watercourse of the M'Pozo River in Congolese territory, the level of the water of the river shall be increased in Angolan territory.

Institutional framework

The text of the Convention does not specify.

Source

Legislative Texts, Treaty no. 3, p. 96.

Cunene/Kunene

- Agreement between the Government of the Union of South Africa and the Government of the Republic of Portugal regulating the use of the waters of the Kunene River for the purposes of generating hydraulic power and of inundation and irrigation in the mandated territory of South West Africa (Cape Town, 1 July 1926)
- Agreement between the Government of the Republic of South Africa and the Government of Portugal in regard to the first phase of development of the water resources of the Cunene River Basin (Lisbon, 21 January 1969)
- Joint Water Commission Terms of Reference (1 January 1996)

Agreement between the Government of the Union of South Africa and the Government of the Republic of Portugal regulating the use of the waters of the Kunene River for the purposes of generating hydraulic power and of inundation and irrigation in the mandated territory of South West Africa

Place and date

Cape Town, 1 July 1926

Signatories

Portugal and South Africa

Geographical area covered

Kunene

Primary focus area

Hydropower and irrigation

Provisions most relevant to ecosystems conservation

The Parties agree to the construction of a dam across the Kunene River for the diversion of water to be utilised for the generation of hydraulic power. South Africa is given the right to use up to one half of the floodwater of the river for the purposes of inundation and irrigation, provided that the established Joint Technical Commission shows the scheme to be feasible.

No diversion shall be made on a certain stretch of river unless a quantity of water sufficient for any power works constructed at any point below that stretch is allowed to pass down. Subject to the decision of the Joint Technical Commission, South Africa shall have the right to divert by means of diversion works of any kind, the whole or part of its half share of the flood waters of the river at such point or points as prove to be the most suitable.

Institutional framework

The Parties agree to establish a Joint Technical Commission comprising members of both Parties. The Commission shall devise a means of supplying water for the purposes of inundation and irrigation. With that objective in view, the Commission shall:

- Report on the feasibility of diverting the water of the river; and
- Fix the point or points for such diversion.

Source

Legislative Texts, Treaty 7, no. 29, p. 132.

Agreement between the Government of the Republic of South Africa and the Government of Portugal in regard to the first phase of development of the water resources of the Cunene River Basin

Place and date

Lisbon, 21 January 1969

Signatories

Portugal and South Africa

Geographical area covered

Kunene

Primary focus area

Hydropower and irrigation

Provisions most relevant to ecosystems conservation

The Agreement concerns technical and financial requirements for the construction of dams for various purposes in the territory of South Africa. It is aimed at achieving the following benefits:

- the regulation of the flow of the Kunene River;
- the improvement of generation of hydro-electric power at Matala;
- initial irrigation and the supply of water for human and animal consumption in the middle-Kunene;
- the supply of water for human and animal requirements in South West Africa and for initial irrigation in Ovamboland; and
- the generation of hydro-electric power at Ruacana.

The Parties agree that the works to be executed in the first phase of the development of the river shall be the construction of two dams with schemes for pumping water from the river for human and animal consumption, and the construction of a hydro-electric power station.

Portugal agrees not to abstract more than half of the resulting regulated flow of the river subject to agreed hydrological analyses. One of the two dams shall be operated so as to provide a regulated flow on a calculated basis within the hydrology of the Kunene River as close as possible to the regulated flow as may be compatible with the quantity of water stored in the dam.

The quantity of water to be abstracted by means of the pumping scheme from the other dam during any one week shall be limited to one half of the natural flow of the river at the point of abstraction during that week subject to a certain maximum pumping rate. The pumping scheme shall be operated solely for the supply of water for human and animal requirements in South West Africa and initial irrigation.

Institutional framework

The Parties agree to establish a Permanent Joint Technical Commission which shall act solely in an advisory capacity, to study and report on matters relating to the Agreement. The Commission shall consist of an equal number of members from each country, appointed by the respective Governments.

Source

www.faolex.fao.org/faolex/

Joint Water Commission Terms of Reference

Place and date

1 January 1996

Signatories

Mozambique and South Africa

Geographical area covered

Kunene

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The Parties agree to establish a Joint Water Commission with the objective to act as technical adviser to the Parties on all technical matters relating to the development and utilisation of water resources of common interest. The Commission shall advise the Parties on technical matters relating to:

- measures to alleviate short-term problems resulting from water shortages in any water resource of common interest during periods of droughts;
- the joint or separate investigation of the development of any water resource of common interest including the construction, operation and maintenance of any water work in connection therewith;
- the joint development of water resources of common interest;
- the monitoring and exchange of relevant information and other relevant data, including timely exchange of information needed for the implementation of alleviating measures during drought periods and flood forecasting and warning systems;
- the taking of any action considered desirable by the Commission in connection with the operation and maintenance of any water work affecting a water resource of common interest, including steps necessary for the measurement of water, the exercise of control over the abstraction of water and restrictions to be imposed on the abstraction of water as well as the implementation of any procedure or programme in connection therewith; and
- the control of the quality of water resources of common interest and the prevention of pollution and soil erosion affecting such waters.

Institutional framework

The Joint Water Commission, consisting of delegations of both Parties.

Source

www.transboundarywaters.orst.edu/

Gambia

- Convention Relating to the Creation of the Gambia River Basin Development Organization
(Kaolack, 30 June 1978)
- Convention relating to the status of the River Gambia
(Kaolack, 30 June 1978)

Convention relating to the creation of the Gambia River Basin Development Organization

Place and date

Kaolack, 30 June 1978

Signatories

Gambia, Guinea and Senegal

Geographical area covered

Gambia River

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The Parties agree to create a Joint Organisation of Co-operation for the Development of the Gambia River Basin. The Organisation will be responsible for:

- applying the Convention relating to the status of the River Gambia; and
- promoting and co-ordinating the studies and works for the development of the Gambia River Basin within the national territories of the Member States of the Organisation.

One of the permanent bodies of the Organisation shall be the Permanent Water Commission. The Commission will be responsible for defining the principles and modalities of the utilisation of the Gambia River between the Parties and between sectors using the water: industry, agriculture and transport.

Institutional framework

The Joint Organisation of Co-operation for the Development of the Gambia River Basin.

Source

www.faolex.fao.org/faolex/

Convention relating to the status of the River Gambia

Place and date

Kaolack, 30 June 1978

Signatories

Gambia, Guinea and Senegal

Geographical area covered

Gambia River

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The Parties agree that no project which is likely to bring about serious modifications to the characteristics of the river's regime, on its navigation conditions, the agricultural and industrial exploitation of the river, the sanitary state of the waters, the biological characteristics of its fauna and its flora, as well as its water level, will be implemented without the prior approval of the Contracting States.

Institutional framework

The Joint Organisation of Co-operation for the Development of the Gambia River Basin.

Source

www.faolex.fao.org/faolex/

Gash

- Exchange of Notes between the British and Italian Governments respecting the regulation of the utilisation of the waters of the River Gash (Rome, 12 and 15 June 1925)

Exchange of Notes between the British and Italian Governments respecting the regulation of the utilisation of the waters of the River Gash**Place and date**

Rome, 12 and 15 June 1925

Signatories

Italy and the United Kingdom

Geographical area covered

River Gash

Primary focus area

Water quantity and irrigation

Provisions most relevant to ecosystems conservation

The purpose of the Exchange of Notes is to proceed with the regulation of the utilisation of the waters of the River Gash. The Parties agree to regulate the waters of the river at a certain point in the following manner:

- one part of the waters shall be entirely at the disposal of the Government of Eritrea;
- one part shall be divided in two equal parts, of which one of those two equal parts shall be at the disposal of the Government of Eritrea, and the other shall be passed on for the benefit of a certain province; and
- the flow in excess of a certain metre cube per second shall be divided in equal parts between the Parties.

Institutional framework

The text of the Exchange of Notes does not specify.

Source

Legislative Texts, Treaty no. 28, p. 128.

Incomati/Komati

- Agreement between the Government of the Republic of South Africa, the Government of the Kingdom of Swaziland and the Government of the People's Republic of Mozambique relative to the establishment of a Tripartite Permanent Technical Committee (Pretoria, 17 February 1983) (Also applicable to Limpopo and Maputo.)

- Treaty on the establishment and functioning of the Joint Water Commission between the Government of the Republic of South Africa and the Kingdom of Swaziland (Mbabane, 13 March 1992) (Also applicable to Maputo.)
- Treaty on the development and utilisation of the water resources of the Komati River Basin between the Government of the Kingdom of Swaziland and the Government of the Republic of South Africa (Mbabane, 13 March 1992)
- Agreement on the development and utilisation of the water resources of the Komati River Basin between the Government of the Republic of South Africa and the Government of KaNgwane (Maleano, 7 October 1992)
- Tripartite interim Agreement between the Republic of Mozambique and the Republic of South Africa and the Kingdom of Swaziland for co-operation on the protection and sustainable utilisation of the water resources of the Incomati and Maputo watercourses (Johannesburg, 29 August 2002) (Also applicable to Maputo.)

Agreement between the Government of the Republic of South Africa, the Government of the Kingdom of Swaziland and the Government of the People's Republic of Mozambique relative to the establishment of a Tripartite Permanent Technical Committee

Place and date

Pretoria, 17 February 1983

Signatories

Mozambique, South Africa and Swaziland

Geographical area covered

All water resources shared between the Parties

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish the Tripartite Permanent Technical Committee. The functions and duties of the Committee shall be to recommend to the three Governments:

- any measures to be undertaken to alleviate short-term problems regarding water shortages in rivers on rivers of common interest during drought periods, taking into account the existing amount of stored water and water requirements in the three countries;
- on the division of flows in rivers of common interest;
- on procedures, programming, operations, maintenance, measurement of water, abstraction of water, curtailing of abstraction and supervision with regard to the implementation of any agreements that are entered into between the Governments; and

- arrangements for the investigation of, and access to, common watersheds and joint water schemes on rivers of common interest.

Institutional framework

The Tripartite Permanent Technical Committee consisting of representatives of each Party.

Source

www.transboundarywaters.orst.edu/

Treaty on the establishment and functioning of the Joint Water Commission between the Government of the Republic of South Africa and the Kingdom of Swaziland

Place and date

Mbabane, 13 March 1992

Signatories

South Africa and Swaziland

Geographical area covered

Incomati/Komati and Maputo

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The purpose of the Treaty is to establish the Joint Water Commission which shall act as a technical adviser to the Parties on all matters relating to the development and utilisation of water resources of common interest. The Joint Water Commission shall advise Parties on the following:

- measures that can be implemented by any one or both Parties to alleviate short-term problems resulting from shortages of water from any water resource of common interest to the Parties during periods of drought, taking into consideration the availability of stored water and the water requirements within the territories of the respective Parties at that time;
- the separate or joint investigation by the Parties of the development of any water resource of common interest including the construction, operation and maintenance of any water works in connection therewith;
- the joint development of water resources of common interest to the Parties;
- the criteria to be adopted in the allocation between the Parties of the utilisable portion of water resources of common interest and the application thereof;
- the taking of any action by any of the Parties considered desirable by the Commission in connection with the operation and maintenance of any existing water work affecting a water resource of common interest, including steps in connection with the exercise of control over the abstraction of water, curtailments to be imposed on the abstraction of water and the operation or maintenance of such water work in the territory of any of the Parties, as well as the implementation of any procedure or programme in connection therewith; any other matter pertaining to the hydrological regime of water resources of common interest; and

- the prevention and exercise of control over the pollution of water resources of common interest and soil erosion affecting such resources.

Institutional framework

The Joint Water Commission

Source

www.transboundarywaters.orst.edu/

Treaty on the development and utilisation of the water resources of the Komati River Basin between the Government of the Kingdom of Swaziland and the Government of the Republic of South Africa

Place and date

Mbabane, 13 March 1992

Signatories

South Africa and Swaziland

Geographical area covered

Komati

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The purpose of the Treaty is to provide for the development and utilisation of the water resources of the Komati River Basin and, in particular, for the design, construction, operation and maintenance of water storage projects and the establishment of the Komati Basin Water Authority. The Treaty shall be realised through the Komati River Basin Development Plan which shall entail the construction of dams and related works.

The Parties agree to take all reasonable measures to ensure that the design, construction, operation and maintenance of the project are compatible with the protection of the existing quality of the environment and, in particular, shall pay due regard to the maintenance of the welfare of persons and communities immediately affected by the project.

With regard to pollution, the Parties shall use their best endeavours to ensure that the necessary steps are taken within their respective territories to prevent water pollution and to minimise soil erosion.

Institutional framework

The Komati Basin Water Authority.

Source

www.transboundarywaters.orst.edu/

Agreement on the development and utilisation of the water resources of the Komati River Basin between the Government of the Republic of South Africa and the Government of KaNgwane

Place and date

Maleano, 7 October 1992

Signatories

KaNgwane and South Africa

Geographical area covered

Komati

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to provide for the equitable sharing and apportioning between KaNgwane and South Africa, and of South Africa's benefits and obligations arising from the Treaty on the Development and Utilisation of the Water Resources of the Komati River Basin between South Africa and the Kingdom of Swaziland entered 13 March 1992.

The Agreement provide for specific annual volumes of water to which the Parties are entitled.

Institutional framework

The Permanent Water Commission established between the Parties earlier.

Source

www.transboundarywaters.orst.edu/

Tripartite Interim Agreement between the Republic of Mozambique and the Republic of South Africa and the Kingdom of Swaziland for co-operation on the protection and sustainable utilisation of the water resources of the Incomati and Maputo watercourses

Place and date

Johannesburg, 29 August 2002

Signatories

Mozambique, South Africa and Swaziland

Geographical area covered

The system of the Incomati River including the tributaries Mazimechopes, Uanetze, Massintonto, Sabie, Crocodile, Komati Rivers and the estuary. The system of the Maputo River including the tributaries Pangola and Usuthu Rivers and the estuary.

Primary focus area

Co-operation and conservation of shared water resources

Provisions most relevant to ecosystems conservation

The Agreement aims to promote the co-operation among the Parties to ensure the protection and sustainable utilisation of the water resources of the Incomati and Maputo rivers. The Parties agree to develop and adopt technical, legal, administrative and other reasonable measures to:

- prevent, reduce and control pollution of surface and ground waters, and protect and enhance the quality status of the waters and associated ecosystems for the benefit of present and future generations;
- prevent, eliminate, mitigate and control transboundary impacts;
- co-ordinate management plans and planned measures;

- promote partnership in effective and efficient water use;
- monitor and mitigate the effects of floods and drought; and
- exchange information on the water resources quality and quantity, and the uses of water.

Parties shall protect and preserve the aquatic environment, the ecosystems, and take all measures necessary to prevent the introduction of species, alien or new, into the watercourses which may have effects detrimental to the ecosystems of the watercourses resulting in significant harm to other Parties.

With regard to water quality and prevention of pollution, Parties shall proceed to:

- endeavour to develop an evolving classification system for the watercourses;
- classify and state the objectives and criteria in respect of water quality variables to be achieved through the agreed classification system for the water resources;
- adopt a list of substances the introduction of which, into the watercourses, is to be prohibited or limited, investigated or monitored;
- adopt techniques and practices to prevent, reduce and control pollution and environmental degradation of the watercourses that may cause significant harm to the other Parties or to the environment, including human health and safety, or to the use of the waters for any beneficial purpose, or to the living resources of the watercourses; and
- implement a regular monitoring programme, including biological and chemical aspects for watercourses and report on the status and trends of the associated aquatic, marine and riparian ecosystems in relation to the water quality of the watercourses.

In an annex to the Agreement, the Parties establish specific flow regimes for the watercourses. Any abstraction of waters from the watercourses, regardless of the use or geographic destination of such waters, shall be in conformity with these flow regimes. The Parties have considered the following criteria in establishing the flow regimes:

- The geographic, hydrological, climatic and other natural characteristics of each watercourse;
- The need to ensure water of sufficient quantity with acceptable quality to sustain the watercourses and their associated ecosystems;
- The geographic, hydrological, climatic and other natural characteristics of each watercourse;
- Any present and reasonably foreseeable water requirements, including afforestation; and
- Existing infrastructure which has the capacity to regulate streamflow of the watercourses.

The Parties agree as a first priority to supply water for domestic livestock and industrial use, as well as ecological water requirements. Parties acknowledge the need to

maintain interim instream flows at various key points in the watercourses in order to sustain the ecology of the watercourses including the estuary of the rivers.

Any Party may use a reduction in the agreed water use by a particular sector, as a result of better management practices or other water conservation measures, including pricing policies, for any other purpose within its own territory. The Tripartite Permanent Technical Committee shall assess any problems regarding the flow regime, any problems that will affect the normal utilisation of dams, and any problems arising from the minimum flows specified to maintain the ecosystems.

The Agreement contains provisions to mitigate the effects of droughts and floods, provisions relating to transboundary impacts such as a call for an environmental impact assessment in case a planned measure that involves significant transboundary impact of substantial magnitude.

Institutional framework

The Tripartite Permanent Technical Committee earlier established between the Parties. Co-operation with the Southern African Development Community organs and other shared watercourse institutions is encouraged.

Source

www.faolex.fao.org/faolex/

Jubba-Shabelle

- Exchange of Notes setting out an Agreement between His Majesty's Government in the United Kingdom and the Italian Government regarding the boundary between Kenya and Italian Somaliland, together with the Agreement adopted by the Boundary Commission and appendices (London, 22 November 1933)

Koliba Korubal

- Protocol of the Agreement between the Republic of Guinea and the Republic of Guinea Bissau on the management of the Koliba Korubal River (Conakry, 21 October 1978)

Protocol of the Agreement between the Republic of Guinea and the Republic of Guinea Bissau on the management of the Koliba Korubal River

Place and date

Conakry, 21 October 1978

Signatories

Guinea and Guinea Bissau

Geographical area covered

Koliba Korubal River

Primary focus area

Regional infrastructures pertaining to river basins

Provisions most relevant to ecosystems conservation

The objective of the Convention is to organise the regional integrated installation of the river basin Koliba Korubal including its effluents in order to optimise its development without prejudicing national interests.

The Contracting Parties shall study the existing hydro meteorological data relative to river Koliba Korubal, elaborate, create and exploit a network of hydro meteorological stations allowing an adequate definition of water resources in the basin.

With regard to nature protection, Parties agree to elaborate the Water Master Plan taking account of nature protection and fisheries.

Institutional framework

The Protocol provides for the establishment of a Permanent Technical Committee whose role is to supervise implementation of the tasks assigned in the Protocol and to co-ordinate governmental inputs and take all necessary decision for the implementation of the Studies and work for the development of the river basin.

Source

www.faolex.fao.org/faolex/

Lake Chad

- Convention and statutes relating to the development of the Chad Basin (Fort Lamy, 22 May 1964)
- Agreement pertaining to the creation of a fund for the development of the Chad Basin Commission (Yaounde, 10 October 1973)
- Agreement between the Federal Republic of Nigeria and the Republic of Niger concerning the equitable sharing in the development, conservation and use of their common water resources (Maiduguri, 18 July 1990) (Also applicable to Niger.)

Convention and statutes relating to the development of the Chad Basin

Place and date

Fort Lamy, 22 May 1964

Signatories

Cameroon, Chad, Niger and Nigeria

Geographical area covered

Lake Chad

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The objective of the Convention is to set up a Chad Basin Commission for the following purposes:

- preparing general regulations;

- co-ordinating the research activities of the Member States;
- examining schemes prepared by the Member States;
- recommending a plan to carry out studies and works in the Chad Basin;
- maintaining liaison between the Member States with a view to the most efficient utilisation of the waters of the basin; and
- formulating common rules on navigation.

The Member States agree to refrain from adopting any measures likely to exert a marked influence either upon the extent of water losses, or upon the form of the annual hydrograph and limnograph and certain other characteristics of the lake, upon the conditions of their exploitation by other bordering States, upon the sanitary condition of the water resources or upon the biological characteristics of the fauna and the flora of the basin.

In particular, Member States agree not to undertake in that part of the basin falling within their jurisdiction, any work in connection with the development of water resources or the soil likely to have a marked influence upon the system of the water courses and levels of the Basin without adequate notice and prior consultations with the Commission.

Institutional framework

The Chad Basin Commission, consisting of members of each signatory State.

Source

www.faolex.fao.org/faolex/

Agreement between the Federal Republic of Nigeria and the Republic of Niger concerning the equitable sharing in the development, conservation and use of their common water resources

Place and date

Maiduguri, 18 July 1990

Signatories

Niger and Nigeria

Geographical area covered

Maggia/Lamido River Basin, Gada/Goulbi of Maradi River Basin, Tagwai/El Fadama River Basin, and the lower section of the Komadougou-Yobe River Basin

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Agreement governs the equitable development, conservation and use of the water resources in the shared river basins. Each Party is entitled, within its territory, to an equitable share in the development, conservation and use of the water resources in the shared river basins. In determining the equitable share to which each Party is entitled, an acceptable environmental balance in and around a particular body of water shall be taken into account.

The Agreement contains special provisions for the Komadougou-Yobe Basin. The Lake Chad Basin Commission shall be informed and consulted prior to undertaking of any hydraulic works for the implementation of agreed upon equitable sharing

determinations to the extent that such works are likely to have an appreciable effect on the flow of surface and underground waters in the Lake Chad Conventional Basin.

Institutional framework

The Nigeria-Niger Joint Commission for co-operation shall monitor the implementation of the provisions in the Agreement. A Permanent Technical Committee of Water Experts shall be established to assist the Commission.

Source

www.faolex.fao.org/faolex/

Lake Tanganyika

- Exchange of Notes accepting the Protocol signed at Kigoma, on 5 August 1924, relative to the Tanganyika-Ruanda-Urundi frontier (Brussels, 17 May 1926)
- The Convention of the Sustainable Management of Lake Tanganyika (Dar es Salaam, 12 June 2003)

The Convention of the Sustainable Management of Lake Tanganyika

Place and date

Dar es Salaam, 12 June 2003

Signatories

Burundi, the Democratic Republic of Congo, Tanzania and Zambia

Geographical area covered

Lake Tanganyika

Primary focus area

Conservation of shared water resources

Provisions most relevant to ecosystems conservation

The objective of the Convention is to ensure the protection and conservation of the biological diversity and the sustainable use of the natural resources of the lake and its basin on the basis of integrated and co-operative management.

The Parties shall develop, adopt, implement and enforce appropriate legal, administrative and technical measures to:

- conserve rare, fragile and representative ecosystems and rare, depleted, or threatened species and populations of flora and fauna and their habitats;
- prevent the introduction of, and control and eradicate, exotic species that threaten ecosystems, habitats or species and genetic resources; and
- prevent the deliberate or accidental introduction of species into areas of the basin in which they do not naturally occur.

A Party shall not permit the introduction of any exotic species of organisms into the lake basin or into any other place where there is an appreciable risk of the organism entering the lake basin, unless the other Parties have been consulted and given their consent.

With regard to prevention and control of pollution, the Convention establishes that the Parties shall take appropriate measures to prevent and reduce pollution of the lake and its environment arising from activities within their jurisdiction or control. In particular, each Party shall:

- to the extent possible, construct and maintain installations within their territory to reduce the risk of pollution of the lake and its environment ;
- ensure that waste is not disposed of into the lake except under, and in accordance with, a permit issued by the relevant authority of the Parties concerned ; and
- develop, adopt, implement and enforce appropriate legal, administrative and technical measures to prevent, control, monitor and reduce pollution:

The Parties shall co-operate to promote sustainable fisheries management on the lake and take appropriate measures to prevent and reduce, as far as possible, adverse impacts from fishing activities conducted under their jurisdiction or control.

Each Party shall, as a matter of priority, take appropriate legal, administrative and technical measures to prevent all causes of excessive sedimentation in the Lake, such as deforestation, land degradation and the destruction of wetlands.

The Convention contains environmental impact assessment provisions.

Institutional framework

The Parties agree to establish a Lake Tanganyika Authority to co-ordinate the implementation of the Convention. The Authority shall consist of the Conference of Ministers, the Management Committee and a Secretariat.

Source

www.faolex.fao.org/faolex/

Limpopo

- Agreement between the Government of the Republic of South Africa, the Government of the Kingdom of Swaziland and the Government of the People's Republic of Mozambique relative to the establishment of a Tripartite Permanent Technical Committee
(Pretoria, 17 February 1983) (See Incomati/Komati. Also applicable to Incomati/Komati and Maputo.)

Maputo

- Agreement between the Government of the Republic of South Africa, the Government of the Kingdom of Swaziland and the Government of the People's Republic of Mozambique relative to the establishment of a Tripartite Permanent Technical Committee
(Pretoria, 17 February 1983) (See Incomati/Komati. Also applicable to Incomati/Komati and Limpopo.)
- Treaty on the establishment and functioning of the Joint Water Commission between the Government of the Republic of South Africa and the Kingdom of Swaziland

(Mbabane, 13 March 1992) (See Incomati/Komati. Also applicable to Incomati/Komati)

- Tripartite Interim Agreement between the Republic of Mozambique and the Republic of South Africa and the Kingdom of Swaziland for co-operation on the protection and sustainable utilisation of the water resources of the Incomati and Maputo watercourses
(Johannesburg, 29 August 2002) (See Incomati/Komati. Also applicable to Incomati/Komati)

Niger

- Act regarding navigation and economic co-operation between the states of the Niger Basin
(Niamey, 26 October 1963)
- Agreement concerning the River Niger Commission and the Navigation and Transport on the River Niger
(Niamey, 25 November 1964)
- Convention creating the Niger Basin Authority
(Faranah, 21 November 1980)
- Revised financial procedures of the Niger Basin Authority
(N'Djamena, 27 October 1987)
- Revised convention pertaining to the creation of the Niger Basin Authority
(N'Djamena, 29 October 1987)
- Protocol of the Agreement between the Republic of Niger and the Republic of Mali relative to cooperation in the utilisation of resources in water of the Niger river
(Bamako, 12 July 1988)
- Agreement between the Federal Republic of Nigeria and the Republic of Niger concerning the equitable sharing in the development, conservation and use of their common water resources
(Maiduguri, 18 July 1990) (See Lake Chad. Also applicable to Lake Chad.)

Act regarding navigation and economic co-operation between the states of the Niger Basin

Place and date

Niamey, 26 October 1963

Signatories

Cameroon, Chad, Dahomey, Guinea, the Ivory Coast, Mali, Niger, Nigeria and the Upper Volta

Geographical area covered

Niger River Basin

Primary focus area

Navigation and development of the basin

Provisions most relevant to ecosystems conservation

The purpose of the Act is to set up an arrangement for the joint development of the Niger Basin. The Parties agree to establish close co-operation with regard to the study and the execution of any project likely to have an appreciable effect on certain features of the regime of the river, its tributaries and sub-tributaries, their conditions of navigability, agricultural and industrial exploitation, the sanitary conditions of their waters, and the biological characteristics of their fauna and flora.

Institutional framework

The Parties agree to establish an Inter-Governmental Organisation in a subsequent agreement. The Organisation shall be entrusted with the task of encouraging, promoting and co-ordinating the studies and programmes concerning the exploitation of the resources of the River Niger basin.

Source

www.faolex.fao.org/faolex/

Agreement concerning the River Niger Commission and the Navigation and Transport on the River Niger

Place and date

Niamey, 25 November 1964

Signatories

Benin, Burkina Faso, Cameroon, Chad, Guinea, the Ivory Coast, Mali, Niger and Nigeria

Geographical area covered

Niger River Basin

Primary focus area

Co-operation on shared water resources and navigation

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to set up terms of reference for the River Niger Commission. The Commission shall in particular:

- maintain liaison between the riparian States in order to ensure the most effective use of the waters and resources of the River Niger Basin; and
- collect, evaluate and disseminate basic data on the whole of the basin, to examine the projects prepared by the riparian States, and to recommend to the Governments of the riparian States plans for common studies and works for the judicious utilisation and development of the resources of the basin.

The Parties agree to inform the Commission of all studies and works upon which they propose to embark. Furthermore, they undertake to abstain from carrying out on the portion of the river, its tributaries and sub-tributaries subject to their jurisdiction any works likely to pollute the waters, or any modification likely to affect biological characteristics of its fauna and flora, without adequate notice to, and prior consultation with the Commission.

Institutional framework

The River Niger Commission.

Source

www.faolex.fao.org/faolex/

Convention creating the Niger Basin Authority and Protocol

Place and date

Faranah, 21 November 1980

Signatories

Benin, Cameroon, Chad, Guinea, the Ivory Coast, Mali, Niger, Nigeria and the Upper Volta

Primary focus area

Co-operation on shared water resources

Geographical area covered

Niger River Basin

Provisions most relevant to ecosystems conservation

The Convention establishes the Niger Basin Authority, which replaces the earlier River Niger Commission. The aim of the Authority is to promote the co-operation and ensure an integrated development of the Niger basin, particularly in the fields of energy, water resources, agriculture, animal husbandry, fishing and fisheries, forestry exploitation transport, communications and industry.

The Authority shall be responsible for:

- regulation of the flow and drainage of the main waterway;
- flood control;
- construction and maintenance of dykes;
- prevention and control of drought and desertification;
- prevention of soil erosion and sedimentation;
- setting up of structures and works for land development including salt water and drainage control;
- protection of the environment comprising the establishment of norms and measures applicable to the Parties in the alternative uses of the waters in the Basin; and
- development of agro-pastoral, fishery and forestry resources.

Furthermore, the Parties pledge not to undertake any work on the portion of the River, its tributaries and sub-tributaries under their territorial jurisdiction which pollute the waters or modify the biological features of the fauna and the flora.

Institutional framework

The Niger Basin Authority, composed by the Summit of Heads of State and Government, the Council of Ministers, the Technical Committee of Experts, and the Executive Secretariat and its specialised organs.

Source

www.transboundarywaters.orst.edu/

Revised Convention pertaining to the creation of the Niger Basin Authority

Place and date

N'Djamena, 29 October 1987

Signatories

Benin, Burkina Faso, Cameroon, Chad, Guinea, the Ivory Coast, Mali, Niger and Nigeria

Geographical area covered

Niger River

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The objective of the Convention is to establish the Niger Basin Authority to promote co-operation between Parties and to ensure an integrated development of the Niger Basin in all areas of:

- energy;
- hydraulic;
- agriculture;
- breeding;
- fisheries and aquaculture;
- forest plantation and forestry;
- transportation and communication; and
- industry.

Parties agree to restraint from undertaking any construction posing a risk of polluting the water or negatively modifying the biological characteristics of fauna and flora, in the river, its effluents and sub effluents falling under their territorial jurisdiction

The Authority shall be charged with:

- harmonising and co-ordinating national policies pertaining to development of the water;
- participating in the planning of the development of the basin through the Master Plan for the integrated development of the Basin; and
- promoting and participating to the creation and exploitation of infrastructure and projects of common interest.

Institutional framework

The Niger Basin Authority, which shall comprise of the following permanent organs: the Summit; the Council of Ministers; the Technical Committee of Experts; and the Executive Secretary.

Source

www.faolex.fao.org/faolex/

Protocol of the Agreement between the Republic of Niger and the Republic of Mali relative to co-operation in the utilisation of resources in water of the Niger River

Place and date

Bamako, 12 July 1988

Signatories

Niger and Mali

Geographical area covered

Niger River

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The objective of the Convention is to establish co-operation for the use of the water resources in the Niger River through the establishment of a Permanent Consultative Technical Committee.

The Committee shall promote exchange of information and data relative to the studies and simulation of river flow and water infrastructure installations, and regularly analyse the hydro-climatological situation.

In its mission, the Committee shall take into account the climate in the region and its influence on water flows, the development of water surface, and the economical and socio-economic needs of the Parties' development.

Institutional framework

The Permanent Consultative Technical Committee, which shall meet regularly and at the request of a Party.

Source

www.faolex.fao.org/faolex/

Nile

- Protocol between Great Britain and Italy for the demarcation of their respective spheres of influence in Eastern Africa
(Rome, 15 April 1891)
- Treaty between Ethiopia and Great Britain relative to the frontiers between Anglo-Egyptian Sudan, Ethiopia, and Eritrea
(Addis Ababa, 15 May 1902)
- Agreement between Great Britain and the Independent State of the Congo, modifying the Agreement signed at Brussels 12 May 1894, relating to the spheres of influence of Great Britain and the Independent State of the Congo in East and Central Africa
(London, 9 May 1906)
- Exchange of Notes between the United Kingdom and Italy respecting concessions for a barrage at Lake Tsana and a railway across Abyssinia from Eritrea to Italian Somaliland
(Romeo, 14 and 20 December 1925)

- Exchange of Notes between His Majesty's Government in the United Kingdom and the Egyptian Government in regard to the use of the River Nile for irrigation purposes (Cairo, 7 May 1929)
- Agreement between the Belgian Government and the Government of the United Kingdom of Great Britain and Northern Ireland regarding water rights on the boundary between Tanganyika and Ruanda-Urundi (London, 22 November 1934)
- Exchange of Notes constituting an Agreement between the United Kingdom of Great Britain and Northern Ireland and Egypt regarding the utilisation of profits from the 1940 British Government Cotton Buying Commission and the 1941 joint Anglo-Egyptian Cotton Buying Commission to finance schemes for village water supplies (Cairo, 7 and 10 December 1946)
- Exchange of Notes constituting an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Egypt regarding the construction of the Owen Falls Dam, Uganda (Cairo, 30 and 31 May 1949)
- Exchange of Notes constituting an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Egypt regarding the construction of the Owen Falls Dam, Uganda (Cairo, 5 December 1949)
- Exchange of Notes constituting an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland (on behalf of the Government of Uganda) and of the Government of Egypt regarding the co-operation in meteorological and hydrological surveys in certain areas of the Nile Basin (Cairo, 19 January, 28 February and 20 March 1950)
- Exchange of Notes constituting an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Egypt regarding the construction of the Owen Falls Dam in Uganda (Cairo, 16 July 1952 and 5 January 1953)
- Agreement between the United Arab Republic and the Republic of Sudan for the full utilisation of the Nile Waters, and Protocol concerning the establishment of the Permanent Joint Technical Committee (Cairo, 8 November 1959)
- Agreement for the establishment of the Organization for the Management and Development of the Kagera River Basin (Rusumo, 24 August 1977)
- Accession of Uganda to the Agreement pertaining to the creation of the organization for the management and development of the Kagera River Basin (18 May 1981)
- Framework for general co-operation between the Arab Republic of Egypt and Ethiopia (Cairo, 1 July 1993)
- Convention for the establishment of the Lake Victoria Fisheries Organization (Kisumu, 30 June 1994)

- Agreement to initiate program to strengthen regional co-ordination in management of resources of Lake Victoria
(Arusha, 5 August 1994)
- Protocol for Sustainable Development of Lake Victoria Basin
(Arusha, 29 November 2003)

Protocol between Great Britain and Italy for the demarcation of their respective spheres of influence in Eastern Africa

Place and date

Rome, 15 April 1891

Signatories

Italy and the United Kingdom

Geographical area covered

Atbara

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties agree that the Government of Italy shall not construct any works on the River Atbara which significantly may modify its flow into the Nile.

Institutional framework

The text of the Protocol does not specify.

Source

Legislative Texts, Treaty no. 27, p. 127.

Treaty between Ethiopia and the United Kingdom, relative to the frontiers between the Anglo-Egyptian Sudan, Ethiopia, and Eritrea

Place and date

Addis Ababa, 15 May 1902

Signatories

Ethiopia and the United Kingdom

Geographical area covered

Blue Nile, Lake Tsana and the Sobat

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Parties agree that Ethiopia shall not construct or allow any work to be constructed across the Blue Nile, Lake Tsana or the Sobat, which would arrest the flow of their waters into the Nile, except agreed with the British and Sudanese Governments.

Institutional framework

The text of the Treaty does not specify.

Source

Legislative Texts, Treaty no. 13, p. 115.

Agreement between Great Britain and the Independent State of the Congo, modifying the Agreement signed at Brussels, May 12, 1894, relating to the spheres of influence of Great Britain and the Independent State of the Congo in East and Central Africa

Place and date

London, 9 May 1906

Signatories

Congo (Independent State of the) and the United Kingdom

Geographical area covered

Semliki and Isango

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties agree that Congo shall undertake not to construct, or allow to be constructed, any work on or near the Semliki or Isango River, which would diminish the volume of water entering Lake Albert, except agreed with the Government of Sudan.

Institutional framework

The text of the Agreement does not specify.

Source

Legislative Texts, Treaty no. 5, p. 99.

Exchange of Notes between the United Kingdom and Italy respecting concessions for a barrage at Lake Tsana and a railway across Abyssinia from Eritrea to Italian Somaliland

Place and date

Rome, 14 and 20 December 1925

Signatories

Italy and the United Kingdom

Geographical area covered

Lake Tsana

Primary focus area

Irrigation

Provisions most relevant to ecosystems conservation

The purpose of the Exchange of Notes is to establish an agreement on the construction of a barrage at Lake Tsana, with a view to storing water. It is agreed that Italy shall not construct any works on the headwaters of the Blue and White Nile or on their tributaries or effluents, which may modify their flow into the main river.

Institutional framework

The text of the Exchange of Notes does not specify.

Source

www.transboundarywaters.orst.edu/

Exchange of Notes between His Majesty's Government in the United Kingdom and the Egyptian Government in regard to the use of the waters of the River Nile for irrigation purposes

Place and date

Cairo, 7 May 1929

Signatories

Egypt and the United Kingdom

Geographical area covered

Nile

Primary focus area

Water quantity and irrigation

Provisions most relevant to ecosystems conservation

The purpose of the Exchange of Notes is to facilitate an increase in the volume of water reaching Egypt for irrigation purposes. To this end, the water of the Nile is divided between the Parties according to specific quotas. The Parties recognise that the development of Sudan requires a greater amount of water than has been utilised so far. However, the increase of water to be used by Sudan shall not infringe Egypt's natural and historical rights on the waters of the Nile, and its requirements of agricultural extension. Furthermore, no irrigation or power works are to be constructed on the Nile and its branches, or on the lakes from which it flows, so far as all these are in the Sudan or in countries under British administration, which would either reduce the quantity of water arriving in Egypt, modify the date of its arrival, or lower its level. If Egypt is to develop projects in the Sudan to enhance flow, agreement will have to be reached beforehand with local authorities, although Egypt will retain direct control of such work.

Institutional framework

The institutional framework between the Parties shall be the Nile Commission appointed in 1925 "for the purpose of examining and proposing the basis on which irrigation can be carried out with full consideration of the interests of Egypt and without detriment to her natural and historical rights."

Source

93 UNTS 43

Agreement between the Belgian Government and the Government of the United Kingdom of Great Britain and Northern Ireland regarding water rights on the boundary between Tanganyika and Ruanda-Urundi

Place and date

London, 22 November 1934

Signatories

Belgium and the United Kingdom

Geographical area covered

Nile

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to define the water rights for the use of the water of those rivers and streams forming part of the boundary between the Parties. The Parties agree that diverted water shall be returned without substantial reduction to its natural bed at some point before it flows into the other territory, or at some point before it forms the common boundary between the two territories.

Operations of a mining or industrial nature which may in any way lessen or otherwise interfere with existing navigable common water shall not be permitted. It is not permitted to pollute or cause the deposit of any poisonous, noxious or polluting substance in common waters, when carrying out such operations. Parties agree that during the season of low water, each of them shall have the right to divert half of the volume of the common flowing water for such operations, provided that the water is returned after its use.

The inhabitants living on the border shall be permitted to navigate the waters and take fish and aquatic plants and water for domestic purposes.

Institutional framework

The text of the Agreement does not specify.

Source

Legislative Texts, Treaty no. 4, p. 97.

Exchange of Notes constituting an Agreement between the United Kingdom of Great Britain and Northern Ireland and Egypt regarding the utilisation of profits from the 1940 British Government Cotton Buying Commission and the 1941 Joint Anglo-Egyptian Cotton Buying Commission to finance schemes for village water supplies

Place and date

Cairo, 7 and 10 December 1946

Signatories

Egypt and the United Kingdom

Primary focus area

Water quantity

Geographical area covered

Nile

Provisions most relevant to ecosystems conservation

The purpose of the Exchange of Notes is to create a potable water supply infrastructure in Egypt so that rural villages of the country are supplied with adequate potable water.

Institutional framework

The text of the Exchange of Notes does not specify.

Source

www.transboundarywaters.orst.edu/

Exchange of Notes constituting an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Egypt regarding the construction of the Owen Falls Dam, Uganda

Place and date

Cairo, 30 and 31 May 1949

Signatories

Egypt and the United Kingdom

Geographical area covered

Nile

Primary focus area

Water quantity and hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Exchange of Notes is to agree on the construction and administration of a dam at Owen Falls in Uganda, for hydroelectric purposes. The Governments recognise that Uganda may take action at Owen Falls which it may consider desirable, provided that the action does not entail any prejudice to the interests of Egypt in accordance with the Nile Waters Agreement of 1929, and does not adversely affect the discharges of water to be passed through the dam.

Institutional framework

The text of the Exchange of Notes does not specify.

Source

Legislative Texts, Treaty no. 9, p. 108.

Agreement between the United Arab Republic and the Republic of Sudan for the full utilization of the Nile Waters, signed at Cairo, November 8, 1959, and Protocol concerning the establishment of the Permanent Joint Technical Committee

Place and date

Cairo, 8 November 1959

Signatories

Egypt and Sudan

Geographical area covered

Nile

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to regulate the total amount of the Nile waters and to control their flow into the sea. The Agreement amends the Nile Waters Agreement concluded in 1929 which only regulates a partial use of the waters. In order to make use of the full natural river supply and stop the flow of any excess to the sea, Parties agree to construct two dams for the storage of water. By referring to “established rights” the total

amount of the river flow is measured at Aswan and divided between the Parties according to specific quotas.

In view of the fact that quantities of the Nile Basin waters are wasted in the Sudd swamps, and the conservation of these waters for increasing the present natural river supply is most vital for the future agricultural developments, Parties agree to carry out projects for increasing the River Nile water supply by the prevention of excess losses in the swamps.

Institutional framework

A Permanent Joint Technical Committee shall be established between the Parties in order to ensure technical co-operation and to carry out the necessary study and research in connection with the projects.

Source

453 UNTS 63

Agreement for the establishment of the Organization for the Management and Development of the Kagera River Basin

Place and date

Rusumo, 24 August 1977

Signatories

Burundi, Rwanda, Tanzania and Uganda

Geographical area covered

Kagera River Basin

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The Contracting Parties agree to establish the Organization for the Management and Development of the Kagera River Basin with the objectives to deal with questions relating to activities in the Kagera River Basin. Among these activities are:

- water and hydropower resources development;
- agriculture and livestock development;
- disease and pest control;
- forestry and land reclamation;
- disease and pest control;
- wildlife conservation and development;
- fisheries and aqua cultural development; and
- environment protection.

Institutional framework

The institutional framework shall be the Organization for the Management and Development of the Kagera River Basin composed of the Commission for the Management and Development of the Kagera River Basin and a Secretariat. The Commission is

empowered to decide which projects, works or programmes of inter-state scope affecting the development of the Kagera River Basin will be advanced to the stage of feasibility, final design and financing.

Source

www.transboundarywaters.orst.edu/

Framework for general co-operation between the Arab Republic of Egypt and Ethiopia

Place and date

Cairo, 1 July 1993

Signatories

Egypt and Ethiopia

Geographical area covered

Nile

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Parties agree to refrain from engaging in any activity related to the Nile waters that may cause appreciable harm to the interests of the other party. Regarding the conservation and protection of the Nile waters, the Parties undertake to consult and co-operate with each other in projects that are mutually advantageous, such as those that would enhance the volume of flow and reduce the loss of Nile waters through comprehensive and integrated development schemes.

Institutional framework

The Parties agree that experts from both sides shall work out the use of the Nile waters in detail, through discussions on the basis of the rules and principles of international law. They would create appropriate mechanism for periodic consultations on matters of mutual concern, in a manner that would enable them to work together for peace and stability in the region.

Source

www.faolex.fao.org/faolex/

Convention for the establishment of the Lake Victoria Fisheries Organisation

Place and date

Kisumu, 30 June 1994

Signatories

Kenya, Tanzania and Uganda

Geographical area covered

Lake Victoria Basin

Primary focus area

Co-operation and conservation of shared water resources

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish the Lake Victoria Fisheries Organization with the objectives to foster co-operation among the Contracting Parties, harmonise national measures for the sustainable utilisation of the living resources of the lake, and to develop and adopt conservation and management measures.

The organisation shall have the function and responsibility to:

- promote the proper management and optimum utilisation of the fisheries and other resources of the lake;
- provide a forum for discussion of the impacts of initiatives dealing with the environment and water quality in the lake basin and maintain a strong liaison with the existing bodies and programs;
- provide for the conduct of research concerning the waters of Lake Victoria, including without limitation the quality of such waters, in particular with respect to supporting the living resources of the lake and the nature, extent and pathways of its pollution and other forms of environmental degradation; and
- consider and advise on the effects of the direct or indirect introduction of any non-indigenous aquatic animals or plants into the waters of Lake Victoria or its tributaries and to adopt measures regarding the introduction, monitoring, control or elimination of any such animals or plants.

Institutional framework

The Lake Victoria Fisheries Organisation, integrated by the Council of Ministers, the Executive Committee, the Fisheries Management Committee, the Scientific Committee, and the Permanent Secretariat.

Source

www.faolex.fao.org/faolex/

Agreement on the preposition of a Tripartite Environment Management Programme for Lake Victoria

Place and date

Arusha, 5 August 1994

Signatories

Kenya, Tanzania and Uganda

Geographical area covered

Lake Victoria Basin

Primary focus area

Co-operation and conservation of shared water resources

Provisions most relevant to ecosystems conservation

The Parties agree to initiate and implement a five-year programme to strengthen regional co-ordination in the management of Lake Victoria resources, including fisheries, water and other resources. The Parties recognise that management decisions regarding land use and agricultural development in the riparian zone and the wider catchment and regulation of pollution in Lake Victoria have to consider the implications on the lake's fish

and water resources and be co-ordinated with management decisions regarding the use of such resources.

With regard to the problems with water hyacinth, it is recognised that actions included biological control methods will be needed with due recognition of the environmental implications of biological control.

Institutional framework

The Parties shall establish a Regional Policy and Steering Committee, a Regional Secretariat, and two Regional Task Forces. Each Party shall establish two national Working Groups and a National Secretariat to prepare national proposals for incorporation into regional programme components.

Source

www.faolex.fao.org/faolex/

Protocol for Sustainable Development of Lake Victoria Basin

Place and date

Arusha, 29 November 2003

Signatories

Kenya, Tanzania and Uganda

Geographical area covered

Lake Victoria Basin

Primary focus area

Co-operation and conservation of shared water resources and other natural resources

Provisions most relevant to ecosystems conservation

The Protocol shall govern the co-operation in the sustainable development of the Lake Victoria Basin. The Partner States agree to co-operate in the areas as they relate to the conservation and sustainable utilisation of the resources of the Basin including the following:

- sustainable development, management and equitable utilisation of water resources;
- sustainable development and management of fisheries resources;
- promotion of sustainable agricultural and land use practices including irrigation;
- promotion of sustainable development and management of forestry resources;
- promotion of development and management of wetlands;
- environmental protection and management of the Basin; and
- promotion of wildlife conservation and sustainable tourism development.

The Parties recognise that the water resources shall be utilised in accordance with the principle of equitable utilisation. Furthermore, the Partner States shall, when utilising the resources of the basin within their jurisdiction, take all appropriate measures to prevent significant environmental harm to other Partner States. Planned activities likely to have a significant impact on the resources of the Basin shall be subject to an

environmental impact assessment.

With regard to the protection and conservation of the Basin and its ecosystems, the Protocol establishes that the Partner States shall take all appropriate measures to protect, conserve and where necessary rehabilitate the Basin and its ecosystems in particular by:

- protecting and improving water quantity and quality within the basin;
- preventing the introduction of species, alien or new, into the basin's resources which may have effects detrimental to the ecosystems of the lake;
- identifying the components of and developing strategies for protecting and conserving biological diversity within the basin;
- conserving migratory species of wild animals;
- conserving endangered species of wild fauna and flora;
- conserving forests and their resources;
- protecting and conserving wetlands within the basin;
- restoring and rehabilitating degraded natural resources; and
- conserving fisheries resources.

Institutional framework

The Parties agree to establish the Lake Victoria Basin Commission. The objectives of the Commission relevant to the conservation of ecosystems are:

- promote sustainable utilisation and management of natural resources; and
- promote the protection of the environment within the Lake Victoria Basin.

The Commission shall operate within the following organisational structure:

- the Sectoral Council;
- the Coordination Committee;
- the Sectoral Committees; and
- the Secretariat of the Commission.

Source

www.faolex.fao.org/faolex/

Okavango

- Agreement between the Governments of the Republic of Angola, the Republic of Botswana, and the Republic of Namibia on the establishment of a permanent Okavango River Basin Water Commission (OKACOM) (Windhoek, 16 September 1994)

Agreement between the Governments of the Republic of Angola, the Republic of Botswana, and the Republic of Namibia on the establishment of a permanent Okavango River Basin Water Commission (OKACOM)

Place and date

Windhoek, 16 September 1994

Signatories

Angola, Botswana and Namibia

Geographical area covered

Okavango River Basin

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish the Permanent Okavango River Basin Water Commission (OKACOM). The objective of the OKACOM shall be to act as technical advisor to the Contracting Parties on matters relating to conservation, development and utilisation of water resources of common interest.

The OKACOM shall have advisory functions on:

- measures to determine the long term safe yield of the water available from all potential water resources in the river basin;
- the reasonable demand for water from the consumers in the basin;
- the criteria to be adopted in the conservation, equitable allocation and sustainable utilisation of the water resources in the river basin;
- the prevention of water pollution and control over aquatic weeds in the river basin; and
- measures that can be implemented to alleviate short term difficulties resulting from water shortages in the river during periods of drought.

Institutional framework

The Permanent Okavango River Basin Water Commission (OKACOM) consisting of delegations representing the Contracting Parties.

Source

www.faolex.fao.org/faolex/

Orange/Senqu

- Treaty on the Lesotho Highlands Water Project between the Government of the Kingdom of Lesotho and the Government of the republic of South Africa (Maseru, 24 October 1986)
- Protocol IV to the Treaty on the Lesotho Highlands Water Project: supplementary arrangements regarding phase IA (London, 19 November 1991)
- Ancillary Agreement to the deed of undertaking and relevant Agreements entered

into between the Lesotho Highlands Development Authority and the Government of the Republic of South Africa
(31 August 1992)

- Agreement between the Government of the Republic of Namibia and the Government of the Republic of South Africa on the establishment of a Permanent Water Commission
(Noordoewer, 14 September 1992)
- Protocol VI to the Treaty on the Lesotho Highlands Water Project: supplementary arrangements regarding the system of governance for the project
(1 January 1999)

Treaty on the Lesotho Highlands Water Project between the overnment of the Kingdom of Lesotho and the government of the Republic of South Africa

Place and date

Maseru, 24 October 1986

Signatories

Lesotho and South Africa

Geographical area covered

Senqu/Orange River and its tributaries

Primary focus area

Water quantity and hydropower

Provisions most relevant to ecosystems conservation

The Treaty provides for the establishment, implementation, operation and maintenance of a water delivery project and a hydro-electric power project. The purpose of the projects is to enhance the use of the water of the Orange/Senqu River by storing, regulating, diverting and controlling the flow of the river and its tributaries, in order to effect the delivery of specified quantities of water to the Designated Outlet Point in South Africa and, by utilising such delivery system, to generate hydro-electric power in Lesotho.

Lesotho shall ensure that minimum flow rates are provided and maintained in the natural river channel downstream of each dam constructed for the storing of water. The minimum quantities of water to be delivered by Lesotho to South Africa during each calendar year are specified in Annexure II to the Treaty.

Furthermore the Treaty specifies that Lesotho shall take measures to prevent or abate any significant pollution of the water to be delivered to South Africa.

Institutional framework

The Parties agree to establish the Joint Permanent Technical Commission. Each Party shall have the overall responsibility for the project in their respective territories. Two autonomous statutory bodies shall be established with responsibility for the implementation, operation and maintenance of that part of the project situated in each territory: the Lesotho Highlands Development Authority and the Trans-Caledon Tunnel Authority.

Source

www.faolex.fao.org/faolex/

Agreement between the Government of the Republic of Namibia and the Government of the Republic of South Africa on the establishment of a Permanent Water Commission

Place and date

Noordoewer, 14 September 1992

Signatories

Namibia and South Africa

Geographical area covered

Shared waters between the Parties

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish a Permanent Water Commission to act as technical adviser to the Parties on matters relating to the development and utilisation of water resources of common interest. The functions and powers of the Commission shall be to advise the Parties on:

- measures and arrangements to determine the potential of the water resources available from rivers of common interest;
- the reasonable demand for water from common water resources;
- criteria to be adopted in the allocation and utilisation of common water resources;
- investigations related to the development of any water resource of common interest including the construction, operation and maintenance of any water works in connection therewith;
- the prevention of, and control over, the pollution of common water resources and soil erosion affecting such resources; and
- measures to alleviate short-term problems resulting from water shortages in any river of common interest to the Parties during periods of drought, taking into consideration the availability of stored water and the water requirements within the territories of the Parties at that time.

Institutional framework

The Permanent Water Commission, consisting of two delegations representing the respective Parties.

Source

www.faolex.fao.org/faolex/

Ruvuma

- Exchange of Notes constituting an Agreement between the His Majesty's Government in the United Kingdom and the Portuguese Government regarding the boundary between Tanganyika territory and Mozambique (Lisbon, 11 May 1936)

Exchange of Notes constituting an Agreement between His Majesty's Government in the United Kingdom and the Portuguese Government regarding the boundary between Tanganyika territory and Mozambique

Place and date

Lisbon, 11 May 1936

Signatories

Portugal and the United Kingdom

Geographical area covered

Ruvuma

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The purpose of the Exchange of Notes is to clarify the existing position as regards sovereignty over islands situated in the Ruvuma River. The Parties agree that the inhabitants of both banks shall have the right over the whole breadth of the river to draw water, to fish and to remove saliferous sand for the purpose of extracting salt therefrom.

Institutional framework

The text of the Exchange of Notes does not specify.

Source

Legislative Texts, Treaty no. 30, p. 136.

Senegal

- Convention pertaining to the Statute of the Senegal River (Nouakchott, 11 March 1972)
- Convention creating the Organisation for the Development of the Senegal River (OMVS) (Nouakchott, 11 March 1972)
- Convention concluded between Mali, Mauritania and Senegal relative to the legal statute of common works (Bamako, 21 December 1978)
- Senegal River Water Charter (May, 2002)

Convention pertaining to the Statute of the Senegal River

Place and date

Nouakchott, 11 March 1972

Signatories

Mali, Mauritania and Senegal

Geographical area covered

Senegal River

Primary focus area

Co-operation on shared water resources and navigation

Provisions most relevant to ecosystems conservation

The Parties agree that no project on the river shall be undertaken likely to modify the characteristics of its flow, its navigable condition, agricultural or industrial exploitation, sanitary state of the water, biological characteristics of its fauna and flora and its water surface. Each project shall include its affect on the above-mentioned areas and shall be approved by the Parties.

Institutional framework

The Parties shall establish common institutional mechanism for co-operation whose role shall be to ensure the implementation of the Convention, promote, and co-ordinate the studies and work for the development of the river.

Source

www.faolex.fao.org/faolex/

Convention pertaining to the creation of the Organisation for the Development of the Senegal River

Place and date

Nouakchott, 11 March 1972

Signatories

Mali, Mauritania and Senegal

Geographical area covered

Senegal River

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The Parties agree to establish the Organization for the Management of the Senegal River which shall be the common organisation for co-operation and development of the Senegal River resources. The Organisation shall be responsible for:

- the application of the Convention pertaining to the Statute of the Senegal River; and
- the promotion and co-ordination of studies and constructions for the development of the river undertaken of the Parties on their territory.

Particular important projects shall be undertaken only after prior acceptance of the other Parties.

Institutional framework

The Parties establish a Conference of the Heads of States and Governments which responsible for defining policies regarding co-operation and development of the Organisation. Its decisions shall be binding upon the Parties. Other permanent bodies to be established to interact with the Conference are the Council of Ministers, the High Commission and the Water Permanent Commission.

Source

www.faolex.fao.org/faolex/

Convention concluded between Mali, Mauritania and Senegal relative to the Legal Statute of Common Works

Place and date

Bamako, 21 December 1978

Signatories

Mali, Mauritania and Senegal

Geographical area covered

Senegal River

Primary focus area

Infrastructure/Development

Provisions most relevant to ecosystems conservation

The objective of the Convention is to establish the legal status of the common infrastructures, the conditions for their execution, exploitation, and management.

Institutional framework

The Convention provides for the establishment of management Agencies placed under the framework of the Organization for the Management of the Senegal River.

Source

www.faolex.fao.org/faolex/

Senegal River Water Charter

Place and date

May, 2002

Signatories

Mali, Mauritania and Senegal

Geographical area covered

Senegal River

Primary focus area

Management and use of the waters

Provisions most relevant to ecosystems conservation

The Charter establishes the general principles and the modalities for the allocation of the waters of River Senegal between different uses amongst the State Parties. In doing so, the Contracting Parties commit themselves to the protection and preservation of the ecosystem of the river.

The Parties agree to monitor the impact of activities that may modify the characteristics of the river, its fauna and flora and of its environment. Common rules shall be established relating to the standards of quality of the waters and their composition, as well as the policies regarding hazardous activities. The Parties commit themselves to the harmonisation of their domestic legislation relating to the protection of the environment of the river. They further agree to adopt a general plan of environmental action, setting out the competencies of the Organisation for the Valorisation of the River Senegal in matters of surveillance on the waters of the River and of interim measures to face environmental emergencies.

Institutional framework

A Permanent Water Commission is set up in order to advise the Council of the Ministers of the State Parties about the management of the resources of the river. The Commission is composed of representatives of the State Members to the Organisation for the Valorisation of the River Senegal.

Source

www.lafrique.free.fr/traites/

Volta

- Exchange of Notes between the United Kingdom and France constituting and Agreement relating to the boundary between the Gold Coast and the French Soudan (London, 18 March and 25 April 1904)

Zambezi

- Exchange of Notes constituting an Agreement between Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Portuguese Government providing for Portuguese participation in the Shiré Valley Project (Lisbon, 21 January 1953)
- Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland (on their behalf and on behalf of the Government of the Federation of Rhodesia and Nyasaland) and the Government of Portugal with regard to certain Angolan and Northern Rhodesian natives living on the Kwando River (Lisbon, 18 November 1954)
- Agreement relating to the Central African Power Corporation (Salisbury, 25 November 1963)
- Agreement between the Republic of Portugal, the People's Republic of Mozambique and the Republic of South Africa relative to the Cahora Bassa Project (Cape Town, 2 May 1984)
- Agreement on the action plan for the environmentally sound management of the common Zambezi River System (Harare, 28 May 1987)
- Agreement between the Republic of Zimbabwe and the Republic of Zambia concerning the utilisation of the Zambezi River (Harare, 28 July 1987)
- Agreement on the establishment of the Zambezi Watercourse Commission (Draft version 11) (Livingstone, 26–28 February 2003)

Exchange of Notes constituting an Agreement between Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Portuguese Government providing for Portuguese participation in the Shire Valley Project

Place and date

Lisbon, 21 January 1953

Signatories

Portugal and the United Kingdom

Geographical area covered

Lake Nyasa and River Shiré

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Exchange of Notes is to set up a framework for regulating the level of Lake Nyasa waters and the flow of River Shiré, for hydroelectric purposes.

Institutional framework

A joint corporation shall be established to deal with the production and sale of hydropower.

Source

Legislative Texts, Treaty no. 31, p. 138.

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland (on their own behalf and on behalf of the Government of the Federation of Rhodesia and Nyasaland) and the Government of Portugal with regard to certain Angolan and Northern Rhodesian natives living on the Kwando River

Place and date

Lisbon, 18 November 1954

Signatories

Portugal and the United Kingdom

Geographical area covered

Kwando

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Parties agree that natives shall always be permitted to camp in temporary settlements on the left bank of the Kwando River in Portuguese territory during the dry season. While camping, the natives will be allowed to fish, but not more than necessary for their own consumption during the season. Fishing methods, which alter the banks or the course, shall not be permitted. Furthermore, they shall be allowed to have access to water for themselves and their cattle.

Institutional framework

The text of the Agreement does not specify.

Source

Legislative Texts, Treaty no. 33, p. 141.

Agreement relating to the Central African Power Corporation

Place and date

Salisbury, 25 November 1963

Signatories

Northern Rhodesia and Southern Rhodesia

Geographical area covered

Lake Kariba and Zambezi

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to set up an integrated system for the control of electric power generation and its transmission in the territories of the Parties, which should be operated and fully developed as a single system under joint ownership or control. The Parties undertake to keep each other and the Corporation informed of proposals approved by them concerning the abstraction of water from Lake Kariba or the impounding or abstraction of water from its sources for irrigation or other purposes.

The Corporation shall have the power to regulate Lake Kariba waters, in the interests of the installations' operation and of the dam safety. The interests of the inhabitants of the lakeshores and Zambezi banks below the dam is contemplated.

Institutional framework

The Central African Power Corporation, consisting of members of both Parties.

Source

www.transboundarywaters.orst.edu/

Agreement on the Action Plan for the Environmentally Sound Management of the Common Zambezi River System

Place and date

Harare, 28 May 1987

Signatories

Botswana, Mozambique, Tanzania, Zambia and Zimbabwe

Geographical area covered

Zambezi

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Agreement concerns an Action Plan for the Environmentally Sound Management of the Common Zambezi River System, to be implemented through various projects. The activities to implement the Action Plan in the river basin will be based on solid and reliable environmental assessment. The collection and development of common data

and information in the basin is recognised as a priority. The information falling into this category should relate to:

- water resource assessment;
- socio-economic development that may adversely affect the environment, including the identification of favourable opportunities for river basin development in general;
- institutions, experts and facilities available in the region for the Action Plan's implementation;
- living and non-living resources, their status and their exploitation trends;
- sources and pollutants levels in the various components of the river basin environment;
- the effects of pollutants on human health, ecosystems, and amenities; and
- the identification of human activities that could be affected by environmental degradation.

Environmental assessment, environmental management, environmental legislation and supporting measures are the main elements of the Action Plan.

Institutional framework

The Parties shall establish the Zambezi Intergovernmental Monitoring and Co-ordinating Committee (ZIMCC) to co-ordinate and provide operational and policy guidance for the Action Plan's implementation. In order to ensure the harmonious, co-ordinated and integrated evolution of each of the components of the Action Plan, a small Zambezi River Basin Co-ordination Unit shall initially be established. The unit should benefit from technical co-operation with existing international, regional and national organisation and co-ordinating bodies. National focal points shall be established in each of the participating Governments to harmonise, at the national level, all matters concerning the Action Plan.

Source

www.ecolex.org/

Agreement between the Republic of Zimbabwe and the Republic of Zambia concerning the utilisation of the Zambezi River

Place and date

Harare, 28 July 1987

Signatories

Botswana, Mozambique, Tanzania, Zambia and Zimbabwe

Geographical area covered

Zambezi

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to provide water for hydropower generation. The

Contracting Parties undertake to keep each other informed of any proposals approved by them for the abstraction of water from the Kariba Dam or any other dam that may be constructed on the Zambezi River. With regard to any problems arising from the abstraction of water from the Kariba Dam, the Contracting Parties shall consult with each other and the Zambezi River Authority.

Institutional framework

The institutional framework shall be composed of the Zambezi River Authority, a Chief Executive to the Authority, the Council of Ministers, a Board of Directors and a Secretary.

Source

www.faolex.fao.org/faolex/

Agreement on the establishment of the Zambezi Watercourse Commission (Draft version 11)

Place and date

Livingstone, 26–28 February 2003

Signatories

Angola, Botswana, Malawi, Mozambique, Namibia, Tanzania, Zambia and Zimbabwe

Geographical area covered

Zambezi watercourse, including surface and ground waters of the Zambezi flowing into the Indian Ocean

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The Member States agree to establish the Zambezi Watercourse Commission. The objective of the Commission is to promote the equitable and reasonable utilisation of the water resources of the Zambezi Watercourse as well as the efficient management and sustainable development thereof. The Commission shall have the following functions:

- collect, evaluate and disseminate all data and information on the Zambezi Watercourse as may be necessary for the implementation of the Agreement;
- promote, support, co-ordinate and harmonise the management and development of the water resources of the Zambezi Watercourse;
- advise Member States on the planning, management, utilisation, development, protection and conservation of the Zambezi Watercourse as well as on the role and position of the Public with regard to such activities and the possible impact thereof on social and cultural heritage matters; and
- advise Member States on measures necessary for the disputes avoidance and assist in conflict resolution among Member States with regard to planning, management, utilisation, development, protection and conservation of the Zambezi Watercourse.

The Member State's general responsibilities shall be to take all appropriate technical, legislative, administrative and other measures in the utilisation of the Zambezi

Watercourse in order to prevent, reduce and control pollution of the surface and groundwaters of the Watercourse and to protect and enhance the quality status of the water and associated ecosystems of the benefit of present and future generations.

Institutional framework

The institutional framework between the Member States shall be the Zambezi Watercourse Commission. It shall have the following organs entrusted to it:

- the Council of Ministers;
- the Technical Committee; and
- the Secretariat.

Source

Draft provided by IUCN Regional Office in Southern Africa (ROSA).

2.2 The Americas

2.2.1 Bilateral and multilateral agreements

Amazon

- Declaration and Exchange of Notes concerning the termination of the process of demarcation of the Peruvian-Ecuadorean frontier (Lima and Quito, 22–24 May 1944)
- Treaty for Amazonian co-operation (Brasilia, 3 July 1978)
- Agreement concerning the Cachuela Esperanza Hydroelectric Plant, supplementary to the Agreement on economic and technical co-operation between the Government of the Federative Republic of Brazil and the Government of the Republic of Bolivia (Santa Cruz de la Sierra, 8 February 1984)
- Agreement between the Government of the Federative Republic of Brazil and the Government of the Republic of Venezuela on the establishment of a non-aedificandi zone at the boundary between the two countries (Brasilia, 17 May 1988)
- Exchange of Notes constituting an Agreement for the construction of a hydroelectric plant in Cachuela Esperanza, supplementary to the Agreement on economic and technical cooperation (La Paz, 2 August 1988)
- Treaty of trade and navigation between the Governments of the Republic of Ecuador and the Republic of Peru (Brasilia, 26 October 1998)
- Cooperation Agreement between the Ministry for the Environment of Ecuador and the National Institute of Natural Resources (INRENA) from Peru (Lima, 12 August 1999)

Declaration and Exchange of Notes concerning the termination of the process of demarcation of the Peruvian-Ecuadorean frontier

Place and date

Lima and Quito, 22–24 May 1944

Signatories

Ecuador and Peru

Geographical area covered

Zarumilla River and Hualtaco estuary

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties agree that the boundary line shall pass through the old bed of the River Zarumilla and that Peru shall guarantee the supply of water necessary for the life of the Ecuadorian villages on the right bank of that river.

Institutional framework

The text of the Exchange of Notes does not specify.

Source

Legislative Texts, Treaty no. 69, p. 225.

Treaty for Amazonian co-operation

Place and date

Brasilia, 3 July 1978

Signatories

Bolivia, Colombia, Ecuador, Guyana, Peru, Suriname and Venezuela

Geographical area covered

The Amazonian Basin, and any other territory by virtue of its geographical, ecological or economic characteristics is considered closely connected with the basin

Primary focus area

Economic development

Provisions most relevant to ecosystems conservation

The purpose of the Treaty is to set up a system for conducting joint actions to promote the harmonious and integrated development of the Amazonian basin. The Treaty provides for collaboration among the Contracting Parties to promote scientific and technological research and the exchange of information, rational use of natural resources, freedom of navigation on the Amazon River system, preservation of the cultural heritage, and the creation and operation of research centres. The Contracting Parties declare that the exclusive use and utilisation of natural resources within their respective territories is a right inherent in the sovereignty of each state and that the exercise of this right shall not be subject to any restrictions other than those arising from international law.

The Contracting Parties shall, when exploiting the flora and fauna of the Amazon region, make rational plans so as to maintain the ecological balance within the region and preserve the species. To this end, the Contracting Parties decide to:

- promote scientific research and exchange information and technical personnel among the competent agencies within the respective countries so as to increase their knowledge of the flora and fauna of their Amazon territories and prevent and control diseases in the said territories; and
- establish a regular system for the proper exchange of information on the conservationist measures adopted or to be adopted by each Contracting Party in its Amazonian territories.

Furthermore, taking account of the importance and multiplicity of the functions which the Amazonian Rivers have in the process of economic and social development of the region, the Contracting Parties shall make efforts aimed at achieving rational utilisation of the hydro recourses.

Institutional framework

The Contracting Parties establish the Amazonian Co-operation Council which shall have the following duties:

- to ensure that the aims and objectives of the Treaty are complied with;
- to be responsible for carrying out the decisions taken at meeting of Foreign Affairs Ministers;
- to recommend to the Parties the advisability and the appropriateness of convening meetings of Foreign Affairs Ministers and of drawing up the corresponding Agenda; and
- to evaluate the implementation of plans of bilateral or multilateral interest.

The Council shall be supported by a Secretariat. The Contracting Parties shall create Permanent National Commissions responsible for enforcing the provisions set out in the Treaty. Parties can also establish, whenever necessary, special commissions to study specific problems or matters related to the Treaty.

Source

1202 UNTS 1979

Agreement between the Government of the Federative Republic of Brazil and the Government of the Republic of Venezuela on the establishment of a non-aedificandi zone at the boundary between the two countries

Place and date

Brasilia, 17 May 1988

Signatories

Brazil and Venezuela

Geographical area covered

The border between Brazil and Venezuela

Primary focus area

Conservation of shared water resources

Provisions most relevant to ecosystems conservation

The Agreement aims at the protection and safeguarding of the watershed, as well as the other geographical features which serve as a reference point for identifying the boundary between Brazil and Venezuela. The Contracting Parties shall establish a “non-aedificandi” zone with specific characteristics, along, and on both sides of the border between them. Within the zone, which shall be 30m wide on each side of the border, no activities or construction work of any kind shall be permitted, unless agreed by both Parties.

Institutional framework

The Joint Brazilian-Venezuelan Border Commission shall provide all the technical support necessary for the implementation of the Agreement. Each Contracting Party shall take necessary measures to ensure the implementation of the established provisions.

Source

www.faolex.fao.org/faolex/

Treaty of trade and navigation between the Governments of the Republic of Ecuador and the Republic of Peru

Place and date

Brasilia, 26 October 1998

Signatories

Ecuador and Peru

Geographical area covered

Amazon

Primary focus area

Navigation

Provisions most relevant to ecosystems conservation

With regard to security in navigation, protection of the river environment and pollution coming from vessels, the Parties will apply their national regulations on a non-discriminatory basis, and mutually notify to the authorities of the other Party the existing regulations applicable in those areas.

Institutional framework

The text of the Treaty does not specify.

Source

Ecuador-Perú. *Frontera para la paz y el desarrollo*. Publication of the Ecuadorian Ministry for Foreign Relations.

Cooperation Agreement between the Ministry for the Environment of Ecuador and the National Institute of Natural Resources (INRENA) from Peru

Place and date

Lima, 12 August 1999

Signatories

Ecuador and Peru

Geographical area covered

The territories of Ecuador and Peru

Primary focus area

Institutional co-operation

Provisions most relevant to ecosystems conservation

The Parties will collaborate in the areas of environmental management, conservation of nature and sustainable development on the basis of equity, reciprocity and to the benefits of the mankind.

The following areas are considered by the Parties of special interest for conservation of nature and environmental management:

- protection of nature, including conservation and sustainable management of biodiversity, threatened and protected species;
- co-ordinated management of protected areas;
- shared management of river basins, and integrated programmes on reforestation with the view of recovering soils; and
- establishment of common criteria for natural resources management.

Institutional framework

The text of the Agreement does not specify.

Source

Ecuador-Perú. *Frontera para la paz y el desarrollo*. Publication of the Ecuadorian Ministry for Foreign Relations

Argentina-Chile shared waters

- Additional Protocol (to the Treaty on the Environment) on shared water resources between the Republic of Chile and the Republic of Argentina (Buenos Aires, 2 August 1991)

Additional Protocol (to the Treaty on the Environment) on shared water resources between the Republic of Chile and the Republic of Argentina**Place and Date**

Buenos Aires, 2 August 1991

Signatories

Argentina and Chile

Geographical Area Covered

Shared water resources between Argentina and Chile

Primary focus area

Integrated management of shared river basins

Provisions most relevant to ecosystems conservation

According to the Treaty on the Environment, which the Protocol is part of, Parties will take coordinated or common action in the area of protection and rational utilisation of

water resources, its living resources, and prevention of, defence from and cleaning of pollution. According to the Additional Protocol, shared water resource is the water which, flowing in a natural way, coincides totally or partially with the international terrestrial border between the Parties.

Parties agreed that actions and programmes relating to shared water resources utilisation will be implemented following the integrated river basin approach.

The utilisation of water resources from a common basin within the territory of any Party should be conducted in a way as not to cause any harm to the shared water resources, the common basin or the environment.

Parties will conduct common surveys on the hydrobiological populations with the objective of conducting conservation actions oriented to their rational utilisation.

An environmental impact assessment shall be conducted before introducing alien species into the shared water resources.

Institutional framework

The Parties agree to establish within the framework of the Bi-national Argentine-Chilean Commission, a Sub-commission on Environment, with a view of promoting, co-ordinating and implementing the Treaty on the Environment and its protocols.

The Sub-Commission will be integrated by representatives of the Parties and coordinated by the Ministries for Foreign Affairs.

Within the Additional Protocol on shared water resources, Parties agreed to establish a Working Group within the Sub-commission on the Environment to determine and prioritise the shared water resources and elaborate plans relating to water utilisation.

Source

Decree No 67 from 16 January 1992. Diario Oficial from 14 April 1993.

Artibonite-Massacre-Pedernales

- Treaty of peace, of friendship and of arbitration between the Dominican Republic and the Republic of Haiti
(Santo Domingo, 20 February 1929)

Treaty of peace, friendship and arbitration between the Dominican Republic and the Republic of Haiti

Place and date

Santo Domingo, 20 February 1929

Signatories

Dominican Republic and Haiti

Geographical area covered

Shared water resources between the Dominican Republic and Haiti

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The objective of the Convention is to establish a water regime (ensuring equitable use of water) with regard to rivers between Haiti and the Dominican Republic. Parties agree not to allow any construction that could either modify the natural river course or alter the flow from its sources.

The Treaty recognises that each Party has the right to enjoy fair and equitable use of water, within its territory, for soil irrigation and other agriculture and industrial purposes.

Institutional framework

The text of Treaty does not specify.

Source

Legislative Texts, Treaty no. 68, p. 225.

Candelaria-Coatán Achute-Hondo-Suchiata-Usumacinta/Grijalva

- Agreement between the United Mexican States and the Republic of Guatemala on the protection and improvement of the environment in the border area (Guatemala City, 10 April 1987)

Agreement between the United Mexican States and the Republic of Guatemala on the protection and improvement of the environment in the border area

Place and date

Guatemala City, 10 April 1987

Signatories

Guatemala and Mexico

Geographical area covered

The border between Guatemala and Mexico

Primary focus area

Border issues and co-operation in environmental problems of common concern

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish a system for co-operation in the protection and improvement of the environment, and conservation of natural resources in the border area. To this end Parties agree to:

- undertake to adopt measures to prevent, reduce and eliminate in their territory sources of pollution which affect the border area;
- take whatever actions necessary for the conservation of protected natural zones in the border area, in order to preserve the various ecosystems and permit continuity in the processes of ecological evolution and environmental regulation;
- promote and take the necessary measures for the protection of threatened and endangered species; and
- co-ordinate the efforts of their respective governmental bodies and the co-operation of local communities to prevent illicit trade in threatened or endangered plant and animal species.

Institutional framework

The institutional framework between the Parties shall be the International Boundary and Water Commission of Mexico and Guatemala. The Commission shall be instructed to incorporate environmental aspects into future work on the studies of river basins in the border area, establishing such specific working groups as may be required by the studies on the protection and improvement of the environment in the border area, including the protection of threatened or endangered species, and to make appropriate recommendation to their Governments.

Source

www.faolex.fao.org/faolex/

Chuy-Merin/Mirim Lagoon

- Convention regarding the determination of the legal status of the frontier between Brazil and Uruguay
(Montevideo, 20 December 1933) (Also applicable to Plata.)
- Exchange of Notes constituting an Agreement between Brazil and Uruguay establishing a joint commission for the development of the Mirim Lagoon
(Montevideo, 26 April 1963)
- Exchange of Notes constituting an Agreement on the Joint Commission for the Development of Mirim Lagoon
(Brasilia, 20 May 1974)
- Treaty on co-operation for the utilisation of the natural resources and the development of the Mirim Lagoon Basin and Protocol
(Brasilia, 7 July 1977)
- Statute of the Brazilian-Uruguayan Joint Commission for the development of the Mirim Lagoon Basin
(Brasilia, 7 July 1977)
- Complementary Agreement to the Basic Agreement on scientific and technical cooperation between the Government of the Oriental Republic of Uruguay and the Government of the Federated Republic of Brazil on cooperation in the area of water resources
(Artigas, 11 March 1991) (Also applicable to Plata.)

Convention regarding the determination of the legal status of the frontier between Brazil and Uruguay

Place and date

Montevideo, 20 December 1933

Signatories

Brazil and Uruguay

Geographical area covered

The border between Brazil and Uruguay

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties agree that each of them shall be entitled to dispose of half of the water flowing through the frontier watercourses. It is also agreed that, when there is a possibility that the installation of a plant for the utilisation of the water may cause an appreciable and permanent alteration in the flow rate of a watercourse running along or intersecting the border, such work should not be carried out unless both Parties agree on the matter.

Institutional framework

The text of the Convention does not specify.

Source

Legislative Texts, Treaty no. 49, p. 174.

Exchange of Notes constituting an Agreement between Brazil and Uruguay establishing a Joint Commission for the Development of the Mirim Lagoon

Place and date

Montevideo, 26 April 1963

Signatories

Brazil and Uruguay

Geographical area covered

The Mirim Lagoon Basin

Primary focus area

Navigation and economic development

Provisions most relevant to ecosystems conservation

The Parties agree to establish a Joint Commission to stimulate economic relations between them. This should be achieved through measures for improving navigation and promoting the development of Mirim Lagoon and the associated hydrographical system, including its link with the ocean.

Institutional framework

The Joint Commission.

Source

www.transboundarywaters.orst.edu/

Treaty on co-operation for the utilization of the natural resources and the development of the Mirim Lagoon basin and Protocol

Place and date

Brasilia, 7 July 1977

Signatories

Brazil and Uruguay

Geographical area covered

Mirim Lagoon Basin

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The purpose of the Treaty is to set up a system to promote the development of the Mirim Lagoon Basin. To this end, the Parties shall take national and international action with the following aims:

- improve the economic and social conditions of the basin inhabitants;
- provide water for domestic, urban and industrial use;
- regulate water courses and control flooding;
- set up an irrigation and drainage system for agricultural purposes;
- produce, distribute and use hydroelectric power; and
- increase means of transport and communications, in particular, navigation.

Parties agree to take appropriate steps to ensure that the various water uses of the basin and the exploration, exploitation and use of the area's natural resources within their respective jurisdictions do not cause significant damage to navigation, the quantity or quality of the water or the environment.

The Jaguarão River Protocol annexed to the Treaty has the objective to speed up the execution of the works for the multiple uses of land bordering the Jaguarão River's water resources.

Institutional framework

The Brazilian-Uruguayan Joint Commission for the development of the Mirim Lagoon Basin earlier set up between the Parties shall be responsible for the implementation of the Treaty.

Source

1097 UNTS 375

Complementary Agreement to the Basic Agreement on Scientific and Technical Cooperation between the Government of the Oriental Republic of Uruguay and the Government of the Federated Republic of Brazil on cooperation in the area of water resources

Place and date

Artigas, 11 March 1991

Signatories

Brazil, Uruguay

Geographical area covered

Chuy-Mirim Lagoon-Plata

Primary focus area

Scientific and technical co-operation

Provisions most relevant to ecosystems conservation

The Parties will establish the mechanisms of technical and scientific co-operation in the area of water resources through the exchange of experiences and information, the organisation of capacity building programmes, the organisation of events, and the development of common projects of mutual interest.

Institutional framework

The National Directorate on Hydrograph from Uruguay (Ministry for Transportation and Public Works) and the National Department on Water and Energy from Brazil (Ministry of Infrastructure) are designated as executing agencies for the technical and scientific co-operation foreseen in the Agreement.

Source

www.faolex.fao.org/

Colorado

- Boundary Convention between the United States of America and Mexico (Washington, 1 March 1889) (Also applicable to Río Bravo/Río Grande.)
- Boundary Convention between the United States of America and Mexico, extending the Convention of 1 March 1889 (Washington, 1 October 1895) (Also applicable to Río Bravo/Río Grande.)
- Boundary Convention between the United States of America and Mexico, extending the Convention of 1 March 1889 (Washington, 6 November 1896) (Also applicable to Río Bravo/Río Grande.)
- Boundary Convention between the United States of America and Mexico, extending the Convention of 1 March 1889 (Washington, 29 October 1897) (Also applicable to Río Bravo/Río Grande.)
- Boundary Convention between the United States of America and Mexico, extending the Convention of 1 March 1889 (Washington, 2 December 1898) (Also applicable to Río Bravo/Río Grande.)
- Boundary Convention between the United States of America and Mexico, extending the Convention of 1 March 1889 (Washington, 22 December 1899) (Also applicable to Río Bravo/Río Grande.)
- Boundary Convention between the United States of America and Mexico, extending the Convention of 1 March 1889 (Washington, 21 November 1900) (Also applicable to Río Bravo/Río Grande.)
- Treaty between the United States of America and Mexico relating to the utilisation of the waters of the Colorado and Tijuana rivers and of the Río Grande (Río Bravo) from Fort Quitman, Texas, to the Gulf of Mexico (Washington, 3 February 1944), and supplementary Protocol (Washington, 14 November 1944) (Also applicable to Río Bravo/Río Grande and Tijuana.)
- Exchange of Notes constituting an Agreement concerning the loan of waters of the Colorado River for irrigation of lands in the Mexicali Valley (Mexico City, 24 August 1966)

- Agreement effected by Minute No. 241 of the International Boundary and Water Commission, United States of America and Mexico
(El Paso, 14 July 1972)
- Agreement extending Minute No. 241 of the International Boundary and Water Commission, United States and Mexico, of 14 July 1972, as extended
(Mexico and Tlatelolco, 30 April 1973)
- Agreement between the United States of America and Mexico on the permanent and definitive solution to the salinity of the Colorado River Basin (Minute No. 242)
(Mexico City, 30 August 1973)
- Agreement between the United States of America and the United Mexican States on cooperation for the protection and improvement of the environment in the border area
(La Paz, 14 August 1983) (Also applicable to Río Bravo/Río Grande, Tijuana and Yaqui.)
- Agreement of cooperation between the United States of America and the United Mexican States regarding pollution of the environment along the inland international boundary by discharges of hazardous substances
(San Diego, 18 July 1985) (Also applicable to Río Bravo/Río Grande, Tijuana and Yaqui.)
- Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank
(Washington and Mexico City, 16 and 18 November 1993) (Also applicable to Río Bravo/Río Grande, Tijuana and Yaqui.)

Boundary Convention between the United States of America and Mexico

Place and date

Washington, 1 March 1889

Signatories

Mexico and the United States of America

Geographical area covered

Areas where the Colorado River and the Río Bravo/Río Grande cross the border and serve as a boundary between Mexico and the United States

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish an International Boundary Commission between the Parties to examine and decide all differences or questions that may arise regarding the frontier between the United States and Mexico determined by Río Grande and the Colorado rivers.

Institutional framework

The International Boundary Commission shall be composed of representatives from both Parties.

Source

Legislative Texts, Treaty no. 74, p. 229.

Treaty between the United States of America and Mexico relating to the utilization of the waters of the Colorado and Tijuana rivers and of the Río Grande (Río Bravo) from Fort Quitman, Texas, to the Gulf of Mexico and supplementary Protocol

Place and date

Washington, 3 February and 14 November 1944

Signatories

Mexico and the United States of America

Geographical area covered

Colorado River, Tijuana River and the Río Bravo/Río Grande from Fort Quitman, Texas, to the Gulf of Mexico

Primary focus area

Delimitation of water rights

Provisions most relevant to ecosystems conservation

The purpose of the Treaty is to establish a regime for the International Boundary and Water Commission, and to allot the international waters between the Parties.

The Commission may be called upon to make provisions for the joint use of international waters. According to the Treaty, the following order of preferences shall serve as a guide:

- domestic and municipal uses;
- agriculture and stock-raising;
- electric power and other industrial uses;
- navigation; and
- fishing and hunting.

Institutional framework

The Parties rename the International Boundary Commission earlier established to the International Boundary and Water Commission.

Source

Legislative Texts, Treaty no. 77, p. 236.

Exchange of Notes constituting an Agreement concerning the loan of waters of the Colorado River for irrigation of lands in the Mexicali Valley

Place and date

Mexico City, 24 August 1966

Signatories

Mexico and United States of America

Geographical area covered

Mexicali Valley

Primary focus area

Relief of water shortage

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to relieve the shortage of water available for irrigation of lands in the Mexicali Valley during the period September and December 1966. The Parties agree that the United States shall release additional waters of the Colorado River than those allocated to Mexico under the Water Treaty signed in Washington 3 February 1944.

Institutional framework

The International Boundary and Water Commission.

Source

www.transboundarywaters.orst.edu/

Agreement effected by Minute No. 241 of the International Boundary and Water Commission, United States of America and Mexico

Place and date

El Paso, 14 July 1972

Signatories

Mexico and the United States of America

Geographical area covered

Colorado River Basin

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to improve the quality of the Colorado River with regard to salinity problems. The Parties agree that the United States shall adopt measures to improve the Colorado River's water quality that is made available to Mexico.

Institutional framework

The International Boundary and Water Commission.

Source

www.transboundarywaters.orst.edu/

Agreement between the United States of America and Mexico on the permanent and definitive solution to the salinity of the Colorado River Basin (Minute No. 242)

Place and date

Mexico City, 30 August 1973

Signatories

Mexico and the United States of America

Geographical area covered

Colorado River Basin

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Parties agree that the water delivered from the United States to Mexico will contain an annual average amount of salinity. With the objective of avoiding future conflicts, the United States and Mexico shall consult with each other before starting any new project in surface or groundwaters, or undertaking substantial modifications of present developments, located in the border area within their own territories that might adversely affect the neighbouring country.

Institutional framework

The International Boundary and Water Commission.

Source

www.transboundarywaters.orst.edu/

Agreement between the United States of America and the United Mexican States on cooperation for the protection and improvement of the environment in the border area

Place and date

La Paz, 14 August 1983

Signatories

Mexico and the United States of America

Geographical area covered

The border area between Mexico and the United States

Primary focus area

Environmental conservation

Provisions most relevant to ecosystems conservation

The objectives of the Agreement are to establish the basis for co-operation between the Parties for the protection, improvement and conservation of the environment and the problems which affect it, as well as to agree on necessary measures to prevent and control pollution in the border area. The “border area” is defined as 100km on either side of the inland and maritime boundaries between the Parties. The Parties undertake, to the fullest extent practicable, to adopt the appropriate measures to prevent, reduce and eliminate sources of pollution in their respective territory which affect the border area of the other.

With a view of implementing the Agreement, Parties shall consider and pursue in a coordinated manner practical, legal, institutional and technical measures for protecting the quality of the border’s environment. The co-operation may include:

- coordination of national programs;
- scientific and educational exchanges;
- environmental monitoring;

- environmental impact assessment; and
- periodic exchanges of information and data on likely sources of pollution in their respective territory which may produce environmentally polluting incidents.

Parties shall assess projects that may have significant impacts on the environment of the border area, so that appropriate measures may be considered to avoid or mitigate adverse environmental effects.

Institutional framework

Parties shall hold meetings regularly and convoke meetings of experts for the purposes of co-ordinating their national programs on environmental protection.

Source

www.transboundarywaters.orst.edu/

Agreement of co-operation between the United States of America and the United Mexican States regarding pollution of the environment along the inland international boundary by discharges of hazardous substances

Place and date

San Diego, 18 July 1985

Signatories

Mexico and the United States of America

Geographical area covered

The border between Mexico and the United States

Primary focus area

Hazardous substances

Provisions most relevant to ecosystems conservation

The Agreement concerns the establishment of the United States-Mexico Joint Contingency Plan regarding polluting incidents on the border area along the joint inland international boundary caused by discharges of hazardous substances. The objective of the Plan is to provide co-operative measures to deal effectively with these incidents. “The border area along the joint inland international boundary” means the non-maritime area which is the area situated 100km on either side of the inland international boundary. The Parties commit themselves to develop plans designed to detect the existence or the imminent possibility of occurrence of polluting incidents within their respective areas, and to provide adequate response measures to eliminate, to the extent possible, the threat posed by such incidents. These plans are also aimed at minimising the adverse effects on the environment and public health and welfare.

Institutional framework

National co-ordinators shall be responsible for the development of an implementation schedule.

Source

www.faolex.fao.org/faolex/

Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank

Place and date

Washington and Mexico City, 16 and 18 November 1993

Signatories

Mexico and the United States of America

Geographical area covered

Border region

Primary focus area

Conservation of natural resources

Provisions most relevant to ecosystems conservation

The Agreement aims at the conservation and protection of the environments of each Contracting Party. The Contracting Parties agree to establish the Border Environment Cooperation Commission which will have the function to help, preserve, protect and enhance the environment of the border region. In providing such assistance, the Commission shall give preference to environmental infrastructure projects relating to water pollution, wastewater treatment, municipal solid waste and related matters.

Furthermore, the Contracting Parties agree to establish the North American Development Bank which shall:

- provide financing for projects certified by the Border Environment Cooperation Commission; and
- provide financing endorsed by the United States or by Mexico.

In order to implement its objectives, the Bank shall utilise its capital and other resources available, and fulfil the following functions:

- promote the investment of public and private capital;
- encourage and supplement private investment; and
- provide technical assistance for the financing and implementation of plans and projects.

Other provisions concern the capital of the bank, miscellaneous powers and distribution of profits, operations, status, immunities and privileges.

Institutional framework

The Border Environment Cooperation Commission.

Source

www.faolex.fao.org/faolex/

Columbia

- Treaty between Great Britain and the United States relating to boundary waters, and questions arising between the United States and Canada

(Washington, 11 January 1909) (Also applicable to Fraser, Nelson-Saskatchewan, St. Croix, St. John, St. Lawrence and Skagit.)

- Exchange of Notes constituting an Agreement between the United States of America and Canada relating to a study to be made by the International Joint Commission with respect to the upper Columbia River Basin (Ottawa, 25 February and 3 March 1944)
- Treaty between the United States of America and Canada relating to co-operative development of the water resources of the Columbia River Basin and Annexes (Washington, 17 January 1961)
- Exchange of Notes constituting an Agreement between Canada and the United States of America regarding sale of Canada's entitlement to downstream benefits under the Treaty relating to co-operative development of the water resources of the Columbia River Basin signed at Washington on 17 January 1961 (Washington, 22 January 1964)
- Exchange of Notes constituting an Agreement between Canada and the United States of America concerning the Treaty relating to co-operative development of the water resources of the Columbia River basin signed at Washington on 17 January 1961 (Washington, 22 January 1964)
- Exchange of Notes constituting an Agreement between Canada and the United States of America authorizing the Canadian entitlement purchase Agreement provided for under the Treaty relating to co-operative development of the water resources of the Columbia River basin signed at Washington on 17 January 1961 (Ottawa, 16 September 1964)
- Exchange of Notes between the Government of Canada and the Government of the United States of America relating to the establishment of directions to be followed by the Permanent Engineering Board established under Article XV of the Columbia River Treaty in relation to its administration and procedures (Washington, 4 October 1965)
- Exchange of Notes concerning a special operating programme for the Duncan and Arrow storages on the Columbia River System (Ottawa, 1 April 1968)

Treaty between Great Britain and the United States relating to boundary waters, and questions arising between the United States and Canada

Place and date

Washington, 11 January 1909

Signatories

The United Kingdom and the United States of America

Geographical area covered

Lake Erie, Lake Michigan, Milk, Niagara and St. Mary. Excluded are tributary waters flowing into or from the waters, or waters of rivers flowing across the boundary.

Primary focus area

Prevention of disputes on the use of boundary waters

Provisions most relevant to ecosystems conservation

The Contracting Parties agree that in addition to the uses, obstructions and diversions permitted up to now, no further uses, obstructions or diversions affecting the natural level or flow of boundary waters shall be made except upon approval. The Contracting Parties will not authorise the construction or maintenance on their respective sides of the boundary of any remedial or protective works or any dams or other obstructions in waters flowing from boundary waters or in waters at a lower level than the boundary in rivers flowing across the boundary, the effect of which is to raise the natural level of waters on the other side of the boundary, unless the construction or maintenance thereof is approved by the established International Joint Commission. It is further agreed that the waters shall not be polluted on either side to the injury of health or property on the other.

The Contracting Parties agree that it is expedient to limit the diversion of waters from the Niagara River so that the level of Lake Erie and the flow of the stream shall not be appreciably affected. As long as the Treaty remains in force, no water diversion of the Niagara River shall be permitted above the Niagara Falls from the natural course and stream thereof.

It is agreed that St. Mary and Milk Rivers and their tributaries are treated as a single river. During the irrigation season, the United States gets prior appropriations on the Milk River and Canada gets a prior appropriation from the St. Mary River.

Institutional framework

The Parties agree to establish an International Joint Commission composed of six commissioners from both Parties. The Commission shall have jurisdiction over the use, obstruction, or diversion of the waters.

Source

Legislative Texts, Treaty no. 79, p. 260.

Exchange of Notes constituting an Agreement between the United States of America and Canada relating to a study to be made by the International Joint Commission with respect to the upper Columbia River Basin

Place and date

Ottawa, 25 February and 3 March 1944

Signatories

Canada and the United States of America

Primary focus area

Economic development

Provisions most relevant to ecosystems conservation

The Parties agree that the International Joint Commission will conduct a study to determine whether further development of the river waters would be practicable and in the interest of the public. To this end, the Commission shall consider the following areas:

- domestic water supply and sanitation;
- navigation;
- efficient development of water power;
- the control of floods;
- the needs of irrigation;
- reclamation of wet lands; and
- conservation of fish and wildlife.

Institutional framework

The International Joint Commission earlier established between the Parties.

Source

Legislative Texts, Treaty no. 58, p. 192.

Treaty between the United States of America and Canada relating to cooperative development of the water resources of the Columbia River basin and Annexes

Place and date

Washington, 17 January 1961

Signatories

Canada and the United States of America

Geographical area covered

Columbia River Basin

Primary focus area

Hydropower and flood control

Provisions most relevant to ecosystems conservation

The Treaty aims at achieving the development of the Columbia River water resources in a manner that will make the largest contribution to the economic progress of both countries and to the welfare of their peoples through, among others, co-operative measures for hydroelectric power generation and flood control.

The Parties agree that Canada shall provide within its territory a certain amount of water storage usable for improving the flow of the river. This shall be done through the construction of a series of dams. The duties of the United States shall be to operate the hydroelectric facilities constructed on the main stem of the Columbia River in the United States.

Institutional framework

The Parties shall establish a Permanent Engineering Board consisting of members from both countries. The Board shall:

- assemble records of the flows of the Columbia River at the Canada-United States boundary;
- report to the United States and Canada whenever there is substantial deviation from the hydroelectric and flood control operating plans and if appropriate include in the report recommendations for remedial action and compensatory adjustments; and
- make periodic inspections and require reports as necessary from the entities with a view of ensuring that the objectives of the Treaty are being met.

The institutional framework shall be the International Joint Commission earlier established between the Parties.

Source

Legislative Texts, Treaty no. 65, p. 206.

Exchange of Notes constituting an Agreement between Canada and the United States of America concerning the Treaty relating to co-operative development of the water resources of the Columbia River basin signed at Washington on 17 January 1961

Place and date

Washington, 22 January 1964

Signatories

Canada and the United States of America

Geographical area covered

Columbia River Basin

Primary focus area

Hydropower and flood control

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish a system to determine how and when Canada shall assist the United States to operate storage in the Columbia River Basin to meet flood control needs in the latter country. Parties acknowledge their right to divert water for consumptive use without the consent of the other, as provided in the Treaty of 1961.

Institutional framework

The International Joint Commission and the Permanent Engineering Board earlier established between the Parties.

Source

www.transboundarywaters.orst.edu/

Fraser

- Treaty between Great Britain and the United States relating to boundary waters, and questions arising between the United States and Canada (Washington, 11 January 1909) (See Columbia. Also applicable to Columbia, Nelson-Saskatchewan, St. Croix, St. John, St. Lawrence and Skagit.)

Lake Titicaca-Poopo System

- Treaty between Chile and Peru for the settlement of the dispute regarding Tacna and Arica (Lima, 3 June 1929)
- Preliminary Convention between Bolivia and Peru for the exploitation of fisheries in Lake Titicaca (Lima, 17 July 1935)

- Exchange of Notes between Peru and Bolivia establishing a Joint Commission for study of the Puno-Guaqui railway line and joint use of the waters of Lake Titicaca
(La Paz, 20 April 1955)
- Preliminary Convention between Peru and Bolivia concerning a study of the joint utilisation of the waters of Lake Titicaca
(Lima, 30 July 1955)
- Agreement between Bolivia and Peru concerning a preliminary economic study of the joint utilisation of the waters of Lake Titicaca
(La Paz, 19 February 1957)
- Exchange of Notes related to the creation of the Autonomous Bi-national Authority of the Basin System Lake Titicaca, Desaguadero River, Lake Poopo, Coipasa Salt Pan
(21 June 1993)

Preliminary Convention between Bolivia and Peru for the exploitation of fisheries in Lake Titicaca

Place and date

Lima, 17 July 1935

Signatories

Bolivia and Peru

Geographical area covered

Lake Titicaca

Primary focus area

Economic development

Provisions most relevant to ecosystems conservation

The Parties agree to provide for the dispatch of a Scientific Commission to study the varieties of fish in Lake Titicaca and the possibility of establishing and developing there other species suited to industrial exploitation.

Institutional framework

The institutional framework between the Parties shall be the Scientific Commission.

Source

Legislative Texts, Treaty no. 42, p. 164.

Exchange of Notes between Peru and Bolivia establishing a Joint Commission for study of the Puno-Guaqui railway line and joint use of the waters of Lake Titicaca

Place and date

La Paz, 20 April 1955

Signatories

Bolivia and Peru

Geographical area covered

Lake Titicaca

Primary focus area

Economic development

Provisions most relevant to ecosystems conservation

The purpose of the Exchange of Notes is to establish a Joint Bolivian-Peruvian Commission for the purpose of preparing studies concerning the use of Lake Titicaca waters for hydropower and other mutually beneficial purposes.

Institutional framework

The Joint Bolivian-Peruvian Commission, composed of members from each country.

Source

Legislative Texts, Treaty no. 43, p. 165.

Agreement between Bolivia and Peru concerning a preliminary economic study of the joint utilization of the waters of Lake Titicaca

Place and date

La Paz, 19 February 1957

Signatories

Bolivia and Peru

Geographical area covered

Titicaca Lake

Primary focus area

Economic development

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to adopt a plan for a preliminary economic study concerning the joint utilisation of Lake Titicaca in such manner as not to fundamentally alter the navigability or fishing facilities thereof or substantially affect the volume of water diverted from the lake for industrial, irrigation or other purposes. The study shall contain an estimate of the electricity consumption in both countries and an agricultural and economic study of the areas where there is likely to be a market for the water for irrigation purposes.

Institutional framework

The Joint Peruvian-Bolivian Commission.

Source

Legislative Texts, Treaty no. 45, p. 168.

Exchange of Notes related to the creation of the Autonomous Bi-national Authority of the Basin System Lake Titicaca, Desaguadero River, Lake Poopo, and Coipasa Salt Pan

Place and date

21 June 1993

Signatories

Bolivia and Peru

Geographical area covered

Titicaca Lake

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The purpose of the Exchange of Notes is to establish the Autonomous Bi-national Authority charged with overseeing development in the basin of the Titicaca-Poopo system (the Authority).

The Authority has the following functions:

- maintain and develop the technical instruments for the Master Plan for the adequate monitoring of the physical parameters of the System;
- control the compatibility of the activities of every nature developed in the basin with the regulations and parameters about resource uses established in the Master Plan and those that are established by the Authority for the ecosystem protection;
- elaborate studies and proposals about harmonisation of the Parties' national legal regimes, in areas considered by the Master Plan;
- promote, manage and oversee national and bi-national projects and actions in the areas considered in the Master Plan;
- identify, plan, promote and coordinate the projects and activities oriented to the integrated basin development; and
- act as a first instance to define and provide guidance in the disputes between the Parties concerning the interpretation and application of the Agreement.

Institutional framework

The Autonomous Bi-national Authority of the Basin System Lake Titicaca, Desaguadero River, Lake Poopo, and Coipasa Salt Pan, which has international legal personality.

Source

www.transboundarywaters.orst.edu/

Lempa-Paz

- Treaty for the delimitation of the boundary between Guatemala and El Salvador (Guatemala, 9 April 1938)

Treaty for the delimitation of the boundary between Guatemala and El Salvador

Place and date

Guatemala, 9 April 1938

Signatories

El Salvador and Guatemala

Geographical area covered

The boundary between Guatemala and El Salvador

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties agree that no change in frontier rivers' beds, whether due to natural causes such as alluvium deposits, landslides, freshets, or to artificial causes such as the construction of public works or the deepening of channels for water-supply, shall affect the frontier as determined at the time of demarcation, which shall continue to be the international boundary even if a stream may have completely abandoned its original bed. Each Government reserves the right to utilise half of the volume of water in frontier rivers, either for agricultural or industrial purposes.

Institutional framework

The text of the Treaty does not specify.

Source

Legislative Texts, Treaty no. 70, p. 227.

Maroni

- Convention between France and the Netherlands to fix the boundary between Suriname and French Guiana
(Paris, 30 September 1915)

Convention between France and the Netherlands to fix the boundary between Suriname and French Guiana**Place and date**

Paris, 30 September 1915

Signatories

France and the Netherlands

Geographical area covered

Maroni (Marowijne), the boundary between Suriname and French Guiana

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties agree that navigation on common waters shall be free and that works on the shared rivers cannot be undertaken unless both discharge and navigation remain unaffected. Before dredging the waters, Parties need to give their consent.

Institutional framework

The text of the Convention does not specify.

Source

Legislative Texts, Treaty no. 72, p. 228.

Nelson-Saskatchewan

- Treaty between the Government of United States of America and the Government of the United Kingdom concerning boundary waters and

questions arising along the boundary between the United States of America and Canada

(Washington, 11 January 1909) (See Columbia. Also applicable to Columbia, Fraser, St. Croix, St. John, St. Lawrence and Skagit)

- Convention between the United States of America and Canada providing for emergency regulation of the level of Rainy Lake and of the level of other boundary waters in the Rainy Lake watershed
(Ottawa, 15 September 1938)
- Exchange of Notes between the Government of Canada and the Government of the United States of America constituting an Agreement concerning the construction of a joint ring levee
(Washington, 30 August 1988)

Convention between the United States of America and Canada providing for emergency regulation of the level of Rainy Lake and of the level of other boundary waters in the Rainy Lake Watershed

Place and date

Ottawa, 15 September 1938

Signatories

Canada and the United States of America

Geographical area covered

Rainy Lake

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Convention provides for emergency regulation of the water level of the Rainy Lake and of other boundary waters levels in the Rainy Lake watershed by providing the International Joint Commission with the power to determine when emergency conditions exist in the Rainy Lake watershed, and to adopt proper measures of control with respect to existing or future dams in boundary waters of the Rainy Lake watershed with a view of protecting the interests of the inhabitants of Canada and the United States of America.

Institutional framework

The International Joint Commission.

Source

Legislative Texts, Treaty no. 52, p. 183.

Exchange of Notes between the Government of Canada and the Government of the United States of America constituting an Agreement concerning the construction of a joint ring levee

Place and date

Washington, 30 August 1988

Signatories

Canada and the United States of America

Geographical area covered

Red River, Emerson (Manitoba, Canada), and the unincorporated village of Noyes (Minnesota, the United States)

Primary focus area

Flood control

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish a plan for the construction of a joint ring levee project to provide flood protection to towns located in both Parties.

Each Party shall hold and save the other Party free and harmless from all damages arising from the construction and operation of the portions of the flood control project that are constructed by that Party.

Institutional framework

The text of the Exchange of Notes does not specify.

Source

www.transboundarywaters.orst.edu/

Panamá Canal

- Treaty relating to the permanent neutrality and functioning of the Panamá Canal (Washington, 7 September 1977)

Plata

- Protocol between Uruguay and Argentina dealing with the questions of the jurisdiction of the River Plate (Montevideo, 5 January 1910)
- Convention regarding the determination of the legal status of the frontier between Brazil and Uruguay (Montevideo, 20 December 1933) (See Chuy-Merin/Mirim Lagoon. Also applicable to Chuy-Merin/Mirim Lagoon)
- Supplementary Boundary Treaty between Argentina and Paraguay (Buenos Aires, 5 July 1939)
- Supplementary Boundary Treaty between the Argentine Republic and the Republic of Paraguay on the river Pilcomayo and Protocol annexed to the Treaty (Buenos Aires, 1 June 1945)
- Agreement between Argentina and Uruguay relating to the utilisation of the rapids of the Uruguay River in the area of Salto Grande (Montevideo, 30 December 1946)
- Agreement concerning co-operation between the United States of Brazil and the Republic of Paraguay in a study on the utilisation of the water-power of the Acaray and Monday Rivers (Río de Janeiro, 20 January 1956)

- Agreement between the Argentine Republic and the Republic of Paraguay concerning a study of the utilisation of the water power of the Apepe Falls (Buenos Aires, 23 January 1958)
- Treaty between the Argentine Republic and the Eastern Republic of Uruguay on the boundary constituted by the Uruguay River (Montevideo, 7 April 1961)
- Treaty of the River Plata Basin (Brasilia, 23 April 1969)
- Treaty between the Federative Republic of Brazil and the Republic of Paraguay concerning the hydroelectric utilisation of the water resources of the Paraná River owned in condominium by the two countries, from and including the Salto Grande de Sete Quedas or Salto del Guaira, to the mouth of the Iguassu River (Brasilia, 26 April 1973)
- Treaty between Uruguay and Argentina concerning the Río de la Plata and the corresponding maritime boundary (Montevideo, 19 November 1973)
- Statute of the River Uruguay (Salto, 26 February 1975)
- Agreement on Paraná River projects (President Stroessner City, 19 October 1979)
- Treaty between the Government of the Argentine Republic and the Government of the Federal Republic of Brazil for the development of the water resources contained in the border reaches of the Uruguay River and its effluent, the Pepiri-Guazu river (Buenos Aires, 17 May 1980)
- Exchange of Notes constituting an Agreement on delimitation of the frontier along the thalweg on the Uruguay River in the area of the Basic Garabi Development Project (Brasilia, 20 October 1983)
- Cooperation Agreement between the Republic of Argentina and the Oriental Republic of Uruguay to prevent and fight against pollution incidents of the aquatic environment produced by hydrocarbons and other noxious substances (Buenos Aires, 16 September 1987)
- Complementary Agreement to the Basic Agreement on scientific and technical cooperation between the Government of the Oriental Republic of Uruguay and the Government of the Federated Republic of Brazil on cooperation in the area of water resources (Artigas, 11 March 1991) (See Chuy-Merin/Mirim Lagoon. Also applicable to Chuy-Merin/Mirim Lagoon.)
- Cooperation Agreement between the Government of the Eastern Republic of Uruguay and the Federal Republic of Brazil for the use of natural resources and the development of the basin of the Cuareim River (Artigas, 11 March 1991)

- Treaty of Transport through the Paraguay-Paraná waterway
(Las Leñas, 26 June 1992)
- Agreement through exchange of notes constituting the Statute of the Bi-national Commission for the Pilcomayo Lower Basin between the Republic of Argentina and the Republic of Paraguay
(Buenos Aires, 5 August 1994)
- Agreement constituting the Trilateral Commission for the development of the Pilcomayo river basin
(La Paz, 9 February 1995)
- Agreement for the multiple uses of the resources of the upper basin of the Bermejo River and the Grande de Tarija river: Establishment of the Bi-national Commission
(San Ramón de la Nueva Orán, 9 June 1995)
- Agreement on Conservation and Development of the Fishery Resources in the Border Stretches of the Paraná and Paraguay Rivers
(Buenos Aires, 25 October 1996)
- Complementary settlement to the cooperation Agreement between the Government of the Eastern Republic of Uruguay and the Government of the Federal Republic of Brazil for the use of natural resources and the development of the Cuareim river basin
(Montevideo, 6 May 1997)

Supplementary Boundary Treaty between Argentina and Paraguay

Place and date

Buenos Aires, 5 July 1939

Signatories

Argentina and Paraguay

Geographical area covered

Pilcomayo River

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Parties agree that the flow of the Pilcomayo River shall be distributed proportionally between the Parties.

Institutional framework

The Governments shall appoint a technical commission composed of members of both Parties to study and draw up plans.

Source

Legislative Texts, Treaty no. 35, p. 149.

Supplementary Boundary Treaty between the Argentine Republic and the Republic of Paraguay on the River Pilcomayo and Protocol annexed to the Treaty

Place and date

Buenos Aires, 1 June 1945

Signatories

Argentina and Paraguay

Geographical area covered

The region lying between the points of Horqueta and Salto Palmar on the Pilcomayo River

Primary focus area

Border issues and water quantity

Provisions most relevant to ecosystems conservation

The purpose of the Treaty is to ensure the stability of the dividing line between the two countries and the utilisation of the water flow. The Parties agree that the waters in the region lack permanent stability both as watercourses and as marshes. As a result of that, Parties consider it important to conduct a survey and to draw up plans for the works needed to ensure the proportional distribution of the waters of the Pilcomayo River. The Parties agree to the construction of hydraulic works in such a manner that full supervision may be exercised and appropriate measures taken in all cases and with the necessary speed to prevent shifts and changes in the present course of the river. The proposed works consist of embankments, a dam, and a channel.

Institutional framework

The Parties agree to establish a Joint Technical Commission for Hydraulic Works on the River Pilcomayo composed of technical experts from both Parties. There shall also be established a Joint Argentine-Paraguayan Commission for the Administration and Supervision of the River Pilcomayo as a permanent body for the control of the hydraulic works. The Joint Frontier Commission earlier established between the Parties shall be responsible for the determination of the border in the region covered by the Treaty.

Source

Legislative Texts, Treaty no. 36, p. 149.

Agreement between Argentina and Uruguay relating to the utilization of the rapids of the Uruguay River in the area of Salto Grande

Place and date

Montevideo, 30 December 1946

Signatories

Argentina and Uruguay

Geographical area covered

The area of Salto Grande on the Uruguay River

Primary focus area

Improvement of navigation and hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish a joint utilisation of the Uruguay River waters for domestic and sanitation purposes, navigation, production of energy and irrigation. The Commission shall request the Parties to take the necessary measures for the conservation of fish resources.

Institutional framework

The Contracting Parties agree to establish a Joint Technical Commission which shall be composed of an equal number of representatives from each country. The Commission will be responsible for dealing with all matters connected with the utilisation, damming and diversion of the waters of the Uruguay River.

Source

Legislative Texts, Treaty no. 40, p. 160.

Agreement concerning co-operation between the United States of Brazil and the Republic of Paraguay in a study on the utilization of the water power of the Acaray and Monday Rivers

Place and date

Río de Janeiro, 20 January 1956

Signatories

Brazil and Paraguay

Geographical area covered

Acaray and Monday rivers (tributaries of the Paraná River)

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

According to the Agreement, the Parties will conduct a study which shall consist of the following:

- a reconnaissance and site inspection of the region in which the waterfalls of the rivers are situated in order to determine the ways in which their power could be utilised in either one or two hydroelectric stations;
- a hydrological study of the regime of the two rivers in the vicinity of the waterfalls;
- a general topographical survey of the areas in which the plans for utilising the power are to be developed; and
- a geological survey of the sites chosen for the works.

Institutional framework

The text of the Agreement does not specify.

Source

Legislative Texts, Treaty no. 46, p. 169.

Agreement between the Argentine Republic and the Republic of Paraguay concerning a study of the utilization of the water power of the Apípe Falls

Place and date

Buenos Aires, 23 January 1958

Signatories

Argentina and Paraguay

Geographical area covered

Paraná River at the islands of Yacyretá and Apípe

Primary focus area

Hydropower and improvement of navigation

Provisions most relevant to ecosystems conservation

The objective of the Agreement is to regulate the preparations of a survey relating to the utilisation of the water power of the Paraná River and the improvement of the navigation. The survey to be made by a Joint Commission shall consist principally of:

- exploration and inspection of the region determining all the water's technical characteristics relevant for hydraulic utilisation;
- a hydrographical and hydrological survey of the river; and
- a geological and hydrological survey of the region.

Institutional framework

The Contracting Parties agree to establish a Joint Argentine-Paraguayan Technical Commission to carry out the surveys.

Source

Legislative Texts, Treaty no. 37, p. 156.

Treaty between the Argentine Republic and the Eastern Republic of Uruguay on the boundary constituted by the Uruguay River

Place and date

Montevideo, 7 April 1961

Signatories

Argentina and Uruguay

Geographical area covered

The border between the two countries

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Contracting Parties agree on a statute governing the utilisation of the Uruguay River, which shall cover the following issues:

- joint and uniform regulations to ensure safe navigation;
- reciprocal facilities for hydrological and other surveys relating to the river;

- provisions for the conservation of living resources; and
- provisions designed to avoid water pollution.

Institutional framework

The text of the Treaty does not specify.

Source

Legislative Texts, Treaty no. 41, p. 164.

Treaty of the River Plata Basin

Place and date

Brasilia, 23 April 1969

Signatories

Argentina, Bolivia, Brazil, Paraguay and Uruguay

Geographical area covered

River Plate Basin and the areas of direct influence

Primary focus area

Development and physical integration

Provisions most relevant to ecosystems conservation

The purpose of the Treaty is to promote the development and physical integration of the River Plate Basin and its areas of direct influence.

Parties will promote the identification of areas of common interest and the implementation of studies, programmes and projects, as well as well as operational documents and legal instruments dealing, among others with:

- facilitation of navigation;
- rational utilisation of water resources, particularly through the regulation of the watercourses and their equitable and multiple use; and
- preservation of flora and fauna.

Institutional framework

The Intergovernmental Committee is a permanent body, in charge of promoting, co-ordinating and following the implementation of the various actions dealing with the Basin's development, technical assistance, and decisions adopted by the Ministers of Foreign Affairs.

The Foreign Affairs Ministers from the Contracting Parties will meet once a year with the aim of establishing the basic policy directives for achieving the treaty objectives, evaluating the results, conducting consultations with the Governments with regard to the integrated development of the Basin, directing the Intergovernmental Committee, and adopting any other decisions necessary for the implementation of the Treaty.

Source

875 UNTS 1972

Treaty between Uruguay and Argentina concerning the Río de la Plata and the corresponding maritime boundary

Place and date

Montevideo, 19 November 1973

Signatories

Argentina and Uruguay

Geographical area covered

Río de la Plata

Primary focus area

Border issues and navigation

Provisions most relevant to ecosystems conservation

The purpose of the Treaty is to determine the Parties' rights over Río de la Plata and to define the limit between their respective maritime jurisdictions.

Regarding the rights over Río de la Plata: The Parties agree that if one of them plans to build new channels, substantially modify or alter existing ones or carry out any other works, it shall notify the Administrative Commission, which shall determine whether the plan might cause significant damage to the navigation interest of the other Party or the regime of the river.

The Treaty defines "pollution" as the direct or indirect introduction by man into the aquatic environment of substances or energy which have harmful effects. Each Party undertakes to protect and preserve the aquatic environment and, in particular, to prevent its pollution, by enacting appropriate rules and adopting appropriate measures in accordance with applicable international agreements and adjusted, where relevant, to the guidelines and recommendations of international technical bodies.

The Parties undertake not to reduce in their respective legal systems:

- the technical requirements in force for preventing water pollution; and
- the severity of the penalties established for violations.

With regard to fishing, the Parties shall agree on rules governing fishing activities in the river with regard to the conservation and preservation of living resources.

Institutional framework

The Parties agree to establish the Administrative Commission of the Río de la Plata, which is a joint commission consisting of an equal number of representatives from each Party.

Source

1295 UNTS 1981

Statute of the River Uruguay

Place and date

Salto, 26 February 1975

Signatories

Argentina and Uruguay

Geographical area covered

The border between Argentina and Uruguay

Primary focus area

Navigation

Provisions most relevant to ecosystems conservation

The Parties agree to establish the necessary structure for the optimum and rational utilisation of the Uruguay River. Under the heading “Conservation, Utilisation, and Development of other Natural Resources” Parties undertake to adopt the necessary measures to ensure that the management of the soil and woodland, and the use of groundwater and the waters of the tributaries do not cause changes which may significantly impair the river’s regime or the quality of its waters. Parties shall co-ordinate the necessary measures to avoid any change in the ecological balance of the river and to control pests and other harmful factors in the river and the areas affected by it. Parties shall also agree on rules governing fishing activities, particularly with regard to conservation and preservation of living resources.

“Pollution” shall mean the direct or indirect introduction by man into the aquatic environment of substances or energy which have harmful effects. Furthermore, the Parties undertake:

- to protect and preserve the aquatic environment and, in particular, to prevent its pollution, by prescribing appropriate rules and measures in accordance with applicable international agreements and in keeping, where relevant, with the guidelines and recommendations of international technical bodies; and
- to inform one another of any rules on water pollution which they plan to prescribe in order to establish equivalent rules in their respective legal systems.

Institutional framework

The Parties shall establish an Administrative Commission of the Uruguay River consisting of an equal number of representatives from each Party. The Commission shall perform the following functions:

- conservation and preservation of living resources; and
- prevention of pollution

Source

www.transboundarywaters.orst.edu/

Agreement on Parana River projects**Place and date**

President Stroessner City, 19 October 1979

Signatories

Argentina, Brazil and Paraguay

Geographical area covered

Itaipú, located in the stretch of the Paraná River in the frontier between Brazil and Paraguay

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to make further arrangements for ongoing projects between the Parties. The Governments agree to undertake efforts to preserve the environment, the fauna and flora, as well as the quality of the waters of the Paraná River, avoiding its contamination and assuring, at the least, the present conditions of health in the areas of influence of the projects. In this respect, they will likewise promote the creation of new national parks and the improvement of existing parks.

Institutional framework

The Itaipú Bi-national Commission earlier established between the Parties.

Source

www.transboundarywaters.orst.edu/

Treaty between the Government of the Argentine Republic and the Government of the Federal Republic of Brazil for the development of the water resources contained in the border reaches of the Uruguay River and its effluent, the Pepiri-Guazu River

Place and date

Buenos Aires, 17 May 1980

Signatories

Argentina and Brazil

Geographical area covered

Shared stretches of the Uruguay River and the Pepirí Guazú River

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The Parties to the Agreement agree to the common use of the shared water resources defining the borders between them by the Uruguay River and the Pepirí Guazú River. Among the common uses considered by the Agreement are: hydropower, flood control, rational utilisation of water for consumptive uses.

The developments to be conducted by the Parties in shared waters shall take into account the preservation of the environment, flora, fauna, water quality, and ensure as a minimum the current conditions of health in the area of influence of those developments.

Each Party, according to its own needs, may use the non-shared waters in the Uruguay River, as long as it does not cause significant harm to the other Party.

The Treaty defines the organs responsible for the implementation of the Treaty in the country Parties and the ways in which hydropower project shall be conducted and implemented. With regard to the operation of hydropower installations developed as a result of the Treaty, the Executive Organ of each Party shall follow the rules and procedures established by the Coordinating Commission, according to the following criteria:

- whenever possible, flows shall be maintained to facilitate the downstream navigation of the Uruguay River;
- filling out of reservoirs, and the operation of hydropower plants shall not cause significant harm to navigation downstream, the river regime, water quality, harbours operation, as well as not affect the normal use of the water resources by other developments or installations located in the Uruguay River downstream.

Institutional framework

A Coordinating Commission, composed of two delegations, was established. The delegations will be headed by a representative from the Argentine State Secretariat of Energy and a representative of the Brazilian ELETROBRAS. The delegations will have also two further representatives of the Parties, as well as representatives from their respective Ministries for Foreign Affairs.

Source

1333 UNTS 61

Cooperation Agreement between the Republic of Argentina and the Oriental Republic of Uruguay to prevent and fight against pollution incidents of the aquatic environment produced by hydrocarbons and other noxious substances

Place and date

Buenos Aires, 16 September 1987

Signatories

Argentina and Uruguay

Geographical area covered

Aquatic environment included in the Treaty of the River Plate and its Maritime Front, and the Border Treaty in the Uruguay River

Primary focus area

Pollution control

Provisions most relevant to ecosystems conservation

The Agreement is applicable to water pollution incidents produced by hydrocarbons from any source or by noxious substances originating from ships, aircrafts, and off shore installations. Parties will promote, as far as practicable, the reduction of risks of pollution incidents through actions oriented to increase security in the operations that could incidentally pollute the aquatic environment.

With a view of establishing harmonised rules, Parties will reciprocally inform themselves about any rule they are seeking to adopt in relation to prevention of pollution incidents. Parties will exchange information and establish consultations between the relevant authorities in the following issues:

- design and operation in a systematic way of a network to supervise the quality of the aquatic environment and living organisms;
- establishment of pollution concentration levels that affect the aquatic environment and living organisms; and

- delimitation of critical areas: critical areas are defined as river or maritime coastal areas established by each Party that fulfil one of the following characteristics: areas of high commercial, industrial or touristic value; and ecological sensitive areas or areas of pollution high risk.

Parties are obliged to establish:

- compatible contingency plans at the national level, with the aim of facilitating, when necessary, the common action;
- rules relating to the proportionality between the costs of the activities and measures and the pollution incidents; and
- preventive measures that shall be increased in case of critical areas.

Parties will take actions, as far as possible, to avoid that pollution caused by incidents within its jurisdiction do not extend beyond it.

The Agreement contains other provisions concerning judicial cooperation, sanctions and border cooperation.

Institutional framework

The text of the Agreement does not specify.

Source

www.faolex.fao.org/

Cooperation Agreement between the Government of the Eastern Republic of Uruguay and the Federal Republic of Brazil for the use of natural resources and the development of the basin of the Cuareim River

Place and date

Artigas, 11 March 1991

Signatories

Brazil and Uruguay

Geographical area covered

Cuareim River Basin and its areas of direct influence determined, when necessary, by agreement of the Parties

Primary focus area

Development of shared water resources

Provisions most relevant to ecosystems conservation

The Parties agree to co-operate in order to promote the development of the Cuareim River basin. Parties pursue the following objectives:

- economic and social development;
- the rational and equitable use of the water;
- regulation of flows and flood control;
- establishment of irrigation and drainage systems;
- solution of problems derived from the improper use of the waters;

- the adequate use of mineral resources, flora and fauna;
- production, transmission and use of hydropower and other energy sources;
- increase the navigation and other transportation means;
- management, adequate utilisation, recuperation and conservation of the water resources, considering the characteristics of the basin;
- environmental conservation; and
- management, conservation and adequate utilisation of the soils.

Institutional framework

The Parties established the Uruguayan-Brazilian Mixed Commission for the Development of the Cuareim River Basin (Commission), which is in charge of the technical, scientific, economic and social issues of the basin.

The Commission shall propose projects and activities to be implemented by the Parties and will have, among others, the following functions:

- consider the environmental impact of every project and the respective studies; and
- co-ordinate with the competent institutions from the Parties, the rational and equitable management, utilisation, recuperation and conservation of the basin water resources, as well as of the other natural resources.

Source

www.faolex.fao.org/faolex/

Agreement through Exchange of Notes constituting the Statute of the Bi-national Commission for the Pilcomayo Lower Basin between the Republic of Argentina and the Republic of Paraguay

Place and date

Buenos Aires, 5 August 1994

Signatories

Argentina and Paraguay

Geographical area covered

Pilcomayo lower basin, in the area shared by Argentina and Paraguay located between Esmeralda and the mouth of the Pilcomayo in the Paraguay River

Primary focus area

Integrated basin management

Provisions most relevant to ecosystems conservation

Parties establish the Bi-national Commission for the Pilcomayo Lower Basin (the Commission), composed of a delegate from each Party and the advisors designated by the respective Government.

The Commission will be responsible for the integrated management of the Pilcomayo lower basin, meaning everything relating to water uses and flows regulation, projects and implementation of works, and upstream and downstream water quality.

With the aim of fulfilling these functions, the Commission will have the following functions:

- elaboration, preparation and supervision of the surveys, adoption of measures, and execution of works, oriented to facilitate the equitable distribution of the waters;
- elaboration, preparation and supervision of the surveys and adoption of measures oriented to protect the environment and the water quality;
- elaboration, preparation and supervision of surveys and adoption of measures for the evaluation and preservation of the fisheries; and
- elaboration, preparation and supervision of surveys and execution of works related to hydrology and non-domestic water uses.

Institutional framework

The Bi-national Commission for the Pilcomayo Lower Basin. The Commission has international legal personality.

Source

Argentina. Ley 24.697 de Aprobación del Estatuto de la Comisión Binacional Administradora de la Cuenca Inferior del Río Pilcomayo, published in the Boletín Oficial from 3 October 1996.

Agreement constituting the Trilateral Commission for the development of the Pilcomayo river basin

Place and date

La Paz, 9 February 1995

Signatories

Argentina, Bolivia and Paraguay

Geographical area covered

Pilcomayo River Basin and its area of influence

Primary focus area

Integrated basin management

Provisions most relevant to ecosystems conservation

Parties to the Agreement decided to establish the Tri-national Commission for the Development of the Pilcomayo River Basin (the Commission).

The Commission will be responsible for the study and implementation of projects oriented to the development of the basin. Among others, the Commission will have the following functions:

- continue with studies and works necessary to achieve the multiple, rational and balanced utilisation of the river resources, flood and sedimentation control, and flows regulation;
- conduct environmental impact assessment of the activities related to the Agreement;
- approve the planning and construction of bridges and other structures that might affect the uses of and function of the river, as well as the navigation;

- establish areas where no resources will be extracted due to an influence in the hydrological behaviour of the river;
- propose rules relating to discharges of pollutants;
- propose rules relating to fishing activities;
- conduct studies on agriculture and irrigation; and
- establish protected areas with the objective of preserving wildlife and heritage sites.

Institutional framework

The Trinational Commission for the Development of the Pilcomayo River Basin. The Commission has international legal personality and is composed of a Council and a Secretariat.

The Council is composed of delegates from the Parties, representing the Ministries for Foreign Affairs and the National Commissions for the Pilcomayo River. Representatives from the Ministries for Foreign Affairs exercise the council co-ordination. The Executive Director will be a technical expert from a third country.

Source

www.transboundarywaters.orst.edu/

Agreement for the multiple uses of the resources of the upper basin of the Bermejo river and the Grande de Tarija river: Establishment of the Bi-national Commission

Place and date

San Ramón de la Nueva Orán, 9 June 1995

Signatories

Argentina and Bolivia

Geographical area covered

Upper basin of the Bermejo River and the Grande the Tarija River, and their area of influence

Primary focus area

Integrated basin management

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish a permanent legal-technical mechanism for the administration of the upper basin of the Bermejo River and the Grande de Tarija River, which promotes sustainable and rational utilisation of the water resources of the basin and its area of influence.

The Parties establish the Bi-national Commission for the development of the upper basin of the Bermejo River and the Grande de Tarija River (the Commission).

With the adoption of this Agreement, the Parties seek an improvement of different water uses, among others (and in no particular order), domestic, energy production, irrigation, flood control, fisheries, industrial and recreational.

The Commission can adopt all the necessary measures to develop the basin, as it is defined in this Agreement. In order to fulfil its objectives, it will have, among others, the following functions:

- identify sustainable development programmes;
- select the constructions in the watercourses based on a corresponding environmental impact assessment;
- approve the design and construction of bridges and other structures that could affect the uses and function of the rivers, as well as the navigation;
- facilitate activities that promote tourism and the recreational uses of the waters;
- establish areas in which no resource extraction, that might affect the hydrological and morphological behaviour of the river, could be conducted; and
- propose regulations concerning discharges of pollutants.

According to the Agreement, the constructors of hydraulic works in the upper part of the basin can agree with the Parties, individually or with both, to reserve during the entire year or certain months, a free capacity to accumulate water in times of flood, with a view of mitigating negative effects downstream.

Institutional framework

The Parties shall establish a Bi-national Commission for the development of the upper basin of the Bermejo River and the Grande de Tarija River as a permanent legal technical mechanism responsible for that basin.

Source

www.transboundarywaters.orst.edu/

Agreement on Conservation and Development of the Fishery Resources in the Border Stretches of the Paraná and Paraguay Rivers

Place and date

Buenos Aires, 25 October 1996

Signatories

Argentina and Paraguay

Geographical area covered

Paraná and Paraguay Rivers in the stretches defining the border between the two countries, and their area of influence

Primary focus area

Conservation of fish resources

Provisions most relevant to ecosystems conservation

Each Party will authorise fishing rights in the river stretches defining the borders located within its territory, except in the area determined by the Agreement of 29 September 1992 (establishing a fishery protected area of 3km upstream and downstream of the Yacyretá dam), and in any other areas established by agreement of the Parties.

Parties agree to conduct in the waters covered by the Agreement and in their area of influence, evaluations of the fishery resource that could serve as basis for implementing measures oriented to improve the natural reproduction and development of the fishes. They will promote the implementation of projects aimed at generating resources, particularly during the time at which fishing is prohibited.

In case of building dams or other works that may alter the hydrologic or hydrobiologic regime of the rivers, the Parties will prepare in advance and implement an action plan for the conservation of fisheries, particularly considering the fishes migratory routes.

The Parties will develop and implement regulations relating to pollution prevention. They will develop the necessary rules to avoid the possible negative impacts to the rivers regime caused by soils and forest management and the utilisation of groundwater.

Parties will exchange information every six months about commercial and sport fishing, number of fishermen, migratory movement of the fishes, etc.

Institutional framework

The Agreement establishes a Co-ordination Committee integrated by six representatives from each Party. The Co-ordination Committee is assisted by an Advisory Council designated by the Co-ordination Committee and composed of technical and scientific experts.

The Co-ordination Committee shall adopt regulations among others, on the following matters:

- fishing control and preservation of fishery resources;
- regulation of fishing;
- establishment of protected areas (areas de reserve) or stretches and their fishing regulations; and
- establishment of maximum captures and their periodic adjustment.

The Argentine-Paraguayan Mixed Commission of the Paraguay River will act as the Permanent Secretariat of the Co-ordination Committee.

Source

www.faolex.fao.org/

Complementary Settlement to the Cooperation Agreement between the Government of the Eastern Republic of Uruguay and the Government of the Federal Republic of Brazil for the use of natural resources and the development of the Cuareim River Basin

Place and date

Montevideo, 6 May 1997

Signatories

Brazil and Uruguay

Geographical area covered

Cuareim River Basin

Primary focus area

Water quality and quantity

Provisions most relevant to ecosystems conservation

The Complementary Settlement provides for the rational and sustainable use of the Cuareim River, and establishes the priority use of the waters for local populations.

The Settlement establishes a specific flow, below which Parties will together establish a system of water quotas. In order to do that, the water available to those having water rights will be proportionally reduced between the users. The system consists of reducing the water volumes extracted through a reduction of the pumping time. The authorities are allowed to establish restrictions to volumes of water pumped, and establish mechanisms for user participation.

Institutional framework

The text of the Complementary Settlement does not specify.

Source

www.transboundarywaters.orst.edu/

Río Bravo/Río Grande

- Boundary Convention between the United States of America and Mexico (Washington, 1 March 1889) (See Colorado. Also applicable to Colorado.)
- Boundary Convention between the United States of America and Mexico, extending the Convention of 1 March 1889 (Washington, 1 October 1895) (Also applicable to Colorado.)
- Boundary Convention between the United States of America and Mexico, extending the Convention of 1 March 1889 (Washington, 6 November 1896) (Also applicable to Colorado.)
- Boundary Convention between the United States of America and Mexico, extending the Convention of 1 March 1889 (Washington, 29 October 1897) (Also applicable to Colorado.)
- Boundary Convention between the United States of America and Mexico, extending the Convention of 1 March 1889 (Washington, 2 December 1898) (Also applicable to Colorado.)
- Boundary Convention between the United States of America and Mexico, extending the Convention of 1 March 1889 (Washington, 22 December 1899) (Also applicable to Colorado.)
- Boundary Convention between the United States of America and Mexico, extending the Convention of 1 March 1889 (Washington, 21 November 1900) (Also applicable to Colorado.)
- Convention between the United States of America and Mexico for the distribution of waters of the Río Grande for irrigation purposes (Washington, 21 May 1906)

- Convention between the United States of America and Mexico for the rectification of the Río Grande (Río Bravo del Norte) in the Paso-Juarez Valley (Mexico City, 1 February 1933)
- Treaty between the United States of America and Mexico relating to the utilisation of the waters of the Colorado and Tijuana rivers and of the Río Grande (Río Bravo) from Fort Quitman, Texas, to the Gulf of Mexico (Washington, 3 February 1944), and supplementary Protocol (Washington, 14 November 1944) (See Colorado. Also applicable to Colorado and Tijuana.)
- Agreement to proceed with the construction of Amistad Dam on the Río Grande to form part of the system of international storage dams provided for by the water treaty of 3 February 1944 (Ciudad Acuña, 24 October 1960)
- Agreement between the United States of America and the United Mexican States on cooperation for the protection and improvement of the environment in the border area (La Paz, 14 August 1983) (See Colorado. Also applicable to Colorado, Tijuana and Yaqui.)
- Agreement of cooperation between the United States of America and the United Mexican States regarding pollution of the environment along the inland international boundary by discharges of hazardous substances (San Diego, 18 July 1985) (See Colorado. Also applicable to Colorado, Tijuana and Yaqui.)
- Boundary waters Agreement between the United States of America and Mexico of 1987 (Mexico, 10 November 1987)
- Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank (Washington and Mexico City, 16 and 18 November 1993) (See Colorado. Also applicable to Colorado, Tijuana and Yaqui.)

Convention between the United States of America and Mexico for the distribution of waters of the Río Grande for irrigation purposes

Place and date

Washington, 21 May 1906

Signatories

Mexico and the United States of America

Geographical area covered

Río Grande

Primary focus area

Irrigation

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to provide for the equitable distribution of the waters of the Río Grande for irrigation purposes. The Parties agree that a dam shall be constructed for the storage of water in New Mexico, United States, and a distributing system auxiliary thereto. A certain quantity of that water shall be annually provided to Mexico. In case of extraordinary drought or serious accident to the irrigation system in the United States the amount delivered to Mexico shall be diminished in the same proportion as the water delivered to lands under the irrigation system in the United States.

Institutional framework

The text of the Convention does not specify.

Source

Legislative Texts, Treaty no. 75, p. 232.

Convention between the United States of America and Mexico for the rectification of the Río Grande (Río Bravo del Norte) in the Paso-Juarez Valley

Place and date

Mexico City, 1 February 1933

Signatories

Mexico and the United States of America

Geographical area covered

Río Bravo del Norte/Río Grande

Primary focus area

Flood control

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish an agreement on the construction of works directed to relieve towns and agricultural lands located within the El Paso-Juarez Valley from flood dangers, and securing at the same time the stabilisation of the international boundary line.

Institutional framework

The International Boundary Commission earlier established between the Parties.

Source

Legislative Texts, Treaty no. 76, p. 233.

Agreement to proceed with the construction of Amistad Dam on the Río Grande to form part of the system of international storage dams provided for by the water treaty of February 3, 1944

Place and date

Ciudad Acuña, 24 October 1960

Signatories

Mexico and the United States of America

Geographical area covered

The Amistad Dam, situated upstream on the Río Bravo/Río Grande from Del Río (Texas, United States) and Ciudad Acuña (Coahuila, Mexico)

Primary focus area

Flood control, irrigation and hydropower

Provisions most relevant to ecosystems conservation

The Parties agree to proceed with the construction of the Amistad Dam as soon as possible after the two Governments have approved the technical recommendations that are to be made for the purpose by the International Boundary and Water Commission.

Institutional framework

The International Boundary and Water Commission earlier established between the Parties.

Source

Legislative Texts, Treaty no. 78, p. 259.

Boundary Waters Agreement between the United States of America and Mexico of 1987

Place and date

Mexico, 10 November 1987

Signatories

Mexico and the United States of America

Geographical area covered

Río Bravo/Río Grande

Primary focus area

Infrastructure and economic development

Provisions most relevant to ecosystems conservation

The Agreement concerns the construction of works by Mexico for the redirection of water of the Río Grande. The Government of the United States does not object to such redirection provided that construction of works and carrying out of such measures would not in any way alter the existing rights and obligations under the Convention of 1906 on the distribution of the Río Grande waters.

Institutional framework

The joint supervision of the constructions shall be undertaken by the Mexican and the United States Commissioners before the International Boundary and Water Commission.

Source

www.faolex.fao.org/faolex/

St. Croix

- Treaty between the Government of United States of America and the Government of the United Kingdom Concerning Boundary Waters and Questions Arising Along the Boundary between the United States of America and Canada (Washington, 11 January 1909) (See Columbia. Also applicable to Columbia, Fraser, Nelson, St. Croix, St. John, St. Lawrence and Skagit.)

St. John

- Treaty between the Government of United States of America and the Government of the United Kingdom Concerning Boundary Waters and Questions Arising Along the Boundary between the United States of America and Canada (Washington, 11 January 1909) (See Columbia. Also applicable to Columbia, Fraser, Nelson, St. Croix, St. Lawrence and Skagit.)
- Agreement relating to the establishment of a Canada-United States committee on water quality in the St. John River and its tributary rivers and streams which cross the Canada-United States boundary, with Annex (Ottawa, 21 September 1972)
- Exchange of Notes between the Government of Canada and the Government of the United States of America constituting an Agreement regarding the continued preservation and enhancement of the water quality in the international section of the St. John River (Ottawa, 22 February 1984)

Agreement relating to the establishment of a Canada-United States Committee on Water Quality in the St. John River and its tributary rivers and streams which cross the Canada-United States boundary, with Annex

Place and date

Ottawa, 21 September 1972

Signatories

Canada and the United States of America

Geographical area covered

International section of the St. John River

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Agreement concerns water quality planning in the St. John River. The Parties agree to establish the Canada-United States Committee on water quality in the St. John River and its tributaries crossing the Canada-United States boundary in order to assist the Parties to co-operate in water quality planning. The purposes of the Committee shall be:

- to review periodically progress in the water quality planning on both sides of the Canada-United States boundary in the St. John River Basin, with a view to facilitating progress toward enhancement of water quality;
- to exchange appropriate information about plans, programs, and actions which could affect water quality in the Basin; and
- to assist in coordination and consultation among appropriate authorities on matters and actions affecting water quality.

Pursuing its work the Committee should consider in particular the following water quality aspects:

- the co-ordination of water quality and the nature, extent, and source of pollution;
- the need for a means of defining and achieving agreed international water quality objectives; and
- the identification of programs and other measures needed to obtain a significant reduction in pollution levels with time tables for accomplishment, including measures related to water quality and rate of flow, taking account of social and economic impacts.

Institutional framework

The institutional framework between the Parties shall be the Canada-United States Committee on Water Quality in the St. John River and its Tributaries crossing the Canada-United States Boundary. The Committee shall consist of an equal number of members from each country and will include appropriate officials from the Governments of Canada and the United States; the Government of New Brunswick, Quebec, and Maine, and also representatives of the St. John River Planning Board, and the Northern Maine Regional Planning Commission.

Source

www.transboundarywaters.orst.edu/

Exchange of Notes between the Government of Canada and the Government of the United States of America constituting an Agreement regarding the continued preservation and enhancement of the water quality in the international section of the St. John River

Place and date

Ottawa, 22 February 1984

Signatories

Canada and the United States of America

Geographical area covered

The international section of the St. John River

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish a system for undertaking additional measures to ensure the continued preservation and enhancement of the water quality in the international section of the St. John River. The Parties agree to utilise the water quality objectives approved by the Canada-United States Committee on Water Quality in the Saint John River in 1980 and to continue to consider those objectives as useful indicators in the development and implementation of specific programs and measures in both countries.

The Committee shall assist the appropriate authorities in Canada and the United States to cooperate in the development, coordination and implementation of programs and measures to meet water quality objectives for the international section of the Saint John River. Accordingly, the Committee shall have the following responsibilities:

- periodically review activities relating to water quality on both sides of the boundary in the Saint John River Basin, with a view to facilitating progress towards preservation and enhancement of water quality;
- exchange appropriate information about plans, programs and actions which could affect water quality in the Basin;
- assist in coordination and consultation among appropriate authorities on matters and actions including monitoring programs concerning water quality;
- report to Governments recommended further refinements to the water quality objectives, as necessary; and
- provide a report to Governments every two years, or to the extent necessary, on the state of water quality in the international section of the Saint John River, and on the progress being made to maintain and enhance water quality in accordance with the objectives and, as appropriate, identifying any further measures required.

Institutional framework

The Canada-United States Committee on Water Quality in the St. John River earlier established between the Parties.

Source

www.transboundarywaters.orst.edu/

St. Lawrence

- Treaty between United States and Great Britain relating to boundary waters, and questions arising between the United States and Canada (Washington, 11 January 1909) (See Columbia. Also applicable to Columbia, Fraser, Nelson-Saskatchewan, St. Croix, St. John and Skagit.)
- Agreement between the United States of America and Canada to regulate the level of Lake of the Woods (Washington, 24 February 1925)
- Exchange of Notes constituting an Agreement between the United States of America and Canada regarding the level of Lake Memphremagog (Washington, 20 September and Ottawa, 6 November 1935)
- Exchange of Notes between the Government of the United States of America and the Government of Canada constituting an Agreement regarding the development of certain portions of the Great Lakes St. Lawrence Basin Project (Washington, 14 and 31 October and 7 November 1940)
- Exchange of Notes between the Government of the United States of America and the Government of Canada constituting an arrangement concerning temporary diversion for power purposes of additional waters of the Niagara River above the falls (Washington, 20 May 1941)
- Exchange of Notes between the Governments of the United States of America and of Canada constituting an Agreement relating to the temporary raising of the level of Lake St. Francis during low water periods

(Washington, 10 November 1941)

- Exchange of Notes constituting an Agreement between the United States of America and Canada relating to additional temporary diversion for power purposes of waters of the Niagara River above Niagara Falls
(Washington, 27 October and 27 November 1941)
- Exchange of Notes constituting an Agreement extending the above Agreement
(Washington, 5 and 9 October 1942)
- Exchange of Notes constituting an Agreement continuing in effect the above mentioned Agreement
(Washington, 5 and 9 October 1943)
- Exchange of Notes constituting an Agreement continuing in effect the Agreement of 10 November 1941
(Washington, 31 August and 7 September 1944)
- Treaty between the United States of America and Canada relating to the uses of the waters of the Niagara River
(Washington, 27 February 1950)
- Exchange of Notes constituting an Agreement between the United States of America and Canada relating to the St. Lawrence Seaway Project
(Washington, 30 June 1952)
- Exchange of Notes constituting an Agreement between the United States of America and Canada relating to the establishment of the St. Lawrence River Joint Board of Engineers
(Washington, 12 November 1953)
- Exchange of Notes constituting an Agreement between the United States of America and Canada modifying and supplementing the Agreement of 30 June 1952 relating to the St. Lawrence Seaway Project
(Ottawa, 17 August 1954)
- Convention between the United States of America and Canada on Great Lakes fisheries
(Washington, 10 September 1954)
- Exchange of Notes constituting and Agreement between the United States of America and Canada with respect to the construction of remedial works at Niagara Falls
(Ottawa, 13 September 1954)
- Exchange of Notes constituting an Agreement relating to navigation improvements of the Great Lakes connecting channels of the Saint Lawrence Seaway
(Ottawa, 30 November 1956 and 9 April 1957)
- Exchange of Notes (with enclosed map) concerning an agreement relating to the dredging of Wolfe Island Cut in the St. Lawrence River
(Ottawa, 17 October 1961)
- Exchange of Notes constituting an Agreement between the United States of America and Canada for the construction of a temporary cofferdam at Niagara
(Washington, 21 March 1969)

- Exchange of Notes constituting an Agreement between the United States of America and Canada for the Temporary Diversion for Power Purposes of the Water Normally Flowing over the American Falls at Niagara (Washington, 21 March 1969)
- Agreement on Great Lakes Water Quality (Ottawa, 15 April 1972)
 - Agreement constituting appendix I, relating to gross reductions in inputs of phosphorus to Lakes Superior and Huron to the Great Lakes water quality Agreement of 1972 (Washington, 21 November 1973)
- Agreement between Canada and the United States of America on Great Lakes Water Quality Agreement of 1978 (Ottawa, 22 November 1978)
 - Exchange of Notes between the Government of Canada and the Government of the United States of America constituting an Agreement with respect of Article I of the Convention between Canada and the United States of America to regulate the level of the Lake of the Woods (Ottawa, 21 February and 19 June 1979)
 - Agreement between the United States of America and Canada on icebreaking operations in the Great Lakes and St. Lawrence seaway system (Ottawa, 28 October and 5 December 1980)
 - Supplementary Agreement amending the Agreement between Canada and the United States of America on Great Lakes water quality, 1978 (Halifax, 16 October 1983)
 - Protocol amending the 1978 Agreement between the United States of America and Canada on Great Lakes water quality, as amended on October 16, 1983 (Toledo, Ohio, 18 November 1987)

Agreement between the United States of America and Canada to regulate the level of Lake of the Woods

Place and date

Washington, 24 February 1925

Signatories

Canada and the United States of America

Geographical area covered

Lake of the Woods

Primary focus area

Flood control

Provisions most relevant to ecosystems conservation

The Parties agree that the level of Lake of the Woods shall be regulated with the objective of securing to the inhabitants of Canada and the United States the most advantageous use of the waters thereof and of the waters flowing into and from the Lake on each side of the

boundary between the two countries for domestic and sanitary purposes, for navigation purposes, for fishing purposes, and for power, irrigation and reclamation purposes.

The level of the lake shall be maintained between two sea level data, and between these two elevations the regulation shall be such as to ensure the highest continuous uniform discharge of water from the lake. The level of the lake shall at no time be reduced below a certain sea level datum except during periods of low precipitation and then only upon the approval of the established international board and subject to such conditions and limitations as may be necessary to protect the use of the waters of the lake for domestic, sanitary, navigation and fishing purposes.

The outflow capacity of the lake outlets shall be enlarged as to permit the discharge of large amounts of water when the lake's level is highly elevated. The United States shall provide for protective works and measures for the purposes of regulating the lake: namely, the removal or protection of buildings injuriously affected by erosion, and the protection of the banks subject to erosion.

Institutional framework

The Parties agree to establish an International Lake of the Woods Control Board composed of members of both Parties. The institutional framework shall also be the International Joint Commission earlier established between the Parties.

Source

Legislative Texts, Treaty no. 50, p. 175.

Exchange of Notes constituting an Agreement between the United States of America and Canada regarding the level of Lake Memphremagog

Place and date

Washington, 20 September and Ottawa, 6 November 1935

Signatories

Canada and the United States of America

Geographical area covered

Lake Memphremagog

Primary focus area

Flood control

Provisions most relevant to ecosystems conservation

The purpose of the Exchange of Notes is to regulate the level of Lake Memphremagog in Canada for the protection of American residents and property owners. The Parties agree to accept the recommendations made by the established Board that the following principles should govern the regulation of water flow from the lake:

- The levels of the lake under conditions of normal flow shall range between a upper and a lower elevation; and
- During times of flood the sluiceways of the dam shall be sufficiently opened to ensure that the outflow from the lake shall be unobstructed by the dam, the flood

water drawn off, and the water level in the lake reduced to the normal regulated level as rapidly as possible.

Institutional framework

The institutional framework shall be the International Lake Memphremagog Board earlier established between the Parties.

Source

Legislative Texts, Treaty no. 51, p. 181.

Exchange of Notes between the Government of the United States of America and the Government of Canada constituting an Agreement regarding the development of certain portions of the Great Lakes St. Lawrence Basin Project

Place and date

Washington, 14 and 31 October and 7 November 1940

Signatories

Canada and the United States of America

Geographical area covered

St. Lawrence

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to develop certain parts of the Great Lakes for hydroelectric purposes. The Parties agree that water shall be diverted from another river system and let into the Great Lakes system.

Institutional framework

The Parties agree that each Government appoint a Temporary Great Lakes-St. Lawrence Basin Committee. The two Committees would co-operate in preliminary engineering and other investigations of the St. Lawrence River.

Source

Legislative Texts, Treaty no. 53, p. 184.

Exchange of Notes between the Government of the United States of America and the Government of Canada constituting an arrangement concerning temporary diversion for power purposes of additional waters of the Niagara River above the falls

Place and date

Washington, 20 May 1941

Signatories

Canada and the United States of America

Geographical area covered

Niagara

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The Parties agree that the objective to preserve the scenic beauty of the Niagara Falls shall be kept in mind when using the water in the Niagara Falls area for hydropower.

Institutional framework

The text of the Exchange of Notes does not specify.

Source

www.transboundarywaters.orst.edu/

Exchange of Notes between the United States of America and of Canada constituting an Agreement relating to the temporary raising of the level of Lake St. Francis during low water periods

Place and date

Washington, 10 November 1941

Signatories

Canada and the United States of America

Geographical area covered

Lake St. Francis

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to raise the level of the lake temporarily through the construction of dams, in order to facilitate hydropower generation downstream. This shall result in an increase, in low water periods, in the natural levels on the United States side of the St. Lawrence River near the head of Lake St. Francis.

Institutional framework

The text of the Exchange of Notes does not specify.

Source

Legislative Texts, Treaty no. 54, p. 186.

Treaty between the United States of America and Canada relating to the uses of the waters of the Niagara River

Place and date

Washington, 27 February 1950

Signatories

Canada and the United States of America

Geographical area covered

Niagara River

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Treaty is to further develop the Niagara River in order to use the water resources more efficiently for the production of hydropower. The Parties recognise as a primary obligation to preserve and enhance the scenic beauty of the Niagara Falls and the River.

In order to reserve sufficient amounts of water in the Niagara River for scenic purposes, no diversions of the water shall be made for hydropower which will reduce the flow over Niagara Falls to less than a certain amount of cubic feet per second each day during a certain time of the day in the months of September and October. No diversion of the amounts of water specified to flow over the Falls shall be made for power purposes between the Falls and Lake Ontario.

Institutional framework

The institutional framework between the Parties shall be the Special International Niagara Board and the International Joint Commission. The Board shall assist the Parties on the remedial works necessary to enhance the beauty of the Falls by distributing the waters so as to produce an unbroken crestline on the Falls. The Commission shall make recommendations as to the nature and design of such remedial works and the allocation of the task of construction as between the Parties.

Source

Legislative Texts, Treaty no. 59, p. 194.

Convention between the United States of America and Canada on Great Lakes fisheries

Place and date

Washington, 10 September 1954

Signatories

Canada and the United States of America

Geographical area covered

Lake Ontario, Lake Erie, Lake Huron (including Lake St. Clair), Lake Michigan, Lake Superior and their connecting waters

Primary focus area

Protection of fish resources

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish a Great Lakes Fishery Commission. The Commission shall have the following duties:

- to formulate a research program or programs designed to determine the need for measures to make possible the maximum sustained productivity of any fish stock in the Convention Area of common concern to the fisheries of both Contracting Parties and to determine what measures are best adapted for such purpose;
- to coordinate research made pursuant to such programs and, if necessary, to undertake such research itself;
- to recommend appropriate measures to the Contracting Parties on the basis of the findings of such research programs;

- to formulate and implement a comprehensive program for the purpose of eradicating or minimising the sea lamprey populations in the Convention area; and
- to publish or authorise the publication of scientific and other information obtained by the Commission in the performance of its duties.

Institutional framework

The Great Lakes Fishery Commission composed of members of each Party.

Source

Legislative Texts, Treaty no. 62, p. 201.

Exchange of Notes constituting an Agreement between the United States of America and Canada for the temporary diversion for power purposes of the water normally flowing over the American Falls at Niagara

Place and date

Washington, 21 March 1969

Signatories

Canada and the United States of America

Geographical area covered

Niagara

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Exchange of Notes is to agree on the withdrawal of additional water from those flowing over the American Falls for hydropower purposes during a period when a temporary cofferdam is in place.

At times when a new minimum amount of water is reached, the water shall be released in way so as to maintain a minimum flow in one of the pools at all times.

Institutional framework

The International Joint Commission earlier established between the Parties.

Source

www.transboundarywaters.orst.edu/

Agreement on Great Lakes water quality

Place and date

Ottawa, 15 April 1972

Signatories

Canada and the United States of America

Geographical area covered

Great Lakes System, defined as all of the streams, rivers, lakes and other bodies of water that are within the drainage basin of the St. Lawrence River at or upstream from the point at which this river becomes the international boundary between the Parties.

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to restore and enhance the water quality in the Great Lakes System. The Parties agree to adopt general and specific water quality objectives for the boundary waters of the Great Lakes Systems. According to the general quality objectives, the waters should be:

- free from substances that enter the waters as a result of human activity and that will settle to form putrescent or otherwise objectionable sludge deposits, or that will adversely affect aquatic life or waterfowl;
- free from substances entering the waters as a result of human activity in concentrations that are toxic or harmful to human, animal or aquatic life; and
- free from nutrients entering the waters as a result of human activity in concentrations that create nuisance growths of aquatic weeds and algae.

The adopted specific water objectives are listed in Annex I to the Agreement and represent the minimum desired levels of water quality in the boundary waters of the Great Lakes Systems but may be modified and additional specific water quality objectives for the water or for particular sections thereof may be adopted by the Parties. The water quality objectives shall be achieved through programs and other implemented measures. The programs shall include the following:

- pollution from municipal sources;
- pollution from industrial sources;
- eutrophication;
- pollution from agricultural, forestry and other land use activities;
- pollution from shipping activities; and
- pollution from dredging activities.

Institutional framework

The International Joint Commission earlier established between the Parties.

Source

837 UNTS 213

Agreement between Canada and the United States of America on Great Lakes Water Quality Agreement of 1978

Place and date

Ottawa, 22 November 1978

Signatories

Canada and the United States of America

Geographical area covered

Great Lakes System, defined as all of the streams, rivers, lakes and other bodies of water that are within the drainage basin of the St. Lawrence River at or upstream

from the point at which this river becomes the international boundary between the Parties.

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to restore and maintain the chemical, physical, and biological integrity of the waters of the Great Lakes Basin Ecosystem, which means the interacting components of air, land, water and living organisms, including humans, within the drainage basin of the St. Lawrence River at or upstream from the point at which this river becomes the international boundary between Canada and the United States. In order to achieve this purpose, the Parties agree to make a maximum effort to develop programs, practices and technology necessary for a better understanding of the Great Lakes Basin Ecosystem and to eliminate or reduce to the maximum extent practicable the discharge of pollutants into the Great Lakes System. The Agreement supersedes the Great Lakes Water Quality Agreement of 15 April 1972, signed in Ottawa.

As in the 1972 Agreement, the Parties adopt general and specific objectives. The major difference between the Agreements is the ecosystem approach, which includes other elements than water, such as air and land. The 1978 Agreement also includes substances and materials that indirectly enters the waters and have negative effects on these. Furthermore, flow augmentation shall not be considered as a substitute for adequate treatment to meet the specific objectives.

Water quality objectives shall be achieved through programs and other implemented measures. The programs shall include the following:

- pollution from municipal sources;
- pollution from industrial sources;
- inventory of Pollution Abatement Requirements;
- eutrophication;
- pollution from agricultural, forestry and other land use activities;
- pollution from shipping activities;
- pollution from dredging activities;
- hazardous polluting substances;
- persistent toxic substances; and
- airborne toxic substances.

Institutional framework

The International Joint Commission earlier established between the Parties. A Great Lakes Water Quality Board and a Great Lakes Science Advisory Board shall be established in order to assist the Commission.

Source

1153 UNTS 187

Skagit

- Treaty between the Government of United States of America and the Government of the United Kingdom Concerning Boundary Waters and Questions Arising Along the Boundary between the United States of America and Canada (Washington, 11 January 1909) (See Columbia. Also applicable to Columbia, Fraser, Nelson-Saskatchewan, St. Croix, St. John and St. Lawrence.)
- Treaty between the United States of America and Canada relating to the Skagit River and Ross Lake, and the Seven Mile Reservoir on the Pend d'Oreille River (Washington, 2 April 1984)

Souris

- Agreement between the Government of Canada and the Government of the United States of America for water supply and flood control in the Souris River Basin (Washington D.C., 26 October 1989)

Agreement between the Government of Canada and the Government of the United States of America for water supply and flood control in the Souris River Basin

Place and date

Washington D.C., 26 October 1989

Signatories

Canada and the United States of America

Geographical area covered

Souris River Basin

Primary focus area

Flood control and water quality

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to develop the Souris River Basin for flood control in the United States and for water supply in Canada. The Parties agree that Canada shall supply the United States with a specified capacity of flood storage by completing two dams.

With regard to water quality, the Parties shall establish a Joint Water Quality Monitoring Program in the relevant portions of the Souris River basin. A Bilateral Water Quality Monitoring Group shall also be established to develop recommendations on the Program and on water quality objectives. Furthermore, the Group shall make recommendations on new water quality objectives or on how existing water quality objectives can be met, including suggestions on water quality as it relates to water quantity during periods of low flow, in the event that water quality objectives have not been attained as a result of activities pursued under the Agreement.

Institutional framework

The Bilateral Water Quality Monitoring Group composed of experts in the fields of environmental protection, fish and wildlife, and geology.

Source

www.faolex.fao.org/faolex/

Tijuana

- Treaty between the United States of America and Mexico relating to the utilisation of the waters of the Colorado and Tijuana rivers and of the Río Grande (Río Bravo) from Fort Quitman, Texas, to the Gulf of Mexico (Washington, 3 February 1944), and supplementary Protocol (Washington, 14 November 1944) (See Colorado. Also applicable to Colorado and Río Bravo/Río Grande.)
- Agreement between the United States of America and the United Mexican States on co-operation for the protection and improvement of the environment in the border area (La Paz, 14 August 1983) (See Colorado. Also applicable to Colorado, Río Bravo/Río Grande and Yaqui.)
- Agreement of co-operation between the United States of America and the United Mexican States regarding pollution of the environment along the inland international boundary by discharges of hazardous substances (San Diego, 18 July 1985) (See Colorado. Also applicable to Colorado, Río Bravo/Río Grande and Yaqui.)
- Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank (Washington and Mexico City, 16 and 18 November 1993) (See Colorado. Also applicable to Colorado, Río Bravo/Río Grande and Yaqui.)

Yaqui

- Agreement between the United States of America and the United Mexican States on cooperation for the protection and improvement of the environment in the border area (La Paz, 14 August 1983) (See Colorado. Also applicable to Colorado, Río Bravo/Río Grande and Tijuana.)
- Agreement of co-operation between the United States of America and the United Mexican States regarding pollution of the environment along the inland international boundary by discharges of hazardous substances (San Diego, 18 July 1985) (See Colorado. Also applicable to Colorado, Río Bravo/Río Grande and Tijuana.)
- Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank (Washington and Mexico City, 16 and 18 November 1993) (See Colorado. Also applicable to Colorado, Río Bravo/Río Grande and Tijuana.)

2.3 Asia

2.3.1 Regional agreements

- Framework Convention for the protection of the marine environment of the Caspian Sea
(Teheran, 4 November 2003)

Framework Convention for the Protection of the Marine Environment of the Caspian Sea

Place and date

Teheran, 4 November 2003

Geographical area covered

Caspian Sea

Primary focus area

Protection of the marine environment

Provisions most relevant to ecosystems conservation

The objective of the Convention is the protection of the Caspian environment from all sources of pollution including the protection, preservation, restoration and sustainable and rational use of the biological resources of the Caspian Sea. It applies to the marine environment of the Caspian Sea, taking into account its water level fluctuations, and pollution from land based sources.

The Convention defines “Pollution” as the introduction by man, directly or indirectly, of substances or energy into the environment resulting or likely to result in such deleterious effects as harm to living resources and marine life, hazards to human health and hindrance to legitimate uses of the Caspian Sea. Whereas “Pollution from land-based sources” is defined as pollution of the sea from all kinds of point and non-point sources based on land reaching the marine environment, whether water-borne, or directly from the coast, or as a result of any disposal of pollutants from land to the sea by way of tunnel, pipeline or other means.

With regard to pollution from land-based sources the Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution of the Caspian Sea from land-based sources. If the discharge from a watercourse, flowing through the territories of two or more Contracting Parties or forming a boundary between them, is likely to cause pollution of the Caspian Sea, the Contracting Parties shall co-operate in taking all appropriate measures to prevent, reduce and control such pollution including the establishment of joint bodies responsible for identifying and resolving potential pollution problems. The Contracting Parties are encouraged to develop protocols to the Convention for prevention, reduction and control of pollution from land-based sources.

Finally, an environmental impact assessment shall be undertaken of any planned activity that is likely to cause significant adverse effects on the marine environment of the Caspian Sea.

Institutional framework

The Contracting Parties establish a Conference of the Parties consisting of representatives of each Contracting Party. The function of the Conference of the Parties shall be to keep under review the implementation of the Convention. There shall also be established a Secretariat to support the Conference of the Parties.

Source

www.caspianenvironment.org/

2.3.2 Bilateral and multilateral agreements

Amur

- Agreement between the Union of Soviet Socialist Republics and the People's Republic of China on joint research operations to determine the natural resources of the Amur River Basin and the prospects for development of its productive potentialities and on planning and survey operations to prepare a scheme for the multi-purpose exploitation of the Argun River and the Upper Amur River (Beijing, 18 August 1956)
- Agreement between the Government of the People's Republic of China and the Government of Mongolia on the protection and utilisation of transboundary waters (Ulaanbaatar, 29 April 1994) (Also applicable to Bor Nor Lake-Har Us Nuur-Pu Lun T'o.)
- Agreement between the Government of the Russian Federation and the Government of People's Republic of China concerning co-operation in the sphere of protection, regulation and reproduction of living water resources in transboundary waters of Amur and Ussuri Rivers (Beijing, 27 May 1994)
- Agreement between the Government of the Russian Federation and the Government of People's Republic of China concerning principles of joint economic use of several islands and adjacent water areas of transboundary rivers (Beijing, 10 November 1997)

Agreement between the Government of the People's Republic of China and the Government of Mongolia on the protection and utilisation of transboundary waters

Place and date

Ulaanbaatar, 29 April 1994

Signatories

China and Mongolia

Geographical area covered

Halaha River, Kerulen River, Bor Nor Lake, Bulgan River, and lakes, rivers, streams and other water that straddles or rest on the boundary line between the two countries

Primary focus area

Conservation of shared water resources

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to protect and to foster rational utilisation of transboundary waters on the basis of equality and mutual benefit.

The Parties agree that they may conduct co-operation in the following fields:

- investigation and survey of dynamics, resources and quality of boundary waters;
- examination and measurement of changes of the boundary lake and river basins;
- investigation, protection and development of transboundary waters and aquatic animal and plant resources;
- monitoring and reduction of pollution to the transboundary waters; and
- maintenance and rational use of water conservation projects and flood-prevention facilities involving transboundary waters.

The ecological system of the transboundary waters should jointly be developed and utilised in a way that should not be detrimental to the other side. Any development and utilisation of transboundary waters should follow the principle of fairness and equality without impeding any reasonable use of transboundary waters. The Parties shall take measures to prevent, mitigate and eliminate the possible damages to the quality, resources and natural dynamics of the transboundary waters and aquatic animals and plants caused by natural or human factors such as flood, ice run and industrial accident. The annual consumption of the transboundary waters shall be decided through consultation. Effective measures shall be adopted to avoid activities on either side of the boundary that lead to exceeding the designated amount of annual water consumption.

The Agreement provides for the protection of Bor Nor Lake and its fish resources.

Institutional framework

The Parties agree to establish a Joint Committee on Transboundary Waters to be in charge of handling matters related to the implementation of the Agreement.

Source

www.transboundarywaters.orst.edu/

Agreement between the Government of the Russian Federation and the Government of People's Republic of China concerning co-operation in the sphere of protection, regulation and reproduction of living water resources in transboundary waters of Amur and Ussuri Rivers

Place and date

Beijing, 27 May 1994

Signatories

China and Russia

Geographical area covered

Amur River starting from the confluence of Argunj and Shilka and Ussuri Rivers up to the fall of Sungach River, as well as the adjacent reservoirs

Primary focus area

Protection of shared water resources, and protection and reproduction of fish stocks

Provisions most relevant to ecosystems conservation

The Parties agree to establish co-operation on the protection, regulation and reproduction of fish stocks. To this end, Parties shall:

- regulate the fishing in the waters, including fishing by amateurs;
- control the ecological conditions of waters determined in the Agreement and take necessary measures to prevent pollution and destruction of habitat;
- provide safety measures for fishermen; and
- prevent accident in transboundary reservoirs.

The Parties establish detailed measures concerning the protection and preservation of fish stock, as well as the prevention of pollution of the relevant water areas. The measures set:

- a list of fish species, shellfish and water plants, which are subject to protection under the Agreement;
- minimum fishing standards (size of fish and shellfish);
- prohibition of fishing during a certain period of the year; and
- areas where fishing is prohibited at all times.

Institutional framework

The Parties establish a mixed Commission to responsible for the implementation of the Agreement.

Source

www.rcc.economy.gov.ru

Agreement between the Government of the Russian Federation and the Government of People's Republic of China concerning principles of joint economic use of several islands and adjacent water areas of transboundary rivers

Place and date

Beijing, 10 November 1997

Signatories

China and Russia

Geographical area covered

The eastern part of the Russian-Chinese state border meaning several islands and adjacent water areas of transboundary rivers.

Primary focus area

Joint economic activity

Provisions most relevant to ecosystems conservation

The Parties agree the joint economic use of several islands and water areas of transboundary rivers adjacent to them. The border population of one state, which carries

out the traditional economic activity on the territory of another state, shall not inflict any harm to the environment and natural resources of the former state.

Institutional framework

The text of the Agreement does not specify.

Source

www.rcc.economy.gov.ru

Aral Sea

- Agreement on cooperation in the field of joint water resources management and conservation of interstate sources
(Alma-Ata, 18 February 1992)
- Agreement on joint activities in addressing the Aral Sea and the zone around the Sea crisis, improving the environment, and ensuring the social and economic development of the Aral Sea region
(Kzyl-Orda, 26 March 1993)
- Agreement between the Government of the Republic of Tajikistan and the Government of the Republic of Uzbekistan on cooperation in the area of rational water and energy uses
(Dushanbe, 4 February 1998)
- Agreement between the Government of the Republic of Kazakhstan, the Government of the Kyrgyz Republic and the Government of the Republic of Uzbekistan on cooperation in the area of environment and nature rational use
(Bishkek, 17 March 1998)
- Agreement between the Governments of the Republic of Kazakhstan, the Kyrgyz Republic and the Republic of Uzbekistan on joint and complex use of the water and energy resources of the Naryn Syr Darya cascade reservoirs
(Bishkek, 17 March 1998)
- Agreement between the Government of the Republic of Kazakhstan, the Government of the Kyrgyz Republic and the Government of the Republic of Uzbekistan on the use of water and energy resources of the Syr Darya Basin
(Bishkek, 17 March 1998)
- Agreement on the status of the International Aral Sea Fund and its organizations
(Ashgabat, 9 April 1999)
- Agreement between the Government of the Republic of Uzbekistan and the Government of the Republic of Tajikistan on cooperation in the area of rational water and energy uses in 1999
(Tashkent, 13 April 1999)
- Protocol on inserting amendments and addenda in the agreement between the Governments of the Republic of Kazakhstan, the Kyrgyz Republic, and the Republic of Uzbekistan on the use of water and energy resources of the Syr Darya Basin
(7 May 1999)

- Agreement between the Government of the Republic of Kazakhstan and the Government of the Kyrgyz Republic on the use of water and energy resources of the Naryn Syr Darya Cascade of reservoirs in 2000 (Bishkek, 23 May 2000)

Agreement on cooperation in the field of joint water resources management and conservation of interstate sources

Place and date

Alma-Ata, 18 February 1992

Signatories

Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan

Geographical area covered

Water resources in the Aral Sea region

Primary focus area

Joint management of shared water resources

Provisions most relevant to ecosystems conservation

The Parties agree to refrain from activities within their respective territories that might affect the interest of other Parties or cause damage to them, or lead to deviation from the agreed volumes of water consumption or to pollution of waters. Other obligations include joint works for solving ecological problems, related to Aral Sea desiccation, and establish sanitary water discharge volumes for each year on the basis of water availability of interstate sources. During extremely dry years a separate decision shall be taken on water supply to the regions of acute water deficiency.

Institutional framework

The Parties agree to establish an Interstate Coordinating Water Management Commission which will be responsible for the following:

- determination of water management policy in the region, elaboration of its trends with regard for the needs of all national economy branches, complex and rational use of water resources, long-term programme of water supply in the region and measures for its implementation; and
- elaboration and approval of water use limits annually for each Republic and the entire region, corresponding operations schedule for water reservoirs, their correction by specified forecasts depending on actual water availability and the water management situation.

The Commission and its executive body shall furthermore provide for:

- strict observance of release regimes and water use limits; and
- implementation of measures relating to the rational and economic use of water resources, sanitary water discharges along the river channels and through the irrigation systems (where they are planned), delivery of guaranteed water volume to the river deltas and the Aral Sea for the purpose of rehabilitating ecological conditions, preservation of water quality in accordance with achieved agreements.

Decisions adopted by the Commission on the observance of water withdrawal limits, rational use and protection of water resources, are binding for all water consumers and water users.

Source

www.dundee.ac.uk/law

Agreement on joint activities in addressing the Aral Sea and the zone around the Sea crisis, improving the environment, and ensuring the social and economic development of the Aral Sea region

Place and date

Kzyl-Orda, 26 March 1993

Signatories

Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan

Geographical area covered

Aral Sea, Syr Darya/Syrdarya and Amu Darya/Amudarya

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The objectives of the Treaty include the rational utilisation of the land and water resources of the Aral Sea Basin.

Parties agree to recognise the following common objectives:

- maintaining the required water quality in the rivers, reservoirs, and springs, for preventing in the future the release into these bodies of industrial and urban waste waters, and polluted and drainage waters;
- ensuring the required water inflows to the Aral Sea for sustaining its lowered but stable, ecologically acceptable, levels and by this means preserving the Sea as an object of nature;
- restoring the balance of the destroyed ecosystems, primarily in the Amu Darya and Syr Darya Deltas and on the exposed seabed areas, creating manmade stable landscapes;
- regulating the system and enhancing the discipline of water usage in the basin, and working out the required interstate legal and regulatory acts that will provide for the application, for the region, of unified principles for damages compensation;
- improving the sanitary and medico-biological living conditions, especially for the sea zone residents, and addressing the urgent problem of a clean drinking water supply for the region;
- carrying out the measures for the protection of migrating species, including those living in the border areas, and for creating nature reserve zones; and
- on the basis of new mutually acceptable terms, resuming the work on having additional water resources flow into the Aral Sea Basin;

Institutional framework

The Parties agree to establish the Interstate Council for the Aral Sea which is to be the principal regional organisation responsible for addressing the Aral Sea crisis, and under it:

- the Standing Tashkent-based Executive Committee;
- the Commission of Social and Economic Development and Cooperation in Scientific, Technical, and Ecological Spheres; and
- the Coordinating Commission on Water Resources acting in conformity with the Agreement signed in Alma-Ata 18 February 1992.

Source

www.transboundarywaters.orst.edu/

Agreement between the Government of the Republic of Kazakhstan, the Government of the Kyrgyz Republic and the Government of the Republic of Uzbekistan on cooperation in the area of environment and nature rational use

Place and date

Bishkek, 17 March 1998

Signatories

Kazakhstan, Kyrgyzstan and Uzbekistan

Geographical area covered

The text of the Agreement does not specify

Primary focus area

Co-operation on shared natural resources

Provisions most relevant to ecosystems conservation

The Parties agree to foster co-operation in the area of environmental protection and rational use of natural resources on the basis of equality of rights, and mutual benefit pursuant to their respective national laws.

The Parties shall cooperate:

- to harmonise the ecological laws, interstate normative and legal regulations in the area of environmental protection and use of natural resources providing the mechanism for damages compensation and losses incurred by one Party to the other Party;
- to set specially protected natural territories and maintain the biological diversity including those in the adjacent boundary zones;
- to provide for soils conservation and rational use of land resources;
- in coordinating activities for the construction of new projects in the boundary zone and of projects that can cause transboundary adverse effect irrespective of their geographical location;
- in the protection, rational use and prevention against pollution of transboundary water resources;

- in the neutralisation, safe destruction and burial of toxic and radioactive wastes, and in the process of making them harmless;
- in joint adverse expert supervision of the projects that cause or may cause transboundary adverse effects;
- to develop and implement environmental, clean, and resource-saving technologies, while securing mutual access in this area; and
- to build facilities and devices for pollution control;

Parties shall be shall notify without delay any dangerous environmental situations occurring in their territories, which may have deleterious effects on the neighbouring countries, and to inform about the measures to combat these consequences, as well as about the results of research conducted to estimate their influence on the environment.

Institutional framework

The text of the Agreement does not specify.

Source

www.transboundarywaters.orst.edu/

Agreement between the Government of the Republic of Kazakhstan, the Government of the Kyrgyz Republic and the Government of the Republic of Uzbekistan on joint and complex use of the water and energy resources of the Naryn Syr Darya cascade reservoirs

Place and date

Bishkek, 17 March 1998

Signatories

Kazakhstan, Kyrgyzstan and Uzbekistan

Primary focus area

Irrigation, flooding and hydropower

Geographical area covered

Syr Darya Basin

Provisions most relevant to ecosystems conservation

The objective of the Agreement is to provide efficient water releases during the growing season, prevent flooding of certain areas of the Syr Darya, and the rational use of existing water and energy resources. The Parties agree to establish average daily water releases from the reservoir in Toktogul during 1998. The Agreement also provides for water supply for Kazakhstan through a canal during the growing season.

Institutional framework

The text of the Agreement does not specify.

Source

www.transboundarywaters.orst.edu/

Agreement between the Governments of the Republic of Kazakhstan, the Kyrgyz Republic, and the Republic of Uzbekistan on the use of water and energy resources of the Syr Darya Basin

Place and date

Bishkek, 17 March 1998

Signatories

Kazakhstan, Kyrgyzstan and Uzbekistan

Geographical area covered

Syr Darya Basin

Primary focus area

Hydropower and irrigation

Provisions most relevant to ecosystems conservation

In the Preamble to the Agreement Parties take note of the participating countries common interests and the urgent need for the development of an efficient and co-ordinated water regime in the Syr Darya basin, taking into account the problems of the Aral Sea. To that end, Parties agree to annually co-ordinate and make decisions on water releases, production and transition of electricity.

Parties agree to jointly consider the reduction and discontinuation of polluted water discharges in the water sources of the Syr Darya Basin.

Institutional framework

The institutional framework shall be the BVO Syr Darya and UDC Energia, appointed as executive bodies responsible for the release schedules and energy transfers prior to the establishment of the International Water and Energy Consortium and its executive body.

Source

www.transboundarywaters.orst.edu/

Atrak

- Treaty of Friendship between Persia and the Russian Socialist Federal Republic (Moscow, 26 February 1921)
- Treaty between the Government of the Union of Soviet Socialist Republics and the Imperial Government of Iran concerning the regime of the Soviet-Iranian frontier and the procedure for the settlement of frontier disputes and incidents (Moscow, 14 May 1957) (Also applicable to Kura-Araks.)
- Agreement between Iran and the Soviet Union for the joint utilisation of the frontier parts of the rivers Aras and Atrak for irrigation and power generation (Teheran, 11 August 1957)

Treaty between the Government of the Union of Soviet Socialist Republics and the Imperial Government of Iran concerning the regime of the Soviet-Iranian frontier and the procedure for the settlement of frontier disputes and incidents

Place and date

Moscow, 14 May 1957

Signatories

Iran and the U.S.S.R.

Geographical area covered

Tedzen, Atrak, Araks and Harirud Rivers

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties wish to establish means for properly maintaining the regime of the Soviet-Iranian frontier and preventing disputes and incidents thereon. They agree to ensure that frontier waters are maintained in the proper state of cleanliness and are kept free of any pollution.

In cleaning out frontier waters, the earth, stones, trees and other objects removed shall be thrown out to such a distance from the bank or levelled down in such a way as to avoid any danger that the banks might fall in, or the river bed be polluted, and so as to prevent the flow of water from being obstructed in time of flood. The erection and working on frontier rivers of any new installations and structures likely to influence the water flow, shall be governed by special agreements between the Parties. Finally, the construction or demolition of any installations on frontier rivers that might change the water level of concerned rivers may not be undertaken without the Parties' consensus.

Institutional framework

The institutional framework shall consist of the frontier commissioners and their deputies and assistants.

Source

www.transboundarywaters.orst.edu/

Bor Nor Lake-Har Us Nuur-Pu Lun T'o

- Agreement between the Government of the People's Republic of China and the Government of Mongolia on the protection and utilisation of transboundary waters (Ulaanbaatar, 29 April 1994) (See Amur.)

Chu-Talas

- Agreement on utilisation of the water facilities for interstate use on the Chu and Talas Rivers (Astana, 21 January 2000)

Agreement on utilization of the water facilities of interstate use on the Chu and Talas Rivers

Place and date

Astana, 21 January 2000

Signatories

Kazakhstan and Kyrgyzstan

Geographical area covered

Chu and Talas

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Parties agree to undertake joint measures to protect water facilities of interstate use and the territories within their areas of influence from adverse effects of floods, mudflows and other natural phenomena. For safe operation of water facilities of interstate use, Parties shall establish permanent commissions.

Institutional framework

The text of the Agreement does not specify.

Source

www.dundee.ac.uk/

Ganges-Brahmaputra-Meghna

- Agreement between the British Government and the Patiala State regarding the Sirsa Branch of the Western Jumna Canal (Simla, 29 August, 1893)
- Agreement between Great Britain and the Panna State respecting the Ken Canal (Panna, 30 September 1908)
- Agreement between the Government of India and the Government of Nepal on the Kosi project (Kathmandu, 25 April 1954)
- Agreement between His Majesty's Government of Nepal and the Government of India on the Gandak Irrigation and Power Project (Kathmandu, 4 December 1959)
- Amended Agreement between His Majesty's Government of Nepal and the Government of India concerning the Kosi Project (Kathmandu, 19 December 1966)
- Statute of the Indo-Bangladesh Joint Rivers Commission (Dacca, 24 November 1972)
- Agreement between the Government of the People's Republic of Bangladesh and the Government of the Republic of India on sharing of the Ganges waters at Farakka and on augmenting its flows (Dacca, 5 November 1977)

- Agreement between Nepal and India on the renovation and extension of the Chandra Canal System, Construction of a Pumped Canal and Distribution System of the Western Kosi Canal in Nepal
(New Delhi, 7 April 1978)
- Agreement on ad hoc sharing of the Teesta waters between India and Bangladesh reached during the 25th meeting of the Indo-Bangladesh Joint Rivers Commission
(Dhaka, 20 July 1983)
- Treaty between His Majesty's Government of Nepal and the Government of India concerning the integrated development of the Mahakali River including Sarada Barrage, Tanakpur Barrage and Pancheshwar Project
(New Delhi, 12 February 1996)
- Treaty between the Government of the Republic of India and the Government of the People's Republic of Bangladesh on sharing of the Ganges waters at Farakka
(New Delhi, 12 December 1996)

Amended Agreement between His Majesty's Government of Nepal and the Government of India concerning the Kosi project

Place and date

Kathmandu, 19 December 1966

Signatories

India and Nepal

Geographical area covered

Kosi

Primary focus area

Hydropower, flooding and irrigation

Provisions most relevant to ecosystems conservation

The purpose of the Kosi Project is to construct a barrage and head-works on the Kosi River. Canals and protective works on land shall be built in Nepal for the purpose of flood control, irrigation, generation of hydropower and prevention of erosion.

The investigations and surveys required for the project and for a complete solution of the Kosi problems in the future shall include investigations of storage dams or detentions dams on the Kosi River and soil conservation measures, such as dams check and afforestation.

Institutional framework

The Governments shall establish the Indo-Nepal Kosi Project Commission to discuss problems of common interest related to the project, and for purposes of co-ordination and co-operation with regard to any matter covered by the Agreement.

Source

www.transboundarywaters.orst.edu/

Statute of the Indo-Bangladesh Joint Rivers Commission

Place and date

Dacca, 24 November 1972

Signatories

Bangladesh and India

Geographical area covered

Ganges and Brahmaputra

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The Parties agree to establish an Indo-Bangladesh Joint River Commission. The Commission shall have the following functions, in particular:

- to maintain liaison between the countries in order to ensure the most effective joint efforts in maximising the benefits from common river systems;
- to formulate flood control works and recommend implementation of joint projects;
- to formulate detailed proposals on advance flood warnings, flood forecasting and cyclone warnings;
- to study flood control and irrigation projects so that the region's water resources can be utilised in an equitable way for the mutual benefit of the two countries; and
- to formulate proposals for carrying out coordinated research on flood control problems affecting both the countries.

Institutional framework

The Indo-Bangladesh Joint River Commission, consisting of members of both Parties and a Secretariat.

Source

www.transboundarywaters.orst.edu/

Treaty between His Majesty's Government of Nepal and the Government of India concerning the integrated development of the Mahakali River including Sarada Barrage, Tanakpur Barrage, and Pancheshwar Project

Place and date

New Delhi, 12 February 1996

Signatories

India and Nepal

Geographical area covered

Mahakali River

Primary focus area

Water quantity and hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Treaty is to ensure equal partnership in defining the obligations and corresponding rights and duties of the Parties thereto with regard to the Mahakali River and its utilisation.

The Treaty requires that India maintain a minimum downstream flow into the Sarada Barrage in order to preserve the river ecosystem.

With the aim of maintaining the flow and level of the waters, each Party undertakes not to use or obstruct or divert the waters of the River, thereby adversely affecting its natural flow and level, except by an agreement between them.

Institutional framework

The Parties agree to establish a Mahakali River Commission composed of an equal number of representatives of both Parties. The Commission's functions include gathering information and inspecting structures covered by the Treaty, making recommendations for the implementation of the Treaty and for the conservation and utilisation of the river, providing expert evaluation and recommendations in respect of projects, co-ordinating and monitoring action plans, and examining any disputes between the Parties concerning the interpretation and application of the Treaty.

Source

www.faolex.fao.org/faolex/

Treaty between the Government of the Republic of India and the Government of the People's Republic of Bangladesh on sharing of the Ganges Waters at Farakka

Place and Date

New Delhi, 12 December 1996

Signatories

Bangladesh and India

Geographical area covered

Ganges

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Parties agree that India shall release water to Bangladesh at Farakka. The waters will be shared by 10-day periods from 1 January to 31 May every year according to an agreed schedule. In the event that the flow at Farakka falls below a certain amount of m³ per second in any 10-day period, the two Governments will enter into immediate consultations to make adjustments on an emergency basis, in accordance with the principles of equity, fair play and no harm.

Institutional Framework

The Parties agree to establish a Joint Committee. The Committee shall observe and record at Farakka the daily flows below the Farakka Barrage. It shall be responsible for implementing the arrangements contained in the Treaty and examining any difficulties arising out of it.

Source

www.faolex.fao.org/faolex/

Helmand

- Terms of reference of the Helmand River Delta Commission and an interpretative statement relative thereto, agreed by Conferees of Afghanistan and Iran (7 September 1950)

Terms of reference of the Helmand River Delta Commission and an interpretative statement relative thereto, agreed by Conferees of Afghanistan and Iran

Place and date

7 September 1950

Signatories

Afghanistan and Iran

Geographical area covered

Helmand

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Parties agree to establish the Helmand River Delta Commission. Its purpose shall be to recommend to the Governments of Afghanistan and Iran an engineering basis for mutual accord regarding the apportionment of the waters of the Helmand River.

The Commission shall collect and study available data relative to:

- stream flow of the Helmand River, including annual and long-range cycles of drought, normal flow, and flood;
- past and present uses of the Helmand River waters in the delta area including a study of the land under cultivation;
- existing works in the delta area for control or diversion of the waters; and
- plans for new installations and methods which might result in a more scientific use of available water in the delta area.

Institutional framework

The Helmand River Delta Commission shall consist of engineers from three disinterested countries, experts in the management of water resources in the region, who shall be mutually acceptable to Afghanistan and Iran. In the Commission's investigations and deliberations, the Commissioners shall serve in their individual capacity and not as representatives of the countries of which they are nationals.

Source

Legislative Texts, Treaty no. 82, p. 270.

Indus

- Articles of agreement between the Edur Durbar and the British Government (Sansthan, Edur, 20 July 1874)
- Amended terms of agreement between the British Government and the State of Jind, for regulating the supply of water for irrigation from the Western Jumna Canal (Simla, 16 September 1892)
- Final working agreement relative to the Sirhind Canal between Great Britain and Patiala, Jind and Nabha (London, 12 August 1903)
- Treaty between the Government of Afghanistan and His Britannic Majesty's Government for the establishment of neighbourly relations (Kabul, 22 November 1921)
- Inter-Dominion agreement between the Government of India and the Government of Pakistan on the canal water dispute between East and West Punjab (New Delhi, 4 May 1948)
- Indo-Pakistan agreement (with appendices) on East Pakistan border disputes (New Delhi, 23 October 1959)
- Agreement between Pakistan and India on West Pakistan-India border disputes (New Delhi, 11 January 1960)
- The Indus Basin Development Fund Agreement (Karachi, 19 September 1960)
- The Indus Water Treaty concluded between India and Pakistan (with annexes) (Karachi, 19 September 1960)

The Indus Waters Treaty concluded between India and Pakistan (with annexes)

Place and date

Karachi, 19 September 1960

Signatories

India and Pakistan

Geographical area covered

Indus Basin

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The basic approach of the Treaty is to increase the amount of water available to the Parties through engineering works and to apportion the water resources of the Indus equitably between them. The Parties agree that Pakistan shall construct link canals on “the Western Rivers” to replace its sources of water from “the Eastern Rivers”, and that

India shall supply water from “the Eastern Rivers” to Pakistan during a ten-year transitional period, while the construction is taking place.

Nothing in the Treaty shall be construed as having the effect of preventing either Party from undertaking drainage schemes, conservation of soil against erosion and dredging, or from removal of stones, gravel or sand from the rivers, provided that each Party avoids, as far as practicable, any material damage to the other Party.

Institutional framework

The Parties agree to establish a Permanent Indus Commission consisting of one Commissioner from each Party. The purpose and functions of the Commission shall be to foster co-operation between the Parties in the rivers’ development. Each Commissioner shall be the representative of his Government for all matters arising out of the Treaty, and shall serve as the regular communication channel on all matters relating to the Treaty’s implementation.

Source

Legislative Texts, Treaty no. 98, p. 300.

Jordan

- Franco-British convention on certain points connected with the mandates for Syria and the Lebanon, Palestine and Mesopotamia (Paris, 23 December 1920)
- Exchange of notes constituting an agreement between the British and French Governments respecting the boundary line between Syria and Palestine from the Mediterranean to El Hamme (Paris, 7 March 1923)
- Agreement of good neighbourly relations concluded between the British and French Governments on behalf of the territories of Palestine, on the one part, and on behalf of Syria and Great Lebanon, on the other part (Jerusalem, 2 February 1926)
- Agreement between the Republic of Syria and the Hashemite Kingdom of Jordan concerning the utilisation of the Yarmuk waters (Damascus, 4 June 1953)
- Johnston Negotiations (31 December 1955)
- Treaty of peace between the State of Israel and the Hashemite Kingdom of Jordan (Arava/Araba Crossing Point, 26 October 1994)
- Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, with Annexes I to VII (Washington, D.C., 28 September 1995)

Treaty of peace between Israel and the Hashemite Kingdom of Jordan

Place and date

Arava/Araba Crossing Point, 26 October 1994

Signatories

Israel and Jordan

Geographical area covered

Jordan River, Yarmouk River and Arava/Arava ground water

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The overall objective of the Treaty is to establish peace between the Parties. It provides a framework for addressing water problems. The Treaty contains general provisions about the environment and stipulates that the Parties will co-operate in matters relating to the environment, a sphere to which they attach great importance, including conservation of nature and pollution prevention.

Under the heading “Water and Related Matters” (Annex II), Parties recognise their rightful water allocations in the Jordan and Yarmouk Rivers and Arava/Arava ground water in accordance with agreed principles, quantities and quality. They undertake to protect, within their own jurisdiction, the shared waters of the rivers and groundwater, against pollution, contamination, harm or unauthorised withdrawals of each other’s allocations. For this purpose the Parties will jointly monitor the water quality along their boundary, using jointly established monitoring stations to be operated under the guidance of the Joint Water Committee. Israel and Jordan will each prohibit the disposal of municipal and industrial wastewater into the rivers before they reach standards allowing their unrestricted agricultural use. Implementation of this prohibition shall be completed within three years from the entry into force of the Treaty.

Institutional framework

Parties agree to establish a Joint Water Committee comprised of members from each country.

Source

2042 UNTS 514

Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip

Place and date

Washington, D.C., 28 September 1995

Signatories

Israel and the Palestine Liberation Organisation

Geographical area covered

Israeli-Palestinian water resources

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

Annex III to the Interim Agreement, “Protocol Concerning Civil Affairs”, addresses the issues of “Water and Sewage”. One of the fundamental issues of the Interim Agreement is that Israel recognises the Palestinian water rights in the West Bank. While respecting each side’s powers and responsibilities in the sphere of water and sewage in their respective areas, both sides agree to co-ordinate the management of water and sewage resources and systems in the West Bank during the interim period, in accordance with the following principles:

- preventing water quality deterioration;
- using water resources in a manner that will ensure their sustainable use in the future, in quantity and quality;
- taking all necessary measures to prevent any harm to water resources, including those utilised by the other side;
- treating, reusing or properly disposing of all domestic, urban, industrial, and agricultural sewage;
- existing water and sewage systems shall be operated, maintained and developed in a co-ordinated manner; and
- each side shall take all necessary measures to prevent any harm to the water and sewage systems in their respective areas.

With regard to protection of water resources and water and sewage systems, the Parties agree on the following:

- each side shall take all necessary measures to prevent any harm, pollution, or deterioration of water quality;
- each side shall take all the necessary measures for the physical protection of the water and sewage systems in their respective areas; and
- each side shall take all necessary measures to prevent any pollution or contamination of the water and sewage systems, including those belonging to the other side.

Institutional framework

The Parties agree to establish a permanent Joint Water Committee (JWC) for the interim period, under the auspices of the Joint Civil Affairs Coordination and Cooperation Committee, in order to implement the agreed provisions.

The function of the JWC shall be to deal with all water and sewage related issues in the West Bank including the following:

- co-ordinated management of water resources;
- co-ordinated management of water and sewage systems; and
- protection of water resources and water and sewage systems.

Source

www.jewishvirtuallibrary.org/

Kazakhstan-China Shared Waters

- Agreement between the Government of the Republic of Kazakhstan and the Government of the People's Republic of China on cooperation in the use and protection of transboundary rivers
(Astana, 12 September 2001)

Agreement between the Government of the Republic of Kazakhstan and the Government of the People's Republic of China on Cooperation in the Use and Protection of Transboundary Rivers

Place and date

Astana, 12 September 2001

Signatories

China and Kazakhstan

Geographical area covered

All rivers that flow across state borders or are located along the border between the Parties

Primary focus area

Co-operation on shared resources

Provisions most relevant to ecosystems conservation

The Parties agree to undertake appropriate measures and make efforts to prevent or mitigate serious harm caused to the other Party as a result of flooding, and man-made accidents.

The Parties may co-operate in the following areas:

- agreeing on the existence and placement of posts for monitoring and measuring the volume and quality of the waters;
- research on unified methods of monitoring, measuring, analysis, and assessment;
- conducting analyses on data generated from hydrological monitoring and measuring at the posts agreed by the Parties;
- conducting joint research on prevention or mitigation of the consequences of flooding, freezing, and other natural disasters;
- studying trends related to future changes in the volume and quality of transboundary waters; and
- when necessary, conducting joint research and sharing lessons learned in the use and protection of transboundary rivers.

Institutional framework

The Parties shall establish a Kazakhstan-China Joint Commission on the Use and Protection of Transboundary Rivers, responsible for the development of a Statute regulating its activities and for deciding issues relevant to the implementation of this Agreement. The Commission shall be composed of one representative and two assistants appointed by each Party.

Source

www.dundee.ac.uk/law/

Kura-Araks

- Treaty between the Government of the Union of Soviet Socialist Republics and the Imperial Government of Iran concerning the regime of the Soviet-Iranian frontier and the procedure for the settlement of frontier disputes and incidents (Moscow, 14 May 1957) (See Atrak. Also applicable to Atrak.)
- Agreement between Iran and the Soviet Union for the joint utilisation of the frontier parts of the rivers Aras and Atrak for irrigation and power generation (Teheran, 11 August 1957) (Also applicable to Atrak.)

Mekong

- Statute of the Committee for co-ordination of investigations of the Lower Mekong Basin established by the Governments of Cambodia, Laos, Thailand and the Republic of Viet Nam in response to the decisions taken by the United Nations Economic Commission for Asia and the Far East (Phnom-Penh, 31 October 1957)
- Convention between Laos and Thailand for the supply of power (Vientiane, 12 August 1965)
- Joint Declaration of Principles for utilisation of the waters of the lower Mekong Basin, signed by the representatives of the Governments of Cambodia, Laos, Thailand, and Viet Nam to the Committee for Coordination of Investigations of the Lower Mekong Basin (Vientiane, 31 January 1975)
- Declaration concerning the Interim Committee for Coordination of Investigation of the Lower Mekong Basin (Vientiane, 5 January 1978)
- Agreement on the cooperation for the sustainable development of the Mekong River Basin (Chiang Rai, 5 April 1995)

Statute of the Committee for Co-ordination of Investigations of the Lower Mekong Basin established by the governments of Cambodia, Laos, Thailand and the Republic of Viet Nam in response to the decision taken by the United Nations Economic Commission for Asia and the Far East

Place and date

Phnom-Penh, 31 October 1957

Signatories

Cambodia, Laos, Thailand and Viet Nam

Geographical area covered

The lower Mekong Basin, the area of the drainage basin of the Mekong River situated in the territory of the participating Governments

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish the Committee for Co-ordination of Investigations of the Lower Mekong Basin and to agree on the functions it shall perform. The functions of the Committee shall be to promote, co-ordinate, supervise and control the planning and research on water resources development projects in the lower Mekong. To these ends the Committee may:

- prepare and submit to the Governments plans for carrying out co-ordinated research;
- make requests on behalf of the Governments for special financial and technical assistance and receive and separately administer such financial and technical assistance programme of the United Nations, the specialised agencies and Governments; and
- draw up and recommend to Governments criteria for the use of the main river waters for the purpose of water development.

Institutional framework

There shall be the Committee for Co-ordination of Investigations of the Lower Mekong Basin composed of members of all Parties. The Committee shall be assisted by the Executive Secretary and shall co-operate with the secretariat of the United Nations Economic Commission for Asia and the Far East.

Source

Legislative Texts, Treaty no. 81, p. 267.

Joint Declaration of Principles for utilization of the waters of the lower Mekong Basin, signed by the representatives of the governments of Cambodia, Laos, Thailand, and Viet Nam to the Committee for Coordination of Investigations of the Lower Mekong Basin

Place and date

Vientiane, 31 January 1975

Signatories

Cambodia, Laos, Thailand and Viet Nam

Geographical area covered

Lower Mekong Basin

Primary focus area

Economic development

Provisions most relevant to ecosystems conservation

The objectives of the Joint Declaration of Principles are:

- to ensure that conservation, development and control of the basin water resources are directed towards their optimum utilisation for the benefit of all the peoples;
- to promote the regional cooperation required for the proper management of the water resources of the Basin; and
- to state principles which shall serve as the basis for the fulfilment of these objectives.

The Basin States recognise that the water resources of the basin, in all phases of the hydrologic cycle, constitute a single natural resource. Each particular utilisation of the resources shall be considered in relation to its effect upon the water balance and water quality of the basin. In order to ensure the conservation of the basin, the Basin States shall take every reasonable step to maintain their flow and quality, and to prevent their misuse, waste and pollution.

When developing its basin water resources, each Basin State shall take such measures as are practicable and reasonably necessary to avoid or minimise detrimental effects upon the ecological balance of the basin. The Basin States shall further ensure the co-ordinated control of the Basin water resources, including flood protection and flow regulation, improvement of navigation, reduction of salt water intrusion, adequate drainage, and the effective and beneficial use of these waters.

Any activity, whether temporary or permanent, which has a determining effect on the water balance or water quality, shall specify minimum and maximum rates of discharge which, so far as practicable, will ensure a downstream flow rate of not less than the average monthly flow during the previous dry periods.

Institutional framework

The Basin States agree that the Mekong Committee shall plan the utilisation of the basin water. Each project related to the Mekong River shall be implemented by a Project Agency duly designated or established by a Project Agreement on the recommendation of the Mekong Committee.

Source

www.transboundarywaters.orst.edu/

Declaration concerning the Interim Committee for Coordination of Investigation of the Lower Mekong Basin

Place and date

Vientiane, 5 January 1978

Signatories

Lao, Viet Nam and Thailand

Geographical area covered

Lower Mekong Basin

Primary focus area

Economic development

Provisions most relevant to ecosystems conservation

The Parties agree to establish an Interim Committee to proceed with new water resources development activities in the Lower Mekong Basin that are of particular interest to the Parties. The Committee shall promote the development of the lower Mekong water resources Basin to increase agricultural and power production, in order to effectively meet the needs for reconstruction and growing development of the countries of Indochina, and Thailand.

Institutional framework

The Interim Committee consisting of representatives from each of the three Governments.

Source

www.transboundarywaters.orst.edu/

Agreement on the cooperation for the sustainable development of the Mekong River Basin

Place and date

Chiang Rai, 5 April 1995

Signatories

Cambodia, Laos, Thailand and Viet Nam

Geographical area covered

Mekong River Basin

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The Parties agree to co-operate in all fields of sustainable development, utilisation, management and conservation of the water and related resources of the Mekong River Basin including, but not limited to irrigation, hydro-power, navigation, flood control, fisheries, timber floating, recreation and tourism, in a manner so as to optimise the multiple use benefits of all riparians and to minimise the harmful effects that might result from natural occurrences and man-made activities.

The Agreement provides for the protection of the environment, natural resources, aquatic life and conditions, and ecological balance of the Mekong River Basin from pollution or other harmful effects resulting from any development plans and uses of the water and related resources in the Basin.

Parties shall co-operate in the maintenance of the flows on the mainstream from diversions, storage releases, or other actions of a permanent nature, except in the case of historically severe droughts and/or floods:

- of not less than the acceptable minimum monthly natural flow during each month of the dry season;
- to enable the acceptable natural reverse flow of the Tonle Sap to take place during the wet season; and
- to prevent average daily peak flows greater than what naturally occur on the average during the flood season.

With regard to prevention and cessation of harmful effects, Parties shall make every effort to avoid, minimise and mitigate harmful effects that might occur to the environment, especially the water quantity and quality, the aquatic (ecosystem) conditions, and ecological balance of the river system, from the development and use of the water resources or discharge of wastes and return flows. Where one or more States is notified with proper and valid evidence that it is causing substantial damage to one or more riparians from the use of and/or discharge to water of the Mekong River, that State or States shall cease immediately the alleged cause of harm until such cause of harm is determined.

Institutional framework

The Mekong River Commission is composed of three permanent bodies: the Council; the Joint Committee; and the Secretariat. The Joint Committee shall adopt guidelines for the locations and levels of the flows, and monitor and take action necessary for their maintenance.

Source

2069 UNTS 4

Naaf

- Agreement between the Government of the Union of Burma and the Government of the Islamic Republic of Pakistan on the Demarcation of a Fixed Boundary between the two Countries in the Naaf River
(Rawalpindi, 9 May 1966)

Agreement between the Government of the Union of Burma and the Government of the Islamic Republic of Pakistan on the Demarcation of a Fixed Boundary between the two Countries in the Naaf River

Place and date

Rawalpindi, 9 May 1966

Signatories

Pakistan and the Union of Burma

Geographical area covered

Naaf

Primary focus area

Border issues and navigation

Provisions most relevant to ecosystems conservation

The Contracting Parties agree that neither Party shall conduct river training or utilise the flow of the Naaf River or its waters on its own side of the international boundary for industrial purposes, drainage, water conservancy, irrigation, generation of hydro-electric power and the like to such an extent as to prejudice the interests of the other Party.

Institutional framework

The text of the Agreement does not specify

Source

FAO Legislative Study No. 55, p. 42.

Nahr el-Kebir

- Joint Communiqué between the Republic of Turkey Prime Ministry Southeastern Anatolia Project Regional Development Administration (GAP) and the Arab Republic of Syria Ministry of Irrigation General Organization for Land Development (GOLD)
(Ankara, 23 August 2001) (Also applicable to Tigris-Euphrates.)
- An agreement between the Syrian Arab Republic and the Lebanese Republic for the sharing of the Great Southern River Basin water and building of joint dam on the main course of the river
(Beirut, 20 April 2002)

An agreement between the Syrian Arab Republic and the Lebanese Republic for the sharing of the Great Southern River Basin water and building of joint dam on the main course of the river

Place and date

Beirut, 20 April 2002

Signatories

Lebanon and Syria

Geographical area covered

Nahr el-Kebir, the borderline river situated on the north of Lebanon and south of the Syrian coast

Primary focus area

Water quantity and economic development

Provisions most relevant to ecosystems conservation

The Agreement provides for the sharing of annual water resources of the river and the creation of a dam. States are sharing the annual water of the Great Southern River in specific quotas. Both States shall have the right to make use of their shares according to the suitable time and place during the water year, provided that they take into consideration the criteria adopted by the Syrian Lebanese Committee for Shared Water to maintain the environmental system of the river. Furthermore, the Agreement contains a clause relating to the sustainable use of waters upstream the dam to be constructed.

Institutional Framework

The institutional framework shall be the Syrian-Lebanese Committee earlier established between the Parties. The Committee shall be in charge of the implementation of the provisions set out in the Agreement.

Source

www.faolex.fao.org/faolex/

Ob-Oral/Ural-Volga

- Agreement between the Government of the Republic of Kazakhstan and the Government of the Russian Federation concerning the joint use and protection of transboundary waters
(Orenburg, 27 August 1992)

Agreement between the Government of the Republic of Kazakhstan and the Government of the Russian Federation concerning the joint use and protection of transboundary waters

Place and date

Orenburg, 27 August 1992

Signatories

Kazakhstan and the Russian Federation

Geographical area covered

Transboundary water units, defined as any surface water units or underground waters

that form borders, cross border lines between the states or are located on these borders.

Primary focus area

Co-operation on shared water resources

Provisions relevant to ecosystems conservation

The Parties commit themselves to take necessary measures to protect and conserve transboundary waters from any pollution and to refrain from any performance in the basins of transboundary water units that can alter the agreed amounts of water use in the bordering ranges and from discharges of contaminants that can damage the interests of the other Party.

Parties shall exchange information and contribute to the co-operation regarding scientific research progress in water economy sector, complex use and protection of water resources, exploitation of hydro technical constructions, preventing pollution and exhaustion of waters, and their harmful impact.

If such situations appear that can entail worsening of the conditions of water use as a result of pollution of transboundary waters the Parties shall inform each other on the problem without delay and take appropriate measures in their territories to eliminate causes and consequences of water pollution.

Institutional framework

The Parties agree to establish a joint Russian-Kazakhstan Commission on the joint use and protection of transboundary water units. Decisions taken by the Commission regarding water division, rational use and protection of water resources are to be implemented by water users from all economic sectors of the Parties.

Source

www.atasv.org

Tigris-Euphrates (Shatt al Arab)

- Treaty of friendship and neighbourly relations, and six annexed protocols (Ankara, 29 March 1946)
- Agreement between Iraq and Kuwait concerning the supply of Kuwait with fresh water (Baghdad, 11 February 1964)
- Treaty concerning the state frontier and neighbourly relations between Iran and Iraq and protocol (Baghdad, 13 June 1975)
- Agreement between Iran and Iraq concerning the use of frontier watercourses, and protocol (Baghdad, 26 December 1975)
- Agreement between Iran and Iraq concerning the rules governing navigation of the Shatt al Arab (Baghdad, 26 December 1975)

- Law No.14 of 1990, ratifying the Joint Minutes concerning the provisional division of the waters of the Euphrates River (Baghdad, 17 April 1989)
- Joint Communiqué between Republic of Turkey prime ministry Southeastern Anatolia Project Regional Development Administration (GAP) and Arab Republic of Syria Ministry of Irrigation General Organization for Land Development (GOLD) (Ankara, 23 August 2001) (Also applicable to Nahr el-Kebir.)

Treaty of friendship and good neighbourly relations between Iraq and Turkey

Place and date

Ankara, 29 March 1946

Signatories

Iraq and Turkey

Geographical area covered

Tigris and Euphrates

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

Protocol No 1 to the Treaty addresses the regulation of the Tigris and Euphrates and their tributaries. The Parties agree that Iraq shall undertake the construction of conservation works on the Tigris and Euphrates and their tributaries on Turkish territory, in order to ensure the maintenance of a regular water supply and the regulation of the water flow of the two rivers with a view to avoiding the danger of floods during the annual periods of high water.

Institutional framework

Each of the Parties shall appoint representatives who shall confer together on all questions relating to the implementation of the Protocol.

Source

www.transboundarywaters.orst.edu/

Treaty concerning the state frontier and neighbourly relations between Iran and Iraq

Place and date

Baghdad, 13 June 1975

Signatories

Iran and Iraq

Geographical area covered

Alvend, Bnava Suta, Gangir, Kanjan and Qurahtu Rivers

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

A protocol to the Treaty concerns the delimitation of the river frontier between Iran and Iraq. The Parties recognise that the Shatt al Arab is primarily an international waterway, and undertake to refrain from any operation that might hinder navigation in the Shatt al Arab or in any part of those navigable channels in the territorial sea of either of the two countries that lead to the mouth of Shatt al Arab.

Institutional framework

Parties shall establish a commission to draw up rules governing the prevention and control of pollution in the Shatt al Arab.

Source

www.transboundarywaters.orst.edu/

Agreement between Iran and Iraq concerning the use of frontier watercourses

Place and date

Baghdad, 26 December 1975

Signatories

Iran and Iraq

Geographical area covered

Alvend, Bnava Suta, Duverij, Gangir, Kanjan Cham, Tib and Qurahtu Rivers

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Parties agree on the division of the waters, and to assure the normal flow of the water available in contiguous and successive watercourses in accordance with the terms of division set forth in the Agreement. Each Party undertakes to refrain from using the contiguous and successive watercourses for purposes contrary to the provisions of the Agreement, or in a manner detrimental to the interests of the other Party.

Institutional framework

The Parties agree to establish a permanent Joint Technical Commission composed of experts from both States, to conduct technical studies and to supervise matters relating to contiguous and successive watercourses. The Commission shall study possible ways of improving the use of contiguous and successive watercourses and, to this end, indicate, within one hydrological year from the date of signature of the Agreement, what proportion of the flow of the watercourses shall be allotted to each Party.

Source

www.transboundarywaters.orst.edu/

Agreement between Iran and Iraq concerning the rules governing navigation of the Shatt al Arab

Place and date

Baghdad, 26 December 1975

Signatories

Iran and Iraq

Geographical area covered

The stretch of Shatt al Arab beginning at the point at which the land frontier line between the two countries joins the said river and continues to the sea

Primary focus area

Navigation

Provisions most relevant to ecosystems conservation

The Parties shall set up a permanent bureau to be called the Joint Co-Ordinating Bureau, consisting of an equal number of Iranian and Iraqi representatives in order to safeguard navigation on the river.

The Bureau shall be empowered to observe all the rules relating to the prevention of pollution from shipping on the Shatt al Arab.

Institutional framework

The Joint Co-Ordinating Bureau.

Source

FAO Legislative Study No. 55, p. 60.

Sepik-Fly

- Agreement between the Government of Australia (acting on its own behalf and on behalf of the Government of Papua New Guinea) and the Government of Indonesia concerning administrative arrangements as to the border between Papua New Guinea and Indonesia
(Port Moresby, 13 November 1973)

Agreement between the Government of Australia and the Government of Indonesia concerning administrative border arrangements as to the border between Papua New Guinea and Indonesia

Place and date

Port Moresby, 13 November 1973

Signatories

Australia and Indonesia

Geographical area covered

Fly and Sepik Rivers

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Governments agree that when mining, industrial, forestry, agricultural or other projects are conducted in the border areas, the necessary precautionary measures shall be taken to prevent serious pollution of rivers flowing across the border. Parties shall carry out consultations, if so requested, on measures to prevent river pollution, arising from activities on the other side of the border.

The Agreement contains provisions regarding traditional rights by the citizens of one country who reside in its border area and usage of seas or waters.

Institutional framework

The text of the Agreement does not specify.

Source

997 UNTS 293

2.4 Europe

2.4.1 Regional agreements

- Convention on the protection and use of transboundary watercourses and international lakes
(Helsinki, 17 March 1992)
- Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes
(London, 17 June 1999)

Convention on the protection and use of transboundary watercourses and international lakes

Place and date

Helsinki, 17 March 1992

Geographical area covered

The territories of the Members of the Economic Commission for Europe, United States and Canada

Primary focus area

Conservation of shared water resources

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to set up a framework for the protection and use of transboundary watercourses and international lakes. Several articles relates to the protection of freshwater ecosystems, for example:

- There is a general obligation of the Parties to take all appropriate measures to prevent, control and reduce any transboundary impact. Transboundary impact is defined as “any significant adverse effect on the environment resulting from a change in the conditions of transboundary waters caused by a human activity, the physical origin of which is situated wholly or in part within an area under the jurisdiction of a Party, within an area under the jurisdiction of another Party.

Such effects on the environment include effects on human health and safety, flora, fauna, soil, air, water, climate, landscape and historical monuments or other physical structures or the interaction among these factors; they also include effects on the cultural heritage or social-economic conditions resulting from alterations to those factors.”

- The Parties shall ensure that transboundary waters are used in a reasonable and equitable way, with the aim of conserving them and protecting the environment.
- The Convention contains a general provision establishing a duty to co-operate on the basis of equality and reciprocity in the preparation of strategies, programmes and policies, covering the relevant catchment areas and with a view of preventing and controlling pollution and protecting the watercourse environment or the environment influenced by the watercourse (the marine environment).
- Apart from the duties referring to pollution prevention and control, the Convention indicates that the Parties shall adopt measures on environmental impact assessments, and promote the sustainable management of the water resources based on an ecosystem approach.
- Each Party shall define water-quality objectives and water-quality criteria for the purpose of reducing transboundary impacts. Annex III of the Convention contains general guidance on how to establish these objectives and criteria.

Institutional framework

The Parties shall establish a meeting of the Parties which shall hold ordinary meetings regularly. At their meetings, the Parties shall keep under continuous review the implementation of the Convention and, with this purpose in mind, shall:

- review the policies for and methodological approaches to the protection and use of transboundary waters of the Parties with a view to further improving the protection and use of transboundary waters;
- exchange information regarding experience gained in concluding and implementing bilateral and multilateral agreements or other arrangements regarding the protection and use of transboundary waters to which one or more of the Parties are party; and
- seek, where appropriate, the services of relevant ECE bodies as well as other competent international bodies and specific committees in all aspects pertinent to the achievement of the purposes of the Convention.

Source

1936 UNTS 269

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

Place and date

London, 17 June 1999

Geographical area covered

The territories of the Members of the Economic Commission for Europe

Primary focus area

Protection of human health

Provisions most relevant to ecosystems conservation

The objective of the Protocol is to promote at all appropriate levels, nationally as well as in transboundary and international contexts, the protection of human health and well-being, both individual and collective, within a framework of sustainable development, through improving water management, including the protection of water ecosystems, and through preventing, controlling and reducing water-related disease.

Although the Protocol contains no specific provisions on environmental flows, there are several articles that are of implicit relevance in the context of environmental flows. For example:

- there is a general provision of the Parties to take all appropriate measures to prevent, control and reduce water-related diseases within a framework of integrated water-management systems aimed at sustainable use of water resources, ambient water quality which does not endanger human health, and protection of water ecosystems;
- effective protection of water resources used as sources of drinking water, and their related water ecosystems, from pollution from other causes, including agriculture, industry and other discharges and emissions of hazardous substances. This shall aim at the effective reduction and elimination of discharges and emissions of substances judged to be hazardous to human health and water ecosystems; and
- the Parties shall pursue the aim within a framework of integrated water-management systems aimed at sustainable use of water resources, ambient water quality which does not endanger human health, and protection of water ecosystems.

Institutional framework

The Parties shall establish a meeting of the Parties which shall hold ordinary meetings regularly.

At their meetings, the Parties shall keep under continuous review the implementation of this Protocol, and, with this purpose in mind, shall:

- review the policies for and methodological approaches to the prevention, control and reduction of water-related disease, promote their convergence, and strengthen transboundary and international co-operation;
- evaluate progress in implementing the Protocol on the basis of information provided by the Parties in accordance with guidelines established by the Meeting of the Parties. Such guidelines shall avoid duplication of effort in reporting requirements;
- be kept informed on progress made in the implementation of the Convention on the protection and use of transboundary watercourses and international lakes;
- exchange information with the Meeting of the Parties to the Convention, and consider the possibilities for joint action with it;
- consider and adopt proposals for amendments to the Protocol; and

- consider and undertake any additional action that may be required for the achievement of the purposes of this Protocol.

Source

www.unece.org/

2.4.2 Bilateral and multilateral agreements

Bidassoa

- Treaty of delimitation of the boundary between France and Spain on the Bidassoa River
(Bayonne, 2 December 1856)
- Treaty delimiting the frontier from the mouth of the Bidassoa to the point where the Department of Basses-Pyrenees adjoins Aragón and Navarra
(Bayonne, 2 December 1856)
- Convention of fishery in the Bidassoa River between France and Spain
(Bayonne, 18 February 1886)
- Protocol between Spain and France aimed to the modification of some articles of the Convention of 18 February on the exercise of fishery in the waters of the Bidassoa River
(Madrid, 19 January 1888)
- French-Spanish Declaration for the exercise of fishery in the Bidassoa River, modifying the Convention on fishery
(Madrid, 2 June 1924)
- Agreement on the modification of the French-Spanish Convention of 18 February 1886 on the exercise of fishery in the waters of the Bidassoa River
(Paris, 24 September 1952)
- Convention concerning fishing in the Bidassoa River and in the Bay of Higer
(Madrid, 14 July 1959)
- Protocol concerning the Joint Technical Commission for the Bidassoa River
(Paris, 14 December 1978)

Treaty of delimitation of the boundary between France and Spain on the Bidassoa River

Place and date

Bayonne, 2 December 1856

Signatories

France and Spain

Geographical areas covered

Bidassoa River on the borderline between France and Spain

Primary focus area

Frontier waters

Provisions most relevant to ecosystems conservation

The Contracting Parties agreed on the rules concerning the fishery in the waters of the river, the prohibition of barrages and the jurisdictional competence on the waters of the river.

Institutional framework

The text of the Treaty does not specify.

Source

Legislative Texts, Treaty no. 183, p. 670

Convention on Fishery in the Bidassoa River between France and Spain

Place and date

Bayonne, 18 February 1886

Signatories

France and Spain

Geographical areas covered

Bidassoa River on the borderline between France and Spain

Primary focus area

Fishery in frontier waters

Provisions most relevant to ecosystems conservation

The Parties agree on the general discipline for fishery in the waters of the river, giving details of the species that can be fished, of the devices that can be employed for fishing, and of the sanction regime assisting the mentioned rules.

Institutional framework

The Contracting Governments agree to establish an International Administrative Commission in charge of enforcing the provisions set out in the convention.

Source

Legislative Texts, Treaty no. 187, p. 685.

Protocol between Spain and France aimed to the modification of some articles of the Convention of 18 February 1886 on the exercise of fishery in the waters of the Bidassoa River

Place and date

Madrid, 19 January 1888

Signatories

France and Spain

Geographical areas covered

Bidassoa River on the borderline between France and Spain

Primary focus area

Fishery in frontier waters and shared waters

Provisions most relevant to ecosystems conservation

The Protocol sets out some amendments to the discipline for fishery contained in the 1886 Convention and further sets out the details for the enforcement of the mentioned discipline. The Protocol was followed by some declarations amending some of its provisions.

Institutional framework

The text of the Protocol does not specify.

Source

Legislative Texts, Treaty no. 188, p. 690.

French-Spanish Declaration for the exercise of fishery in the Bidassoa River, modifying the Convention on Fishery

Place and date

Madrid, 2 June 1924

Signatories

France and Spain

Geographical areas covered

Bidassoa river on the borderline between France and Spain

Primary focus area

Fishery in frontier waters

Provisions most relevant to ecosystems conservation

The Declaration contains further details with regard to the discipline of fishery in the Bidassoa River. In particular, it allocates the rights of fishery between the Spanish and the French border and provides for the introduction of some fishery reserves. The declaration further provides for a sanction system assisting the discipline set out thereby.

Institutional framework

The text of the Declaration does not specify.

Source

Legislative Texts, Treaty no. 191, p. 692.

Agreement on the modification of the French-Spanish Convention of 18 February 1886 on the exercise of fishery in the waters of the Bidassoa River

Place and date

Paris, 24 September 1952

Signatories

France and Spain

Geographical areas covered

Bidassoa River on the borderline between France and Spain

Primary focus area

Fishery in frontier waters and shared waters

Provisions most relevant to ecosystems conservation

These amendments aim to adapt the discipline set out in the 1866 Convention to the

reality of modern fishery. They therefore provide an update of the catalogue of species that can be lawfully fished and of the permitted means of fishery. They further update the sanction regime for the breach of the rules set out thereby. The agreement was followed by some discussion as to the further amendment of the sanction system, as shown by the exchange of letters between the French and the Spanish authorities of 1954.

Institutional framework

The text of the Agreement does not specify.

Source

Legislative Texts, Treaty no. 192, p. 694.

Convention concerning fishing in the Bidassoa River and in the Bay of Higer

Place and date

Madrid, 14 July 1959

Signatories

France and Spain

Geographical areas covered

The main course of the Bidassoa River and its estuary, from Chapitelaco-Arria (or Chapiteco-Erreca) to the line joining Cabo Higer (Punta Erdico) in Spain and Pointe du Tombeau in France

Primary focus area

Conservation of fish

Provisions most relevant to ecosystems conservation

It shall be prohibited to dump into the river or the Bay of Higer any drugs, explosives or bait which could intoxicate or destroy fish. In particular, factories discharging waste water at any point whatsoever along either the Spanish or the international course of the Bidassoa River must install a filtering system to render such wastes harmless for the various species of fish.

Institutional framework

The Sub-Commission to the problems of the Bidassoa River and the International Commission for the Pyrenees. To ensure the maintenance of order and the implementation of the Convention, monitoring shall be performed and violations reported.

Source

1080 UNTS 315

Danube

- Treaty between Austria and Bavaria concerning the regime of the frontier line and other territorial relations between Bohemia and Bavaria (24 June 1862)
- Convention between the Austrian and Czechoslovak Republics concerning the delimitation of the frontier between Austria and Czechoslovakia and various questions connected therewith (Prague, 10 March 1921)

- Convention instituting the definitive statute of the Danube (Paris, 23 July 1921)
- Treaty between Germany and Poland for the settlement of frontier questions (Poznan, 27 January 1926) (Also applicable to Elbe and Oder/Odra.)
- Agreement between the Government of the Polish Republic and the Government of the Union of Soviet Socialist Republics concerning the regime on the Soviet-Polish state frontier (Moscow, 8 July 1948) (Also applicable to Lava/Pregel, Neman and Vistula/Wisła.)
- Convention regarding the regime of navigation on the Danube (Belgrade, 18 August 1948)
- Protocol between the Federal People's Republic of Yugoslavia and the People's Republic of Romania governing crossing of the frontier by officials of the water control services (Belgrade, 31 December 1948)
- Treaty between the Government of the Union of Soviet Socialist Republics and the Government of the Romanian People's Republic concerning the regime of the Soviet-Romanian State Frontier and Final Protocol (Moscow, 25 November 1949)
- Treaty between the Government of the Union of Soviet Socialist Republics and the Government of the Hungarian People's Republic concerning the regime of the Soviet-Hungarian State Frontier and Final Protocol (Moscow, 24 February 1950)
- Convention between the Government of the Union of Soviet Socialist Republics and the Government of the Hungarian People's Republic concerning measures to prevent floods and to regulate the water regime on the Soviet-Hungarian Frontier in the area of the frontier River Tisza (Uzhgorod, 9 June 1950)
- Agreement between the Austrian Federal Government and the Bavarian State Government concerning the diversion of water in the Rissbach, Durrach and Walchen Districts (16 October 1950)
- Agreement between Federal Government of the Republic of Austria and the Free State of Bavaria concerning the Osterreichisch-Bayerische Kraftwerke AG (Austrian Bavarian Hydro-Electric Company) (16 October 1950)
- Agreement between the Government of the Polish Republic and the Government of the German Democratic Republic concerning navigation in frontier waters and the use and maintenance of frontier waters (Berlin, 6 February 1952) (Also applicable to Elbe and Oder/Odra.)
- Agreement between the Government of the Republic of Austria and the Government of the Federal Republic of Germany and of the Free State of Bavaria concerning the Donaukraftwerk-Jochenstein-Aktiengesellschaft (Danube Power-Plant and Jochenstein Joint-Stock Company) (13 February 1952)

- Convention between the Government of the Union of Soviet Socialist Republics and the Government of the Romanian People's Republic concerning measures to prevent floods and to regulate the water regime of the River Prut (Kishinev, 25 December 1952)
- Agreement between Czechoslovakia and Hungary concerning the settlement of technical and economic questions relating to frontier water (Prague, 16 April 1954)
- Convention between the Government of the Federal People's Republic of Yugoslavia and the Federal Government of the Austrian Republic concerning water economy questions relating to the Drava (Geneva, 25 May 1954)
- Agreement between the Federal People's Republic of Yugoslavia and the Republic of Austria concerning water economy questions in respect of the frontier sector of the Mura and the frontier waters of the Mura, together with the Statute of the Permanent Yugoslav-Austrian Commission for the Mura (Vienna, 16 December 1954)
- Agreement between the Federal People's Republic of Yugoslavia and the Romanian People's Republic concerning questions of water control on water control systems and watercourses on or intersected by the State Frontier, together with the Statute of the Yugoslav-Romanian Water Control Commission (Bucharest, 7 April 1955)
- Agreement between the Government of the Romanian People's Republic and the Austrian Federal Government concerning the settlement of questions relating to navigation on the Danube between the two States (Bucharest, 11 May 1955)
- Agreement between the Government of the Federal People's Republic of Yugoslavia and the Government of the Hungarian People's Republic together with the Statute of the Yugoslav-Hungarian Water Economy Commission (Belgrade, 8 August 1955)
- Treaty between the Hungarian People's Republic and the Republic of Austria concerning the regulation of water economy questions in the frontier region (Vienna, 9 April 1956)
- Treaty between the Czechoslovak Republic and the Hungarian People's Republic concerning the regime of State Frontiers (Prague, 13 October 1956)
- Agreement between the Government of the Federal People's Republic of Yugoslavia and the Government of the People's Republic of Albania concerning water economy questions, together with the Statute of the Yugoslav-Albanian Water Economic Commission and with the Protocol concerning fishing in frontier lakes and rivers (Belgrade, 5 December 1956)
- Agreement between the Government of the Federal People's Republic of Yugoslavia and the Government of the Hungarian People's Republic concerning fishing in frontier waters (Belgrade, 25 May 1957)

- Agreement between the Government of the Federal People's Republic of Yugoslavia and the Government of the People's Republic of Bulgaria for the detailed regulation of navigation of the Danube (Sofia, 19 April 1957)
- Convention between the Governments of the Romanian People's Republic, the People's Republic of Bulgaria, the Federal People's Republic of Yugoslavia and the Union of Soviet Socialist Republics concerning fishing in the waters of the Danube (Bucharest, 29 January 1958)
- Agreement concerning water-economy questions between the Government of the Federal People's Republic of Yugoslavia and the Government of the People's Republic of Bulgaria (Sofia, 4 April 1958)
- Protocol of the Delegations of the Federal People's Republic of Yugoslavia and the People's Republic of Bulgaria for water economy questions, concerning the beginning of work for the regulations of the frontier sector of the Timok River (Sofia, 4 April 1958)
- Agreement between the Socialist Federal Republic of Yugoslavia and the Romanian People's Republic concerning the construction and operation of the Iron Gates waterpower and navigation system on the River Danube (Belgrade, 30 November 1963)
- Convention between the Government of the Socialist Federal Republic of Yugoslavia and the Government of the Romanian People's Republic concerning the execution of works for the Iron Gates Water power and navigation system on the River Danube (Belgrade, 30 November 1963)
- Convention between the Government of the Socialist Federal Republic of Yugoslavia and the Government of the Romanian People's Republic concerning the preparation of designs for the construction of the Iron Gates Water power and navigation system on the River Danube (Belgrade, 30 November 1963)
- Final act, agreement and other acts relating to the establishment and operation of the Iron Gates Water power and navigation system on the River Danube (Belgrade, 30 November 1963)
- Convention between the Government of the Socialist Federal Republic of Yugoslavia and the Government of the Romanian People's Republic concerning compensation for damage caused by the construction of the Iron Gates water power and navigation system on the River Danube (Belgrade, 30 November 1963)
- Convention between the Government of the Socialist Federal Republic of Yugoslavia and the Government of the Romanian People's Republic concerning the determination of the value of investments and mutual accounting in connexion with the construction of the Iron Gates Water power and navigation system on the River Danube (Belgrade, 30 November 1963)

- Treaty between the Republic of Austria and the Czechoslovak Socialist Republic concerning the regulation of water management questions relating to frontier waters
(Vienna, 7 December 1967)
- Agreement between the Government of the Czechoslovak Socialist Republic and the Government of the Hungarian People's Republic concerning the establishment of a river administration in the Rajka-Gönyü sector of the Danube
(Prague, 27 February 1968)
- Agreement between the Government of the Socialist Republic of Romania and the Government of the Union of Soviet Socialist Republics on the joint construction of the Stîncă-Costeşti Hydraulic Engineering Scheme on the River Prut and the establishment of the conditions for its operation
(Bucharest, 16 December 1971)
- Convention concerning the protection of Italo-Swiss waters against pollution
(Rome, 20 April 1972) (Also applicable to Po, Rhine and Rhone.)
- Agreement between the Federal Republic of Germany and the European Economic Community, on the one hand, and the Republic of Austria, on the other, on cooperation on management of water resources in the Danube Basin – Statute of the Standing Committee on Management of Water Resources – Final Protocol – Declaration
(Regensburg, 1 December 1987)
- Treaty between the Czech Republic Government and the Slovak Republic Government on mutual relations and principles of cooperation in agriculture, food industry, forestry, and water economy under the conditions of the customs union
(Bratislava, 23 November 1992) (Also applicable to Oder/Odra and Vistula/Wisła.)
- Agreement between the Government of the Republic of Croatia and the Government of the Republic of Hungary on water management relations
(Pécs, 10 June 1994)
- Convention on cooperation for the protection and sustainable use of the River Danube
(Sofia, 29 June 1994)
- Agreement on transboundary waters between Hungary and Ukraine
(Budapest, 11 November 1997)
- Agreement between the Republic of Austria and the International Commission for the Protection of the Danube River regarding the headquarters of the International Commission for the Protection of the Danube River
(Vienna, 14 December 2000)
- The Framework Agreement on the Sava River Basin
(Kranjska Gora, 3 December 2002)

Treaty between Austria and Bavaria concerning the regime of the frontier line and other territorial relations between Bohemia and Bavaria

Place and date

24 June 1862

Signatories

Austria and Bavaria

Geographical area covered

Frontier waters

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties agree that they shall continue to divert water from frontier brooks to water-works and for land irrigation, provided that they do not leave such brooks dry. In the future, new watercourses out of frontier brooks shall be made only with the approval of both sides.

Institutional framework

The text of the Treaty does not specify.

Source

Legislative Texts, Treaty no. 135, p. 468.

Convention instituting the definitive statute of the Danube

Place and date

Paris, 23 July 1921

Signatories

Austria, Belgium, Bulgaria, Czechoslovakia, France, Germany, Greece, Hungary, Italy, Romania and the Serb-Croat-Slovene State

Geographical area covered

Danube

Primary focus area

Navigation

Provisions most relevant to ecosystems conservation

The riparian states agree to supply the International Commission of the Danube with a summary description of all works to be carried out on the portion of the waterway situated within their own frontiers which they consider necessary for their economic development, especially works designed to prevent inundation and those undertaken for purposes connected with irrigation and the utilisation of hydraulic power. The Commission may not forbid the construction of such works except in so far as they may be detrimental to navigation.

Institutional framework

The institutional framework shall consist of two separate Commissions:

- the European Commission of the Danube of which the administrative sphere extends over that part of the river known as the maritime Danube; and
- the International Commission of the Danube of which administrative sphere extends over the navigable fluvial Danube as well as over those waterways which are international.

Source

26 UNTS 174

Treaty between Germany and Poland for the settlement of frontier questions

Place and date

Poznan, 27 January 1926

Signatories

Germany and Poland

Geographical area covered

Frontier waters

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The purpose of the Treaty is to determine the frontier between the Contracting Parties. They agree that the flow of the water must not be impeded by installations set up on and in frontier waterways, for the purpose of utilising the water. Places for watering cattle and geese must be situated on the banks so that they do not interfere with the flow of the water. The carrying out of new work, which affects the flow of water, will only be allowed when approved by both Contracting Parties.

Institutional framework

The Polish-German Boundary Commission.

Source

www.transboundarywaters.orst.edu/

Agreement between the Government of the Polish Republic and the Government of the Union of Soviet Socialist Republics concerning the regime on the Soviet-Polish State Frontier

Place and date

Moscow, 8 July 1948

Signatories

Poland and U.S.S.R.

Geographical area covered

Frontier waters

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Contracting Parties agree that the natural flow of the water in frontier watercourses and in adjacent areas inundated in time of flood may not be altered or obstructed to the detriment of the other Contracting Party by the erection or reconstruction of buildings either in the water or on the banks. It is further agreed that appropriate steps shall be taken to maintain the frontier waters in a proper state of cleanliness so as not to allow the waters to be poisoned or polluted by acids or refuse from factories or industrial establishments, the steeping of flax or hemp, or otherwise contaminated.

With regard to fishing, it is agreed that residents of each Contracting Party may fish in frontier waters up to the frontier line in accordance with the regulations in force on their territory, subject to a prohibition to use explosive, poisonous or narcotic substances entailing the mass destruction and mutilation of fish.

Institutional framework

The institutional framework shall be the Mixed Polish-Soviet Commission for the Demarcation of the State Frontier between the Polish Republic and the Union of Soviet Socialist Republics. Frontier Commissioners of the Polish Republic and the Union of Soviet Socialist Republics shall be responsible for regulating the water levels of frontier waters, and for all other questions relating to it.

Source

Legislative Texts, Treaty no. 240, p. 887.

Convention regarding the regime of navigation on the Danube

Place and date

Belgrade, 18 August 1948

Signatories

Bulgaria, Czechoslovakia, Hungary, Romania, Ukraine, U.S.S.R and Yugoslavia

Geographical area covered

Danube

Primary focus area

Navigation

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish a regime for navigation between the Danubian States and to set up a Commission to oversee all hydropower/navigation works on the Danube starting at the Ulm and extending to the Black Sea. The Danubian States undertake to maintain their sections of the Danube in a navigable condition for river-going and, on the appropriate sections, for sea-going vessels, to carry out the works necessary for the maintenance and improvement of navigation conditions, and not to obstruct or hinder navigation on the navigable channels of the Danube.

Institutional framework

The Parties agree to establish the Danube Commission consisting of one representative of each Danubian State.

Source

Legislative Texts, Treaty no. 121, p. 420.

Treaty between the Government of the Union of Soviet Socialist Republics and the Government of the Romanian People's Republic concerning the regime of the Soviet-Romanian state frontier and Final Protocol

Place and date

Moscow, 25 November 1949

Signatories

Romania and U.S.S.R.

Geographical area covered

Frontier waters, defined as all rivers and marine lakes along which the frontier line runs

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Contracting Parties agree that the position and direction of frontier watercourses shall as far as possible be preserved unchanged. Necessary steps shall be taken to remove such obstacles as may cause changes in the beds of frontier rivers or streams, or in the line of canals, or impede the natural flow of water along them.

The natural flow of water in frontier watercourses and in adjacent areas inundated in time of flood may not be altered or obstructed to the detriment of the other party by the erection or reconstruction of installations or structures in the water or on the banks. In cleaning out frontier watercourses, the earth removed shall be dumped on the banks or at dumps on the river in such a way as to avoid any subsidence of the banks, choking up of the river-bed, or obstruction of the flow of water in time of flood.

No new bridges, dams, sluices, dikes or other hydraulic installations may be erected or used on frontier watercourses except by agreement between the Contracting Parties.

With regard to fishing, the Contracting Parties agree that Residents of each Contracting Party may fish in frontier waters up to the frontier line in accordance with the regulations in force in their territory, provided that their tackle does not take up more than two-thirds of the width of the river. It shall be prohibited to use explosive, poisonous or narcotic substances which cause the mass destruction and mutilation of fish.

Institutional framework

The text of the Treaty does not specify.

Source

Legislative Texts, Treaty no. 250, p. 919.

Treaty between the Government of the Union of Soviet Socialist Republics and the Government of the Hungarian People's Republic concerning the regime of the Soviet-Hungarian state frontier and Final Protocol

Place and date

Moscow, 24 February 1950

Signatories

Hungary and U.S.S.R.

Geographical area covered

Danube

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Contracting Parties agree that the position and direction of frontier watercourses shall as far as possible be preserved unchanged. Necessary steps shall be taken to remove such obstacles as may cause changes in the beds of frontier rivers or streams, or in the line of canals, or impede the natural flow of water along them. The natural flow of water in frontier watercourses and in adjacent areas inundated in time of flood may not be altered or obstructed to the detriment of the other party by the erection or reconstruction of installations or structures in the water or on the banks. In cleaning out frontier watercourses, the earth removed shall be dumped on the banks or at dumps on the river in such a way as to avoid any subsidence of the banks, choking up of the river-bed, of obstruction of the flow of water in time of flood.

No new bridges, dams, sluices, dikes or other hydraulic installations may be erected or used on frontier watercourses except by agreement between the Contracting Parties.

With regard to fishing, the Contracting Parties agree that residents of each Contracting Party may fish in frontier waters up to the frontier line in accordance with the regulations in force in their territory, but shall be prohibited from using explosive, poisonous or narcotic substances which cause the mass destruction and mutilation of fish.

Institutional framework

The competent authorities of the Contracting Parties shall agree on arrangements for regulating the discharge of water into, and the removal of water from, frontier waters, and on all other questions relating to frontier waters.

Source

Legislative Texts, Treaty no 226, p. 823.

Agreement between the Government of the Polish Republic and the Government of the German Democratic Republic concerning navigation in frontier waters and the use and maintenance of frontier waters

Place and date

Berlin, 6 February 1952

Signatories

Germany and Poland

Geographical area covered

Frontier waters, frontier waters of the Oder and the navigable part of the Nysa Łużycka

Primary focus area

Navigation

Provisions most relevant to ecosystems conservation

The Parties agree on the following in order to maintain the frontier waters in proper condition:

- not to alter or obstruct to the detriment of the other Party the natural flow of water in frontier watercourses or on the adjoining land through the erection or reconstruction of any works in the water or on the banks;
- not to take, on the land adjoining the frontier section of the river Oder, any action likely to result in a fall in the water level necessary for navigation; and
- to clean out frontier watercourses regularly in the sectors where such cleaning is considered necessary by the competent authorities of the two Parties.

Furthermore, to prevent, by appropriate means and installations, any waters entering the frontier sector of the rivers Oder and Nysa Łużycka and any effluents from towns, settlements or industrial plant from introducing into the said rivers physical, chemical or bacteriological impurities of such nature and in such quantities as:

- to affect adversely the use of the water of the said rivers for domestic requirements, water supply, industry and agriculture;
- to cause bridges, dams, other water engineering works and installations, and vessels to become corroded and overgrown with slime and aquatic flora and fauna;
- to cause the excessive accumulation of slime on the bed and banks; and
- to affect adversely the normal development of the typical aquatic flora and fauna of the said rivers.

The inhabitants of each Party shall be permitted, in accordance with the provisions in force in its territory, to fish in frontier waters up to the frontier line as long as no explosive, poisonous or narcotic substances that result in the large-scale destruction or mutilation of fish shall be used.

Institutional framework

The institutional framework shall be the Mixed Polish-German Commission to which each Party shall appoint three representatives.

Source

Legislative Texts, Treaty no. 213, p. 766.

Convention between the Government of the Federal People's Republic of Yugoslavia and the Federal Government of the Austrian Republic concerning water economy questions relating to the Drava

Place and date

Geneva, 25 May 1954

Signatories

Austria and Yugoslavia

Geographical area covered

Drava

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish co-operation between the Parties in the development of the waters of the Drava for hydro-electric purposes. Detailed provisions on flow regimes for the river are specified in an annex to the Convention. The Governments agree that the difference in flow below a certain point of the river shall be augmented at another point by withdrawing less water from that point.

Institutional framework

The Governments agree to establish the Joint Drava Commission for the exchange of information and the achievement of agreement on all question of common interest relating to the water economy of the Drava.

Source

Legislative Texts, Treaty no. 144, p. 513.

Agreement between the Federal People's Republic of Yugoslavia and the Republic of Austria concerning water economy questions in respect of the frontier sector of the Mura and the frontier waters of the Mura, together with the Statute of the Permanent Yugoslav-Austrian Commission for the Mura

Place and date

Vienna, 16 December 1954

Signatories

Austria and Yugoslavia

Geographical area covered

Mura Basin

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The Parties agree that water economy question, measures and works on the frontier sector of the Mura, and substantial effects brought about on that frontier sector by the diversion of water from the Mura basin or by pollution, which are considered to be of interest both Contracting States, shall be dealt with by a Permanent Yugoslav-Austrian Commission for the Mura.

The terms of reference of the Commission shall accordingly comprise, in particular, regulation, the erection of high-water embankments, protection against flooding and ice, the utilisation of water power, changes in the regime of the river, the reclamation of riparian areas, water supply, pollution by effluents, ferries and bridges.

Institutional framework

The Contracting States establish the Permanent Yugoslav-Austrian Commission for the Mura composed of an equal amount of members from each Contracting State.

Source

Legislative Texts, Treaty no. 145, p. 520.

Agreement between the Federal People's Republic of Yugoslavia and the Romanian People's Republic concerning questions of water control on water control systems and watercourses on or intersected by the State Frontier, together with the Statute of the Yugoslav-Romanian Water Control Commission

Place and date

Bucharest, 7 April 1955

Signatories

Romania and Yugoslavia

Geographical area covered

Danube

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The Contracting States agree that water control questions, measures and works on water control systems and watercourses and in valleys and depressions on or intersected by the State frontier, which may affect the regime and quality of the waters and which are of interest to both Contracting States, shall be examined and regulated.

The provisions of the Agreement relate to the following questions:

- the discharge of water in permanent watercourses and the drainage of internal waters;
- the regulation of watercourses and the maintenance of the beds;
- protection against flooding and ice;
- water supply;
- protection of waters against pollution; and
- protection against erosion.

Institutional framework

The Contracting Parties agree to establish a Yugoslav-Romanian Water Control Commission for the purposes of the Agreement.

Source

Legislative Texts, Treaty no. 253, p. 928.

Agreement between the Government of the Federal People's Republic of Yugoslavia and the Government of the Hungarian People's Republic together with the Statute of the Yugoslav-Hungarian Water Economy Commission

Place and date

Belgrade, 8 August 1955

Signatories

Hungary and Yugoslavia

Geographical area covered

Mura, Drava, Maros, Tisa and Danube Rivers

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The Contracting Parties agree to examine and resolve all questions of water economy, including measures and works which may affect the quantity and quality of the water and are of interest to both or either of the Contracting Parties, having due regard to the maintenance of a common policy in water economy relations and recognising the rights and obligations arising out of such policy.

The provisions of the Agreement apply in particular to:

- the regulation and canalisation of watercourses and the maintenance of the beds;
- protection against flooding and ice;
- protection of the waters against pollution;
- questions of ground water; and
- protection against soil erosion.

Institutional framework

The Contracting Parties agree to establish the Yugoslav-Hungarian Water Economy Commission for the purpose of the Agreement.

Source

Legislative Texts, Treaty no. 228, p. 830.

Treaty between the Hungarian People's Republic and the Republic of Austria concerning the regulation of water economy questions in the frontier region

Place and date

Vienna, 9 April 1956

Signatories

Austria and Hungary

Geographical area covered

Danube

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The purpose of the Treaty is to regulate water economy questions in the frontier region, in particular the planning and construction of hydraulic works, including their maintenance on the waters of the frontier region.

The Contracting Parties agree to refrain from unilaterally carrying out any measures or works on frontier waters which would adversely affect water conditions in the

territory of the other Contracting Party. The State situated upstream on a watercourse which intersects the frontier shall not be entitled to decrease the natural minimum water flow into the territory of the other State by more than one-third.

In order to prevent pollution of frontier waters, the Contracting Parties shall endeavour to ensure that factories, mines, industrial plants and similar installations, as well as residential communities, drain waste water into the waters only after suitable purification.

Institutional framework

The Contracting Parties agree to establish the Hungarian-Austrian Water Commission in order to promote co-operation in matters of water economy and to deal with water economy problems.

Source

438 UNTS 147

Treaty between the Czechoslovak Republic and the Hungarian People's Republic concerning the regime of state frontiers

Place and date

Prague, 13 October 1956

Signatories

Czechoslovakia and Hungary

Geographical area covered

Frontier waters, defined as rivers, streams or canals along which the frontier runs

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties agree to ensure that the banks of frontier waters are kept in proper order. They shall also take all steps to prevent deliberate damage to the banks of frontier waters. The position of the beds of frontier watercourses shall as far as possible be maintained unchanged. To this end the competent authorities of the Parties shall take the necessary steps to remove such obstacles as may cause displacement of the bed of frontier rivers or obstruct the natural flow of water, ice or alluvia.

The natural flow of frontier waters in inundated areas may not be altered or obstructed by the erection of installations or structures in the water or on the banks, or by any other works, unless the Parties so agree.

With regard to fishing, persons fishing in frontier waters shall not be permitted to use explosive, poisonous or narcotic substances entailing the mass destruction of or damage to the fish populations.

Institutional framework

The text of the Treaty does not specify.

Source

Legislative Texts, Treaty no. 164, p. 572.

Agreement between the Government of the Federal People's Republic of Yugoslavia and the Government of the People's Republic of Albania concerning water economy questions, together with the Statute of the Yugoslav-Albanian Water Economic Commission and with the Protocol concerning fishing in frontier lakes and rivers

Place and date

Belgrade, 5 December 1956

Signatories

Albania and Yugoslavia

Geographical area covered

Frontier and watercourses, defined as lakes and water systems which are intersected by the State frontier, especially the basins of Crni Drim, Beli Drim, Bojana and Lake Skadar

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The Contracting Parties agree that the provisions of the Agreement shall apply to all water economy question, measures and works which are of interest to both Contracting Parties, and in particular to:

- the utilisation of water power;
- the discharge of water, drainage and similar measures;
- protection against flooding;
- ground water;
- protection against soil erosion;
- the utilisation of water in agriculture; and
- navigation.

With regard to fishing, the Contracting Parties shall adopt by agreement joint protection and control measures relating to fishing, with specific reference to the use of fishing tackle and especially large-scale, mechanised fishing equipment or fixed fishing devices; provisions concerning the application of protective measures, especially in respect of economically valuable species of fish; provisions concerning the removal of all obstacles to the free circulation of fish; and provisions concerning the suppression of smuggling and the prevention of trading in fish and fishing in frontier lakes and rivers.

In addition the Contracting Parties shall by agreement adopt provisions concerning control over the execution of fish conservation measures during the breeding (closed) season and the protection of the fry. The provisions shall also cover measures to settle questions of protecting lake and river water from pollution.

Institutional framework

The Contracting Parties agree to establish the Yugoslav-Albanian Water Economy Commission for the purpose of the Agreement.

Source

Legislative Texts, Treaty no. 128, p. 441.

Agreement between the Government of the Federal People's Republic of Yugoslavia and the Government of the Hungarian People's Republic concerning fishing in frontier waters

Place and date

Belgrade, 25 May 1957

Signatories

Hungary and Yugoslavia

Geographical area covered

Frontier waters

Primary focus area

Fish conservation

Provisions most relevant to ecosystems conservation

The Parties agree to take all the necessary steps to ensure the conservation, development and proper utilisation of aquatic wildlife in the frontier waters. It shall be prohibited to ret flax and hemp in the frontier waters and to discharge untreated wastewaters and other substances harmful to aquatic wildlife, irrespective of the manner in which and the distance from which such substances reach the frontier waters.

Institutional framework

The Parties agree to establish a permanent Mixed Yugoslav-Hungarian Commission comprising three members from each Party.

Source

Legislative Texts, Treaty no. 229, p. 836.

Convention Between the Governments of the Romanian People's Republic, the People's Republic of Bulgaria, the Federal People's Republic of Yugoslavia and the Union of Soviet Socialist Republics concerning fishing in the waters of the Danube

Place and date

Bucharest, 29 January 1958

Signatories

Bulgaria, Romania, U.S.S.R. and Yugoslavia

Geographical area covered

Danube, including its mouth, tributaries up to the maximum extent of its flood waters, and lakes, estuaries and pools including the area adjoining the mouth

Primary focus area

Fish conservation

Provisions most relevant to ecosystems conservation

The Contracting Parties shall work out and apply measures to prevent the contamination and pollution of the Danube by untreated sewage and other waste from industrial and municipal undertakings which are harmful to fish and other aquatic organisms, and measures to regulate blasting operations.

Detailed regulations for fishing in the river Danube are specified in an annex to the Convention.

Institutional framework

The Contracting Parties agree to establish a Mixed Commission composed of representatives of all Contracting Parties.

Source

Legislative Texts, Treaty no. 125, p. 427.

Agreement concerning water-economy questions between the Government of the Federal People's Republic of Yugoslavia and the Government of the People's Republic of Bulgaria

Place and date

Sofia, 4 April 1958

Signatories

Bulgaria and Yugoslavia

Geographical area covered

Danube

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The Contracting Parties undertake to examine and resolve all questions of water economy, including measures and works which may affect the quantity and quality of the waters and which are of interest to both or either of the Contracting Parties.

The provisions of this Agreement shall apply to water-economy questions, measures and works on rivers, tributaries and river basins followed or intersected by the State frontier, and in particular to:

- the regulation and canalisation of rivers and tributaries and the maintenance of river beds;
- protection of the waters against pollution;
- the study and utilisation of ground-water;
- the utilisation of water power;
- protection against soil erosion in forested and agricultural areas afforestation, soil conservation, the erection of retaining-walls and silting control; and
- the utilisation of waters for irrigation.

Institutional framework

The Parties agree to establish the Yugoslav-Bulgarian Water-Economy Commission for the purpose of the Agreement.

Source

Legislative Texts, Treaty no. 161, p. 558.

Treaty between the Republic of Austria and the Czechoslovak Socialist Republic concerning the regulation of water management questions relating to frontier waters

Place and date

Vienna, 7 December 1967

Signatories

Austria and Czechoslovakia

Geographical area covered

Sections of watercourses along which the State frontier between the Contracting States runs and waters intersecting the State frontier and waters adjoining the State frontier where any water management measures applied to them in the territory of one Contracting State would have seriously adverse effects on water conditions in the territory of the other Contracting State.

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Contracting States agree to refrain from carrying out any measures relating to frontier waters which would adversely affect water conditions in the territory of the other Contracting State. Where it is necessary to prevent the pollution of frontier waters, the Contracting States shall endeavour to introduce improvements and shall arrange for the purification of wastewater arising from new sources.

Institutional framework

The Contracting States agree to establish the Austrian-Czechoslovak Frontier Water Commission which shall deal with water management questions, measures and works.

Source

728 UNTS 351

Agreement between the Government of the Socialist Republic of Romania and the Government of the Union of Soviet Socialist Republics on the joint construction of the Stînca-Costeşti Hydraulic Engineering Scheme on the River Prut and the establishment of the conditions for its operation

Place and date

Bucharest, 16 December 1971

Signatories

Romania and U.S.S.R.

Geographical area covered

Prut

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to jointly utilise the water resources of the river Prut and to protect the flood-plain of the river against floods. The Parties undertake to

construct a hydraulic engineering scheme consisting of a main earth dam, a storage lake, a floodwater spillway, two hydroelectric power stations and other installations and structures. With regard to pollution, they agree to ensure that measures are taken in their territory to prevent and combat pollution of their river waters.

Institutional framework

With the aim of implementing the Agreement provisions, the Parties agree to establish the Mixed Romanian-Soviet Commission for the Stînca-Costeşti Hydraulic Engineering Scheme on the River Prut.

Source

890 UNTS 56

Convention concerning the protection of Italo-Swiss waters against pollution

Place and date

Rome, 20 April 1972

Signatories

Italy and Switzerland

Geographical area covered

Breggia, Doveria, Giona, Lake Ceresio, Lake Maggiore, Lake Lugano, Lake Verbano, Maira, Melezza, Poschiavino, Spöl and Tresa

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Contracting Governments agree to collaborate closely to protect the Italo-Swiss surface and ground waters against pollution.

For the conservation of ecosystems, the established Mixed Commission for the Protection of Italo-Swiss Waters against Pollution shall:

- consider all matters relating to the pollution of Italo-Swiss waters or to any other degradation thereof;
- organise and cause to be carried out such investigations as are necessary to determine the source, nature and extent of pollution, and shall make use of the data obtained;
- propose to the Contracting Governments action to deal with existing pollution and to prevent any future pollution; and
- propose to the Contracting Governments draft regulations for ensuring the cleanness of Italo-Swiss waters.

Institutional framework

The Mixed Commission for the Protection of Italo-Swiss Waters against Pollution.

Source

957 UNTS 279

Agreement between the Federal Republic of Germany and the European Economic Community, on the one hand, and the Republic of Austria, on the other, on cooperation on management of water resources in the Danube Basin – Statute of the Standing Committee on Management of Water Resources – Final Protocol – Declaration

Place and date

Regensburg, 1 December 1987

Signatories

Austria, Germany and the European Union

Geographical area covered

Danube

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The Contracting Parties agree to cooperate on water management, in particular, in carrying out water management tasks and implementing the water laws in the German and Austrian Danube Basin. The Agreement does not apply to questions concerning fisheries and shipping; the treatment of issues concerning the protection of the aquatic environment against pollution shall not, however, be thereby excluded.

The maintenance and achievement of proper management of water resources within the meaning of the Agreement shall cover projects relating to:

- protection of the aquatic environment including groundwater, in particular the prevention of pollution, and the discharge of waste water and heat;
- maintenance and extension of watercourses which might lead to a change in the river flow, in particular, the regulation and flow and damming control of watercourses, defence against high water and ice, and interference with the water flow through installations in or on watercourses; and
- utilisation of the aquatic environment including the groundwater, in particular the use of water power and the diversion and abstraction of water.

Institutional framework

The Contracting Parties agree to establish a Standing Committee on Management of Water Resources. Its duty shall be to contribute to the solution of questions arising from the application of the Agreement through joint consultations.

Source

Official Journal L 90, 5 April 1990, pp. 20–25.

Agreement between the Government of the Republic of Croatia and the Government of the Republic of Hungary on water management relations

Place and date

Pécs, 10 June 1994

Signatories

Croatia and Hungary

Geographical area covered

Surface waters which form or cross the frontier between the two States, including Danube, Drava and Mura Rivers

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The objective of the Convention is to ensure the protection and conservation of the river basins, and waterworks built along the borders of the two countries. Parties will build new waterworks and manage existing ones in consultation with each other, when those might have an effect on the regime of the water basins or watercourses crossing and touching the borders. They will strive for an environmentally sound use of the watercourses, and will take measures to avoid pollution or overuse of water.

The scope of the agreement covers:

- all economic-related issues, measures and works that could have an effect on the watercourses or basins;
- waterworks, their use, protection, and structures built to prevent “water-damages” such as flooding;
- protection against misuse of water, and pollution;
- examining the waterworks that might have an effect on the environment; and
- exchange of information and data, research, planning, implementation and monitoring.

Institutional framework

The Agreement provides for the establishment of the Permanent Hungarian-Croatian Water Management Authority to co-ordinate its implementation. The Authority shall consist of the Danube and Drava Basin Sub-committee, the Mura Basin Sub-committee, the Water Quality Protecting Sub-committee and the Drava and Mura Sub-committee.

Source

www.faolex.fao.org/faolex/

Convention on cooperation for the protection and sustainable use of the River Danube**Place and date**

Sofia, 29 June 1994

Signatories

Austria, Bulgaria, Croatia, Germany, Hungary, Moldova, Romania, Slovakia, Ukraine and the European Union

Geographical area covered

Surface waters and groundwaters in the catchment area of the River Danube located in those Danubian States that share at least 2,000 km² of the total hydrological catchment area

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The Contracting Parties agree to strive at achieving the goals of a sustainable and equitable water management, including the conservation, improvement and the rational use of surface waters and ground water in the catchment area as far as possible. They shall make all efforts to control the hazards originating from accidents involving substances hazardous to water, floods and ice-hazards of the Danube River. Moreover they shall endeavour to contribute to reducing the pollution loads of the Black Sea from sources in the catchment area.

Water management cooperation shall be oriented on sustainable water management, that means on the criteria of a stable, environmentally sound development, which are at the same time directed to:

- maintain the overall quality of life;
- maintain continuing access to natural resources;
- avoid lasting environmental damage and protect ecosystems; and
- exercise preventive approach.

Subject to the Convention in particular shall be the following planned activities and ongoing measures as far as they cause or are likely to cause transboundary impacts:

- discharge of waste water, the input of nutrients and hazardous substances both from point and non-point sources as well as heat discharge;
- planned activities and measures in the field of water construction works, in particular regulation as well as run-off and storage level control of watercourses, flood control and ice-hazards abatement, as well as the effect of facilities situated in or aside the watercourse on its hydraulic regime;
- other planned activities and measures for the purposes of water use, such as water power utilisation, water transfer and withdrawal;
- operation of the existing hydro technical constructions, e.g. reservoirs, water power plants; measures to prevent environmental impact including: deterioration in the hydrological conditions, erosion, abrasion, inundation and sediment flow; measures to protect the ecosystems; and
- handling of substances hazardous to water and the precautionary prevention of accidents.

The Convention provides specific water resources protection measures aiming at the prevention or reduction of transboundary impacts and at a sustainable and equitable use of water resources, as well as at the conservation of ecological resources, especially:

- enumerate groundwater resources subject to a long-term protection as well as protection zones valuable for existing or future drinking water supply purposes;
- prevent the pollution of ground-water resources, especially those in a long-term perspective reserved for drinking water supply, in particular caused by nitrates, plant protection agents and pesticides as well as other hazardous substances;
- minimise, by preventive and control measures, the risks of accidental pollution;

- take into account possible influences on the water quality resulting from planned activities and ongoing measures; and
- evaluate the importance of different biotope elements for the riverine ecology and propose measures for improving the aquatic and littoral ecological conditions.

Institutional framework

The main bodies established under the Convention are: Conference of the Parties; International Commission for the Protection of the Danube River; IC Permanent Secretariat; Expert Groups; Ad-Hoc Groups, and the supporting body – Programme Management Task Force. The Conference of the Parties is the highest level body under the Convention. Its main task is to provide the overall policy for the work under the Convention.

Source

www.transboundarywaters.orst.edu/

Agreement on transboundary waters between Republic of Hungary and Ukrainian State

Place and date

Budapest, 11 November 1997

Signatories

Hungary and Ukraine

Geographical area covered

Danube, mainly Tisza River

Primary focus area

Conservation on shared water resources

Provisions most relevant to ecosystems conservation

The objective of the Agreement is to ensure that transboundary rivers, the use of water, and structures built to prevent floods are managed in a way that does not worsen the conditions of water management. The Parties agree to help each other in the implementation of water management tasks, inform each other about the activities planned on the Tisza that might have an effect on the quality of transboundary waters, and do everything to prevent, check and diminish negative transboundary effects.

Each Party is entitled to use a maximum of half of the quantity of the transboundary waters and in their own territories protect the quality of transboundary waters and reduce its pollution, in accordance with its economic and technical possibilities. Parties will inform each other of possible contaminations, help each other to diminish those, exchange information, and data.

Institutional framework

The Parties agree to appoint governmental representatives to meet regularly. There are three expert groups assisting in the implementation of the Agreement: the Damage Prevention expert group; the Water Quality Protection expert group; and the Hydrological and Water Management expert group.

Source

www.faolex.fao.org/faolex/

The Framework Agreement on the Sava River Basin

Place and date

Kranjska Gora, 3 December 2002

Signatories

Bosnia-Herzegovina, Croatia, Slovenia and Yugoslavia

Geographical area covered

Sava

Primary focus area

Navigation and conservation of water resources

Provisions most relevant to ecosystems conservation

The objective of the Agreement is to establish a framework for co-operation between the Contracting Parties and to establish the International Sava River Basin Commission.

The Contracting Parties shall co-operate in order to:

- establish an international regime of navigation of the river and its navigable tributaries;
- establish sustainable water management; and
- undertake measures to prevent or limit hazards, and reduce and eliminate adverse consequences, including those from floods, ice hazards, droughts and incidents involving substances hazardous to water.

The management of the waters shall be sustainable, which includes an integrated management of surface- and ground water resources. The integrated management that shall provide for:

- water in sufficient quantity and of appropriate quality for the preservation, protection and improvement of aquatic ecosystems (including flora and fauna and ecosystems of natural ponds and wetlands);
- waters in sufficient quantity and of appropriate quality for navigation and other kinds of use/utilisation;
- protection against detrimental effects of water (flooding, excessive groundwater, erosion and ice hazards);
- resolution of conflicts of interest caused by different uses and utilisations; and
- effective control of the water regime.

The Contracting Parties shall be governed by the principle of reasonable and equitable utilisation and shall, in utilising waters in their territories, co-operate and take all appropriate measures to prevent causing significant harm to other Party(ies).

Institutional framework

For the implementation of the Agreement, the Contracting Parties establish the International Sava River Basin Commission. There shall also be established a Meeting of the Parties which shall keep under continuous review the implementation of the Agreement on reports of the established Commission. At the meetings, the works and operations of the

Commission shall be reviewed and decisions shall be made on the Commission's recommendations.

Source

www.stabilitypact.org/

Daugava

- Peace Treaty between Lithuania and the Russian Socialist Federal Republic, and Protocol
(Moscow, 12 July 1920) (Also applicable to Neman.)
- Treaty of peace between Latvia and the Russian Socialist Federal Republic
(Riga, 11 August 1920) (Also applicable to Narva and Neman.)

Peace Treaty between Lithuania and the Russian Socialist Federal Republic, and Protocol

Place and date

Moscow, 12 July 1920

Signatories

Lithuania and Russia

Geographical area covered

Frontier waters and shared waters

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Contracting Parties agree that the artificial diversion from the frontier rivers and lakes, causing a lowering of the waters average level, shall not be permitted. It is further agreed that fishing may only be carried out by means which do not exhaust the resource.

Institutional framework

The Parties agree to establish a special Mixed Frontier Commission composed of an equal number of delegates from both Parties.

Source

hwww.transboundarywaters.orst.edu/

Treaty of Peace between Latvia and Russian Socialist Federal Republic

Place and date

Riga, 11 August 1920

Signatories

Latvia and Russia

Geographical area covered

Frontier waters

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties agree that in rivers and lakes forming part of the frontier the artificial withdrawal of waters liable to cause a lowering of the average level shall be forbidden. Fishing shall only be carried out in a way not to exhaust the supply of fish.

Institutional framework

The Parties agree to establish a special Mixed Frontier Commission composed of an equal number of delegates from both Parties.

Source

2 UNTS 195

Denmark-Germany Shared Waters

- Agreement between Denmark and Germany relating to watercourses and dikes on the German-Danish frontier, together with a final protocol and instructions for the Frontier Water Commission and the Supreme Frontier Water Commission, attached as annex to the Treaty between both countries concerning the settlement of questions arising out of the transfer to Denmark of the sovereignty over North Slesvig (Copenhagen, 10 April 1922)
- Agreement between Denmark and Germany regarding fisheries and reed cutting in the Rudeböl Lake and the Vidaa River, and regarding the cutting of hay and bulrushes in the Gotteskoog, attached as annex to the Treaty between both countries concerning the settlement of questions arising out of the transfer to Denmark of the sovereignty over North Slesvig (Copenhagen, 10 April 1922)

Agreement between Denmark and Germany relating to watercourses and dikes on the German-Danish frontier, together with a final protocol and instructions for the Frontier Water Commission and the Supreme Frontier Water Commission, attached as annex to the Treaty between both countries concerning the settlement of questions arising out of the transfer to Denmark of the sovereignty over North Slesvig

Place and date

Copenhagen, 10 April 1922

Signatories

Denmark and Germany

Geographical area covered

The provisions apply to the following watercourses: the stretch of the Krusaa between Nyhus Lake and the Flensburg Fiord; the channel between the Jardelund and the Frøesle meadows; the Skelbæk, Gammelaar and the Sønderaa; and the Ruderböl Lake.

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties agree that in connection with the general upkeep of the waters, the riparian proprietors must give permission for the deposit of earth, stones, gravel, sand, wood,

etc., on the banks, and they must provide for the removal thereof in so far as such removal is essential for the maintenance of a free flow of water.

The establishment of new, or the extensive alteration of existing, works requires the authorisation of the Frontier Water Commission. The watercourse may not be used in such a manner that the height of the tidal water would be altered or the water polluted to the detriment of other persons.

With regard to common use of the water, all persons are entitled to use the water of the watercourses for water cattle, for washing and for ordinary domestic requirements. However, if refuse or harmful substances are discharged into any of the watercourses as a result of operations carried out on the land by mills, factories, dairy-farms, slaughter-houses etc., and if such refuse or harmful substances seriously increase the work in connection with the cleaning of the watercourse, or cause floods which damage fishing or which inflict other injury on riparian proprietors, the persons who suffer damage thereby are entitled to appeal to the Frontier Water Commission.

Institutional framework

The Parties agree to establish the Frontier Water Commission for the purpose of examining and deciding all matters connected with the watercourses. Decisions of the Commission may be appealed to a Supreme Frontier Water Commission.

Source

Legislative Texts, Treaty no. 166, p. 577.

Dniester

- Treaty of peace between Poland, Russia and Ukraine (Riga, 18 March 1921)

Treaty of peace between Poland, Russia and Ukraine

Place and date

Riga, 18 March 1921

Signatories

Poland, Russia and Ukraine

Geographical area covered

Frontier or shared waters

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

Water issues are addressed in an Annex to the Treaty. The Contracting Parties agree that without the special consent of the other Party, it shall not be lawful for either Party to undertake works on the banks or in the neighbourhood of the river, or to set up hydraulic plant as a result of which the waterways in the territory of the other Contracting Party might be deteriorated. The same rule shall apply to any construction which might raise the level of the water beyond the frontier of that State.

Should natural obstacles preventing navigation, rafting or the free flow of the current be formed in the river beds constituting the frontier or used in common as waterways, each of the Parties undertakes to remove such obstacles at the request of the other Party.

Institutional framework

The Parties agree to establish a Mixed Delimitation Commission which shall be entrusted with determining the details of the above frontier line and of tracing it on the spot, as well as fixing the frontier marks.

Source

www.transboundarywaters.orst.edu/

Douro/Duero

- Frontier Treaty between Spain and Portugal (Lisbon, 29 September 1864) (Also applicable to Minho/Miño and Tagus/Tejo.)
- Regulations annexed to the Boundary Treaty between Spain and Portugal of 29 September 1864 (Lisbon, 4 November 1866) (Also applicable to Minho/Miño and Tagus/Tejo.)
 - Exchange of Notes constituting an Agreement between Spain and Portugal on the exploitation of border river for industrial purposes (Madrid, 29 August and 2 September 1912)
- Convention between Spain and Portugal to regulate the hydro-electric development of the international section of the River Douro (Lisbon, 11 August 1927)
 - Exchange of Notes amending article 14, paragraph 2, of the convention of 11 August 1927 (Lisbon, 2 June and 27 September 1951)
 - Convention between Spain and Portugal for regulating the hydroelectric development of the international reaches of the Douro River and of its tributaries (Lisbon, 16 July 1964)
- Convention about the cooperation for the protection and sustainable use of the waters of the Portuguese-Spanish hydrological basins and additional protocol (Albufeira, 30 November 1998) (Also applicable to Guadiana, Minho/Miño and Tagus/Tejo.)

Frontier Treaty between Spain and Portugal

Place and date

Lisbon, 29 September 1864

Signatories

Portugal and Spain

Geographical area covered

Shared waters

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

Considering the injuries suffered by various towns situated on the borders of some adjacent rivers, especially on those of the Minho, as well as the obstructions created in the navigation in consequence of works on the banks of the said rivers, and the alteration effected thereby in the course of their waters, the Parties agree that no one may construct works that affect navigation or damage the condition of the rivers for the common and public use.

Institutional framework

The text of the Treaty does not specify.

Source

Legislative Texts, Treaty no. 241, p. 892.

Regulations annexed to the Boundary Treaty between Spain and Portugal of 29 September 1864

Place and date

Lisbon, 4 November 1866

Signatories

Portugal and Spain

Geographical area covered

Shared waters

Primary focus area

Border issues and navigation

Provisions most relevant to ecosystems conservation

The Parties agree that for the purpose of preserving the uninterrupted navigation of the rivers and their free use, as well as maintaining unalterable the limit appointed for their courses, it shall not be lawful to construct in the rivers or on their banks, or on those of their islands, works of any kind that may affect the navigation of the rivers for common and public use.

Institutional framework

The text of the Regulations does not specify.

Source

Legislative Texts, Treaty no. 242, p. 893.

Convention between Spain and Portugal to regulate the hydro-electric development of the international section of the River Douro

Place and date

Lisbon, 11 August 1927

Signatories

Portugal and Spain

Geographical area covered

Douro, Huebra, Esla and Tormes Rivers

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to regulate the hydro-electric development of the international section of the River Douro (zone of development) and to establish an international commission.

The Parties agree that each state receives the exclusive right to use the water that flows between certain set areas. Both Parties mutually undertake not to reduce the volume of water which should reach the beginning of each zone of utilisation of the international section of the Douro or of the Portuguese Douro.

In the zone of development of the international section, no part of the water used by virtue of the present Convention may be led off except for reasons of public health or other special purposes and only after agreement between the Parties.

Institutional framework

The Parties agree to establish a Spanish-Portuguese International Commission with the duty to regulate the exercise of the rights recognised on either side and to decide the judicial or technical questions to which such rights may give rise. The Commission shall be composed of an equal amount of members appointed by both Governments.

Source

Legislative Texts, Treaty no. 248, p. 911.

Convention about the cooperation for the protection and sustainable use of the waters of the Portuguese-Spanish hydrological basins and Additional Protocol

Place and date

Albufeira, 30 November 1998

Signatories

Portugal and Spain

Geographical area covered

Douro/Duero, Guadiana, Lima, Minho/Miño and Tagus/Tejo

Primary focus area

Conservation of shared water resources

Provisions most relevant to ecosystems conservation

The objective of the Convention is to define the framework of co-operation between the Parties for the protection of the surface- and groundwater, aquatic and terrestrial ecosystems which depend on them, and for the sustainable use of concerned waters. For each river basin, the Parties will determine the water flow regime necessary to ensure the status of the waters, and their present and future uses. The Parties have the obligation to inform the Commission for the Application and Development on water management on the waters and activities that may cause transboundary impacts. Furthermore, the Parties have to adopt necessary provisions for those activities and projects that may cause impact on the environment through an environmental impact assessment.

The Protocol called Additional Protocol on Water Flow Regime determines the criteria to establish a water flows regime. It can be based on natural characteristics of each basin, different uses, the obligations derived from previous agreements between the Parties, and the basic conditions to guarantee the quality of the water in accordance with its respective ecological characteristics. Parties are to identify present and future monitoring stations.

Institutional framework

The Parties agree to establish the Commission for the Application and Development of the Convention which will replace the Commission on International Rivers, earlier established between the Parties. The Commission shall be in charge of the implementation of the Convention.

Source

www.transboundarywaters.orst.edu/

Elbe

- Convention instituting the Statute of Navigation of the Elbe (Dresden, 22 February 1922)
- Agreement concerning the posts of Secretary-General and Assistant Secretary-General of the International Elbe Commission (Dresden, 22 February 1922)
- Convention supplementary to the Statute of Navigation of the Elbe (Prague, 27 January 1923)
- Treaty between Germany and Poland for the settlement of frontier questions (Poznan, 27 January 1926)
- Agreement between the Government of the Polish Republic and the Government of the German Democratic Republic concerning navigation in frontier waters and the use and maintenance of frontier waters (Berlin, 6 February 1952) (See Danube. Also applicable to Danube and Oder/Odra.)
- Convention between the Federal Republic of Germany and the Czech and Slovak Federal Republic and the European Economic Community on the International Commission for the Protection of the Elbe (Magdeburg, 8 October 1990)
- Protocol to the Convention of 8 October 1990 between the Governments of the Federal Republic of Germany and the Czech and Slovak Federal Republic and the European Economic Community on the International Commission for the Protection of the Elbe (Magdeburg, 9 December 1991)
- Agreement between the German Ministry for Environment, Nature Protection, and Nuclear Safety and the Czech Republic Ministry for Environment on the implementation of the common pilot project “Urban water treatment in northern Bohemia” (Prague, 19 December 1994)

- Regulation for the Treaty of 12 December 1995 between the Federal Republic of Germany and the Czech Republic concerning the common management of waters (Dresden, 12 December 1995)

Convention instituting the Statute of Navigation of the Elbe

Place and date

Dresden, 22 February 1922

Signatories

Belgium, Czechoslovakia, France, Germany, Italy and the United Kingdom

Geographical area covered

The international system of Elbe comprises the Elbe from its confluence with the Vltava (Moldau) as far as the open sea and the Vltava from Prague to its confluence with the Elbe

Primary focus area

Navigation

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish an international commission, which shall be in charge of all matters relating to navigation on international waters.

The Parties agree that the Commission may only prohibit the execution of works in so far as they might entail negative effects on navigation.

If there is reasonable ground of opposition on the part of one of the riparian States, found either upon the actual conditions of navigability within its own territory, or upon other interests, such for example, as the maintenance of the normal regulation of the waters, the needs of irrigation, the use of hydraulic energy or the need for the construction of other and more advantageous means of communication, a riparian State may not refuse to execute the works.

Institutional framework

The International Commission of the Elbe, which shall be supported by a Secretariat comprising a Secretary-General and an Assistant Secretary-General.

Source

26 UNTS 220

Treaty between Germany and Poland for the settlement of frontier questions

Place and date

Poznan, 27 January 1926

Signatories

Germany and Poland

Geographical area covered

Shared waters

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties agree that the flow of the water must not be impeded by installations set up on and in frontier waterways, for the purpose of utilising the water. Places for watering cattle and geese must be situated on the banks so that they do not interfere with the flow of the waters.

Institutional framework

The Boundary Commission.

Source

64 UNTS 157

Convention between the Federal Republic of Germany and the Czech and Slovak Federal Republic and the European Economic Community on the International Commission for the Protection of the Elbe

Place and date

Magdeburg, 8 October 1990

Signatories

The Czech and Slovak Federal Republic, Germany and the European Economic Community

Geographical area covered

The territories in which the Treaty establishing the European Economic Community is applicable and under the terms of the Treaty, on the one hand, and in the territory of the Czech and Slovak Federal Republic, on the other hand

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to regulate the co-operation between the Parties and establish the International Commission for the Protection of the Elbe to prevent the pollution of the Elbe and its drainage area.

Parties shall in particular endeavour to:

- enable use of the river, in particular, the supply of drinking water from bank-filtered waters and the agricultural use of the waters and sediments;
- achieve as natural an ecosystem as possible with a healthy diversity of species; and
- reduce substantially the pollution of the North Sea from the Elbe area.

The Commission shall:

- prepare surveys on discharges of harmful materials and estimate water pollution;
- propose limit values for the discharge of effluents;
- propose specific quality objectives taking into account the requirements with regard to the use of the waters, the particular conditions for the protection of the North Sea and the natural aquatic communities;
- propose and coordinate the implementation of joint programmes of measurements and investigations;

- propose specific action for the reduction of discharges of harmful materials;
- propose protective measures to prevent water pollution resulting from accidents;
- propose a uniform warning and alert system for the drainage area; and
- describe the hydrological situation in the Elbe area.

The Convention does not cover matters relating to the fishing industry and shipping; however, this does not exclude the consideration of matters relating to the protection of the waters against pollution caused by these activities.

Institutional framework

The International Commission for the Protection for the Elbe. The Commission shall establish a secretariat for the preparation, implementation and support of its work.

Source

Official Journal of the European Communities, L 321, 23/11/1991, pp. 0025–0027.

Protocol to the Convention of 8 October 1990 between the Governments of the Federal Republic of Germany and the Czech and Slovak Federal Republic and the European Economic Community on the International Commission for the Protection of the Elbe

Place and date

Magdeburg, 9 December 1991

Signatories

The Czech and Slovak Federal Republic, Germany and the European Economic Community

Geographical area covered

The territories in which the Treaty establishing the European Economic Community is applicable and under the terms of the Treaty, and in the territory of the Czech and Slovak Federal Republic, on the other hand

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

For the purpose of fulfilment of tasks conferred on it under the Convention entered into between the Parties on 8 October 1990, the Commission shall have legal capacity in accordance with the law obtaining at the place at which its Secretariat has its headquarters. It shall in particular have the capacity to conclude any contracts required to fulfil its tasks, to acquire and to dispose of immovable and movable property and to take part in legal proceedings. For this purpose, the Commission shall be represented by its chairman. The chairman may appoint a representative in accordance with the rules of procedure.

Institutional framework

The International Commission for the Protection for the Elbe.

Source

Official Journal of the European Communities, L 045, 23/02/1993, pp. 0026–0026.

Treaty between the Federal Republic of Germany and the Czech Republic concerning the management of border waters

Place and Date

Dresden, 12 December 1995

Signatories

The Czech Republic and Germany

Geographical area covered

The Treaty covers border waters between the Czech Republic and Germany. According to the Treaty, the following bodies are considered border waters:

- sections of watercourses whose middle lines establish the country borders;
- watercourses crossing the country borders, in an area of 15 m to both sides after the borders;
- the sections of the rivers Elbe and Eger establishing the country borders;
- other surface waters and groundwater sections in the area where they are intercepted by the country borders;
- areas flooded by border waters;
- surface and groundwater located in the proximities of the country borders, as long as they influence the border waters; and
- installations located outside border waters that are crossed by the country borders.

Primary focus area

Common management

Provisions most relevant to ecosystems conservation

The Agreement establishes a framework for co-operation between the Parties in border water resources management, in the following areas:

- changes in water quantity;
- use of hydropower;
- protection and enhancement of water composition;
- water protected areas;
- protection of aquatic and riverine ecosystems; and
- protection of waters as part of the natural equilibrium.

The Treaty does not deal with issues relating to fisheries and navigational uses of the border waters.

Institutional framework

The Parties agree to establish a Czech-German Commission on Border Waters.

Source

www.faolex.fao.org/faolex/

Garonne

- Agreement between the Government of the French Republic and the Spanish Government relating to Lake Lanoux (Madrid, 12 July 1958)
- Convention between the Government of the French Republic and Spanish Government relative to the management of the upper course of the Garonne (Paris, 29 July 1963)
- Exchange of Letters constituting an Agreement between France and Spain amending the arrangement of 12 July 1958 relating to Lake Lanoux (Paris, 27 January 1970)

Agreement between the Government of the French Republic and the Spanish Government relating to Lake Lanoux

Place and date

Madrid, 12 July 1958

Signatories

France and Spain

Geographical area covered

Carol and Font-Vive Rivers, and Lake Lanoux

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The Parties agree that France shall return water to the Carol basin, which was earlier diverted. The amount of returned water should be equal to the natural flow diverted. Électricité de France shall install all requisite measuring devices to ensure that the full return flow is steadily maintained.

Institutional framework

The Parties agree to establish a Joint Commission composed of equal members from both Parties. The Commission shall supervise the implementation of the Agreement.

Source

796 UNTS 234

Exchange of Letters constituting an Agreement between France and Spain amending the arrangement of 12 July 1958 relating to Lake Lanoux

Place and date

Paris, 27 January 1970

Signatories

France and Spain

Geographical area covered

Carol and Font-Vive Rivers, and Lake Lanoux

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Parties agree that water diverted from the Lanoux natural catchment basin shall be diverted to the Carol through a gallery. Water from the Ariège shall be directed through an intake situated at elevation 1,575m into the said gallery, which shall be of sufficient capacity to ensure a certain flow per second.

Institutional framework

The Joint Franco-Spanish Supervisory Commission shall settle difficulties arising from the implementation of the Agreement.

Source

www.transboundarywaters.orst.edu/

Guadiana

- General Act demarcating the frontier between Spain and Portugal from the mouth of the River Miño to the confluence of the Caya and Guadiana (Lisbon, 1 December 1906) (Also applicable to Minho/Miño.)
- Exchange of Notes constituting an Agreement between Spain and Portugal on the exploitation of border river for industrial purposes (Madrid, 29 August and 2 September 1912)
- Convention between Portugal and Spain delimiting the frontier between both countries, from the confluence of the River Cuncos with the Guadiana to the mouth of the latter (Lisbon, 29 June 1926)
- Agreement regulating the use and development of the water resources of the international reaches of the rivers Miño, Limia, Tajo, Guadiana, and Chanza and of their tributaries (with additional Protocol) (Madrid, 29 May 1968) (Also applicable to Minho/Miño.)
- Second additional Protocol to the Agreement of 29 May 1968 between Spain and Portugal regulating the use and development of the water resources of the international reaches of the rivers Miño, Limia, Tajo, Guadiana and Chanza and of their tributaries (Guarda, 12 February 1976) (Also applicable to Minho/Miño.)
- Convention about the cooperation for the protection and sustainable use of the waters of the Portuguese-Spanish hydrological basins and additional protocol (Albufeira, 30 November 1998) (See Douro/Duero. Also applicable to Douro/Duero, Lima, Minho/Miño and Tagus/Tejo.)

Agreement regulating the use and development of the water resources of the international reaches of the rivers Miño, Limia, Tajo, Guadiana, and Chanza and of their tributaries

Place and date

Madrid, 29 May 1968

Signatories

Portugal and Spain

Geographical area covered

Agueda, Aravil, Barranco de Raia, Caya, Chanza, Cuncos, Erjas, Guadiana, Minho/Miño, Limia, Perna, Ponsul, Seca Tajo, Sever and Troncoso/Trancoso Rivers

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The Contracting Parties agree that the development of the waters should be effected without prejudice to the natural minimum low-water flows or to the flows necessary for common uses.

The laws of each country shall govern the protection, conservation and development of fishery resources.

Institutional framework

The Parties agree to establish the Spanish-Portuguese Commission to regulate the use and harnessing of the international rivers in the border areas.

Source

www.transboundarywaters.orst.edu/

Isonzo

- Agreement between the Government of the Italian Republic and the Federal People's Republic of Yugoslavia concerning the water supply of the city of Gorizia in accordance with paragraph 5 of Annex V of the Treaty of Peace with Italy and Exchange of Notes
(Nova Gorica, 18 July 1957)
- Agreement on the development of economic co-operation between the Italian Republic and the Socialist Federal Republic of Yugoslavia
(Osimo, 10 November 1975)

Agreement on the development of economic co-operation between the Italian Republic and the Socialist Federal Republic of Yugoslavia

Place and date

Osimo, 10 November 1975

Signatories

Italy and Yugoslavia

Geographical area covered

Isonzo, Judrio, Timavo, Rosandra Rivers

Primary focus area

Economic development

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to develop economic and technical co-operation and in particular to improve the living conditions of the frontier populations in the two countries.

The Parties agree to co-operate, possibly in conjunction with the local bodies concerned, in protecting the Adriatic Sea against pollution and in dealing with ecological problems.

Institutional framework

The Parties agree to establish a permanent Joint Water Resources Management Commission to study water problems of common interest and to propose appropriate solutions.

Source

1466 UNTS 133

Kemi-Olanga-Oulu

- Convention between the Republic of Finland and the Russian Socialist Federal Soviet Republic concerning the maintenance of river channels and the regulation of fishing on watercourses forming part of the frontier between Finland and Russia (Helsinki, 28 October 1922) (Also applicable to Pasvik and Vuoksa.)
- Convention between the Republic of Finland and the Russian Socialist Federal Soviet Republic regarding the floating of timber in watercourses flowing from Finland to Russia or vice versa (Helsinki, 28 October 1922) (Also applicable to Pasvik and Vuoksa.)
- Agreement between the Republic of Finland and the Union of Soviet Socialist Republics concerning frontier watercourses (Helsinki, 24 April 1964) (Also applicable to Pasvik and Vuoksa.)

Convention between the Republic of Finland and the Russian Socialist Federal Soviet Republic concerning the maintenance of river channels and the regulation of fishing on watercourses forming part of the frontier between Finland and Russia

Place and date

Helsinki, 28 October 1922

Signatories

Finland and U.S.S.R.

Geographical area covered

Watercourses flowing from the territory of one of the contracting States to the territory of the other, namely: Lentiera, Lieksa, Luttojoki, Kutajoki, Kutalahti, Kuusamon-jarvi, Paajarvi, Paanajarvi, Pielisjarvi, Pistojoiki, Tulenmananjoki, Tuntsajoki, Tuulijoki, Tuulonmanjoki, Ulanganjoki and Yla-Kuittijarvi Rivers, and Ladoga, Tulenanjarvi and Tuulijarvi Lakes

Primary focus area

Joint management and regulation of fishing

Provisions most relevant to ecosystems conservation

The Parties agree that in watercourses flowing from Finland to Russia and vice versa, or situated along the common frontier the countries, the Parties undertake to leave the fairway open for the free flow of the water, for navigation by sea-going and river craft, for timber floating and the migration of fish.

Water may not be diverted from the watercourses nor may any constructions be erected therein or any steps be taken such as to cause damage, by altering the present depth or condition of the parts of the watercourse situated in the territory of the other Party, to the extent of water in its territory, or to its fish, land or other property, or thereby to damage the fairway or to encroach upon channels used for navigation or timber-floating, unless a special agreement has been concluded in each case between the Parties.

The Convention contains specific provisions relating to fishing.

Institutional framework

The preparation and conclusion of the Convention have been entrusted to the mixed Finnish-Russian Central Committee.

Source

Legislative Texts, Treaty no. 173, p. 642.

Agreement between the Republic of Finland and the Union of Soviet Socialist Republics concerning frontier watercourses

Place and date

Helsinki, 24 April 1964

Signatories

Finland and U.S.S.R.

Geographical area covered

Frontier watercourses, defined as lakes, rivers and streams which are intersected by the frontier line or along which the frontier line runs

Primary focus area

Use of common frontier watercourses

Provisions most relevant to ecosystems conservation

The Parties agree that no measures may be taken in frontier watercourses or on the banks thereof which might alter the position, depth, level or free flow of watercourses in the territory of the other Contracting Party as to cause damage or harm to the water area, to fisheries, to land or to structures or other property; which might create a danger of flooding, cause a significant loss of water, alter the main fairway or interfere with the use of the common fairway for transport of timber-floating; or which might in some other like manner be prejudicial to the public interest. The same shall apply to measures which alter or block the fairway or change the course thereof, even where such measures would not have the aforementioned consequences. The Parties shall ensure that frontier watercourses and structures situated therein are maintained in such a state that damage or harm does not ensue.

The Parties shall ensure that the main fairways of frontier watercourses are kept open for the free flow of water and for transport, timber-floating and the passage of fish.

Measures shall be taken to ensure that frontier watercourses are not polluted by untreated industrial effluents and sewage, by waste materials from timber-floating or wastes from ships or by other substances which, immediately or in the course of time, might cause shoaling of the watercourses, harmful changes in the composition of the water, damage to the fish stock or substantial scenic deterioration or might endanger public health or have similar harmful consequences for the population and the economy.

Institutional framework

The Parties agree to establish a Joint Finnish-Soviet Commission on the Utilisation of Frontier Watercourses to deal with the matters provided for in the Agreement. Each Party shall appoint three members and three alternatives to the Commission. In addition, each party shall make available to the Commission a secretary and any necessary experts.

Source

537 UNTS 251

Lake Prespa-Struma-Vardar

- Exchange of Notes between the Governments of the Federal People's Republic of Yugoslavia and the Kingdom of Greece concerning the implementation of provisions of record annexed to the agreement for economic collaboration and commercial exchange
(Belgrade, 25 May 1954)
- Agreement between the Federal People's Republic of Yugoslavia and the Kingdom of Greece concerning hydro-economic questions
(Athens, 18 June 1959)

Exchange of Notes between the Governments of the Federal People's Republic of Yugoslavia and the Kingdom of Greece concerning the implementation of provisions of record annexed to the agreement for economic collaboration and commercial exchange

Place and date

Belgrade, 25 May 1954

Signatories

Greece and Yugoslavia

Geographical area covered

Shared waters

Primary focus area

Co-operation on shared water resources

Provisions most relevant to ecosystems conservation

The objective of the Exchange of Notes is to establish a bilateral delegation to address key water issues.

The Parties shall agree on the following:

- maintaining the water regime;
- regulating the flow to protect soils and plants;

- organising the mode of co-operation by settling problems of water economy; and
- determining measures related to the protection and development of fisheries, and the protection of plants from illness and other plagues.

Institutional framework

Each Party shall establish a delegation on governmental level.

Source

Legislative Texts, Treaty no. 221, p. 809

Agreement between the Federal People's Republic of Yugoslavia and the Kingdom of Greece concerning hydro-economic questions

Place and date

Athens, 18 June 1959

Signatories

Greece and Yugoslavia

Geographical area covered

Vardar and Axios Rivers. Doiran and Prespa Lakes

Primary focus area

Economic development

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to develop and encourage co-operation in the hydro-economic field in matters relating to the study and execution of hydro-economic measures and works of interest to both Contracting States. The established Commission shall study hydro-economic problems and projects.

Institutional framework

The Parties agree to establish the Permanent Yugoslav-Greek Hydro-economic Commission.

Source

Legislative Texts, Treaty no. 224, p. 818.

Lava-Pregel

- Agreement between the Government of the Polish Republic and the Government of the Union of Soviet Socialist Republics concerning the regime on the Soviet-Polish State Frontier (Moscow, 8 July 1948) (See Danube. Also applicable to Danube, Neman and Vistula/Wisła.)

Lielupe

- Extension of the Agreement on Environmental Management of the Lielupe River Basin (21 July, 1995)

Extension of the Agreement on Environmental Management of the Lielupe River Basin

Place and date

21 July, 1995

Signatories

Latvia and Lithuania

Geographical area covered

Lielupe River

Primary focus area

River basin management

Provisions most relevant to ecosystems conservation

The Agreement provides for the extension of the Agreement on Environmental Management of the Lielupe River Basin, signed between the Parties on 25 May 1993. The Lielupe area serves as a pilot area for implementation of river basin management from which experience can be drawn for other river basins in the Baltic Sea Area. At the termination of the principal Agreement the Parties may sign a permanent agreement elaborated during the project period.

Institutional framework

Information is missing.

Source

www.faolex.fao.org/faolex/

Maritsa/Évros/Meriç

- Agreement between the People's Republic of Bulgaria and the Republic of Turkey concerning co-operation in the use of the waters of rivers flowing through the territory of both countries
(Istanbul, 23 October 1968)

Agreement between the People's Republic of Bulgaria and the Republic of Turkey concerning co-operation in the use of the waters of rivers flowing through the territory of both countries

Place and date

Istanbul, 23 October 1968

Signatories

Bulgaria and Turkey

Geographical area covered

Maritsa/Marica, Tunzha (Tunca), Veleca (Degirmendere) and Rezovska (Rezve) Rivers, which intersect or form the frontier between the two countries

Primary focus area

Co-operation on shared water resources, economic development, flooding and irrigation

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish a framework to co-operate in determining which structures and installations can be constructed and used for the benefit of the two Parties.

The Parties agree to avoid causing any substantial damage to each other in the construction and use of installations on rivers flowing through their territory.

Institutional framework

The Parties establish a Mixed Bulgarian-Turkish Commission consisting of an equal number of experts from each Party.

Source

807 UNTS 123

Memel

- Convention between the German Reich and the Lithuanian Republic regarding the maintenance and administration of the frontier waterways (Berlin, 29 January 1928)

Convention between the German Reich and the Lithuanian Republic regarding the maintenance and administration of the frontier waterways**Place and date**

Berlin, 29 January 1928

Signatories

Germany and Lithuania

Geographical area covered

Kurische Haff, Memel River, the Lithuanian-German frontier, and the estuary channels of the Memel River

Primary focus area

Maintenance of shared water resources

Provisions most relevant to ecosystems conservation

The Parties agree that each of them shall be responsible for the regular upkeep of its bank and of the hydraulic works situated in its territory on the landside of the contour line. Each state shall adopt measures to ensure that the frontier waterways branching off from the frontier in its territory, and the waterways entering its territory from the adjacent territories, are kept in such a condition that the flow of water from the frontier is unimpeded.

Germany shall be entitled to use the waters of the Wystit Lake for hydraulic power. Should changes in the level of the water be necessary for this purpose, a special agreement shall be concluded with Lithuania.

Institutional framework

The text of the Convention does not specify.

Source

89 UNTS 352

Minho/Miño

- Regulations for fishing in the Miño River, drawn up by a Mixed Spanish-Portuguese Commission pursuant to Article 5 of Appendix VI to the Treaty of Commerce and Navigation between Spain and Portugal of 27 March 1893 (Madrid, 15 May 1897)
- Frontier Treaty between Spain and Portugal (Lisbon, 29 September 1864) (See Douro/Duero. Also applicable to Douro/Duero and Tagus/Tejo.)
- Regulations annexed to the Boundary Treaty between Spain and Portugal of 29 September 1864 (Lisbon, 4 November 1866) (See Douro/Duero. Also applicable to Douro/Duero and Tagus/Tejo.)
- General Act demarcating the frontier between Spain and Portugal from the mouth of the River Miño to the confluence of the Caya and Guadiana (Lisbon, 1 December 1906) (Also applicable to Guadiana.)
- Agreement regulating the use and development of the water resources of the international reaches of the rivers Miño, Limia, Tajo, Guadiana, and Chanza and of their tributaries (with additional Protocol) (Madrid, 29 May 1968) (See Guadiana. Also applicable to Guadiana.)
- Second additional Protocol to the Agreement of 29 May 1968 between Spain and Portugal regulating the use and development of the water resources of the international reaches of the rivers Miño, Limia, Tajo, Guadiana and Chanza and of their tributaries (Guarda, 12 February 1976) (Also applicable to Guadiana.)
- Fishing regulation applicable in the international section of the Minho River (with annex) (Madrid, 3 December 1980)
- Convention about the cooperation for the protection and sustainable use of the waters of the Portuguese-Spanish hydrological basins and additional protocol (Albufeira, 30 November 1998) (See Douro/Duero. Also applicable to Douro/Duero, Guadiana, Lima, and Tagus/Tejo.)

Fishing regulations applicable in the international section of the Minho River (with annex)

Place and date

Madrid, 3 December 1980

Signatories

Portugal and Spain

Geographical area covered

The section of the Minho River which serves as a frontier between Spain and Portugal or the entire Minho River from its mouth up to the line at which it ceases to be international

Primary focus area

Fish conservation

Provisions most relevant to ecosystems conservation

The Treaty stipulates that persons fishing with dynamite or any other substance which poisons the water or stuns the fish shall be brought to court and their fishing licences shall be revoked. Dumping into the river or on its banks waste products, rubbish or any other substance affecting the natural state of the river and its shores shall be punishable by a fine in addition to compensation for any damage or injury that may result.

Institutional framework

The Permanent International Commission for the Minho River. Its main objective shall be to consider and draft proposals for improving the biological and fishing conditions in the river.

Source

1319 UNTS 87

Narva

- Treaty of peace between Latvia and the Russian Socialist Federal Republic Russia (Riga, 11 August 1920) (See Daugava. Also applicable to Daugava and Neman.)
- Agreement between Council of Ministers – the Government of Russian Federation and the Government of Estonia on collaboration in field of environmental protection (11 January 1996)
- Agreement between the Government of Estonia and the Government of the Russian Federation on the cooperation in protection and sustainable use of transboundary waters (Moscow, 20 August 1997)

Agreement between Council of Ministers – the Government of Russian Federation and the Government of Estonia on collaboration in field of environmental protection

Place and date

11 January 1996

Signatories

Estonia and Russia

Geographical area covered

Shared waters, Baltic Sea especially in its Finnish Gulf, and on transborder water objects

Primary focus area

Environmental conservation

Provisions most relevant to ecosystems conservation

The collaboration will be aimed at improving state of the environment and increasing environmental security in both countries through:

- a decrease of transborder flows, pollutants of the environment;
- an increase of effectiveness conservation of water bodies and the atmosphere;
- development of a system for collecting and processing wastes;
- conservation of plants and animals and of their environment; and
- promotion of environmental information exchange and implementation of technologies, which cause the least impact on the environment.

In the collaboration process, Parties shall devote special attention to the following issues:

- protection of the atmosphere from pollution, including its transboundary aspects;
- protection of water bodies and the sea from pollution;
- organisation of protected natural territories, as well as protecting and sustaining rare plant and animal species and their environment;
- environmental monitoring; and
- environmental impact assessment.

Institutional framework

The Parties agree to establish a Joint Commission.

Source

www.envir.ee/

Agreement between the Government of Estonia and the Government of the Russian Federation on the cooperation in protection and sustainable use of transboundary waters

Place and date

Moscow, 20 August 1997

Signatories

Estonia and Russia

Geographical area covered

Narva River watershed, including Lake Peipus-Pihkva

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to regulate the co-operation between the Parties in the field of protection and sustainable use of transboundary waters and their ecosystems. The Parties agree to co-operate with the aim to provide ecologically sustainable management of the use of water resources of transboundary waters and their preservation in the interests of the population and sustainable development.

Parties shall:

- co-operate in the development of norms, methods of assessment and classification of water quality;

- adopt measures necessary for prevention of, and diminishing to the agreed minimum, discharge of polluting substances into water bodies;
- provide use of modern technologies for sustainable use of water resources, effective sewage treatment plants and water saving production technologies;
- guarantee maintenance of hydro technological and water protection equipment in required technical condition on transboundary waters;
- desist from activities or inactivity that may cause deterioration of transboundary water bodies and their ecosystem's hydrological and hydro chemical systems;
- carry out joint scientific studies about Lake Peipus ecosystems; and
- carry out agreed environmental inspections.

Institutional framework

The Parties form the Joint Estonian-Russian Commission on the Protection and Rational Use of Transboundary Waters.

Source

www.faolex.fao.org/faolex/

Neman

- Peace Treaty between Lithuania and the Russian Socialist Federal Republic, and Protocol
(Moscow, 12 July 1920) (See Daugava. Also applicable to Daugava.)
- Treaty of peace between Latvia and the Russian Socialist Federal Republic
(Riga, 11 August 1920) (See Daugava. Also applicable to Daugava and Narva.)
- Agreement between the Government of the Polish Republic and the Government of the Union of Soviet Socialist Republics concerning the regime on the Soviet-Polish State Frontier
(Moscow, 8 July 1948) (See Danube. Also applicable to Danube, Lava/Pregel and Vistula/Wisła)
- Bilateral Agreement between the Lithuanian Department of Environment and the Ministry of Environmental Protection, Nature, Conservation and Forestry of Poland
(Warsaw, 24 January 1992)
- Agreement between the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus and the Environmental Protection Ministry of the Republic of Lithuania on cooperation in the field of environmental protection
(Minsk, 14 April 1995)

Agreement between the Lithuanian Department of Environment and the Ministry of Environmental Protection, Nature, Conservation and Forestry of Poland concerning the co-operation for environmental protection

Place and date

Warsaw, 24 January 1992

Signatories

Lithuania and Poland

Geographical area covered

Shared waters

Primary focus area

Co-operation and conservation on shared resources

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish a framework for co-operation for the protection of the environment, including transboundary water resources. The Agreement provides that the Parties shall localise hot spots within a transboundary zone that may impact on the transboundary environmental pollution. Furthermore, the Parties agree that their relevant national environmental inspections shall co-operate at a central and local level. In pursuing these obligations, Lithuania and Poland also concluded to monitor the environment and to incorporate transboundary issues into the economic and legal aspects of environmental policy.

Institutional framework

The co-operation will be conducted through:

- organising meeting of experts and services responsible for environmental protection;
- organising meetings of representatives and consultants from both Parties;
- common undertaking of activities concerning co-operation plans;
- organising seminars and symposia;
- exchange of experts; and
- exchange of information, in particular information concerning legal and institutional aspects of environmental protection.

Source

www.transboundarywaters.orst.edu/

Agreement between the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus and the Environmental Protection Ministry of the Republic of Lithuania on cooperation in the field of environmental protection

Place and date

Minsk, 14 April 1995

Signatories

Belarus and Lithuania

Geographical area covered

All surface waters which form or cross the frontier between the two States

Primary focus area

Conservation of natural resources

Provisions most relevant to ecosystems conservation

The Agreement deals with the bilateral cooperation between Lithuania and Belarus in

the sphere of environmental protection. It specifies the areas of its sphere of application such as borderline water basins' protection, forestry protection, environmental and atmospheric protection as well as plant and wildlife protection. The Agreement, furthermore, determines the modalities of application in the following forms:

- preparation and realisation of joint programs and projects;
- consultations between experts, formation of working groups;
- convocation of conferences and seminars;
- exchange of specialists; and
- exchange of scientific, technological and legislative information.

Institutional framework

The Parties agree to establish a Permanent Working Group.

Source

www.faolex.fao.org/faolex/

Nestos

- Agreement between the Government of Hellenic Republic and the Government of the Republic of Bulgaria for the use of the Nestos River waters (Athens, 22 December 1995)

Agreement between the Government of Hellenic Republic and the Government of the Republic of Bulgaria for the use of the Nestos River waters

Place and date

Athens, 22 December 1995

Signatories

Bulgaria and Greece

Geographical area covered

Nestos River

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Agreement regulates the sharing of waters of the Nestos River. The Parties agree that the amount of water allocated to Greece shall be calculated based on a certain amount of average flow. The Greek-Bulgarian Commission on Water Economy shall revise that amount at a later stage. Furthermore, the Parties agree to take all measures according to international agreements, international standards and the directives of the European Union for the improvement of the quality of water and for the preservation of the balance of the river's ecosystem.

Institutional framework

The Parties shall form a permanent Greek-Bulgarian Commission on Water Economy, which shall be responsible for the control and monitoring of the application of the

Agreement. Information and data shall be exchanged between the Parties regarding the condition of the river in respect of quality and quantity, as well as all works likely to influence the natural flow and quality of the waters.

Source

www.transboundarywaters.orst.edu/

Näätämo

- Agreement between Finland and Norway on the transfer from the course of the Näätämo (Neiden) River to the course of the Gandvik River of water from the Garsjön, Kjerringvatn and Förstevannene Lakes (Oslo, 25 April 1951)

Agreement between Finland and Norway on the transfer from the course of the Näätämo (Neiden) River to the course of the Gandvik River of water from the Garsjön, Kjerringvatn and Förstevannene Lakes

Place and date

Oslo, 25 April 1951

Signatories

Finland and Norway

Geographical area covered

Gandvik, Kallö, Näätämo Rivers and Förstevannene Lakes

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to transfer water from Finland to Norway in order to increase the flow where an electric power station shall be constructed. The Parties agree that the lakes would be dammed and their outflow thereby closed. Steps would be taken to facilitate the movement of salmon upstream so that the fish could gain access to the upper reaches of the river. An agreement shall be reached at a later stage on uniform conservation and similar measures for the protection and care of the fish in the Näätämo River.

Institutional framework

The text of the Agreement does not specify.

Source

Legislative Texts, Treaty no. 168, p. 609.

Oder/Odra

- Treaty between Germany and Poland for the settlement of frontier questions (Poznan, 27 January 1926) (See Elbe. Also applicable to Elbe.)
- Agreement between the Government of the Polish Republic and the Government of the German Democratic Republic concerning navigation in frontier waters and the use and maintenance of frontier waters (Berlin, 6 February 1952) (See Danube. Also applicable to Danube and Elbe.)

- Agreement between the Government of the Czechoslovak Republic and the Government of the Polish People's Republic concerning the use of water resources in frontier waters (Prague, 21 March 1958)
- Agreement between the Federal Republic of Germany and the Republic of Poland on cooperation in the field of water management at border waters (Warsaw, 19 May 1992)
- Treaty between the Czech Republic Government and the Slovak Republic Government on mutual relations and principles of cooperation in agriculture, food industry, forestry, and water economy under the conditions of the customs union (Bratislava, 23 November 1992) (Also applicable to Danube and Vistula/Wisła.)
- Convention on the International Commission for the protection of the Oder against pollution (Breslau/Bratislava/Wroclaw, 11 April 1996)

Agreement between the Government of the Czechoslovak Republic and the Government of the Polish People's Republic concerning the use of water resources in frontier waters

Place and date

Prague, 21 March 1958

Signatories

Czech Republic and Poland

Geographical area covered

Frontier waters, defined as sections of watercourses along which the frontier between the two States runs and bodies of standing water intersected by the State frontier and surface and ground waters flowing from the territory of one State to the territory of the other, at those places where they are intersected by the State frontier.

Primary focus area

Water quantity and hydropower

Provisions most relevant to ecosystems conservation

The Contracting Parties agree on the amount of water to be taken from frontier waters for domestic, industrial, power generation, and agricultural requirements and on the discharge of wastewater. They agree to abate the pollution of frontier waters and to keep them clean to such extent as is specifically determined in each particular case in accordance with their economic and technical possibilities and requirements. The treatment of polluted wastewater from installations shall also be required.

Institutional framework

To give effect to the Agreement, it was decided that authorities of the Contracting Parties would carry out the tasks arising out of the Agreement.

Source

538 UNTS 107

Treaty between the Federal Republic of Germany and the Republic of Poland on cooperation in the field of water management at border waters

Place and date

Warsaw, 19 May 1992

Signatories

Germany and Poland

Geographical area covered

Border waters between Germany and Poland including the surface waters establishing the limits between the countries and other surface waters such as the Pommeranian Gulf, the Stettiner Haff, and groundwater in the country borders.

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The Agreement establishes a framework for technical, economic and scientific cooperation between the Parties in the area of water resources management, particularly in the shared border waters, taking into account the protection of the natural environment. The Agreement does not deal with issues relating to navigational uses of the border waters.

Among the main areas where the Parties will co-operate are the following:

- observations and measurement of and research on the waters and ecosystems, and data exchange;
- common surveys on quantity and composition of the border waters;
- preparation of reports about the quantity and composition of the border areas;
- adoption of common rules about pollutants, research, information exchange, and criteria for the classification of the water composition;
- protection of surface as well as groundwater from pollution and over extraction; and
- regulation and conservation from the navigational and non-navigational parts of the border waters, as well as from the river canals and floodplains.

Institutional framework

The Treaty establishes a German-Polish Commission on Border Waters.

Source

Bundesgesetzblatt, Jahrgang 1994, Teil II, Nr. 3

www.faolex.fao.org/faolex/

Convention on the International Commission for the Protection of the Oder

Place and date

Breslau, 11 April 1996

Signatories

Czech Republic, Germany, Poland, and European Community

Primary focus area

Joint management and conservation of natural resources

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish a cooperation within the created Commission to prevent the pollution of the Oder, included its drainage areas. One of the objectives of the cooperation is to achieve the most natural aquatic and littoral ecosystems possible with the corresponding species diversity.

The Commission shall, in particular:

- prepare surveys of point sources of pollution, estimate water pollution from non-point sources and extrapolate both sector and the main types of pollution;
- propose limit values for the discharge of waste waters;
- propose water quality objectives which take account of the intended use of the waters and the particular conditions for protection of the Baltic Sea and the aquatic and littoral ecosystems;
- establish joint measurement and analysis programmes to demonstrate the quality and quantity of the waters and the quality of the sediments, to assess the state of the aquatic and littoral ecosystems and, where necessary, to evaluate the consequences of the water pollution, and to evaluate the results;
- develop standardised methods for the classification of the waters;
- analyse data and information necessary for the protection of the Oder, in particular with regard to hydrology and water resource management;
- propose action programmes for the reduction of pollution, especially by contaminants from both municipal and industrial point sources and from nonpoint sources and other measures including the proposed timescale, cost estimate and possible funding arrangements;
- propose safeguards to prevent and deal with unforeseen pollution incidents, and establish a uniform warning and alert system in the light of experience;
- document the ecological importance of the various biotope elements, including the eco-morphology, and draft proposals for the maintenance, restoration and protection of aquatic and littoral ecosystems;
- discuss planned and existing types of utilisation of the waters which may have important transboundary repercussions; and
- promote co-operation on scientific research projects and the exchange of information, in particular on the state of the art and modern technologies to prevent and reduce water pollution.

Institutional framework

The International Commission for the Protection of the Oder shall consist of delegations of the Contracting Parties.

Source

Official Journal L 100, 15 April 1999, pp. 21–24.

Pasvik

- Convention between the Republic of Finland and the Russian Socialist Federal Soviet Republic concerning the maintenance of river channels and the regulation of fishing on watercourses forming part of the frontier between Finland and Russia
(Helsinki, 28 October 1922) (See Kemi. Also applicable to Kemi and Vuoksa.)
- Convention between the Republic of Finland and the Russian Socialist Federal Soviet Republic regarding the floating of timber in watercourses flowing from Finland to Russia or vice versa
(Helsinki, 28 October 1922) (Also applicable to Kemi and Vuoksa.)
- Convention between Norway and Finland concerning the international legal regime of the waters of the Pasvik (Paatsjoki) and the Jakobselv (Vuoremajoki)
(Oslo, 14 February 1925)
- Treaty between the U.S.S.R. and Finland on the transfer to the territory of the Soviet Union of part of the state territory of Finland in the region of the Janiskoski Hydroelectric Power Station and the Niskakoski Control Dam
(Helsinki, 3 February 1947)
- Protocol concerning amendments to the Regulations of 24 April 1947 for the regulation of Lake Inari in connexion with the use of the Niskakoski Dam and the Protocol of 29 April 1954 concerning amendments to paragraph 2 of the said Regulations
(Oslo, 24 February 1956)
- Agreement between Norway and Finland concerning the construction and maintenance of a bridge across the Anarjokka (Inarijoki) River
(Helsinki, 28 June 1957) (Also applicable to Tana.)
- Agreement between Norway and the Union of Soviet Socialist Republics on the utilisation of water-power on the Pasvik (Paatsjoki) River
(Oslo, 18 December 1957)
- Agreement between the Government of the Union of Soviet Socialist Republics, the Government of Norway and the Government of Finland concerning the regulation of Lake Inari by means of the Kaitakoski hydro-electric power station and dam, and additional Protocol
(Moscow, 29 April 1959)
- Agreement between Finland and the Union of Soviet Socialist Republics concerning frontier watercourses
(Helsinki, 24 April 1964) (See Kemi. Also applicable to Kemi, Tuloma and Vuoksa.)
- Protocol between the Government of the Republic of Finland and the Government of the Russian Federation on the continued participation of Russian organizations in fish breeding activities for the conservation of the fish stocks in Lake Inari
(Moscow, 27 November 1997)

Convention between Norway and Finland concerning the international legal regime of the waters of the Pasvik (Paatsjoki) and the Jakobselv (Vuoremajoki)

Place and date

Oslo, 14 February 1925

Signatories

Finland and Norway

Geographical area covered

The Pasvik (Paatsjoki) and Jakobselv (Vuoremajoki)

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The Contracting States agree that on the river systems of the Pasvik (Paatsjoki) and the Jakobselv (Vuoremajoki) no measure may be taken on the territory of one of the Contracting States which, to the detriment of the other State and without its consent, might involve a change in the natural regime of the latter's waterways.

Institutional framework

The text of the Convention does not specify.

Source

www.transboundarywaters.orst.edu/

Protocol between Finland, Norway and the Union of Soviet Socialist Republics concerning amendments to the Regulations of 24 April 1947 for the regulation of Lake Inari in connexion with the use of the Niskakoski Dam and the Protocol of 29 April 1954 concerning amendments to paragraph 2 of the said Regulations

Place and date

Oslo, 24 February 1956

Signatories

Finland, Norway and U.S.S.R.

Geographical area covered

Lake Inari and Paatsjoki River

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The purpose of the Protocol is to regulate the level of the Lake Inari by means of the Niskakoski Dam. To this end the Protocol contains detailed provisions on how the flow of the water from the lake shall be regulated.

Institutional framework

The text of the Protocol does not specify.

Source

243 UNTS 159

Agreement between the Government of the Union of Soviet Socialist Republics, the Government of Norway and the Government of Finland concerning the regulation of Lake Inari by means of the Kaitakoski hydro-electric power station and dam, and Additional Protocol

Place and date

Moscow, 29 April 1959

Geographical area covered

Paatsjoki River and Lake Inari

Signatories

Finland, Norway and U.S.S.R.

Geographical area covered

Lake Inari and River Paatsjoki

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The Parties agree that U.S.S.R. shall have the right to regulate the Lake Inari by means of the Kaitakoski hydro-electric power station and dam. Specific provisions on flow regimes of how the water shall be regulated are indicated in an annex to the Agreement. It is further agreed that Finland not shall carry out and not authorise another to carry out any measures likely to affect the regime of Lake Inari or of the River Paatsjoki.

Institutional framework

Commissioners shall be appointed by the relevant ministries of the Contracting Parties.

Source

Legislative Texts, Treaty no. 126, p. 434.

Po

- Convention between Italy and Switzerland and international regulations regarding navigation on Lake Maggiore and Lake Lugano (Lugano, 22 October 1923)
- Convention between the Swiss Confederation and the Italian Republic concerning the correction of the Roggia Molinara (towns of Chiasso and of Come) (Chiasso, 5 April 1951)
- Provisional Agreement and Exchange of Notes between France and Italy relative to the running of the factory of Gran Scala (12 January 1955)
- Convention between Italy and Switzerland on the subject of regulation of Lake Lugano and additional Protocol (Lugano, 17 September 1955)
- Convention between the Swiss Confederation and the Italian Republic concerning the utilisation of hydraulic force of the Spöl (and additional Protocol) (Bern, 27 May 1957)

- Exchange of Notes of 15 June 1970 between Switzerland and Italy concerning the management of works on the watercourse of the Breggia on the Italian-Swiss border
(Rome, 15 June 1970)
- Convention concerning the protection of Italo-Swiss waters against pollution
(Rome, 20 April 1972) (See Danube. Also applicable to Danube, Rhine and Rhone.)
- Convention between the Swiss Confederation and the Italian Republic relative to the hydraulic installations of the Breggia Torrent at the Italian-Swiss frontier, with annexes
(Bern, 23 June 1972)
- Convention between the Swiss Confederation and the Italian Republic concerning a rectification of the frontier along the Breggia Torrent
(Bern, 23 June 1972)
- Convention between the Swiss Confederation and the Republic of Italy regarding fisheries in Italo-Swiss waters
(Rome, 19 March 1986)
- Convention between Switzerland and Italy concerning navigation on Lake Maggiore and Lake Lugano
(Lake Maggiore, 2 December 1992)

Convention between the Swiss Confederation and the Italian Republic relative to the hydraulic installations of the Breggia Torrent at the Italian Swiss frontier, with annexes

Place and date

Bern, 23 June 1972

Signatories

Italy and Switzerland

Geographical area covered

Breggia Torrent

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The objective of the Convention is execute works to install infrastructure necessary for the exploitation of water resources

The Contracting Parties have the obligation to take the actions necessary to maintain a good hydraulic regime in the Breggia Torrent. Each Contracting Party takes on his territory the measures necessary to make sure no perturbation occurs that could affect the good hydraulic regime of Breggia Torrent. It makes sure as well that the river shore of the other State is not affected or damaged following the construction or modification of artificial infrastructure as roads, bridges, buildings, and hydraulic works.

Institutional framework

The text of the Convention does not specify.

Source

www.transboundarywaters.orst.edu/

Convention between the Swiss Confederation and the Republic of Italy regarding fisheries in Italo-Swiss waters

Place and date

Rome, 19 March 1986

Signatories

Italy and Switzerland

Geographical area covered

Tresa River, Lugano and Maggiore Lakes

Primary focus area

Conservation of shared fish resources

Provisions most relevant to ecosystems conservation

The objective of the Convention is to ensure the optimal management of fishery resources so as to:

- promote the development of categories operating directly or indirectly in the commercial fisheries sector;
- permit a balanced development of recreational fishery activities; and
- contribute towards the protection and enhancement of the aquatic environment.

Institutional framework

The Parties agree to establish an Italo-Swiss Commission for Fisheries, in which each State has a commissioner and two vice-commissioners. There is also a sub commission which is made up of fishery and hydrobiology experts from both States.

Source

www.faolex.fao.org/faolex/

Convention between Switzerland and Italy concerning navigation on Lake Maggiore and Lake Lugano

Place and date

Lake Maggiore, 2 December 1992

Signatories

Italy and Switzerland

Geographical area covered

Lake Maggiore and Lake Lugano

Primary focus area

Navigation

Provisions most relevant to ecosystems conservation

The Governments agree that they may adopt measures over activities linked to navigation for safeguarding the environment on their own territory.

Institutional framework

The Governments agree to establish a Mixed Consultative Commission.

Source

www.faolex.fao.org/faolex/

Rhine

- Treaty of Limits Between France and the Netherlands (Courtray, 28 March 1820) (Also applicable to Scheldt.)
- Convention between the delegates of the riparian states of Lake Constance: Bade, Bavaria, Austria, Switzerland and Wurtemberg, concerning the regulation of the flow of water of Lake Constance near Constance (31 August 1857)
- Treaty between Belgium and the Netherlands for the regulation of water withdrawal from the Meuse, followed by an explanatory note (The Hague, 12 May 1863)
- Convention for the modification of Article 6 of the Treaty of 12 May 1863, regulating water withdrawal from the Meuse, followed by a declaration (11 January 1873)
- Convention between Switzerland, Germany and the Netherlands for the regulation of the fishery of salmon in the Rhine Basin (Berlin, 30 June 1885)
- Convention between Switzerland, the Great Duke of Bade and Alsace and Lorraine for the regulation of fishery in the waters of the Rhine River and its tributaries, including Lake Constance (Lucerne, 18 May 1887)
- Convention between the Grand Duchy of Luxembourg and Prussia concerning the regulation of fisheries in boundary waters (Luxembourg, 5 November 1892)
- Treaty between the Swiss Confederation and Austria-Hungary for the straightening of the Rhine from the mouth of the Ill until Lake Constance (Vienna, 30 December 1892)
- Convention between Austria, Hungary, Bade, Bavaria, Liechtenstein, Switzerland and Wurtemberg setting uniform provisions on fisheries in Lake Constance with protocol (Bregenz, 5 July 1893)
- Proces-verbal of delimitation between Belgium and France (Pussemange, 20 July 1910)
- Treaty between the Swiss Confederation and the Republic of Austria for the straightening of the Rhine from the mouth of the Ill until Lake Constance (Vienna, 19 November 1924)
- Convention regulating the relations between France and Switzerland with regard to certain clauses of the legal regime Kembs derivation (Bern, 27 August 1926)

- Treaty between Austria and Liechtenstein regarding the regulation of the Rhine and tributary waters
(Waduz, 23 June 1931)
- Agreement between Switzerland and Italy on the subject of the concession of hydraulic forces of the Reno di Lei, with additional Protocol
(Rome, 18 June 1949)
- Protocol to establish a Tripartite Standing Committee on Polluted Waters
(Brussels, 8 April 1950) (Also applicable to Scheldt.)
- State Treaty between the Grand Duchy of Luxembourg and the Land Rhineland Palatinate in the Federal Republic of Germany concerning the construction of a hydro-electric power-plant on the Sauer (Sûre) at Rosport/ Ralingen
(Trier, 25 April 1950)
- Treaty between the Swiss Confederation and the Republic of Austria for the regulation of the Rhine from the mouth of the Ill to Lake Constance
(Bern, 10 April 1954)
- Treaty between the French Republic and the Federal Republic of Germany for the settlement of the question of the Sarre
(Luxembourg, 27 October 1956)
- Convention between the Federal Republic of Germany and the French Republic on the management of the upper course of the Rhine between Basel and Strasbourg and Protocol annexed to the Convention
(Luxembourg, 27 October 1956)
- Convention between the Federal Republic of Germany, the French Republic, and the Grand-Duchy of Luxembourg on the subject of Moselle canalisation
(Luxembourg, 27 October 1956)
- State Treaty between the Grand Duchy of Luxembourg and the Land Rhineland Palatinate in the Federal Republic of Germany concerning the construction of hydro-electric power installations on the Our (with Annexes)
(Trier, 10 July 1958)
- Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning the course of the common frontier, the boundary waters, real property situated near the frontier, traffic crossing the frontier on land and via inland waters, and other frontier questions
(The Hague, 8 April 1960)
- Agreement concerning the Protection of Lake Constance against pollution
(Steckborn, 27 October 1960)
- Exchange of Notes constituting an Agreement concerning the Treaty of 12 May 1863 to regulate the diversion of water from the River Meuse and the Convention of 11 January 1873 amending that Treaty
(Brussels, 24 February 1961)
- Protocol between the Governments of the French Republic and the Federal Republic of Germany concerning the establishment of an International Commission to protect the Saar against pollution
(Paris, 20 December 1961)

- Protocol between the Government of the Federal Republic of Germany, the French Republic and the Grand Duchy of Luxembourg concerning the establishment of an International Commission to protect the Moselle against pollution (Paris, 20 December 1961)
- Agreement on the International Commission for the Protection of the Rhine against Pollution (Bern, 29 April 1963)
- Treaty between the Kingdom of the Netherlands and the Kingdom of Belgium concerning the connexion between the Scheldt and the Rhine (The Hague, 13 May 1963)
- Agreement between Federal Republic of Germany, Austria, and Switzerland regulating the withdrawal of water from Lake Constance (Bern, 30 April 1966)
- Convention between the French Republic and the Federal Republic of Germany concerning development of the Rhine between Strasbourg/Kehl and Lauterbourg/Neuburgweier (Paris, 4 July 1969)
- Convention concerning the protection of Italo-Swiss waters against pollution (Rome, 20 April 1972) (See Danube. Also applicable to Danube, Po and Rhone.)
- Convention concerning navigation on Lake Constance (Lake Constance, 1 June 1973)
- Treaty concerning navigation on the Untersee and the Rhine between Konstanz and Schaffhausen (Lake Constance, 1 June 1973)
- Agreement concerning navigation on the Old Rhine (Lake Constance, 1 June 1973)
- Convention between the French Republic and the Federal Republic of Germany additional to the convention of 4 July 1969 on the subject of the management of the Rhine between Strasbourg/Kehl and Lauterbourg/Neuburgweier (Bonn, 16 July 1975)
- Agreement between the Government of the Federal Republic of Germany and the Government of the Grand Duchy of Luxembourg concerning the maintenance, restoration and operation of the section of the Moselle common to the two states (Bonn, 14 September 1976)
- Convention on the protection of the Rhine against pollution by chlorides (Bonn, 3 December 1976)
- Convention on the protection of the Rhine against chemical pollution (Bonn, 3 December 1976)
- Convention between the Kingdom of Belgium and the Grand Duchy of Luxembourg on the subject of the water of the Sûre (Brussels, 17 March 1980)

- Exchange of Letters constituting an Agreement concerning German-French-Luxembourg co-operation in the frontier areas
(Bonn, 16 October 1980)
- Convention between the French Republic and the Federal Republic of Germany modifying and completing the additional convention of 16 July 1975 to the convention of 4 July 1969 on the subject of the management of the Rhine between Strasbourg/Kehl and Lauterbourg/Neuburgweier
(Bonn, 6 December 1982)
- Convention between the Government of the French Republic and the Government of the Grand Duchy of Luxembourg for the realization and exploitation of certain industrial settlements on the Moselle
(Paris, 12 March 1986)
- Exchange of Notes constituting an Agreement between France and Luxembourg concerning the execution of improvement works on the River Gander at Mondorff (France) and at Mondorf-les-Bains (Luxembourg)
(Paris, 3 and 23 June 1986)
- Agreement between the Government of the French Republic, the Government of the Federal Republic of Germany, and the Government of the Grand Duchy of Luxembourg on flood warning for the catchment basin of the Moselle
(Trier, 1 October 1987)
- Additional protocol to the convention on the protection of the Rhine against pollution from chlorides
(Brussels, 25 September 1991)
- Agreement on the protection of the River Meuse
(Charleville Mézières, 26 April 1994)
- Convention concerning collection, discharge and loading of wastes from navigation in the Rhine
(Strasbourg, 9 September 1996)
- Agreement between the Government of the Federal Republic of Germany and the Government of the Grand Duchy of Luxembourg concerning flood warning systems in the Moselle catchment area
(Luxembourg, 4 February 1997)
- Convention on the protection of the Rhine
(Bern, 12 April 1999)

Convention between the delegates of the riparian states of Lake Constance: Bade, Bavaria, Austria, Switzerland and Wurtemberg concerning the regulation of the water flow of Lake Constance

Place and date

31 August 1857

Signatories

Bade, Bavaria, Austria, Switzerland and Wurtemberg

Geographical area covered

Lake Constance

Primary focus area

Water management

Provisions most relevant to ecosystems conservation

The Convention establishes a prohibition of building mills and analogous constructions on the Rhine that may have an impact on the flow of waters in the lake.

Institutional framework

The text of the Convention does not specify.

Source

Legislative Texts, Treaty no. 109, p. 391.

Convention between Switzerland, the Great Duke of Bade and Alsace and Lorraine for the regulation of fishery in the waters of the Rhine River and its tributaries, including Lake Constance

Place and date

Lucerne, 18 May 1887

Signatories

Alsace, Lorraine, Bade and Switzerland

Geographical area covered

Lake Constance and the Rhine from its end to Lake Constance

Primary focus area

Conservation of fish

Provisions most relevant to ecosystems conservation

The treaty establishes a set of rules for fishing in the Rhine River waters and its tributaries, detailing norms for favouring the salmon reproduction.

The Convention prohibits:

- all utilisation of permanent fishing gear and fishing gear fixed on the shore preventing the circulation of the fish;
- utilisation of dynamite and other explosive substances, any fishing gear that injure the fish; and
- drying the river for fishing purposes.

The Parties agree to prohibit the discharge of any waste that could affect the fish. However, a minimum level of discharges is accepted.

Institutional framework

The text of the Convention does not specify.

Source

Legislative Texts, Treaty no. 113, p. 397.

Convention between the Grand Duchy of Luxembourg and Prussia concerning the regulation of fisheries in boundary waters

Place and date

Luxembourg, 5 November 1892

Signatories

Germany and Luxembourg

Geographical area covered

Rhine River, particularly Moselle, Sauer and Our Rivers

Primary focus area

Fish conservation

Provisions most relevant to ecosystems conservation

The Parties agree that it shall be unlawful to use harmful or explosive substances such as poisoned bait, narcotics, or substances intended to destroy the fish, explosive cartridges or other explosive devices.

Institutional framework

The text of the Convention does not specify.

Source

Legislative Texts, Treaty no. 200, p. 716.

Convention between Austria, Hungary, Bade, Bavaria, Liechtenstein, Switzerland and Wurtemberg setting uniform provisions on fisheries in Lake Constance with Protocol

Place and date

Bregenz, 5 July 1893

Signatories

Austria, Hungary, Bade, Bavaria, Liechtenstein, Switzerland and Wurtemberg

Geographical area covered

Rhine River and Lake Constance

Primary focus area

Fish conservation

Provisions most relevant to ecosystems conservation

The Parties agree to prohibit the following:

- utilisation of dynamite and other explosive substances, any fishing gear that injure the fish (hooks are admitted); and
- drying the river for fishing purposes.

Contracting Parties shall:

- settle the issues relating to hydraulic constructions and other industrial uses of water; and
- prevent impediments to fish migration in its tributaries because of dams on half of the width of the watercourse.

The introduction of alien species shall be prohibited, unless not agreed by the Parties.

Institutional framework

Representatives of the Parties shall exchange information on a reciprocal base on the measures taken.

Source

Legislative Texts, Treaty no. 114, p. 403.

Protocol to establish a Tripartite Standing Committee on Polluted Waters

Place and date

Brussels, 8 April 1950

Signatories

Belgium, France and Luxembourg

Geographical area covered

Espierre, Escaut/Scheldt, Haine and Lys canals

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The Parties agree to establish a Tripartite Standing Committee on Polluted Waters, which shall consist of representatives from France and Belgium.

Under the Commission, there shall be a joint technical sub-committee for the Espierre consisting of representatives from France and Belgium. The sub-committee shall have the following terms of reference:

- to define the pollution factors (industrial or communal origin, degree of intensity, etc.), collect any appropriate technical opinions, assess each State's share of responsibility for the pollution; and
- to draw up a report for submission to the Tripartite Standing Committee on Polluted Waters on the action to be recommended.

The sub-committee for the Espierre is empowered to deal in the same way with the problems raised by the water pollution of the Haine, the Escaut/Scheldt and the Lys canals.

The Tripartite Standing Committee on Polluted Waters reserves the right to set up further technical sub-committees when it takes up the study of pollution on other waterways deemed to be the cause of unhealthy conditions in the territory of the three signatory States.

Institutional framework

The Tripartite Standing Committee on Polluted Waters and its sub-committee.

Source

Legislative Texts, Treaty no. 122, p. 422.

State Treaty between the Grand Duchy of Luxembourg and the Land Rhineland Palatinate in the Federal Republic of Germany concerning the construction of a hydro-electric power-plant on the Sauer (Sûre) at Rosport/Ralingen

Place and date

Trier, 25 April 1950

Signatories

Germany and Luxembourg

Geographical area covered

Sauer

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The Parties agree that Luxembourg shall have the right to construct and operate a hydro-electric power-plant on the Sauer. A dam shall be constructed to supply a bend in the river below the dam with a minimum quantity of water. In the event that unsanitary or other undesirable conditions arise in the tail water of the dam, Luxembourg shall supply such larger quantities of water as required for purposes of scouring.

When the water level is exceptionally low, a fish-ladder shall be kept constantly supplied with sufficient quantities of water.

Institutional framework

The text of the Treaty does not specify.

Source

Legislative Texts, Treaty no. 201, p. 721.

Treaty between the French Republic and the Federal Republic of Germany for the settlement of the question of the Saar

Place and date

Luxembourg, 27 October 1956

Signatories

France and Germany

Geographical area covered

Saar

Primary focus area

Navigation and fish conservation

Provisions most relevant to ecosystems conservation

The Parties agree to establish a co-ordinated policy concerning fishery as well as reproduction and conservation of fish.

Necessary measures shall be taken to ensure the cleanliness and health of the waters and of the Saar and its tributaries.

Institutional framework

The text of the Treaty does not specify.

Source

Legislative Texts, Treaty no. 179, p. 658

Convention between the Federal Republic of Germany, the French Republic and the Grand Duchy of Luxembourg on the subject of the Moselle canalisation

Place and date

Luxembourg, 27 October 1956

Signatories

France, Germany and Luxembourg

Geographical area covered

Moselle

Primary focus area

Navigation and hydropower

Provisions most relevant to ecosystems conservation

The objective of the Convention is to take common action in order to make the river Moselle accessible by vessels of a certain tonnage.

In order to fulfil its objective, the Parties need to undertake infrastructure works. The conservation of agriculture, fishery, tourism, and the hydrology of the river must be taken into account.

Additionally, the Convention relates to the arrangements for the production of hydropower and in this respect Parties commit themselves to take all the necessary measures to prevent water pollution.

Institutional framework

The text of the Convention does not specify.

Source

Legislative Texts, Treaty no. 123, p. 424.

State Treaty between the Grand Duchy of Luxembourg and the Land Rhineland Palatinate in the Federal Republic of Germany concerning the construction of hydro-electric power installations on the Our (with Annexes)

Place and date

Trier, 10 July 1958

Signatories

Germany and Luxembourg

Geographical area covered

Our

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

With a view of continuing the process of regulating the water resources in the German-Luxembourg frontier area, which was initiated with the State Treaty of 25 April 1950 concerning the power-plant on the Sauer (Sûre) at Rosport/Ralingen, the two countries agree to authorise the Société Electrique de l'Our of Luxembourg to construct and operate hydroelectric power-installations for the purpose of utilising the water of the Our in the vicinity of Vianden. Nothing shall be done to interfere with the water resources of the Our in such a way as to impair the operation. Water may not be taken from water-courses in the catchment area of the Our above the installations in such a way as to cause such impairment, nor may the water above the installations be polluted or chemically contaminated in a manner detrimental to the operation of the plants.

Institutional framework

The text of the Treaty does not specify.

Source

Legislative Texts, Treaty no. 202, p. 726.

Treaty between the Kingdom of the Netherlands and the Federal Republic of Germany concerning the course of the common frontier, the boundary waters, real property situated near the frontier, traffic crossing the frontier on land and via inland waters, and other frontier questions

Place and date

The Hague, 8 April 1960

Signatories

Germany and the Netherlands

Geographical area covered

Rhine and Meuse

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Contracting Parties undertake to give due regard, in performing their water management tasks to the neighbouring State's interests in the boundary waters. To that end, they agree to take or support all measures required to establish and to maintain within the sections of the boundary waters situated in their respective territories such orderly conditions as will mutually safeguard their interests, and they shall neither take nor tolerate any measures causing substantial prejudice to the neighbouring State.

In performing the obligations, the Contracting Parties shall in particular take or support, within an appropriate period of time, all measures required:

- to secure and maintain the adequate drainage of the boundary waters, to the extent required in the interest of the neighbouring State;
- to prevent inundations and other damage resulting from the inadequate servicing of sluices and weirs;
- to prevent such diversion of water as may cause substantial prejudice to the neighbouring State;
- to prevent the excessive extraction of sand and other solid substances liable to cause substantial prejudice to the neighbouring State; and
- to prevent such excessive pollution of the boundary waters as may substantially impair the customary use of the waters by the neighbouring State.

Institutional framework

For the purpose of implementing the Treaty, Parties agree to conclude such special agreements in respect of individual boundary waters as may be required. In order to promote good-neighbourly co-operation in matters relating to boundary waters, the Contracting Parties establish a Permanent Netherlands-Germany Boundary Waters Commission.

Source

Legislative Texts, Treaty no. 212, p. 757.

Agreement concerning the Protection of Lake Constance against pollution

Place and date

Steckborn, 27 October 1960

Signatories

Austria, Freistadt Bayern, Land Baden-Württemberg and Switzerland

Geographical area covered

Upper and lower part of Lake Constance/Bodensee

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Parties shall collaborate to protect the waters of Lake Constance. They agree to establish the Commission for the Protection of the Waters of Lake Constance, which will be, among others, responsible for:

- establishing the status of the lake and determining the sources of pollution;
- monitoring the lake's water quality;
- making recommendations to the Parties with regard to pollution prevention and control; and
- making any other suggestions dealing with the water quality of the lake.

Institutional framework

The Commission for the Protection of the Waters of Lake Constance. One delegate from each Party composes the Commission. The Government of the Federal Republic of

Germany can participate as an observer in the Commission meetings.

Source

www.admin.ch/

Protocol between the Governments of the French Republic and the Federal Republic of Germany concerning the establishment of an International Commission to protect the Saar against pollution

Place and date

Paris, 20 December 1961

Signatories

France and Germany

Geographical area covered

Saar

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Parties agree to establish an International Commission to protect the Saar against pollution.

The Commission may:

- prepare, commission and avail itself of the results of all inquiries necessary for determining the nature, extent and origin of the pollution; and
- propose to the signatory Governments suitable measures for protecting the Saar against pollution.

Institutional framework

The International Commission to Protect the Saar against Pollution.

Source

1053 UNTS 515

Protocol between the Government of the Federal Republic of Germany, the French Republic and the Grand Duchy of Luxembourg concerning the establishment of an International Commission to protect the Moselle against pollution

Place and date

Paris, 20 December 1961

Signatories

Germany and Luxembourg

Geographical area covered

Moselle

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Parties agree to establish an International Commission to Protect the Moselle against Pollution. The Commission is intended to ensure co-operation between the competent agencies of the three signatory Governments with a view to protecting the waters of the Moselle against pollution. To this end the Commission may:

- prepare, commission and avail itself of the results of all inquiries necessary for determining the nature, extent and origin of the pollution; and
- propose to the signatory Governments suitable measures for protecting the Saar against pollution.

The Commission shall establish such relations as it sees fit with all bodies having jurisdiction in water pollution matters.

Institutional framework

The International Commission to Protect the Moselle against Pollution.

Source

940 UNTS 217

Agreement on the International Commission for the Protection of the Rhine against Pollution

Place and date

Bern, 29 April 1963

Signatories

Germany, France, Luxembourg, the Netherlands and Switzerland

Geographical area covered

Rhine

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Governments agree to continue co-operating in the protection of the Rhine waters within the framework of the International Commission for the Protection of the Rhine against Pollution. The Commission shall:

- prepare, commission and avail itself of the results of all investigations necessary to determine the nature, extent and origin of the Rhine pollution;
- propose to the Governments appropriate measures to protect the Rhine against pollution: and
- prepare the bases for possible future arrangements between the signatory Governments concerning the protection of the Rhine waters.

Institutional framework

The International Commission for the Protection of the Rhine against Pollution. The Commission shall consist of delegations from the signatory Governments.

Source

994 UNTS 17

Treaty between the Kingdom of the Netherlands and the Kingdom of Belgium concerning the connexion between the Scheldt and the Rhine

Place and date

The Hague, 13 May 1963

Signatories

Belgium and the Netherlands

Geographical area covered

Rhine and Scheldt

Primary focus area

Navigation

Provisions relevant to ecosystems conservation

The purpose of the Treaty is to establish a navigable waterway between the two rivers. The Parties agree to make arrangements in the interest of the water economy, including the prevention of salinisation and water pollution.

The Parties shall, in their own territories, ensure that the canal maintains a certain water level. If the water level of the canal reaches a certain level, the water supply shall completely be cut off until further notice. In view of the interests in the drinking-water supply and in water consumption for agricultural and industrial purposes which will be affected by the freshwater basin to be formed, every effort shall be made to prevent salinisation as a result of the use of the navigable waterway.

Institutional framework

The Netherlands and Belgium shall each designate an official to manage and supervise the planning and execution of the works in both territories. The officials shall consult together regularly on all questions of mutual interest that may arise in connection with such planning and execution.

Source

540 UNTS 55

Agreement between Federal Republic of Germany, Austria, and Switzerland regulating the withdrawal of water from Lake Constance (with Final Protocol)

Place and date

Bern, 30 April 1966

Signatories

Austria, Germany and Switzerland

Geographical area covered

Lake Constance

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to set up certain measures to be followed when withdrawing water from Lake Constance. The riparian States agree to notify one another of

all water withdrawals. Where a projected water withdrawal is such that it would adversely affect important interests of the other riparian States and the adverse effects cannot be avoided or offset by reasonable compensatory measures, the interest attaching to the water withdrawal shall be duly assessed in relation to the other interests. This shall apply to the interests involved in the various types of water utilisation of the lake, navigation, fishing, the regulation of the lake, landscape preservation and hydropower.

Institutional framework

Objection to certain withdrawals of water shall be submitted to a consultative committee. A diplomatic channel could be consulted if the consultative committee is unable to reach an agreement.

Source

620 UNTS 197

Convention between the French Republic and the Federal Republic of Germany concerning development of the Rhine between Strasbourg/Kehl and Lauterbourg/Neuburgweier

Place and date

Paris, 4 July 1969

Signatories

France and Germany

Geographical area covered

Rhine between Strasbourg/Kehl and Lauterbourg/Neuburgweier

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

The purpose of this Convention is to regulate the joint development of two barrages (Gambshheim and Iffezheim), and the course of the Rhine downstream of the Iffezheim barrage with a view to preventing or remedying erosion of the river bed and the related lowering of the water level of the river and ensuring in that sector conditions for navigation equivalent, as regards the depth of the channel, to those which will be accomplished as a result of the development of the river between Lauterbourg/Neuburgweier and Sankt Goar.

The joint development shall be carried out in such a way as not to cause, in the area of the two barrages, any adverse change in the present water-table or in the flow conditions of the old arms of the Rhine and its effluents. The development must not result in any serious impediment to navigation. The interest in water-supply, agriculture and fisheries shall be preserved. Consideration shall also be given, to the fullest extent possible, to protection of the landscape.

Institutional framework

The Contracting Parties shall come to an agreement before authorising the taking of water from the Rhine, particularly for purposes of water-supply, agriculture, fisheries and industry. Drawn up plans shall be communicated to the Central Commission for the Navigation of the Rhine. The Contracting Parties also establish a Standing Commission, composed of delegates of the Contracting Parties, to keep

under review the application of the Convention and to examine the plans for construction of the works.

Source

760 UNTS 345

Convention concerning navigation on Lake Constance

Place and date

Lake Constance, 1 June 1973

Signatories

Austria, Germany and Switzerland

Geographical area covered

The upper area of Lake Constance, including the Überlinger See

Primary focus area

Navigation

Provisions most relevant to ecosystems conservation

The Parties agree to issue uniform regulations for shipping and nuisances caused by shipping. The shipping regulations shall cover the protection of the environment against damage by shipping. If necessary for the safety and facility of traffic or the protection of the environment, shipping regulations shall also include rules concerning floating installation.

The Parties shall ensure that navigation is not impeded by buildings and other artificial structures, or in any other way, to a greater extent than is unavoidable for the protection of other public interests.

Institutional framework

The International Shipping Commission for Lake Constance shall take into account the needs of traffic on the lake, the environmental protection requirements and scientific and technological knowledge.

Source

1003 UNTS 61

Agreement between the Government of the Federal Republic of Germany and the Government of the Grand Duchy of Luxembourg concerning the maintenance, restoration and operation of the section of the Moselle common to the two states

Place and date

Bonn, 14 September 1976

Signatories

Germany and Luxembourg

Geographical area covered

Moselle

Primary focus area

Navigation

Provisions most relevant to ecosystems conservation

The Parties agree that Luxembourg shall remove any obstacles to the water flow and to navigation that may arise in the immediate vicinity of its bank of the river. Furthermore they agree to maintain a certain level of water in the river necessary for navigation.

Institutional framework

The text of the Agreement does not specify.

Source

1045 UNTS 284

Convention on the protection of the Rhine against pollution by chlorides

Place and date

Bonn, 3 December 1976

Signatories

France, Germany, Luxembourg, the Netherlands, and Switzerland

Geographical area covered

Rhine

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Contracting Parties agree to strengthen their co-operation for the purpose of fighting against pollution of the Rhine by chloride ions. The Convention contains several measures relating to discharges reduction of these emissions.

Institutional framework

The International Commission for the Protection of the Rhine against Pollution.

Source

1404 UNTS 90

Convention on the protection of the Rhine against chemical pollution

Place and date

Bonn, 3 December 1976

Signatories

Germany, France, Luxembourg, the Netherlands, Switzerland and the European Economic Community

Geographical area covered

Rhine

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

In order to improve the quality of the Rhine waters, the Parties will take appropriate measures to:

- eliminate pollution from the surface waters of the Rhine basin by dangerous substances included in the families and groups of substances shown in Annex I to the Convention. They propose to achieve gradually the elimination of discharges of those substances, taking into account the results of studies made by experts concerning each one, as well as the technical means available; and
- reduce the pollution of the Rhine waters by dangerous substances included in the families and groups of substances shown in Annex II to the Convention.

Measures shall be adopted taking into account that the Rhine waters are used for the following purposes:

- production of drinking water for human consumption;
- consumption by domestic and wild animals;
- conservation and development of species, both fauna and flora, and conservation of the self-purification property of water;
- fishing;
- recreation, considering health and aesthetic requirements;
- direct or indirect supply of fresh water for agricultural lands; and
- production of water for industrial use and the need to preserve an acceptable quality of seawater.

Institutional framework

The Governments shall communicate to the International Commission for the Protection of the Rhine against Pollution, and the European Economic Community and its Member States will act in the fields coming under their respective jurisdictions.

Source

1124 UNTS 405

Convention between the Kingdom of Belgium and the Grand Duchy of Luxembourg on the subject of the water of the Sauer

Place and date

Brussels, 17 March 1980

Signatories

Belgium and Luxembourg

Geographical area covered

Sauer, from the village Bodange to Grumelange

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The objective of the Convention is to preserve the river's water quality. To this end the Contracting Parties agree to set up infrastructure for the evacuation and treatment of waste water.

Institutional framework

The text of the Convention does not specify.

Source

www.transboundarywaters.orst.edu/

Convention between the Government of the French Republic and the Government of the Grand Duchy of Luxembourg for the realisation and exploitation of certain industrial settlements on the Moselle

Place and date

Paris, 12 March 1986

Signatories

France and Luxembourg

Geographical area covered

Moselle, at the city of Cattenom

Primary focus area

Nuclear power

Provisions most relevant to ecosystems conservation

The objective of the Convention is to establish the conditions for realisation and exploitation of a nuclear power plant. The Parties agree that the water disposed in the Moselle River from the nuclear power plant shall not exceed a certain temperature. The disposal shall not affect the water flow or the navigation conditions.

Institutional framework

The Convention provides for the establishment of a Committee consisting of experts in the field, as well as an Intergovernmental Commission composed of governmental representatives and experts.

Source

www.transboundarywaters.orst.edu/

Agreement on the protection of the Meuse

Place and date

Charleville Mézières, 26 April 1994

Signatories

France, the Netherlands, the Walloon Region, the Flemish Region, and the Brussels-Capital Region

Geographical area covered

Catchment area of the Meuse

Primary focus area

Water quality and integrated water management

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish the International Commission for the Protection of the Meuse against Pollution, which shall provide for qualitative protection of water resources and integrated water resource management. One of the tasks of the

Commission shall be to establish objectives and a programme of action to be implemented by each of the Contracting Parties, which shall include measures aimed at all types of pollution sources and diffuse sources, in order to maintain and improve water quality and the ecosystem generally.

Institutional framework

The International Commission for the Protection of the Meuse against Pollution.

Source

www.transboundarywaters.orst.edu/

Convention concerning collection, discharge and loading of wastes from navigation in the Rhine

Place and date

Strasbourg, 9 September 1996

Signatories

Belgium, France, Germany, Luxembourg, the Netherlands and Switzerland

Geographical area covered

Rhine. Annex I of the Convention lists the waterways to which the Convention is applicable

Provisions most relevant to ecosystems conservation

The Convention establishes a prohibition against dumping wastes from vessels into the waterways listed in Annex I to the Convention. The concept of wastes from vessels includes a wide range of substances ranging from oil and others utilised in the operation of vessels, to domestic wastes.

The Parties have the duty to establish a network of stations for the collection of wastes and determine a unified procedure for its discharge and loading.

Institutional framework

The Parties established a Conference of the Parties for the supervision and implementation of the Convention.

Source

EMUT. 996:68

Convention on the protection of the Rhine

Place and date

Bern, 12 April 1999

Signatories

France, Germany, Luxembourg, the Netherlands, Switzerland, and the European Community

Geographical area covered

Rhine, defined as the waters from the outlet of Lake Untersee and, in the Netherlands, the branches Bovenrijn, Bijlands Kanaal, Pannerdensch Kanaal, Issel, Nederrijn, Lek, Waal, Boven-Merwede, Beneden-Merwede, Noord, Oude Maas, Nieuwe Maas and Scheur and the Nieuwe Waterweg as far as the base line, the Ketelmeer and the Ijsselmeer.

The Convention covers the following parts of the Rhine:

- groundwater interacting with the Rhine;
- aquatic and terrestrial ecosystems which interact or could interact with the Rhine;
- the Rhine catchment area, insofar as its pollution by noxious substances adversely affects the Rhine; and
- the Rhine catchment area, insofar as it is of importance for flood prevention and protection along the Rhine.

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Contracting Parties shall pursue the following aims through this Convention:

1. sustainable development of the Rhine ecosystem, in particular through:
 - (a) maintaining and improving the quality of the waters, including the quality of suspended matter, sediments and groundwater, notably by – preventing, reducing or eliminating as far as possible pollution caused by noxious substances and by nutrients from point sources (e.g. industry and municipalities) and diffuse sources (e.g. agriculture and traffic) – including that from groundwater – and pollution from shipping, – ensuring and improving the safety of installations and preventing incidents and accidents;
 - (b) protecting populations of organisms and species diversity and reducing pollution by noxious substances in organisms;
 - (c) maintaining, improving and restoring the natural function of the waters;
 - (d) ensuring that flow management takes account of the natural flow of solid matter and promotes interactions between river, groundwater and alluvial areas, conserving, protecting and reactivating alluvial areas as natural floodplains;
 - (e) conserving, improving and restoring the most natural habitats possible for wild fauna and flora in the water, on the river bed and banks and in adjacent areas, and improving living conditions for fish and restoring their free migration;
 - (f) ensuring environmentally sound and rational management of water resources;
 - (g) taking ecological requirements into account when implementing technical measures to develop the waterway, e.g. for flood protection, shipping or the use of hydroelectric power;
2. the production of drinking water from the Rhine waters;
3. improvement of sediment quality in order to deposit or spread dredged material without adversely affecting the environment;
4. general flood prevention and protection, taking account of ecological requirements; and
5. restoration of the North Sea in conjunction with the other actions taken to protect it.

To achieve the aims of the Convention, the Contracting Parties undertake:

1. to step up their cooperation and to inform one another, particularly regarding actions taken in their territory to protect the Rhine;
2. to implement in their territory the international measuring programmes and the studies of the Rhine ecosystem agreed upon by the Commission and to inform the Commission of the results;
3. to carry out analyses with a view to identifying the causes of and parties responsible for pollution;
4. to initiate the autonomous actions they deem necessary in their territory, and in any event ensure that:
 - (a) waste water liable to affect water quality is subject to prior authorisation or to general rules laying down emission limits;
 - (b) hazardous substances are gradually reduced with a view to their elimination;
 - (c) compliance with authorisations and general rules is monitored, as are discharges;
 - (d) authorisations and general rules are periodically examined and adjusted where substantial improvements in the state of the art so permit or where the state of the receiving medium so requires;
 - (e) the risk of pollution from incidents or accidents is reduced as far as possible by regulations, and the requisite measures are taken in the event of an emergency;
 - (f) technical measures liable to have serious effects on the ecosystem are subject to prior authorisation, along with the necessary conditions, or to general regulations;
5. to initiate the necessary actions in their territory to implement decisions taken by the International Commission for the Protection of the Rhine; and
6. in the event of incidents or accidents that might threaten water quality or in the event of imminent flooding, immediately to inform the Commission and the Contracting Parties liable to be affected, in accordance with the warning and alert plans co-ordinated by the Commission.

Institutional framework

The Contracting Parties shall establish the International Commission for the Protection of the Rhine which shall:

- prepare studies and programmes on the Rhine ecosystem;
- make proposals for actions;
- evaluate the effectiveness of the actions implemented;
- coordinate warnings and alerts; and
- inform the public as to the state of the Rhine and the results of its work.

The Commission shall have a permanent secretariat.

Source

Official Journal of the European Communities, L 289, 16 November 2000, pp. 31–37.

Rhone

- Convention between France and Switzerland for the management of the hydraulic power of the Rhone between the planned factory of La Plaine and a point to be determined upstream of the bridge of Pougny-Chancy
(Bern, 4 October 1913)
- Convention between France and Switzerland on the subject of the concession of the Châtelot waterfall
(Bern, 19 November 1930)
- Treaty of peace with Italy
(Paris, 10 February 1947)
- Convention between Switzerland and France concerning the straightening of Ruisseau (Le Boiron)
(Paris, 3 December 1959)
- Convention between Switzerland and France concerning the straightening of the Hermance
(Paris, 3 December 1959)
- Convention between the Government of the French Republic and the Swiss Federal Council concerning protection of the waters of Lake Geneva against pollution
(Paris, 16 November 1962)
- Convention between the French Republic and the Swiss Confederation concerning the Émosson hydroelectric facility
(Sion, 23 August 1963)
- Exchange of Letters constituting an Agreement between France and Switzerland on the implementation of the convention of 16 November 1962 concerning protection of the waters of Lake Geneva against pollution
(Paris, 7 and 21 October 1971)
- Convention concerning the protection of Italo-Swiss waters against pollution
(Rome, 20 April 1972) (See Danube. Also applicable to Danube, Po and Rhine.)
- Convention between the Government of the French Republic and the Swiss Federal Council regarding navigation on Lake Geneva
(Bern, 7 December 1976)
- Agreement between France and Switzerland concerning the activities of agencies for the control of accidental water pollution by hydrocarbons or other substances capable of polluting water and recognised as such under the Convention of 16 November 1962 between France and Switzerland concerning the protection of the waters of Lake Geneva against pollution
(Bern, 5 May 1977)
- Agreement between the Government of the French Republic and the Swiss Federal Council regarding fishing in Lake Geneva
(Bern, 20 November 1980)

- Agreement between the Government of the French Republic and the Swiss Federal Council, acting on behalf of the Republic and Canton of Geneva, concerning the removal of phosphates from the waters of Lake Geneva (Bern, 20 November 1980)
- Convention instituting the Council of Lake Geneva (Lausanne, 10 June 1987)
- Agreement concerning the practice of fishing and the protection of aquatic habitats in the part of the Doubs constituting a frontier between the two States (Paris, 29 July 1991)

Convention between the Government of the French Republic and the Swiss Federal Council concerning protection of the waters of Lake Geneva against pollution

Place and date

Paris, 16 November 1962

Signatories

France and Switzerland

Geographical area covered

Lake Geneva and its outlet up to the point where its waters leaves Swiss territory, including the surface and ground waters of the effluents in so far as such effluents contribute to the pollution of the waters of the lake and of its outlet

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Contracting Parties agree to collaborate in the protection of Lake Geneva waters against pollution and to establish an International Commission for the Protection of the Waters of Lake Geneva against Pollution. The Commission shall have advisory functions on how to deal with existing pollution and to prevent any future one, and shall have the following functions:

- organise surveys to determine the nature, extent and sources of pollution;
- recommend measures to the Governments to deal with existing pollution and to prevent any future pollution; and
- provide ground information for international regulations relating to cleanness of the waters of Lake Geneva.

The Commission shall be assisted by an international technical sub-commission composed of water pollution experts.

Institutional framework

The International Commission for the Protection of the Waters of Lake Geneva against Pollution.

Source

922 UNTS 53

Convention between the French Republic and the Swiss Confederation concerning the Émosson hydro-electric facility

Place and date

Sion, 23 August 1963

Signatories

France and Switzerland

Geographical area covered

Waters of various valleys situated in France, in the department of Haute-Savoie, and in Switzerland, in the canton of Valais

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The Parties agree to build the necessary structures for the development of hydraulic power and to share the energy, through a single concessionaire. The concessionaire shall be bound by the concession contract to release downstream from the dam and intakes, the discharge deemed necessary for safeguarding the general interest, particularly with regard to public health, water supply, irrigation, the conservation and movement of fish, and the protection of places of interest and landscapes.

Institutional framework

The Parties agree to establish a Standing Supervisory Commission comprised of officials and experts from the competent authorities of the two States. The Commission shall supervise on the construction and operation of the works.

Source

1248 UNTS 360

Exchange of Letters constituting an Agreement between France and Switzerland on the implementation of the Convention of 16 November 1962 concerning protection of the waters of Lake Geneva against pollution

Place and date

Paris, 7 and 21 October 1971

Signatories

France and Switzerland

Geographical area covered

Lake Geneva

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Parties agreed to draw up a five-year research and study plan involving sounding Lake Geneva to determine the sources of phosphorus, the biological prospects, the lake currents and the distribution of higher forms of aquatic plants.

Institutional framework

The International Commission for the Protection of the Waters of Lake Geneva against Pollution.

Source

922 UNTS 56

Convention concerning the protection of Italo-Swiss waters against pollution

Place and date

Rome, 20 April 1972

Signatories

Italy and Switzerland

Geographical area covered

Breggia, Doveria, Giona, Lake Maggiore (Verbano), Lake Lugano (Ceresio), Maira (Mera), Melezza, Poschiavino, Spöl and Tresa

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Parties agree to collaborate with a view to protecting the shared waters against pollution, including surface and groundwater, as well as the tributaries.

Parties agree to establish a Mixed Commission for the Protection of Italo-Swiss Waters against Pollution. The Commission shall have the following functions:

- to consider all matters relating to pollution of the Italo-Swiss shared waters or to any other degradation thereof;
- to organise and cause to be carried out such surveys as are necessary to determine the source, nature and extent of pollution, and shall make use of the data obtained;
- to propose measures to the Parties to deal with existing pollution and to prevent any future pollution; and
- to propose to the Parties draft regulations for ensuring the cleanness of Italo-Swiss waters.

Institutional framework

The Mixed Commission for the Protection of Italo-Swiss Waters against Pollution.

Source

957 UNTS 279

Convention between the Government of the French Republic and the Swiss Federal Council regarding navigation on Lake Geneva

Place and date

Bern, 7 December 1976

Signatories

France and Switzerland

Geographical area covered

Lake Geneva

Primary focus area

Navigation

Provisions most relevant to ecosystems conservation

The Parties agree that water and air pollution, as well as noise caused by navigation shall be prevented and penalised by the competent authorities of the Parties. To this end, objects or substances likely to pollute the water or to obstruct or endanger navigation or other users shall not be thrown, poured, dropped or drained into the lake. In addition, the emissions of fumes or odours contrary to national provisions on the protection of the atmosphere against pollution shall be prohibited.

Institutional framework

The Parties agree to establish a Joint Advisory Commission to supervise the implementation of the agreement.

Source

1128 UNTS 245

Agreement between France and Switzerland concerning the activities of agencies for the control of accidental water pollution by hydrocarbons or other substances capable of contaminating water and recognised as such under the Convention of 16 November 1962 between France and Switzerland concerning protection of the waters of Lake Geneva against pollution

Place and date

Bern, 5 May 1977

Signatories

France and Switzerland

Geographical area covered

Lake Geneva and its outlet up to the point where its waters leave Swiss territory, including the surface and ground waters of the tributaries in so far as such tributaries contribute to the pollution of the waters of the lake and of its outlet

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish a permanent working group on “Franco-Swiss collaboration between hydrocarbon accident intervention centres”. The tasks of the group shall include:

- establishing an emergency intervention programme for the control of hydrocarbons and other substances; and
- drawing up an inventory of the resources available to the various centres likely to take part in dealing with accidents due to hydrocarbons or other substances.

Institutional framework

The Parties agree to establish a permanent working group on “Franco-Swiss collaboration between hydrocarbon accidents intervention centres”.

Source

1080 UNTS 159

Agreement between the Government of the French Republic and the Swiss Federal Council regarding fishing in Lake Geneva

Place and date

Bern, 20 November 1980

Signatories

France and Switzerland

Geographical area covered

The Swiss and French parts of Lake Geneva

Primary focus area

Fish conservation

Provisions most relevant to ecosystems conservation

The objective of the Agreement is to harmonise the provisions regarding fishing and to ensure the effective protection of fish and their habitat. The Contracting Parties agree that when work is carried out on the lake shores or lake bottom, and when measures are taken to alter the regime or quality of the water, all necessary arrangements must be made to ensure the protection of fish and the fauna on which they feed.

Institutional framework

The implementation of the Agreement is entrusted to a Consultative Commission which shall propose development plans for successive periods of five years in order to ensure the proper management of fish stock in the lake. The Competent Authorities of the Contracting Parties shall appoint officials responsible for the supervising of fishing and the development of fish breeding.

Source

1306 UNTS 345

Convention instituting the Council of Lake Geneva

Place and date

Lausanne, 19 February 1987

Signatories

France and Switzerland

Geographical area covered

Lake Geneva and its surroundings

Primary focus area

Joint management

Provisions most relevant to ecosystems conservation

Parties agree to establish the Council of Lake Geneva, a consultative institution in charge of examining issues of common interest and making recommendations to relevant authorities.

The Council facilitates co-operation between Parties in economical, social, ecological, and infrastructure aspects.

The Council shall have investigation powers in the field of environmental protection. This comprises surveillance of lakes, water flows, forests, sites and heritage, transportation of energy and the production of hydropower.

Institutional framework

The Council of Lake Geneva.

Source

www.transboundarywaters.orst.edu/

Agreement concerning the practice of fishing and the protection of aquatic habitats in the part of the Doubs constituting a frontier between the two States

Place and date

Paris, 29 July 1991

Signatories

France and Switzerland

Geographical area covered

The part of the Doubs constituting the frontier between France and Switzerland

Primary focus area

Conservation of fish and aquatic habitats

Provisions relevant to ecosystems conservation

The objective of the Agreement is to:

- harmonise the provisions regarding fishing in the Doubs; and
- ensure effective protection of fish and their habitat.

The Parties agree to protect the fish habitat, in particular the areas which are especially important for fish reproduction and development, from all harmful influences. When work is carried out on river banks or river bed, or when measures are taken to change the streamflow regime or the water quality, Parties agree to make all necessary arrangements to ensure the protection of fish and their habitat.

In the event of pollution, a significant drop in water level, and in the event of emergencies likely to affect the aquatic habitat and fish population, the competent authorities of the Parties shall inform each other as soon as possible, about the measures which they adopt to protect the fish and their habitat.

The Agreement also applies to crayfish.

Institutional framework

The Parties agree to establish a Mixed Commission. The Commission shall monitor the application of the Agreement and its implementing regulations.

Source

1734 UNTS 17

Roia/Roya

- Franco-Italian Convention concerning the supply of water to the town of Menton (Paris, 28 September 1967)

Franco-Italian Convention concerning the supply of water to the Commune of Menton

Place and date

Paris, 28 September 1967

Signatories

France and Italy

Geographical area covered

Roya River and the Commune of Menton

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to improve the water supply to the Commune of Menton. Italy agrees on the withdrawal of water from the Roya and to guarantee the free passage of such water to France. Some of the water withdrawn shall be pumped back to Italy in order to supply an Italian village.

During times when the usable flow from the river is low, the volume of water withdrawn by France shall be proportionally reduced.

Institutional framework

None.

Source

940 UNTS 205

Scheldt

- Treaty of limits Between France and the Netherlands (Courtray, 28 March 1920) (Also applicable to Rhine.)
- Protocol to establish a Tripartite Standing Committee on polluted waters (Brussels, 8 April 1950) (See Rhine. Also applicable to Rhine.)
- Treaty between the Kingdom of the Netherlands and the Kingdom of Belgium concerning the connexion between the Scheldt and the Rhine (the Hague, 13 May 1963) (See Rhine. Also applicable to Rhine.)
- Convention between the Government of the Kingdom of the Netherlands and the Government of the Kingdom of Belgium concerning the improvement of the navigable waterway in the western Scheldt near Walsoorden (the Hague, 13 May 1970)
- Convention between the French Republic and the Kingdom of Belgium concerning improvement of the common River Lys between Deulemont and Menin (Brussels, 3 February 1982)

- Agreement on the protection of the River Scheldt (Charleville Mézières, 26 April 1994)

Convention between the French Republic and the Kingdom of Belgium concerning improvement of the common River Lys between Deulemont and Menin

Place and date

Brussels, 3 February 1982

Signatories

Belgium and France

Geographical area covered

The common reach of the River Lys

Primary focus area

Navigation and flooding

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to alter a stretch of the common River Lys in order to permit navigation by ships or convoys and to facilitate the draining of floodwaters.

Annex I to the Convention provides that the protection of banks and types of defence shall be determined depending on the nature of the terrain.

Institutional framework

The Parties agree to establish a Franco-Belgian Commission to monitor the work and to ensure its proper implementation.

Source

1483 UNTS 1986

Agreement on the protection of the River Scheldt

Place and date

Charleville Mézières, 26 April 1994

Signatories

France, the Netherlands, the Walloon Region, the Flemish Region, and the Brussels-Capital Region

Geographical area covered

The Scheldt River, from the sources to its outlet to the sea, including the Bergsche Maas, the Amer, the Hollands Diep, and the Haringvliet.

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to establish a framework for co-operation in the conservation and improvement of the River Scheldt's water quality. The Contracting Parties shall be guided by the following principles in their action: the precautionary principle; the polluter pays principle and the principle of preventive action.

The Parties shall protect and, as far as possible, improve, by management measures and by the way in which the environment is used, the quality of the Meuse's aquatic ecosystem.

Institutional framework

The Contracting Parties establish the International Commission for the Protection of the Scheldt against Pollution. The Commission shall establish objectives and an action programme for the implementation which should include measures aimed at all types of pollution sources in order to maintain and improve the quality of the water and of the ecosystem generally.

Source

www.dundee.ac.uk/

Struma-Vardar

- Exchange of Notes between the Governments of the Federal People's Republic of Yugoslavia and the Kingdom of Greece concerning the implementation of provisions of record annexed to the Agreement for economical collaboration and commercial exchanges
(Belgrade, 25 May 1954)
- Agreement between the Federal People's Republic of Yugoslavia and the Kingdom of Greece concerning hydro-economic questions
(Athens, 18 June 1959) (See Lake Prespa. Also applicable to Lake Prespa.)

Tagus/Tejo

- Exchange of Notes constituting an Agreement between Spain and Portugal on the exploitation of border river for industrial purposes
(Madrid, 29 August and 2 September 1912)
- Frontier Treaty between Spain and Portugal
(Lisbon, 29 September 1864) (See Douro/Duero. Also applicable to Douro/Duero and Minho/Miño.)
- Regulations annexed to the boundary treaty between Spain and Portugal of 29 September, 1864
(Lisbon, 4 November 1866) (See Douro/Duero. Also applicable to Douro/Duero and Minho/Miño.)
- Convention about the cooperation for the protection and sustainable use of the waters of the Portuguese-Spanish hydrological basins and additional protocol
(Albufeira, 30 November 1998) (See Douro/Duero. Also applicable to Guadiana, Lima and Minho/Miño.)

Frontier Treaty between Spain and Portugal

Place and date

Lisbon, 29 September 1864

Signatories

Portugal and Spain

Geographical area covered

Shared waters

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

Considering the injuries suffered by various towns situated on the borders of some adjacent rivers, especially on those of the Minho, as well as the obstructions created in the navigation in consequence of works constructed on the banks of the said rivers, and the alteration effected thereby in the course of their waters, the Parties agree that no one may construct works that affect navigation or damage the condition of the rivers for the common and public use.

Institutional framework

The text of the Treaty does not specify.

Source

Legislative Texts, Treaty no. 241, p. 892.

Regulations annexed to the Boundary Treaty between Spain and Portugal of 29 September 1864

Place and date

Lisbon, 4 November 1866

Signatories

Portugal and Spain

Geographical area covered

Shared waters

Primary focus area

Border issues

Provisions most relevant to ecosystems conservation

The Parties agree that for the purpose of preserving the navigation of the rivers uninterrupted and the use of them free, as well as of maintaining the limit appointed for their courses unalterable, it shall not be lawful to construct in the rivers or on their banks, or on those of their islands, works of any kind that may prejudice the navigation of the rivers for the common and public use.

Institutional framework

The text of the Regulations does not specify.

Source

Legislative Texts, Treaty no. 242, p. 893.

Tana

- Agreement between Norway and Finland concerning the construction and maintenance of a bridge across the Anarjokka (Inarijoki) River (Helsinki, 28 June 1957) (Also applicable to Pasvik.)

- Agreement between the Kingdom of Norway and the Republic of Finland regarding new fishing regulations for the fishing area of the Tana River (Oslo, 15 November 1960)

Torne/Torneälven

- Convention between Norway and Sweden on certain questions relating to the law on watercourses (Stockholm, 11 May 1929)
- Agreement between the Kingdom of Sweden and the Republic of Finland concerning timber floating in the Torne and Muonio frontier rivers (Stockholm, 17 February 1949)
- Agreement between Finland and Sweden concerning frontier waters (Helsinki, 15 December 1971)
- Exchange of Notes constituting an Agreement between Finland and Sweden conferring part of the national frontier between the two States (Helsinki, 14 June 1985)

Agreement between Finland and Sweden concerning frontier waters

Place and date

Helsinki, 15 December 1971

Signatories

Finland and Sweden

Geographical area covered

Könskämä and Muonio Rivers and the portion of the River Tome and the lakes through which the State frontier between Finland and Sweden runs frontier rivers. The special effluents formed by the various branches at the mouth of the River Tome. The part of the Gulf of Bothnia lying between the Finnish and Swedish parishes of Lower Tome. The provisions of the Agreement relating to fishing shall be applicable within a special area.

Primary focus area

Water quantity and fishing

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to regulate certain matters relating to water and fishing rights. The Parties agree that the waters shall be used in such a manner that both countries derive benefit from the frontier watercourses and that the interest of the frontier areas are promoted as effectively as possible. Particular importance shall be accorded to the interests of nature conservancy, the preservation of fish stocks and the prevention of water pollution.

In frontier rivers with branches, each Party shall be entitled to an equal share of the water volume even if a larger portion thereof discharges in one State than in the other.

The Governments agree that waters may not be used if the owner causes a significant inconvenience or if fishing or timber floating is hampered.

Any alteration or demolition of hydraulic structures shall be regarded as construction works if the measures in question are such as might cause a significant change in water conditions. A construction resulting in a significant loss of nature shall only be permitted if it is of particular importance for the economy or for the locality or from other public standpoint. In carrying out hydraulic construction works, care shall be taken to ensure that no pollution occurs that causes any significant inconvenience.

Institutional framework

The Parties agree to establish the Finnish-Swedish Frontier River Commission composed of an equal number of members from both Parties. The members shall be a legal expert, a technical expert and a person with an intimate knowledge of the conditions in the frontier areas.

Source

www.transboundarywaters.orst.edu/

Vistula/Wisła

- A treaty regarding navigation and hydraulic works along the rivers Vistula and San [no title available]
(Vienna, 27 May 1871)
- Agreement between the Government of the Polish Republic and the Government of the Union of Soviet Socialist Republics concerning the regime on the Soviet-Polish State Frontier
(Moscow, 8 July 1948) (See Danube. Also applicable to Danube, Lava/Pregel and Neman.)
- Agreement between the Government of the Polish People's Republic and the Government of the Union of Soviet Socialist Republics concerning the use of water resources in frontier waters
(Warsaw, 17 July 1964)
- Treaty between the Czech Republic Government and the Slovak Republic Government on mutual relations and principles of cooperation in agriculture, food industry, forestry, and water economy under the conditions of the customs union
(Bratislava, 23 November 1992) (Also applicable to Danube and Oder/Odra.)

Agreement between the Government of the Polish People's Republic and the Government of the Union of Soviet Socialist Republics concerning the use of water resources in frontier waters

Place and date

Warsaw, 17 July 1964

Signatories

Poland and U.S.S.R.

Geographical area covered

The surface waters concerning the regime of the Polish-Soviet State frontier, other surface waters intersected by the State frontier, and ground waters intersected by the State frontier

Primary focus area

Water quantity

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to ensure co-operation between the Parties in economic, scientific and technical activities relating to the use of water resources in frontier waters including in particular:

- the regulation of frontier waters and the construction of hydraulic structures with a view to the integrated utilisation of water resources;
- the regulation of flood waters and drifting ice and the regulation of low water;
- the augmentation of frontier water resources through the diversion of water from other basins, and the diversion of frontier waters into other basins;
- the protection of surface and ground waters against depletion and pollution; and
- the study frontier waters for the purpose of determining their quantity and quality.

The Agreement defines “the protection of waters against pollution” as the protection against the introduction into the waters, directly or indirectly, of solid, liquid or gaseous substances and heat in such quantities as may cause physical, chemical and biological changes, which limit or prevent the normal utilisation of the waters for communal, industrial, agricultural, fishery or other purposes.

All work in frontier waters relating to the regulation of rivers and the installation of new hydraulic equipment shall be carried out by each of the Contracting Parties on the basis agreed upon by the two Parties. Neither Party shall, save by agreement with the other Party, carry out any works in frontier waters which may affect the use of water resources by the latter Party.

The Parties agree to jointly conduct measurements with regard to the pollution of frontier waters and shall work out common standards and norms of water purity and, if necessary, establish procedures for controlling pollution. Furthermore, they shall endeavour to keep frontier waters clean, shall employ appropriate procedures for suitably purifying sewage and rendering it harmless, and shall not discharge any sewage which may cause harmful pollution of frontier waters.

Institutional framework

For purposes of implementation, each Contracting Party shall appoint a Government plenipotentiary on matters relating to the use of water resources in frontier waters, and his deputies. The plenipotentiaries and their deputies may establish mixed Polish-Soviet working groups to consider particular problems and may call in experts to take part in the discussions.

Source

552 UNTS 187

Vuoksa/Vuoksi

- Convention between the Republic of Finland and the Russian Socialist Federal Soviet Republic concerning the maintenance of river channels and the regulation of fishing on watercourses forming part of the frontier between Finland and Russia (Helsinki, 28 October 1922) (See Kemi. Also applicable to Kemi and Pasvik.)

- Convention between the Republic of Finland and the Russian Socialist Federal Soviet Republic regarding the floating of timber in watercourses flowing from Finland to Russia or vice versa
(Helsinki, 28 October 1922) (Also applicable to Kemi and Pasvik.)
- Agreement between Finland and the Union of Soviet Socialist Republics concerning frontier watercourses
(Helsinki, 24 April 1964) (See Kemi. Also applicable to Kemi and Pasvik.)
- Agreement between the Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics concerning the production of electric power in the part of the Vuoksi River bounded by the Imatra and Svetogorsk hydroelectric stations
(Helsinki, 12 July 1972)

Agreement between the Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics concerning the production of electric power in the part of the Vuoksi River bounded by the Imatra and Svetogorsk hydro-electric stations

Place and date

Helsinki, 12 July 1972

Signatories

Finland and U.S.S.R.

Geographical area covered

The frontier watercourse of the Vuoksi River

Primary focus area

Hydropower

Provisions most relevant to ecosystems conservation

The purpose of the Agreement is to regulate the efficient operation of the two hydroelectric stations belonging to each Party situated in the frontier Vuoksi River. The Parties agree that certain flow rates and levels should not exceed indicated average levels, measured at a certain points of the river.

Institutional framework

The Joint Finnish-Soviet Commission on the Utilisation of Frontier Watercourses shall be responsible for the verification and implementation of the Agreement.

Source

884 UNTS 63

Part II

Non-watercourse agreements

1. Global

- Act of the Vienna Congress
(Vienna, 9 June 1815)
- Convention Concerning the Protection of the World Cultural and Natural Heritage
(Paris, 23 November 1972)
- Convention on the Conservation of Migratory Species of Wild Animals
(Bonn, 23 June 1979)
- Protocol on Environmental Protection to the Antarctic Treaty
(Madrid, 4 October 1991)
- Convention on Biological Diversity
(Río de Janeiro, 5 June 1992)
- Convention to Combat Desertification in countries experiencing serious drought and/or desertification, particularly in Africa
(Paris, 17 June 1994)

Act of the Vienna Congress

Place and date

Vienna, 9 June 1815

Primary focus area

Border issues

Geographical area covered

Austria, France, Portugal, Prussia, Russia, Sweden and the United Kingdom. Spain adhered to the Final Act in 1817. It also relates to overseas dependencies.

Provisions most relevant to ecosystems conservation

Articles 108 to 117 relate to various issues concerning navigation of rivers crossing the boundaries between different states. The navigation of these rivers, along their whole course, from the point where they become navigable to their mouths, shall be entirely free.

Each State bordering on the rivers is responsible for keeping in good repair the towing paths which pass through its territory, and for maintaining the necessary works through the same extent in the river channels, in order to avoid any obstacles to navigation.

Institutional framework

Not specified.

Source

Martens, G.F., *Nouveau Recueil*, Vol. 2, pp. 379–427.

Convention Concerning the Protection of the World Cultural and Natural Heritage

Place and date

Paris, 23 November 1972

Primary focus area

Protection of cultural and natural heritage

Geographical area covered

Global

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to protect and conserve cultural and natural heritage, on the basis of a site listing. The Parties to the Convention shall submit an inventory of property forming part of the cultural and natural heritage, situated in its territory and suitable for inclusion in the World Heritage List. The Convention defines “cultural heritage” sites as works of man or combined works of man and nature, as well as areas including archaeological sites which are of outstanding universal value from the historic, aesthetic, ethnological or anthropological point of view.

The following shall be considered as “natural heritage”:

- natural features consisting of physical and biological formations or groups of such formations, which are of outstanding universal value from the aesthetic or scientific point of view;
- geological and physiographical formations and precisely delineated areas which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science or conservation; and
- natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty.

Each Party shall ensure that effective and active measures are taken for the protection, conservation and presentation of the cultural and natural heritage situated on its territory through:

- services for the protection, conservation and presentation of the cultural and natural heritage with an appropriate staff and possessing the means to discharge their functions; and
- appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation of the heritage.

Natural or cultural sites inscribed in the World Heritage List may include a river, a lake, a glacier or the upper watershed of a river basin. The Convention can be used for protecting water bodies in part or in their entirety, thus serving as a means for ecosystems conservation.

Institutional framework

An Intergovernmental Committee for the Protection of the Cultural and Natural Heritage of Outstanding Universal Value called “The World Heritage Committee” is

established within UNESCO composed of and elected by State Parties. The Committee is responsible for establishing, updating and publishing the World Heritage List.

Source

1037 UNTS 151

Convention on the Conservation of Migratory Species of Wild Animals

Place and date

Bonn, 23 June 1979

Geographical area covered

Global

Primary focus area

Protection of migratory species

Provisions most relevant to ecosystems conservation

The Convention aims to conserve terrestrial, marine and avian migratory species throughout their range. Migratory species threatened with extinction and migratory species that need or would significantly benefit from international co-operation, respectively, are listed in Appendices I and II. For the protection of these migratory species, Range States (any State that exercises jurisdiction over any part of the range of the migratory species) are encouraged to conclude global or regional agreements. These agreements should cover the whole of the range of the migratory species concerned and should be open to accession by all Range States of that species, whether or not they are Parties to the Convention. In those cases where wetlands, rivers or coastal zones are included in the range of migratory species, countries will have to establish specific measures to protect them as part of the conservation measures necessary to protect the migratory species.

Institutional framework

The Conference of the Parties is the decision-making organ of the Convention. Its Standing Committee gives policy and administrative guidance between meetings. The Scientific Council meets between the sessions of the Conference of the Parties to offer scientific advice and identify research and conservation priorities. The Secretariat develops and promotes agreements, services meetings, supports and supervises research and conservation projects and co-operates with governments and partner organisations.

Source

1651 UNTS 355

Protocol on Environmental Protection to the Antarctic Treaty

Place and date

Madrid, 4 October 1991

Geographical area covered

The Antarctica

Primary focus area

Conservation of the Antarctic flora and fauna

Provisions most relevant to ecosystems conservation

The objective of the Protocol is to designate Antarctica as a natural reserve, devoted to peace and science. The Parties agree that the protection of the Antarctic environment and dependent and associated ecosystems, including its wilderness and its aesthetic values, shall be fundamental considerations in the planning and conduct of all activities in the Antarctica. To this end, activities shall be planned and conducted so as to limit adverse impacts on the Antarctic environment and dependent and associated ecosystems. Significant adverse effects on air or water quality and significant changes in the atmospheric, terrestrial (including aquatic), glacial or marine environment, shall be avoided.

The Parties shall co-operate in the planning and conduct of activities and shall endeavour to:

- promote co-operative programmes of scientific, technical and educational value, concerning the protection of the Antarctic environment and dependent and associated ecosystems;
- provide appropriate assistance to other Parties in the preparation of environmental impact assessments; and
- provide to other Parties upon request information relevant to any potential environmental risk and assistance to minimise the effects of accidents which may damage the Antarctic environment or depend and associated ecosystems.

Institutional framework

The Parties shall establish the Committee for Environmental Protection consisting of members from each Party. The functions of the Committee shall be to provide advice and formulate recommendations to the Parties in connection with the implementation of the Protocol. Each Party shall report annually on the steps taken to implement the Protocol.

Source

402 UNTS 71

Convention on Biological Diversity

Place and date

Río de Janeiro, 5 June 1992

Geographical area covered

Global

Primary focus area

Conservation of biological diversity

Provisions most relevant to ecosystems conservation

The objectives of the Convention are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilisation of genetic resources, including by appropriate access to genetic resources and transfer of relevant technologies, taking into account all rights over those resources and to technologies. The definition of “biological diversity” includes terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part. The Parties recognise the customary law obligation not to cause significant harm beyond national jurisdiction.

Furthermore, the Parties shall co-operate for the conservation and sustainable use of biological diversity in respect of areas beyond national jurisdiction and on other matters of mutual interest. National strategies, plans or programmes for the conservation and sustainable use of biological diversity, shall be developed or adapted. The conservation and sustainable use of biological diversity shall be integrated into relevant sectoral or cross-sectoral plans, programmes and policies.

The provisions on *in situ* conservation are of particular importance for managing ecosystems conservation. The Parties shall:

- establish protected areas and develop guidelines for their selection, establishment, and management;
- promote the protection of ecosystems, natural habitats and maintenance of viable populations of species in their natural habitats;
- develop legislation for the protection of endangered species and populations;
- rehabilitate and restore degraded ecosystems through the development and management of plans and other strategies;
- prevent the introduction of, control or eradication of, alien species threatening those ecosystems;
- respect, preserve and maintain knowledge and practices of indigenous and local communities relevant for the conservation and sustainable use of biological diversity; and
- promote the wider application of such knowledge and practices.

Furthermore, Parties shall:

- introduce environmental impact assessment procedures for proposed projects likely to have significant adverse effect on biodiversity;
- introduce arrangements to ensure that the environmental consequences of programmes and policies that are likely to have significant adverse impacts on biological diversity are duly taken into account;
- promote exchange of information and consultation on activities under their jurisdiction likely to significantly adversely affect biodiversity of other States or of areas beyond national jurisdiction; and
- immediately notify potentially affected States in cases of imminent or grave danger or damage to biodiversity originating under their jurisdiction or control.

Institutional framework

The Parties establish a Conference of the Parties which shall keep the implementation of the Convention under review. Other bodies to be established are the Secretariat and the Subsidiary Body on Scientific, Technical and Technological Advice, which shall provide the Conference of the Parties with advice relating to the implementation of the Convention.

Source

1760 UNTS 142

Convention to Combat Desertification in countries experiencing serious drought and/or desertification, particularly in Africa

Place and date

Paris, 17 June 1994

Geographical area covered

Global

Primary focus area

Desertification and land degradation

Provisions most relevant to ecosystems conservation

The objective of the Convention is to combat desertification and mitigate the effects of drought in countries experiencing serious drought and/or desertification, particularly in Africa. In achieving the objective, the Contracting Parties shall adopt long-term integrated strategies that focus simultaneously on improved productivity of land, and the rehabilitation, conservation and sustainable management of land and water resources, leading to improved living conditions. In general, the Contracting Parties shall promote co-operation in the fields of environmental protection and conservation of land and water as they pertain to desertification.

Among the priority areas for the Sub regional Programme for Africa are the preparation of joint programmes for the sustainable management of transboundary natural resources such as water resources and biological diversity. Some rather similar provisions are provided for in the Regional Implementation Annex for Asia.

Institutional framework

The Contracting Parties shall establish a Conference of the Parties which shall review the implementation of the Convention and the functioning of its institutional arrangements. There shall also be established a Permanent Secretariat as well as a Committee on Science and Technology.

Source

107 UNTS 1954

2. Regional

- Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere
(Washington, 12 October 1940)
- Agreement for the Conservation of Polar Bears
(Oslo, 15 November 1973)
- Convention on Conservation of Nature in the South Pacific
(Apia, 12 June 1976)
- Convention on the Conservation of European Wildlife and Natural Habitats
(Bern, 19 September 1979)
- Convention on Long-Range Transboundary Air Pollution
(Geneva, 13 November 1979)
- Benelux Convention on Nature Conservation and Landscape Protection
(Brussels, 8 June 1982)
- ASEAN Agreement on the Conservation of Nature and Natural Resources
(Kuala Lumpur, 9 July 1985)
- Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa
(Bamako, 30 January 1991)
- Convention on Environmental Impact Assessment in a Transboundary Context
(Espoo, 25 February 1991)
- Convention on the Protection of the Alps
(Salzburg, 7 November 1991)
- Convention on the Transboundary effects of Industrial Accidents
(Helsinki, 17 March 1992)
- Convention for the Protection of the Biodiversity and the Protection of Wilderness in Central America
(Managua, 5 June 1992)
- Regional Agreement on the Transboundary Movement of Hazardous Wastes
(Panama City, 11 December 1992)
- Agreement on the Conservation of African-Eurasian Migratory Waterbirds
(The Hague, 16 June 1995)
- Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters
(Aarhus, 25 June 1998)
- Memorandum of Understanding between the Republic of Kenya and the United Republic of Tanzania and the Republic of Uganda for Co-operation on Environment

Management
(Nairobi, 22 October 1998)

- European Landscape Convention
(Florence, 20 October 2000)
- Agreement on the Conservation of Albatrosses and Petrels
(Canberra, 19 June 2001)
- Framework Convention on the Protection and Sustainable Development of the Carpathians
(Kiev, 22 May 2003)
- African Convention on the Conservation of Nature and Natural Resources
(Maputo, 11 July 2003)

Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere

Place and date

Washington, 12 October 1940

Geographical area covered

The Americas

Primary focus area

Nature protection and wildlife preservation

Provisions most relevant to ecosystems conservation

The Convention aims at protecting and preserving the American flora and fauna, including migratory birds from extinction, preserve scenery of extraordinary beauty, striking geologic formations, regions and natural objects of aesthetic, historic or scientific value and areas characterised by primitive conditions. The Parties shall fulfil the objectives through the establishment of national parks, national reserves, nature monuments and strict wilderness reserves.

Institutional framework

The text of the Convention does not specify.

Source

161 UNTS 193

Agreement for the Conservation of Polar Bears

Place and date

Oslo, 15 November 1973

Geographical area covered

Arctic Region

Primary focus area

Protection of polar bears

Provisions most relevant to ecosystems conservation

The Parties agree to take appropriate action to protect the ecosystems of which polar

bears are a part, with special attention to habitat components (water is an essential component of the polar bear habitat) such as denning and feeding sites and migration patterns.

Institutional framework

The text of the Agreement does not specify.

Source

13 ILM. 13 (1974)

Convention on Conservation of Nature in the South Pacific

Place and date

Apia, 12 June 1976

Geographical area covered

The South Pacific

Primary focus area

Nature protection and wildlife preservation

Provisions most relevant to ecosystems conservation

The Parties agree to encourage the creation of protected areas (national parks and national reserves), which will safeguard representative samples of natural ecosystems occurring therein, as well as superlative scenery, striking geological formations, and regions and objects of aesthetic interest or historic, cultural or scientific value. Endangered species shall be given special attention.

“National park” is defined as an established area for the protection and conservation of ecosystems containing animal and plant species, geomorphological sites and habitats of special scientific, educative and recreational interest or a natural landscape of great beauty, which is under control of the appropriate public authority and open to visits by the public. “National reserve” means an area established for protection and conservation of nature, and includes strict nature reserve, managed nature reserve, wilderness reserve, fauna or flora reserve, game reserve, bird sanctuary, geological or forest reserve, archaeological reserve and historical reserve.

The Parties shall use their best endeavours to protect indigenous fauna and flora in protected areas and to safeguard them from unwise exploitation and other threats that may lead to their extinction. A list of endangered species of indigenous fauna and flora that are threatened with extinction shall be established in each Party’s territory.

Institutional framework

The South Pacific Commission shall provide for the bureau duties under the Convention.

Source

www.austlii.edu.au

Convention on the Conservation of European Wildlife and Natural Habitats

Place and date

Bern, 19 September 1979

Geographical area covered

Europe: Council of Europe

Primary focus area

Conservation of wildlife and natural habitats

Provisions most relevant to ecosystems conservation

The Convention aims to conserve wild flora and fauna, species and their natural habitats. Special attention is given to endangered and vulnerable species, including endangered and vulnerable migratory species, specified in appendices to the Convention. The relevance of the instrument for the conservation of freshwater ecosystems is only indirect. The Parties undertake to take all appropriate measures to ensure the conservation of the habitats of the wild flora and fauna species. Such measures should be included in the Parties planning and development policies and pollution control, with particular attention to the conservation of wild flora and fauna.

Institutional framework

The Convention establishes a Standing Committee which has the principal task of monitoring the provisions of the Convention in the light of development of the wild flora and the assessment of its needs. For this purpose, the Standing Committee is especially competent to make recommendations to the Parties and amendments to the appendices where these protected species are specified.

Source

1284 UNTS 209

Convention on Long-Range Transboundary Air Pollution

Place and date

Geneva, 13 November 1979

Geographical area covered

Europe: United Nations Economic Commission for Europe, the United States of America and Canada

Primary focus area

Transboundary air pollution

Provisions most relevant to ecosystems conservation

The Contracting Parties shall endeavour to limit and, as far as possible, gradually reduce and prevent air pollution including long-range transboundary pollution.

Air pollution is defined as the introduction by man directly or indirectly of substances or energy into the air resulting in negative effects of such a nature as to endanger human health, harm living resources and ecosystems and impair or interfere with amenities and other uses of the environment.

Long-range transboundary air pollution means air pollution whose physical origin is situated wholly or in part within an area under the national jurisdiction of one state and which has adverse effects in the area under the jurisdiction of another state at such a distance that it is not possible to distinguish the contribution of individual emission sources.

Institutional framework

The Convention provides for the establishment of an Executive Body composed by the senior advisers to the UNECE governments on environmental problems. Amongst other roles the Executive Body shall review the implementation of the Convention and establish, as appropriate, working groups to consider issues related to implementation and development of the Convention.

Source

www.unece.org/

Benelux Convention on Nature Conservation and Landscape Protection

Place and date

Brussels, 8 June 1982

Geographical area covered

The Benelux countries

Primary focus area

Nature conservation, preservation of natural areas and landscape protection

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to regulate concerted action and co-operation among the Parties in the field of conservation, management and rehabilitation of the natural environment and landscapes. The Convention defines a “natural environment” as the physical surroundings of man, including abiotic (non-living) elements such as rocks, water and the atmosphere and biotic (living) elements embracing natural and semi-natural biosensors including plants and animals in the wild states. Whereas “landscape” is defined as a tangible part of the earth defined by the relation and interaction of various factors: soil, relief, water, climate, flora, fauna and man.

To ensure effective protection of their transboundary natural areas and landscapes of value, Parties shall undertake the development of protection and management concepts for transboundary natural areas and landscapes of value, as well as of importance for migratory species. An inventory, demarcation and granting of protective status to those areas shall be established. Harmonious programmes shall be established for the management and protection of the areas.

Institutional framework

The Committee of Ministers of the Benelux Economic Union shall take binding decisions dealing with the objectives agreed in the Convention.

Source

www.benelux.be

ASEAN Agreement on the Conservation of Nature and Natural Resources

Place and date

Kuala Lumpur, 9 July 1985

Geographical area covered

Southeast Asia

Primary focus area

Conservation of nature and natural resources

Provisions most relevant to ecosystems conservation

The Contracting Parties, within the framework of their respective national laws, undertake to adopt the measures necessary to maintain essential ecological processes and life-support systems, to preserve genetic diversity, and to ensure the sustainable utilisation of harvested natural resources under their jurisdiction in accordance with scientific principles and with a view to attaining the goal of sustainable development.

In view of the role of water in the functioning of natural ecosystems, Contracting Parties shall take all appropriate measures towards the conservation of their underground and surface water resources. They shall endeavour to:

- undertake and promote the necessary hydrological research especially with a view to ascertaining the characteristics of each watershed;
- regulate and control water utilisation with a view to achieving sufficient and continuous supply of water for, *inter alia*, the maintenance of natural life supporting systems and aquatic fauna and flora; and
- when planning and carrying out water resource development projects take fully into account possible effects of such projects on natural processes or on other renewable natural resources and prevent or minimise such effects.

In order to protect natural processes and natural ecosystems from pollution, Contracting Parties shall endeavour to prevent, reduce and control such discharges, emissions or applications by submitting activities likely to cause pollution of the freshwater or marine environment, to controls which shall take into consideration both the cumulative effects of the pollutants concerned and the self-purificating aptitude of the recipient natural resources.

The Contracting Parties shall establish, in areas under their jurisdiction, terrestrial, freshwater, coastal or marine protected areas for the purpose of safeguarding:

- the ecological and biological processes essential to the functioning of the ecosystems of the Region;
- representative samples of all types of ecosystems of the Region; and
- areas of particular importance because of their scientific, educational, aesthetic, or cultural interests.

An environmental impact assessment shall be conducted before engaging in any activity that may create a risk of significantly affecting the environment or the natural resources of another Contracting Party or the environment or natural resources beyond national jurisdiction.

Institutional framework

Meetings of the Contracting Parties shall be held regularly and shall have the function to keep under review the implementation of the Agreement. A Secretariat shall be established, responsible for the meetings as well as for national agencies or institutions responsible for the co-ordination of matters arising between the Contracting Parties.

Source

www.aseansec.org

Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa**Place and date**

Bamako, 30 January 1991

Geographical area covered

Africa

Primary focus area

Control of the management of hazardous wastes

Provisions most relevant to ecosystems conservation

The Convention addresses the problems relating to the management of hazardous wastes. There is a general obligation to ban any dumping of hazardous wastes at sea, including incineration at sea as well as seabed and subseabed disposal, whether in internal waters, territorial seas, exclusive economic zones or high seas.

Institutional framework

The Parties establish a Conference of the Parties, which shall have the function of keeping the provisions under continuous review, and evaluate its effective implementation. The Conference of the Parties shall be supported by a Secretariat.

Source

2101 UNTS 242

Convention on the Protection of the Alps**Place and date**

Salzburg, 7 November 1991

Geographical area covered

The Alps

Primary focus area

Conservation and protection of natural resources

Provisions most relevant to ecosystems conservation

The Parties shall pursue a comprehensive policy for the conservation and protection of the Alps by applying the principles of prevention, polluter pays and co-operation after careful consideration of the interests of all the Alpine States, their Alpine regions and the European Economic Community. Transborder co-operation in the Alpine region shall be intensified and extended both in terms of the territory and the number of subjects covered.

As far as water management is concerned, the objective is to preserve or re-establish healthy water systems, in particular by keeping lakes and rivers free of pollution, by applying natural hydraulic engineering techniques and by using water power, which serves the interest of both the indigenous population and the environment alike.

Institutional framework

The Alpine Conference shall be held regularly to discuss the common concerns of and co-operation between the Contracting Parties. At its meetings, the Conference shall examine the implementation of the Convention and protocols. A Conference Standing Committee shall be set up as an executive body which shall have the function of informing the Conference about the implementation of the Conference's decisions.

Source

1917 UNTS 315

Convention for the Protection of the Biodiversity and the Protection of Wilderness Areas in Central America

Place and date

Managua, 5 June 1992

Geographical area covered

Central America, except Belize

Primary focus area

Conservation of biological diversity

Provisions most relevant to ecosystems conservation

In general, most of the Convention provisions are relevant to the conservation of freshwater ecosystems. However, the following provisions address the issue more specifically:

- conservation of biodiversity in shared waters and habitats requires everybody's efforts;
- countries will identify, select, establish and manage, as soon as possible, the national parks, natural and cultural monuments, wildlife refuges, and other protected areas as a mean to guarantee the conservation of the regions main ecosystems and, as a priority, those containing water producing forests;
- the Parties designate as a priority, the following terrestrial and marine areas: Reserva de la Biósfera Maya; Reserva de la Biósfera Fraternidad o Trifinio; Golfo de Honduras; Golfo de Fonseca; Reserva Río Coco o Solidaridad; Cayos Mismitos; Sistema Internacional de Areas Protegidas para la Paz (SIAPAZ); Reserva Bahía Salinas; Reserva de la Biosfera La Amistad; Reserva del Sixaola; Región del Darién; and
- parties will promote and stimulate the development and use of new technologies for the conservation and sustainable use of biological resources, land uses and drainage basins, with the aim of creating and consolidating options for sustainable agriculture and regional food security.

Institutional framework

National institutions composing the Central American Commission on Environment and Development (CCAD).

Source

www.ccad.ws

Regional Agreement on the Transboundary Movement of Hazardous Wastes

Place and date

Panama City, 11 December 1992

Geographical area covered

Central America, except Belize

Primary focus area

Control of transboundary movement of hazardous wastes

Provisions most relevant to ecosystems conservation

The Parties shall adopt appropriate legal and administrative measures to control the transport of wastes coming from States no Parties to this Agreement, and shall prohibit the dumping and incineration of hazardous wastes at sea, or their disposal in the sea bed.

Parties shall make efforts to adopt and apply the preventive and precautionary approach to pollution problems. This approach will have, among others, the objective to avoid the liberation in the environment of substances that may cause environmental damage.

Institutional framework

The National Authorities designated by the Parties are in charge of the follow up, update and implementation of the Agreement, in coordination with the Central American Commission on Environment and Development (CCAD).

Source

www.ccad.ws

Agreement on the Conservation of African-Eurasian Migratory Waterbirds

Place and date

The Hague, 16 June 1995

Geographical area covered

The area of the migration systems of African-Eurasian waterbirds

Primary focus area

Conservation of migratory birds

Provisions most relevant to ecosystems conservation

The Agreement, negotiated under the Convention on the Conservation of Migratory Species of Wild Animals, relates to the protection of birds which ecologically depend on wetlands for at least part of their annual cycle. The Parties shall take co-ordinated measures to maintain migratory waterbird species in a favourable conservation status or

to restore them to such a status. Special attention shall be given to endangered species as well as to those with an unfavourable conservation status.

The Parties shall take the following conservation measures:

- identify sites and habitats for migratory waterbirds occurring within their territory and encourage the protection, management rehabilitation and restoration of these sites;
- co-ordinate their efforts to ensure that a network of suitable habitats is maintained or, where appropriate, re-established throughout the entire range of each migratory waterbird species concerned, in particular where wetlands extend over the area of more than one Party to the Agreement;
- investigate problems that are posed or are likely to be posed by human activities and endeavour to implement remedial measures, including habitat rehabilitation and restoration, and compensatory measures for loss of habitat;
- prohibit the deliberate introduction of non-native waterbird species into the environment and take all appropriate measures to prevent the unintentional release of such species if this introduction or release would prejudice the conservation status of wild flora and fauna;
- initiate or support research into the biology and ecology of migratory waterbirds including the harmonisation of research and monitoring methods and the establishment of joint or co-operative research and monitoring programmes;
- analyse their training requirements for migratory waterbird surveys, monitoring, and wetland management to identify priority topics and areas for training and co-operate in the development and provision of appropriate training programmes; and
- develop and maintain programmes to raise awareness and understanding of migratory waterbird conservation issues in general and of the particular objectives and provisions of the Agreement.

The Agreement shall be realised through an Action plan which specifies actions the Parties shall undertake in relation to priority species and issues.

Institutional framework

Each Party shall designate the Authority or Authorities to implement the Agreement which shall monitor all activities that may have impact on the conservation status of those migratory waterbird species of which the Party is a Range State. The implementation of the Agreement shall be reported at each ordinary session of the Meeting of the Parties, which shall act as the decision-making body, with particular reference to the undertaking of conservation measures. There shall be established a Convention Secretariat, an Agreement Secretariat and a Technical Committee.

Source

www.unep-aewa.org

Memorandum of Understanding between the Republic of Kenya and the United Republic of Tanzania and the Republic of Uganda for Co-operation on Environment Management

Place and date

Nairobi, 22 October 1998

Geographical area covered

East Africa

Primary focus area

Co-operation on environmental management

Provisions most relevant to ecosystems conservation

The purpose of the Memorandum of Understanding is to co-operate and harmonise the area of environment and natural resources management between the Parties. They agree to co-operate in developing, enacting and harmonising their national framework and sectoral environmental laws, implementing regulations and guidelines on the following:

- rights of their people to a clean, decent and healthy environment;
- environmental impact assessment processes and procedures;
- Lake Victoria ecosystem and other shared natural resources such as rivers and wetlands, especially those significant as habitats of flora and fauna; and
- the management of wildlife resources including their transboundary movements.

Regarding the management of the Lake Victoria Ecosystem, the Parties agree to:

- initiate, develop, implement and harmonise policies, laws and programmes to strengthen regional co-ordination in the management of the resources of the Lake Victoria ecosystem, including fisheries, water quality and quantity, land use, mining, wetlands, and other resources of their people;
- regulate and where necessary, prohibit the introduction of alien or exotic species of flora and fauna; and
- co-operate in the management of pollution and other hazards resulting from shipping and other transportation activities.

Institutional framework

The Parties establish an Interim Sectoral Committee on Environment composed of the Permanent Secretaries and/or heads of agencies responsible for the environment in the respective countries that shall be responsible for overseeing the implementation of the agreed provisions.

Source

www.ecolex.org

European Landscape Convention

Place and date

Florence, 20 October 2000

Geographical area covered

Europe

Primary focus area

Preservation of landscapes

Provisions most relevant to ecosystems conservation

The aims of the Convention are to promote landscape protection, management and planning, and to organise the European co-operation on landscape issues. It applies to the entire territory of the Parties and covers natural, rural, urban and peri-urban areas. It includes land, inland water and marine areas, and concerns landscapes that might be considered outstanding as well as everyday or degraded landscapes. Natural and cultural aspects are equally important.

The Convention provides for a flexible approach to landscapes, whose specific features call for various types of action, ranging from strict conservation (through protection, management and improvement) to creation.

Institutional framework

Existing competent Committees of Experts set up under the Statute of the Council of Europe shall be designated by the Committee of Ministers of the Council of Europe to be responsible for monitoring the implementation of the Convention. Each Party shall harmonise the implementation of the Convention with its own policies, without derogating from the provisions of the Convention.

Source

www.coe.int

Agreement on the Conservation of Albatrosses and Petrels

Place and date

Canberra, 19 June 2001

Geographical area covered

All the areas of land or water that any albatross or petrel inhabits, resides in temporarily, crosses, or over-flies at any time on its normal migration routes.

Primary focus area

Conservation of migratory species

Provisions most relevant to ecosystems conservation

The Agreement, negotiated under the Convention on the Conservation of Migratory Species of Wild Animal, aims to stop or reverse population declines by co-ordinating action between Range States of albatross and petrel populations. To achieve these objectives, Parties shall undertake to implement a number of conservation measures including research and monitoring, reduction of incidental mortality in fisheries, eradication of non-native species at breeding sites and reduction of disturbances, habitat loss and pollution.

The Parties shall establish land-based conservation measures to give protection to the breeding sites of albatrosses and petrels. To all such protected areas, Parties shall endeavour to develop and implement management plans and take other actions which maintain and enhance the conservation status of the species, including the prevention of habitat

degradation, the reduction of disturbance to habitats and the minimisation or elimination of damage by introduced non-native animals, plants, hybrids, or disease-causing organisms.

Institutional framework

The Parties shall establish a Meeting of the Parties which shall be the decision-making body of the Agreement. They shall also establish a Secretariat and an Advisory Committee.

Source

www.cms.int/

Framework Convention on the Protection and Sustainable Development of the Carpathians

Place and date

Kiev, 22 May 2003

Geographical area covered

The Carpathians

Primary focus area

Protection and sustainable development of the Carpathians

Provisions most relevant to ecosystems conservation

The objectives of the Convention are to establish a framework for the protection and sustainable development of the Carpathians with a view to improving the quality of life, strengthening local economies and communities, and conservation of natural values and cultural heritage.

The Parties agree to protect the mountain river basins in the Carpathians through the following:

- appropriate measures to promote policies integrating sustainable use of water resources, with land-use planning, and aim at pursuing policies and plans based on an integrated river basin management approach, recognizing the importance of pollution and flood management, prevention and control, and reducing water habitats fragmentation;
- policies aiming at the sustainable management of surface and groundwater resources, ensuring adequate supply of good quality surface and groundwater as needed for sustainable, balanced and equitable water use, and adequate sanitation and treatment of waste water;
- policies aiming at conserving natural watercourses, springs, lakes and groundwater resources as well as preserving and protecting of wetlands and wetland ecosystems, and protecting against natural and anthropogenic detrimental effects such as flooding and accidental water pollution; and
- the development of a co-ordinated or joint system of measures, activities and early warning for transboundary impacts on the water regime of flooding and accidental water pollution, as well as co-operate in preventing and reducing the damages and giving assistance in restoration works.

Where necessary, the Parties shall apply risk assessment, environmental impact assessment, and strategic environmental assessments, taking into account the specificities of the

Carpathian mountain ecosystems, and shall consult on projects of transboundary character and assess their environmental impact, in order to avoid transboundary harmful effects.

Institutional framework

The Parties establish a Conference of the Parties to discuss matters of common concern, and make the decisions necessary to promote the effective implementation of the Convention. A Secretariat and other subsidiary bodies shall support the Conference of the Parties.

Source

www.unep.ch/roe/

African convention on the conservation of nature and natural resources

Place and date

Maputo, 11 July 2003

Geographical area covered

Africa

Primary focus area

Conservation of nature and natural resources

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to adopt measures to ensure conservation, utilisation and development of soil, water, flora and faunal resources. According to the Convention, Parties shall adopt measures to:

- maintain ecological processes and protect human health against pollutants and diseases;
- prevent damages to human health and natural resources of another State caused by pollution; and
- prevent excessive abstraction of water to the benefit of downstream communities and States.

With a view to guaranteeing sufficient and continuous supply of water for their populations, Parties shall also take measures relating to:

- integrated water resources management; and
- conservation of forested and other catchment areas.

Although the provisions on abstractions do not indicate a direct obligation to maintain environmental flows as such, its interplay with other provisions indicates that Parties shall give particular attention to the adequate availability of water for environmental purposes. The text reflects the obligation of the Parties under international law to co-operate in the management of transboundary resources.

Institutional framework

The Parties establish a Conference of the Parties as the decision-making body of the Convention. It shall keep under review and promote the effective implementation of the Convention.

Source

www.africa-union.org/

3. Bilateral and multilateral

- Treaty of free trade and economic integration between the Republics of Guatemala and Honduras
(Guatemala, 22 August 1956)
- Convention on the Protection of the Environment between Denmark, Finland, Norway and Sweden
(Stockholm, 19 February 1974)
- Agreement between the Government of the Federal Republic of Germany and the Government of the Polish People's Republic on Cooperation in Environmental Protection
(Warsaw, 10 November 1989)
- Treaty between the Republic of Chile and the Republic of Argentina on the Environment
(Buenos Aires, 2 August 1991)
- Agreement between the Government of the Republic of Finland and the Government of the Russian Federation concerning cooperation in the field of Environmental Protection
(Moscow, 29 April 1992)
- Agreement between the Government of the Republic of Argentina and the Government of the Republic of Paraguay relating to health in border areas
(Asunción, 30 October 1992)
- Agreement between the Government of the Republic of Estonia and the Government of the Republic of Latvia on Cooperation in the field of Environmental Protection
(Riga 18 February 1994)
- Treaty on the Environment between the Government of the Republic of Argentina and the Government of the Republic of Bolivia
(Buenos Aires, 17 March 1994)
- Agreement between the Government of the Republic of Lithuania, the Government of the Republic of Lithuania, the Government of the Republic of Estonia and the Government of the Republic of Latvia on cooperation in the field of Environmental Protection
(Tallinn, 21 July 1995)
- Agreement between the Government of the State of Israel and the Government of Ukraine on cooperation in the field of Environmental Protection
(Jerusalem, 25 November 1996)
- Agreement between the Government of the United States of America and the Government of the Russian Federation on the Conservation and Management of the Alaska-Chukotka Polar Bear Population
(Washington, D.C., 16 October 2000)

- Additional Protocol to the Treaty on the Environment on Conservation of Shared Flora and Fauna between Argentina and Chile
(Santiago, 2 May 2002)

Treaty of free trade and economic integration between the Republics of Guatemala and Honduras

Place and date

Guatemala, 22 August 1956

Signatories

Guatemala and Honduras

Geographical area covered

Territories of Guatemala and Honduras

Primary focus area

Economic co-operation and development

Provisions most relevant to ecosystems conservation

The competent authorities of the two States shall co-ordinate their activities with a view to protection forest reserves and water resources and preventing forest fires and soil erosion in the frontier regions of their respective territories.

Source

Legislative Texts, Treaty no. 73, p. 229.

Convention on the Protection of the Environment between Denmark, Finland, Norway and Sweden

Place and Date

Stockholm, 19 February 1974

Signatories

Denmark, Finland, Norway and Sweden

Geographical area covered

Nordic Countries

Primary focus area

Environmental protection

Provisions most relevant to ecosystems conservation

Any person who is affected or may be affected by an environmentally harmful activity in another State shall have the right to bring before the appropriate court or administrative authority of that Party the question of the permissibility of such activities, including the question of preventive measures, and to appeal against the court or the administrative authorities decision to the same extent and on the same terms as a legal entity of the Party in which the activities are being carried out.

Environmentally harmful activities means the discharge from the soil or from installations of solid or liquid waste, gas, or any other substance into watercourses, lakes or the sea and the use of land, the sea-bed, installations in any other way which may entail damage to the environment by water pollution, or any other effect on water conditions.

Institutional framework

The text of the Convention does not specify.

Source

1092 UNTS 295

Agreement between the Government of the Federal Republic of Germany and the Government of the Polish People's Republic on Cooperation in Environmental Protection

Place and date

Warsaw, 10 November 1989

Signatories

Germany and Poland

Geographical area covered

The territory of Germany and Poland

Primary focus area

Environmental protection

Provisions most relevant to ecosystems conservation

The Parties shall develop and promote co-operation with the aim of resolving important problems relating to environmental protection, rational use of natural resources, environmental damage and the development of precautionary measures. Within the primary focus areas of the co-operation are measures and technologies for prevention of water pollution, and measures concerning soils conservation and land recultivation.

Institutional framework

Parties shall establish a working group with representatives from both Parties with a view of promoting the implementation of the Agreement.

Source

1587 UNTS 459

Treaty between the Republic of Chile and the Republic of Argentina on the Environment

Place and date

Buenos Aires, 2 August 1991

Signatories

Argentina and Chile

Geographical area covered

The territories of Argentina and Chile

Primary focus area

Co-operation on environmental protection

Provisions most relevant to ecosystems conservation

The objective of the Treaty is to set up a framework for coordinated or common action with regard to preservation and conservation of the environment and the rational and

balanced utilisation of natural resources, bearing in mind the linkages between environment and development.

Among the co-ordinated and common actions to be conducted by the Parties under the Treaty framework are those dealing with:

- protection and use of water resources, in particular, the protection and rational environmental use of the living resources and pollution prevention and clean up;
- protection of the soil resources, particularly, the prevention of soil degradation, desertification and drought;
- protection of the marine environment, in particular, the rational use of the resources and protection of the genetic diversity, land-based pollution prevention, marine accidents, and exploitation of the sea bed resources; and
- protection of biodiversity, specially, the preservation and adequate management of existing parks and reserves, and the establishment of new protected areas to ensure *in situ* biodiversity protection and conservation of scenic landscapes.

The Treaty includes two additional protocols:

1. Additional Protocol on shared water resources between the Republic of Chile and the Republic of Argentina, and
2. Additional Protocol on the protection of the Antarctic environment between the Republic of Chile and the Republic of Argentina

Institutional framework

The Treaty establishes within the Bi-national Argentine-Chilean Commission, a Sub-Commission on Environment, in order to promote, co-ordinate and implement the Treaty and its additional Protocols. The Sub-Commission is composed of representatives of both Parties and co-ordinated by the Ministries for Foreign Affairs.

Source

Decree No 67 from 16 January 1992. Diario Oficial from 14 April 1993.

Agreement between the Government of the Republic of Finland and the Government of the Russian Federation concerning cooperation in the field of Environmental Protection

Place and date

Moscow, 29 April 1992

Signatories

Finland and Russia

Geographical area covered

The territories of Finland and Russia

Primary focus area

Environmental protection

Provisions most relevant to ecosystems conservation

The Parties shall develop and strengthen co-operation in the field of environmental protection in accordance with the principle of sustainable development.

The co-operation between the Parties aims at improving environmental quality and increasing environmental protection in the two countries, in the Baltic Sea, with special focus on the Gulf of Finland, and preventing pollution. These objectives shall be achieved by the following means:

- reducing transboundary flow of pollutants;
- increasing the effectiveness of water protection;
- expanding the protection of flora and fauna and their habitats; and
- promoting the exchange of information and the use of technology.

Institutional framework

Parties establish a Joint Commission for the implementation of the Agreement.

Source

1721 UNTS 362

Agreement between the Government of the Republic of Argentina and the Government of the Republic of Paraguay relating to health in border areas

Place and date

Asunción, 30 October 1992

Signatories

Argentina and Paraguay

Geographical area covered

Border between Argentina and Paraguay

Primary focus area

Health issues in border areas

Provisions most relevant to ecosystems conservation

According to the Agreement, the Parties will provide the following:

- implement a co-ordinated system for policing the water quality of shared waters, with the aim of determining present physical, chemical and biological parameters and study their evolution in the future;
- establish regulations defining the minimum standards of water quality that each Party will implement in the shared watercourses;
- provide the human, economic and legal means necessary for the effective control of discharges, and oversight of the different uses, with the aim of ensuring minimum quality standards; and
- promote joint programmes in border areas relating to provision of potable water, waste management, and pollution control.

Institutional framework

The Joint Co-ordination Committee, including representatives of five Argentinean Provinces (Federated States) bordering Paraguay.

Source

www.faolex.fao.org/faolex

Agreement Between the Government of the Republic of Estonia and the Government of the Republic of Latvia on cooperation in the field of Environmental Protection

Place and date

Riga 18 February 1994

Signatories

Estonia and Latvia

Geographical area covered

The territories of Estonia and Latvia

Primary focus area

Environmental protection

Provisions most relevant to ecosystems conservation

Parties shall promote and develop co-operation in the field of the environment, among others, in the following areas:

- protection of water and the marine environment;
- nature conservation and biological diversity;
- physical planning and land- and water resources management;
- environmental administration and legislation; and
- environmental impact assessment.

Institutional framework

Parties will designate co-ordinators for the implantation of the co-operation.

Source

1987 UNTS 9

Treaty on the Environment between the Government of the Republic of Argentina and the Government of the Republic of Bolivia

Place and date

Buenos Aires, 17 March 1994

Signatories

Argentina and Bolivia

Geographical area covered

Argentina and Bolivia

Primary focus area

Co-operation on environmental protection

Provisions most relevant to ecosystems conservation

The objective of the Treaty is to set up a framework for coordinated or common action with regard to preservation and conservation of the environment and the rational and balanced utilisation of natural resources, bearing in mind the linkages between environment, development and regional integration.

Among the coordinated and common actions to be conducted by the Parties under the Treaty framework are those dealing with:

- protection and use of water resources, in particular, the protection and rational environmental use of the living resources and pollution prevention and clean up;
- protection of the soil resources, particularly, the prevention of soil degradation, desertification and drought;
- development of indigenous peoples and local communities, adopting measures that the projects dealing with shared ecosystems fully consider the cultural context and the improvement of living conditions of indigenous populations and other local communities; and
- protection of biodiversity, specially, the preservation and adequate management of existing parks and reserves, and the establishment of new protected areas to ensure *in situ* biodiversity protection and conservation of scenic landscapes.

Institutional framework

The Treaty establishes a Sub-commission on Environment, in charge of the co-ordination and follow-up of the activities implemented within its framework. The Sub-Commission is composed by a representative of the Ministries for Foreign Affairs, and delegates from the Argentine Secretariat of Natural Resources, and the Bolivian National Secretariat for the Environment.

Source

www.faolex.fao.org/faolex

Agreement between the Government of the Republic of Lithuania, the Government of the Republic of Estonia and the Government of the Republic of Latvia on cooperation in the field of Environmental Protection

Place and date

Tallinn, 21 July 1995

Signatories

Estonia, Latvia and Lithuania

Geographical area covered

The territories of Estonia, Latvia and Lithuania

Primary focus area

Environmental protection

Provisions most relevant to ecosystems conservation

Parties shall co-operate with a view of increasing the effectiveness of national and international instruments for the protection of the environment, promoting the integration of environmental considerations into other areas and researching regional environmental problems.

Among the sectors where co-operation shall take place are the following:

- reduction of transboundary pollution;
- sustainable use of natural resources;
- protection of the sea; and
- co-ordination of nature protection, particularly on endangered species of flora and fauna.

Institutional framework

The implementation of the Agreement corresponds to the Baltic Council of Ministers.

Source

290 1951 UNTS

Agreement between the Government of the State of Israel and the Government of Ukraine on co-operation in the field of environmental protection

Place and date

Jerusalem, 25 November 1996

Signatories

Israel and Ukraine

Geographical area covered

The text of the Agreement does not specify

Primary focus area

Co-operation on environmental protection

Provisions most relevant to ecosystems conservation

The following fields of environmental protection are of particular interest to both Parties:

- soil, air, water and marine pollution problems, their identification and the assessment of relevant prevention, control and abatement strategies and techniques;
- nature protection and conservation, including conservation and sustainable management of bio-diversity of species, endangered species and specially protected areas, protection of fauna and flora, and development of national parks, nature reserves and recreational zones;
- treatment of municipal and industrial waste;
- soil restoration and mitigation of soil erosion and desertification;
- environmental problems in their relation to other policy areas and their relationship between environment and development;
- economic mechanisms for environmental protection;
- implementation of environmental impact assessment;
- environmental monitoring methods and surveillance including the use of environmental information systems;

- fostering the development of environmentally sound technology;
- promotion of environmental awareness and education;
- environmental legislation and its enforcement; and
- global environmental problems including prevention and combating of marine pollution, climate change, ozone layer depletion and preservation of biological diversity.

Co-operation will include:

- exchange of scientific and technical information;
- exchange of professional delegations, qualified experts and scientific research workers;
- organisation of meetings, symposia and exhibitions;
- joint scientific and scientific-technical research and elaborate of co-operative projects; and
- any other forms of co-operation deemed necessary by the Parties.

Institutional framework

The co-ordination for the implementation of the Agreement will be performed through a Joint Committee headed by a senior official of each Party.

Source

2078 UNTS 106

Agreement between the Government of the United States of America and the Government of the Russian Federation on the Conservation and Management of the Alaska-Chukotka Polar Bear Population

Place and date

Washington, D.C., 16 October 2000

Signatories

Russia and the United States of America

Geographical area covered

The waters and adjacent coastal areas subject to the national jurisdiction of the Contracting Parties in that area of the Chukchi, East Siberian and Bering Seas bounded on the west by a line extending north from the mouth of the Kolyma River, on the east by a line extending north from Point Barrow, and on the south by a line describing the southernmost annual formation of drift ice

Primary focus area

Protection of Alaska-Chukotka polar bears

Provisions most relevant to ecosystems conservation

The Parties agree to co-operate with the goal of ensuring the conservation of the Alaska-Chukotka polar bear population, and the conservation of its habitat. They shall undertake all efforts necessary to conserve polar bear habitats (water is an essential component of the polar bear habitat), with particular attention to denning areas and areas of concentration of polar bears during feeding and migration.

Institutional framework

The Parties establish the U.S.-Russian Polar Bear Commission to co-ordinate the measures for the conservation and study of the Alaska-Chukotka population of polar bears.

Source

www.state.gov/

Additional Protocol to the Treaty on the Environment on Conservation of Shared Flora and Fauna between Argentina and Chile

Place and date

Santiago, 2 May 2002

Signatories

Argentina and Chile

Geographical area covered

The territories of Argentina and Chile

Primary focus area

Conservation of biological diversity

Provisions most relevant to ecosystems conservation

The Parties will take common and coordinated measures oriented to the effective protection of shared flora and fauna; promote measures oriented to conservation and sustainable use of shared species and their habitats; and enable conservation and restoration of ecosystems of shared flora and fauna.

Institutional framework

With the aim of implementing the Protocol and its provisions, Parties will nominate focal points from specialised institutions responsible for the areas covered by the Protocol.

Source

www.direcon.cl/

Part III

European legislation

1. Primary legislation

- Consolidated version of the Treaty on European Union (24 December 2002)
- Consolidated version of the Treaty establishing the European Community (24 December 2002)

Consolidated version of the Treaty on European Union

Geographical area covered

The territory of the European Union

Primary focus area

Regional integration

Provisions relevant to ecosystems conservation

One of the objectives of the Union shall be to promote economic and social progress and a high level of employment and to achieve balanced and sustainable development.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, C 325, 24/12/2002.

Consolidated version of the Treaty establishing the European Community

Geographical area covered

The territory of the European Union

Primary focus area

Regional integration

Provisions relevant to ecosystems conservation

The Community shall have as its tasks to promote a harmonious, balanced and sustainable development of economic activities, a high level of employment and of social protection, a high level of protection and improvement of the quality of the environment, the raising of the standard of living and quality of life, and economic and social cohesion and solidarity among Member States. To this end, the activities of the Community shall include among others:

- a policy in the sphere of the environment; and
- a contribution to the attainment of a high level of health protection.

Environmental protection requirements must be integrated into the definition and implementation of the Community policies and activities, in particular with a view to promoting sustainable development.

Community policy on the environment shall contribute to pursuit of the following objectives:

- preserving, protecting and improving the quality of the environment;
- protecting human health;
- prudent and rational utilisation of natural resources; and
- promoting measures at international level to deal with regional or worldwide environmental problems.

Community policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Community. It shall be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.

The Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, the Economic and Social Committee and the Committee of the Regions, shall adopt measures affecting quantitative management of water resources or affecting, directly or indirectly, the availability of those resources.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, C 325, 24/12/2002.

2. Secondary legislation

- Council Directive 75/439/EEC of 16 June 1975 on the disposal of waste oils (Luxembourg, 16 June 1975)
- Council Directive 75/442/EEC of 15 July 1975 on waste (Brussels, 15 July 1975)
- Council Directive 76/160/EEC of 8 December 1975 concerning the quality of bathing water (Brussels, 8 December 1975)
- Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community (Brussels, 4 May 1976)
- Council Directive 78/176/EEC of 20 February 1978 on waste from the titanium dioxide industry (Brussels, 20 February 1978)
- Council Directive 78/659/EEC of 18 July 1978 on the quality of fresh waters needing protection or improvement in order to support fish life (Brussels, 18 July 1978)
- Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (Luxembourg, 2 April 1979)
- Council Directive 89/68/EEC of 17 December 1979 on the protection of ground-water against pollution caused by dangerous substances (Brussels, 17 December 1979)
- Council Directive 85/337 of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (Luxembourg, 27 June 1985)
- Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment (Brussels, 21 May 1991)
- Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (Brussels, 12 December 1991)
- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Brussels, 21 May 1992)
- Council Directive 94/67/EC of 16 December 1994 on the incineration of hazardous waste (Brussels, 16 December 1994)
- Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (Brussels, 3 November 1998)

- Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (Luxembourg, 26 April 1999)
- Directive 2000/60/EC of the European Parliament and of the Council establishing a Framework for Community Action in the Field of Water Policy (Luxembourg, 23 October 2000)
- Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste (Brussels, 4 December 2000)
- Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (Luxembourg, 27 June 2001)
- Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information (Brussels, 28 January 2003)
- Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61 EC (Brussels, 26 May 2003)

Council Directive 75/439/EEC of 16 June 1975 on the disposal of waste oils

Place and date

Luxembourg, 16 June 1975

Geographical area covered

The territory of the European Union

Primary focus area

Waste oil disposal

Provisions most relevant to ecosystems conservation

The Member States agree to take the necessary measures to ensure the safe collection and disposal of waste oils, defined as any semi-liquid or liquid used product totally or partially consisting of mineral or synthetic oil, including the oily residues from tanks, oil-water mixtures and emulsions.

The Member States shall take necessary measures to ensure the prohibition of:

- any discharge of waste oils into internal surface waters, ground water, coastal waters and drainage systems; and
- any deposit and/or discharge of waste oils harmful to the soil and any uncontrolled discharge of residues resulting from the processing of waste oils.

Furthermore, undertaking collecting and/or disposing of waste oils must carry out these operations in such a way that there will be no avoidable risk of water and soil pollution.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 194, 25/07/1975, pp. 0023–0025.

Council Directive 75/442/EEC of 15 July 1975 on waste**Place and date**

Brussels, 15 July 1975

Geographical area covered

The territory of the European Union

Primary focus area

Waste disposal

Provisions most relevant to ecosystems conservation

The Directive addresses the problems relating to the disposal of waste. Waste is defined as any substance or object which the holder disposes of or is required to dispose of. Member States agree to take the necessary measures to ensure that waste is disposed of without endangering human health and without harming the environment, and in particular without risk to water, soil, plants and animals.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 194, 25/07/1975, pp. 0039–0041.

Council Directive 76/160/EEC of 8 December 1975 concerning the quality of bathing water**Place and date**

Brussels, 8 December 1975

Geographical area covered

The territory of the European Union

Primary focus area

Protection of the environment and human health

Provisions most relevant to ecosystems conservation

The Directive concerns the quality of bathing water. “Bathing water” is defined as all running or still fresh waters or parts thereof and sea water, in which bathing is explicitly authorised by the competent authorities of each Member State, or bathing is not prohibited and is traditionally practised by a large number of bathers. Member States shall set, for all bathing areas or for each individual bathing area, the values applicable to bathing water for the parameters given in an Annex to the Directive. Bathing water shall be deemed to conform to the relevant parameters if samples of that water show that it conforms to the parametric values for the quality of the water concerned. Samples should be taken at places where the daily average density of bathers is highest. Local investigation of the conditions prevailing upstream in the case of fresh running water, and of the ambient conditions in the case of fresh still water and sea water should be carried out

scrupulously and repeated periodically in order to obtain geographical and topographical data and to determine the volume and nature of all polluting and potentially polluting discharges and their effects according to the distance from the bathing area.

Institutional framework

Apart from the European Community/the European Union institutions, the Member States shall set up a Committee on Adaptation to Technical Progress which shall consist of representatives of the Member States and be chaired by a representative of the Commission.

Source

Official Journal of the European Communities, L 031, 05/02/1976, pp. 0001–0007.

Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community

Place and date

Brussels, 4 May 1976

Geographical area covered

The territory of the European Union

Primary focus area

Pollution Control

Provisions most relevant to ecosystems conservation

The Directive applies to:

- inland surface water (all static or flowing fresh surface water situated in the territory of one or more Member States);
- territorial waters;
- internal coastal waters (waters on the land-ward side of the base line from which the breadth of territorial waters is measured, extending, in the case of water-courses, up to the fresh-water limit and); and
- ground water.

Member States shall take appropriate steps to eliminate water pollution caused by the dangerous substances in the families and groups of substances listed in List I, annexed to the Directive, and to reduce pollution of the waters by the dangerous substances in the families and groups of substances, listed in List II. With regard to substances belonging to the families and groups of substances in List I, all discharges into the waters, which are liable to contain any such substance, shall require prior authorisation by the competent authority of the Member State concerned. A system of zero-emission to discharges into ground water of substances within List I, shall be applied.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 129, 18/05/1976, pp. 0023–0029.

Council Directive 78/176/EEC of 20 February 1978 on waste from the titanium dioxide industry

Place and date

Brussels, 20 February 1978

Geographical area covered

The territory of the European Union

Primary focus area

Waste disposal from the titanium dioxide industry

Provisions most relevant to ecosystems conservation

The aim of the Directive is the prevention and progressive reduction of pollution caused by waste from the titanium dioxide industry. Member States agree to take necessary measures to ensure that waste from the titanium dioxide industry is disposed of without endangering human health and without harming the environment, and in particular:

- without risk to water, soil, plants and animals; and
- without deleteriously affecting beauty-spots or the countryside.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 054, 25/02/1978, pp. 0019–0024.

Council Directive 78/659/EEC of 18 July 1978 on the quality of fresh waters needing protection or improvement in order to support fish life

Place and date

Brussels, 18 July 1978

Geographical area covered

The territory of the European Union

Primary focus area

Protection of fish

Provisions most relevant to ecosystems conservation

The Directive concerns the quality of fresh waters and applies to those waters designated by the Member States as needing protection or improvement in order to support fish life. The Directive does not apply to waters in natural or artificial fish ponds used for intensive fish-farming. The aim is to protect or improve the quality of those running or standing fresh waters which support or which, if pollution were reduced or eliminated, would become capable of supporting fish belonging to:

- indigenous species offering a natural diversity; or
- species the presence of which is judged desirable for water management purposes by the competent authorities of the Member States.

The Member States agree to establish programmes in order to reduce pollution and to ensure that designated waters conform within five years following designation in

accordance with the values set by the Member States.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 222, 14/08/1978, pp. 0001–0010.

Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds

Place and date

Luxembourg, 2 April 1979

Geographical area covered

The territory of the European Union

Primary focus area

Conservation of wild birds

Provisions most relevant to ecosystems conservation

The Directive relates to the conservation of all species of naturally occurring birds in the wild state in the European Territory of the Member States and covers the protection, management and control of these species and lays down rules for the exploitation. It applies to birds, their eggs, nests and habitats.

The Member States agree that measures shall be taken for regularly occurring migratory species bearing in mind their need for protection in the geographical sea and land area where the Directive applies, as regards their breeding, moulting and wintering areas and staging posts along their migration routes. To this end, Member States shall pay particular attention to the protection of wetlands and particularly to wetlands of international importance.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 103, 25/04/1979, pp. 0001–0018.

Council Directive 89/68/EEC of 17 December 1979 on the protection of groundwater against pollution caused by dangerous substances

Place and date

Brussels, 17 December 1979

Geographical area covered

The territory of the European Union

Primary focus area

Groundwater quality

Provisions most relevant to ecosystems conservation

The purpose of this Directive is to prevent the pollution of groundwater. The Directive defines “groundwater” as all water which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil, and “pollution” as the discharge by man, directly or indirectly, of substances or energy into

groundwater, the results of which are such as to endanger human health or water supplies, harm living resources and the aquatic ecosystem or interfere with other legitimate uses of water.

Member States shall take the necessary steps to prevent the introduction into groundwater of substances listed in list I, annexed to the Directive, and to limit the introduction into groundwater of substances listed in list II, so as to avoid pollution of this water by these substances.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 020, 26/01/1980, pp. 0043–0048.

Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment

Place and date

Brussels, 21 May 1991

Geographical area covered

The territory of the European Union

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Directive concerns the collection, treatment and discharge of urban waste water and the treatment and discharge of waste water from certain industrial sectors. The objective of the Directive is to protect the environment from the adverse effects of the above mentioned waste water discharges. Member States shall ensure that all agglomerations are provided with collecting systems for urban waste water.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 135, 30/05/1991, pp. 0040–0052.

Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources

Place and date

Brussels, 12 December 1991

Geographical area covered

The territory of the European Union

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Directive has the objective of reducing water pollution caused or induced by

nitrate from agricultural sources, and preventing further such pollution. Waters affected by pollution and waters, which could be affected by pollution if action is not taken, shall be identified by the Member States. When any waters identified by a Member State are affected by pollution from waters from another Member State draining directly or indirectly into them, the Member States whose waters are affected may notify the other Member States and the Commission of the relevant facts.

With the aim of providing for all waters a general level of protection against pollution, Member States shall;

- establish a code or codes of good agricultural practice, to be implemented by farmers on a voluntary basis; and
- set up where necessary a programme, including the provision of training and information for farmers, promoting the application of the code(s) of good agricultural practice.

Member States shall establish action programmes in respect of designated vulnerable zones. An action programme may relate to all vulnerable zones in the territory of a Member State or, where the Member State considers it appropriate, different programmes may be established for different vulnerable zones or parts of zones.

Institutional framework

Apart from the European Community/the European Union institutions, there shall be a Committee assisting the Commission, composed of the representative of the Member States and chaired by the representative of the Commission.

Source

Official Journal of the European Communities, L 375, 31/12/1991, pp. 0001–0008.

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

Place and date

Brussels, 21 May 1992

Geographical area covered

The territory of the European Union

Primary focus area

Conservation of natural resources and wild fauna and flora

Provisions most relevant to ecosystems conservation

The aim of the Directive is to contribute towards biodiversity, natural habitats, and wild flora and fauna conservation within the European Union. The Member States agree to take measures for maintaining or restoring natural habitats and species of wild fauna and flora.

Member States set up a coherent European ecological network of special areas of conservation called Natura 2000. Member States shall endeavour, when necessary, in their land-use planning and development policies and, in particular, with a view to improving the ecological coherence of the Natura 2000, to encourage the management

of landscape features of major importance for wild fauna and flora. Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems for marking field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 206, 22/07/1992, pp. 0007–0050.

Council Directive 94/67/EC of 16 December 1994 on the incineration of hazardous waste

Place and date

Brussels, 16 December 1994

Geographical area covered

The territory of the European Union

Primary focus area

Hazardous waste incineration

Provisions most relevant to ecosystems conservation

The aim of the Directive is to establish measures and procedures to prevent or, where that is not practicable, to reduce as far as possible negative effects on the environment, in particular the pollution of soil, surface and groundwater, and the resulting risks to human health, from the incineration of hazardous waste. The Member States agree that a natural or legal person, who operates an incineration plant, shall take all necessary measures concerning the delivery and reception of waste in order to prevent negative effects on the environment, in particular the pollution of, soil, surface and groundwater, and the risks to human health. Furthermore, discharges to the aquatic environment of aqueous waste resulting from the cleaning of exhaust gases shall be limited as far as possible.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 365, 31/12/1994, pp. 0034–0045.

Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption

Place and date

Brussels, 3 November 1998

Geographical area covered

The territory of the European Union

Primary focus area

Water quality

Provisions most relevant to ecosystems conservation

The Directive concerns the quality of water intended for human consumption and has the objective to protect human health from the adverse effects of any contamination of water intended for human consumption by ensuring that it is wholesome and clean. “Water intended for human consumption” is defined as all water either in its original state or after treatment, intended for drinking, cooking, food preparation or other domestic purposes, regardless of its origin and whether it is supplied from a distribution network, from a tanker, or in bottles or containers.

Member States have to ensure that the measures taken to implement the Directive do not affect the present quality of water intended for human consumption.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 330/32, 5/12/1994.

Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste

Place and date

Luxembourg, 26 April 1999

Geographical area covered

The territory of the European Union

Primary focus area

Waste disposal by landfill

Provisions most relevant to ecosystems conservation

The aim of the Directive is to provide for measures, procedures and guidance to prevent or reduce as far as possible negative effects on the environment, among others the pollution of surface water, groundwater, and soil.

The Member States agree that the location of a landfill must take into consideration requirements relating to:

- the distances from the boundary of the site to residential and recreation areas, waterways, water bodies and other agricultural or urban sites;
- the existence of groundwater, coastal water or nature protection zones in the area;
- the geological and hydrogeological conditions in the area;
- the risk of flooding, subsidence, landslides or avalanches on the site; and
- the protection of the nature or cultural patrimony in the area.

With regard to soil and water protection, Member States agree that a landfill must be situated and designed so as to meet the necessary conditions for preventing pollution of the soil, groundwater or surface water and ensuring efficient collection of leachate. Protection of soil, groundwater and surface water is to be achieved by the combination of a geological barrier and a bottom liner during the operational/active phase and by the combination of a geological barrier and a top liner during the passive phase/post closure.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 182, 16/07/1999, pp. 0001–0019.

Directive 2000/60/EC of the European Parliament and of the Council of 23 October establishing a Framework for Community Action in the Field of Water Policy**Place and date**

Luxembourg, 23 October 2000

Geographical area covered

The territory of the European Union

Primary focus area

Water quality, water quantity, and integrated management

Provisions most relevant to ecosystems conservation

The purpose of the Directive is to establish a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater. The Directive provides a framework of policy action in the field of water policy for the protection of these waters which:

- prevents further deterioration, protects and enhances the status of the aquatic ecosystems and, with regard to their water needs, terrestrial ecosystems and wetlands;
- promotes sustainable water use, based on a long-term protection of available waters resources;
- improves the aquatic environment through specific measures aiming at reduction of discharges, emissions and losses of certain substances, and the phasing out of discharges, emission, and losses of priority hazardous substances;
- ensures the progressive reduction of groundwater pollution; and
- contributes to mitigate the effects of floods and droughts.

The environmental objective of the Directive is to achieve a good quantitative and qualitative status of all the European Community waters. The objectives are different for surface and groundwater. For surface waters, they are determined by chemical and ecological factors, whereas for groundwater they depend upon quantitative and chemical issues.

The Member States have an obligation to identify the river basins lying within their territories and assign them to individual river basin districts. They shall establish the appropriate administrative arrangements, identifying the component authorities, for the application of the Directive provisions. If there is a river basin which goes beyond its borders, the Member State will include the section of the transboundary river within its territory in an international basin district, trying to ensure co-ordination with other States and using, as far as practicable, existing structures. If the river exceeds the borders of the European Community, the Directive encourages Member States to

endeavour to establish the necessary co-ordination with non Member States.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 327/1, 22/12/2000, pp. 0001–0073.

Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste

Place and date

Brussels, 4 December 2000

Geographical area covered

The territory of the European Union

Primary focus area

Waste incineration

Provisions most relevant to ecosystems conservation

The aim of the Directive is to prevent or to limit as far as practicable negative effects on the environment, in particular pollution by emissions into soil, surface water and groundwater, and the resulting risks to human health, from the incineration and co-incineration of waste. The Member States agree that a natural or legal person who operates or controls an incineration plant shall take all necessary precautions concerning the delivery and reception of waste in order to prevent or to limit as far as practicable negative effects on the environment, in particular the pollution of soil, surface water and groundwater and direct risks to human health. Incineration and co-incineration plant sites, including associated storage areas for wastes, shall be designed and in such a way as to prevent the unauthorised and accidental release of any polluting substances into soil, surface water and groundwater.

Institutional framework

The European Community/the European Union institutions.

Source

Official Journal of the European Communities, L 332, 28/12/2000, pp. 0091–0111.

Part IV

Law of the sea

1. Global

- United Nations Convention on the Law of the Sea (Montego Bay, 10 December 1982)
- 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and other matter, 1972 and resolutions adopted by the Special Meeting (London, 7 November 1996)
- International Convention for the Control and Management of Ships' Ballast Water and Sediments (London, 13 February 2004)

United Nations Convention on the Law of the Sea

Place and date

Montego Bay, 10 December 1982

Primary focus area

Co-operation on all issues relating to the law of the sea

Provisions most relevant to ecosystems conservation

According to the Convention, States have a duty to protect and preserve the marine environment. For this purpose they shall take all measures necessary to prevent, reduce and control pollution of the marine environment from any source. These measures shall include those oriented to preserve rare or fragile ecosystems as well as habitats of depleted or endangered species.

With regard to land-based sources of marine pollution, the Convention determines that States shall adopt laws and regulations to prevent, reduce and control pollution of the marine environment from land-based sources, including rivers, estuaries, pipelines and outfall structures. In relation to anadromous stocks, the Convention determines that the States in whose rivers anadromous stocks originate shall have the primary interest and responsibility for those stocks, and ensure their conservation by the establishment of appropriate measures. The management of catadromous species corresponds to the coastal state in whose waters the species spend the greater part of their life cycle.

Institutional framework

The United Nations Convention on the Law of the Sea provides that the Secretary-General will convene necessary meeting of States Parties in accordance with the Convention. The Secretariat is the Division for Ocean Affairs and the Law of the Sea, which is a part of the United Nations Legal Affairs Office.

Source

1834 UNTS 1993

1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and other matter, 1972 and resolutions adopted by the Special Meeting

Place and date

London, 7 November 1996

Primary focus area

Dumping of wastes at sea

Provisions most relevant to ecosystems conservation

Parties shall protect and preserve the marine environment from all sources of pollution and take effective measures to prevent, reduce and where practicable, eliminate pollution caused by dumping or incineration at sea of wastes or other matter. The Parties agree to apply the provisions of the Protocol or adopt other effective and regulatory measures to internal waters.

Institutional framework

The Parties establish a Meetings of Contracting Parties or Special Meetings of Contracting Parties which shall keep under continuing review the implementation of the Protocol and evaluate its effectiveness with a view to identifying means of strengthening action, where necessary, to prevent, reduce and where practicable eliminate pollution caused by dumping and incineration and at sea of wastes or other matter.

Source

www.londonconvention.org/

International Convention for the Control and Management of Ships' Ballast Water and Sediments

Place and date

London, 13 February 2004

Primary focus area

Control and management of ships' ballast water and sediments

Provisions most relevant to ecosystems conservation

Noting that the transfer and introduction of Harmful Aquatic Organisms and Pathogens via ships ballast water threatens the conservation and sustainable use of biological diversity (freshwater and marine), the Parties undertake to prevent, minimise and ultimately eliminate the transfer of harmful aquatic organism and pathogens through the control and management of ships' ballast water and sediments. Each Party undertake to ensure that ports and terminals where cleaning or repair of ballast tanks occurs have adequate reception facilities for the reception of sediments. They shall also develop national policies, strategies or programmes for management of ballast water. Furthermore, ships may in any port or offshore terminal of another Party be subject to inspection for the purpose of determining whether the ship is in compliance with the Convention.

Institutional framework

The text of the Convention does not specify.

Source

www.imo.org/

2. Regional agreements

2.1 Regional

- Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki, 9 April 1992)
- Convention for the Protection of the Marine Environment of the North-East Atlantic (Paris, 22 September 1992)
- Inter-American Convention for the Protection and Conservation of Sea Turtles (Caracas, 1 December 1996)
- Cooperative Agreement for the Conservation of Sea Turtles of the Caribbean Coast of Costa Rica, Nicaragua and Panama (Costa Rica, 8 May 1998)
- Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa (Abidjan, 29 May 1999)
- Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (Kuantan, 11–14 July 2000)

Convention on the Protection of the Marine Environment of the Baltic Sea Area

Place and date

Helsinki, 9 April 1992

Geographical area covered

Baltic Sea

Primary focus area

Protection of the marine environment

Provisions most relevant to ecosystems conservation

The objective of the Convention is to protect the marine environment of the Baltic Sea Area from all sources of pollution, and to restore and safeguard its ecological balance. The Baltic Sea Area includes internal waters, defined as waters on the landward side of the base lines from which the breadth of the territorial sea is measured up to the landward limit according to the designation by the Contracting Parties.

Other definitions of importance are:

- “pollution”: defined as introduction by man, directly or indirectly, of substances or energy into the sea, including estuaries, which are liable to create hazards to human health, to harm living resources and marine ecosystems, to cause hindrance to legitimate uses of the sea including fishing, to impair the quality for use of sea water, and to lead to a reduction of amenities; and

- “pollution from land-based sources”: defined as pollution of the sea by point or diffuse inputs from all sources on land reaching the sea waterborne, airborne or directly from the coast. Pollution from any deliberate disposal under the seabed with access from land by tunnel, pipeline or other means, is also included.

The Contracting Parties agree that if the input from a watercourse, flowing through the territories of two or more Contracting Parties or forming a boundary between them, is liable to cause pollution of the marine environment of the Baltic Sea, the Contracting Parties concerned shall jointly and in co-operation with a third state interested or concerned, take appropriate measures in order to prevent and eliminate such pollution.

With regard to nature conservation and biodiversity, the Contracting Parties shall take all appropriate measures with respect to the Baltic Sea Area and its coastal ecosystems influenced by the Baltic Sea to conserve natural habitats and biological diversity and to protect ecological processes. Such measures shall also be taken in order to ensure the sustainable use of natural resources within the Baltic Sea Area.

Contracting Parties sharing transboundary waters within the catchment area of the Baltic Sea shall co-operate to ensure that potential impacts on the marine environment are fully investigated within an environmental impact assessment.

Institutional framework

The Parties establish the Baltic Marine Environment Protection Commission, which will have the following duties:

- to keep the implementation of the Convention under continuous observation;
- to make recommendations on measures relating to the purposes of the Convention; and
- to define pollution control criteria, objectives for the reduction of pollution, and objectives concerning measures.

Source

www.helcom.fi/

Convention for the Protection of the Marine Environment of the North-East Atlantic

Place and date

Paris, 22 September 1992

Geographical area covered

North-East Atlantic

Primary focus area

Protection of the Marine Environment of the North-East Atlantic

Provisions most relevant to ecosystems conservation

The Contracting Parties agree to take all possible steps to prevent and eliminate pollution, and adopt the necessary measures to protect the maritime area against the adverse effects of human activities so as to safeguard human health and to conserve marine ecosystems and, restore marine areas which have been adversely affected.

With regard to pollution from land-based sources, the Contracting Parties shall take all possible steps to prevent and eliminate pollution from such sources. Point sources discharges to the maritime area, and releases into water which reach and may affect the maritime area, shall be strictly subject to authorisation of the Contracting Parties.

Institutional framework

A Commission, made up by representatives of each of the Contracting Parties, shall be established. The Commission has the duty to supervise the implementation of the Convention. A permanent Secretariat shall be established to support the work of the Commission.

Source

www.ospar.org/

Inter-American Convention for the Protection and Conservation of Sea Turtles

Place and date

Caracas, 1 December 1996

Geographical area covered

The land territory in the Americas of each of the Parties, the maritime areas of the Atlantic Ocean, the Caribbean Sea and the Pacific Ocean

Primary focus area

Protection and conservation of sea turtles

Provisions most relevant to ecosystems conservation

The objective of the Convention is to promote the protection, conservation and recovery of sea turtle populations and of the habitats on which they depend, taking into account the environmental socio-economic and cultural characteristics of the Parties. Each Party shall take appropriate and necessary measures for the protection, conservation and recovery of sea turtle populations and their habitats in its land territory and in maritime areas. Such measures shall include the restriction of human activities that could seriously affect sea turtles, especially during the periods of reproduction, nesting and migration, and the protection, conservation and restoration of sea turtle habitats and nesting areas.

The Protection and Conservation of Sea Turtle Habitats is addressed in Annex II to the Agreement.

Each Party shall consider and may adopt measures to protect sea turtle habitats within its territory and in maritime areas where it exercises sovereignty. These measures could be, among others, the following:

- require assessments of the environmental impact of marine and coastal development activities that may affect sea turtle habitats, including dredging of canals and estuaries; construction of sea walls, piers and marinas; extraction of raw materials; operation of aquaculture facilities; placement of industrial facilities; use of reefs; and deposit of dredged materials and trash; and
- establishing protected areas and adopt other measures to regulate the use of areas where sea turtles nest or regularly occur.

Institutional framework

The Parties shall meet annually to consider matters pertaining to the implementation of the Agreement. A Secretariat shall be established as well as a Consultative Committee of Experts and a Scientific Committee.

Source

2164 UNTS 31

Cooperative Agreement for the Conservation of Sea Turtles of the Caribbean coast of Costa Rica, Nicaragua and Panama

Place and date

Costa Rica, 8 May 1998

Geographical area covered

The Caribbean coast and coastal waters of Costa Rica, Nicaragua and Panama

Primary focus area

Protection and conservation of sea turtles

Provisions most relevant to ecosystems conservation

The principal objectives of the Agreement are to implement the international and national commitments of the Parties for the conservation of sea turtles, in particular through the execution of a Regional Management Plan for the Caribbean coast of Costa Rica, Nicaragua and Panama. All beaches of the Caribbean coast where sea turtles are nesting are protected in an Annex to the Agreement. The Parties shall list all such beaches and ensure that beaches within protected wildlands are of adequate size to protect the ecological integrity of dynamic beach ecosystems.

Institutional framework

The Parties shall establish the Regional Committee for the Conservation of Sea Turtles of the Western Caribbean, composed of members from each country, representing the environmental, the fishery and the civil sectors. It will have the following functions:

- to provide oversight on the preparation and execution of the Regional Management Plan;
- to seek the necessary financial co-operation for the implementation of the Agreement; and
- to present the operations plan to their respective ministries of the environment and natural resources.

Source

www.oceanlaw.net/

Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa

Place and date

Abidjan, 29 May 1999

Geographical area covered

The Atlantic Coast of Africa

Primary focus area

Protection and conservation of sea turtles

Provisions most relevant to ecosystems conservation

The purpose of the Memorandum of Understanding is to set up a co-operation framework for improving the conservation status of the marine turtles and the habitats on which they depend. To this end, the Parties shall:

- endeavour to put in place measures for the conservation and strict protection of marine turtles at all stages of their life cycle (including eggs, hatchlings, juveniles, sub-adults and adults); and
- implement the provisions of a Conservation Plan with the aim to improve basic knowledge of species and migration routes, reduce mortality of marine turtles and enhance co-operation among Range States. It shall include protection measures for beaches used by marine turtles for nesting and provide for the identification of key habitats for nesting and foraging.

Institutional framework

The implementation of the Memorandum of Understanding shall be assessed at regular meetings to be attended by representatives of each of the Governments concerned and persons or organisations technically qualified in the conservation of marine turtles. Such meeting shall be convened by the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals. The Parties shall designate a national correspondent to serve as a focal point and communicate with the Secretariat. The Secretariat shall receive a report on the implementation of the Memorandum of Understanding, provided by the Parties, and transmit it to each of the Range States together with an overview report compiled on the basis of information at its disposal.

Source

www.oceanlaw.net/

Memorandum of Understanding on the Conservation and Management of Marine turtles and their habitats of the Indian ocean and South-east Asia

Place and date

Kuantan, 11–14 July 2000

Geographical area covered

All waters of the Indian Ocean and South-East Asia

Primary focus area

Protection and conservation of sea turtles

Provisions most relevant to ecosystems conservation

The objective of the Memorandum of Understanding is to establish a framework through which States can protect, conserve and replenish depleted marine turtle populations and manage the wide range of threats to marine turtles, including habitat destruction and pollution. To achieve the objective of the Memorandum of Understanding, States shall

implement a Conservation and Management Plan, addressing marine turtle habitat protection and reduction of threats.

Institutional framework

The Parties shall establish a Secretariat to assist communications, encourage reporting and facilitate activities between and among the States. In addition, the Secretariat shall assist States to implement the agreed provisions. An Advisory Committee shall also be established to provide scientific, technical and legal advice on the conservation and management of marine turtles and their habitats in the region.

Source

www.oceanlaw.net/

2.2 Conventions and protocols within the UNEP Regional Seas Programme

- Convention on the Protection of the Black Sea Against Pollution
(Bucharest, 21 April 1992)
- Protocol on Protection of the Black Sea Marine Environment Against Pollution Against Pollution from Land-based Sources
(Bucharest, 21 April 1992)
- Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region
(Nairobi, 21 June 1985)
- Protocol concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region
(Nairobi, 21 June 1985)
- Kuwait Regional Convention for Co-operation on the Protection of the Marine Environment from Pollution
(Kuwait, 24 April 1978)
- Protocol for the Protection of the Marine Environment against Pollution from Land-based Sources
(Kuwait, 21 February 1990)
- Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean
(Barcelona, 16 February 1976, revised in Barcelona, 10 June 1995)
- Protocol for the Protection of the Mediterranean Sea against Pollution from Land-based Sources and Activities
(Athens, 17 May 1980, amended in Syracuse, 6–7 March 1996)
- Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean
(Geneva, 3 April 1982, revised in Barcelona, 9–10 June 1995)
- Convention for Cooperation in the Protection and Sustainable Development of the Marine and Coastal Environment of the Northeast Pacific

(Antigua, 18 February 2002)

- Regional Convention for the Conservation of the Red Sea and of the Gulf of Aden Environment
(Jeddah, 14 February 1982)
- Convention for the Protection of the Marine Environment and Coastal Area of the South-East Pacific
(Lima, 20 November 1981)
- Protocol for the Protection of the South-East Pacific against Pollution from Land-based Sources
(Quito, 22 July 1983)
- Protocol for the Conservation and Management of Protected Marine and Coastal Areas of the South-East Pacific
(Paipa, 21 September 1989)
- Convention for the Protection of Natural Resources and Environment of the South Pacific Region
(Noumea, 24 November 1986)
- Convention for Co-operation in the Protection and Sustainable Development of the Marine and Coastal Environment of the West and Central African Region
(Abidjan, 23 March 1981)
- Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region
(Cartagena de Indias, 24 March 1983)
- Protocol concerning Pollution from Land-based Sources and Activities to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region
(Aruba, 6 October 1999)
- Protocol Concerning Specially Protect Areas and Wildlife in the Wider Caribbean Region
(Kingston, 18 January 1990)

Convention on the Protection of the Black Sea Against Pollution

Place and date

Bucharest, 21 April 1992

Geographical area covered

Black Sea

Primary focus area

Marine pollution

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish a framework for co-operation for the protection of the marine environment of the Black Sea. The Convention defines “Pollution of the marine environment” as the introduction by man, directly or indirectly, of substances or

energy into the marine environment, including estuaries which results or is likely to result in such deleterious effects as harm to living resources and marine life, hazard to human health, hindrance to marine activities including fishing and other legitimate uses of the sea, impairment of quality for use of sea water and reduction of amenities.

The Contracting Parties shall prevent, reduce and control pollution of the marine environment of the Black Sea from land-based sources, in accordance with the Protocol on the Protection of the Black Sea Marine Environment Against Pollution from Land-based Sources.

Institutional framework

The Contracting Parties shall establish a Commission on the Protection of the Black Sea Against Pollution, consisting of representatives from each Contracting Party. The Commission shall promote the implementation of the Convention and shall make recommendations on measures necessary for achieving the aims of the Convention. Meeting of the Contracting Parties shall take place upon recommendation by the Commission and shall have the primary function to review the implementation of the Convention and its protocols. Furthermore, the Commission shall be assisted in its activities by a permanent Secretariat.

Source

1767 UNTS 3

Protocol on Protection of the Black Sea Marine Environment Against Pollution from Land-based Sources

Place and date

Bucharest, 21 April 1992

Geographical area covered

Black Sea

Primary focus area

Land-based sources of marine pollution

Provisions most relevant to ecosystems conservation

The purpose of the Protocol is to prevent, reduce and control pollution of the marine environment of the Black Sea caused by discharges from land-based sources on the territories of the Contracting Parties such as rivers, canals, coastal establishment, other artificial structures, outfalls or run-off, or emanating from any other land-based source. It applies to the Black Sea and to the waters landward of the baselines from which the breadth of the territorial sea is measured, and in the case of fresh-water courses, up to the fresh-water limit.

The Contracting Parties undertake to prevent and eliminate pollution of the marine environment of the Black Sea from land-based sources by hazardous substances, whereas they undertake to reduce and to eliminate pollution from land-based sources by noxious substances. As to watercourses that are tributaries to the Black Sea, the Contracting Parties will endeavour to co-operate with other States in order to achieve the purposes set forth in the Protocol.

Each Contracting Party shall carry out monitoring activities in order to assess the

levels of pollution, its sources and ecological effects along its coast. Additional research will be conducted upstream of river sections in order to investigate fresh/salt water interactions.

Institutional framework

The institutional framework between the Contracting Parties shall be the Commission on the Protection of the Black Sea Against Pollution.

Source

www.ecolex.org

Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region

Place and date

Nairobi, 21 June 1985

Geographical area covered

East Africa

Primary focus area

Marine pollution

Provisions most relevant to ecosystems conservation

The Contracting Parties agree to take all appropriate measures to prevent, reduce and combat pollution of the Convention area and to ensure sound environmental management of natural resources. The Convention defines “Pollution” as the introduction by man directly or indirectly, of substances or energy into the marine environment, including estuaries, resulting in such deleterious effects as harm to living resources, hazards to human health, hindrance to marine activities, including fishing, impairment of quality for use of sea water and reduction of amenities.

With regard to pollution from land-based sources, the Contracting Parties shall endeavour to take all appropriate measures to prevent, reduce and combat pollution of the Convention area caused by coastal disposal or by discharges emanating from rivers, estuaries, coastal establishments, outfall structures or any other sources within their territories.

All appropriate measures shall be taken to protect and preserve rare or fragile ecosystems as well as rare, depleted, threatened or endangered species of wild fauna and flora and their habitats in the Convention area. To this end, the Contracting Parties shall establish protected areas, such as parks and reserves, and shall regulate and prohibit an activity likely to have adverse effects on the species, ecosystems or biological processes that such areas are established to protect.

The Contracting Parties agree to undertake an environmental impact assessment on major projects which they expect may cause substantial pollution of, or significant and harmful changes.

Institutional framework

The Contracting Parties designate the United Nations Environment Programme (UNEP) as the secretariat of the Convention. UNEP shall prepare and convene regularly meetings of the Contracting Parties and shall co-ordinate the implementation of co-operative activities agreed upon by the meetings of the Contracting Parties. The meetings of the

Contracting Parties shall have the function of keeping under review the implementation of the Convention and its protocols.

Source

www.ecolex.org

Protocol concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region

Place and date

Nairobi, 21 June 1985

Geographical area covered

East Africa

Primary focus area

Protection of certain areas and wild fauna and flora in marine and coastal areas

Provisions most relevant to ecosystems conservation

The Contracting Parties agree to take all appropriate measures to maintain essential ecological processes and life support systems to preserve genetic diversity, and to ensure the sustainable utilisation of harvested natural resources under their jurisdiction. To this end, the Contracting Parties shall develop national conservation strategies and co-ordinate such strategies within the framework of regional conservation activities. Measures for the protection of migratory species whose range extends into the territories of the Contracting Parties shall be co-ordinated.

The Contracting Parties shall establish protected areas with a view to safeguarding the natural resources of the Eastern African region and shall take all appropriate measures to protect those areas. Such areas shall be established in order to safeguard:

- the ecological and biological processes essential to the functioning of the Eastern African region;
- representative samples of all types of ecosystems of the Eastern African region;
- populations of the greatest possible number of species of fauna and flora depending on these ecosystems; and
- areas having a particular importance by reason of their scientific, aesthetic, cultural and educational purposes.

In establishing protected areas, the Contracting Parties shall take into account their importance as:

- natural habitats for species of fauna and flora;
- migration routes or as wintering, staging, feeding or moulting sites for migratory species; and
- rare or fragile ecosystems.

Furthermore, the Contracting Parties agree to take into account the traditional activities of their local populations in the areas to be protected. To the fullest extent possible, no exemption which is allowed for this reason shall be such as:

- to endanger either the maintenance of ecosystems protected under the terms of the present Protocol or the biological processes contributing to the maintenance of those ecosystems; and
- to cause either the extinction of, or any substantial reduction in, the number of individuals making up the species of animal and plant populations within the protected ecosystems, or any ecologically connected species or populations, particularly migratory, endemic, rare, depleted, threatened or endangered.

Institutional framework

Meetings of the Contracting Parties shall be held in conjunction with the meetings of the Contracting Parties to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region. It shall be the function of the meetings of the Contracting Parties to keep under review the implementation of the Protocol.

Source

www.ecolex.org

Kuwait Regional Convention for Co-operation on the Protection of the Marine Environment from Pollution

Place and date

Kuwait, 24 April 1978

Geographical area covered

Arabic/Persian Gulf

Primary focus area

Marine pollution

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish a framework for co-operation for the protection of the marine environment of the Arabic/Persian Gulf. The Convention excludes internal waters unless agreed by the Contracting States. It is agreed that all appropriate measures shall be taken to prevent, abate and combat pollution of the marine environment in the area.

With regard to pollution from land-based sources, the Contracting States shall take all appropriate measures to prevent, abate and combat pollution caused by discharges from land whether waterborne, airborne, or directly from the coast including outfalls and pipelines.

Each Contracting State shall endeavour to include an environmental impact assessment of the potential environmental effects in any planning activity entailing projects within its territory, particularly in the coastal areas, which may cause significant risks of pollution.

Institutional framework

The Contracting States shall establish a Regional Organization for the Protection of the Marine Environment consisting of a Council, a Secretariat and a Judicial Commission for the Settlement of Disputes. The function of the Council shall be to keep under review the implementation of the Convention and its protocols.

Source

1140 UNTS 154

Protocol for the Protection of the Marine Environment against Pollution from Land-based Sources

Place and date

Kuwait, 21 February 1990

Geographical area covered

Arabic/Persian Gulf

Primary focus area

Land-based sources of marine pollution

Provisions most relevant to ecosystems conservation

The Protocol applies to discharges from land-based sources within the territories of the Contracting States, in particular:

- from outfalls and pipelines discharging into the sea; and
- through rivers, canals or other watercourses, including underground watercourses.

The Contracting Parties undertake to implement action programmes based on source control. To this end, they shall develop and implement necessary programmes and measures.

Industrial location programmes shall be undertaken with regard to the development of new industries, bearing in mind the economic and technical difficulties often encountered by such operations in properly treating their effluents.

An assessment shall be required of the potential environmental impacts during the planning and implementation stages of selected development projects within the territories of the Contracting States, particularly in the coastal areas, which may cause significant risks of pollution from land-based sources.

Institutional framework

The Council, created under the Kuwait Regional Convention for Co-operation on the Protection of the Marine Environment from Pollution, shall be responsible for keeping under review the implementation of the Protocol.

Source

www.ecolex.org

Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean

Place and date

Barcelona, 16 February 1976, revised 10 June 1995

Geographical area covered

Mediterranean Sea

Primary focus area

Marine pollution

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish a framework for co-operation for the protection of the marine environment of the Mediterranean Sea. The application of the Convention may be extended to coastal areas as defined by each Contracting Party. The Convention defines “Pollution” as the introduction by man, directly or indirectly, of substances or energy into the marine environment, including estuaries, which results, or is likely to result in such deleterious effects as harm to living resources and marine life, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of seawater and reduction of amenities.

In order to protect the environment and contribute to the sustainable development of the Mediterranean Sea, the Contracting Parties commit themselves to promote the integrated management of the coastal zones, taking into account the protection of areas of ecological and landscape interest and the rational use of natural resources.

With regard to pollution from land-based sources, all appropriate measures shall be taken to prevent, abate, combat and to the fullest possible extent eliminate pollution of the Mediterranean Sea and to draw up and implement plans for the reduction and phasing out substances that are toxic, persistent and liable to bioaccumulate arising from land-based sources. These measures shall apply to pollution from land-based sources originating within the territories of the Contracting Parties, and reaching the sea:

- directly from outfalls discharging into the sea or through coastal disposal; and
- indirectly through rivers, canals or other watercourses, including underground watercourses, or through run-off.

The Contracting Parties agree to take all appropriate measures to protect and preserve biological diversity, rare or fragile ecosystems, as well as species of wild fauna and flora which are rare, depleted, threatened or endangered and their habitats.

Furthermore, an environmental impact assessment shall be undertaken for proposed activities that are likely to cause a significant adverse impact on the marine environment.

Institutional framework

The Contracting Parties designate the United Nations Environment Programme (UNEP) as responsible for carrying out the secretariat functions. UNEP shall convene and prepare meetings of the Contracting Parties and regularly report on the implementation of the Convention. It shall be the function of the meetings of the Contracting Parties to keep under review the implementation of the Convention and its protocols.

Source

1102 UNTS 44

Protocol for the Protection of the Mediterranean Sea against Pollution from land-based sources and activities

Place and date

Athens, 17 May 1980, amended in Syracuse, 6–7 March 1996

Geographical area covered

Mediterranean Sea

Primary focus area

Land-based sources of marine pollution

Provisions most relevant to ecosystems conservation

The Protocol applies to the following areas:

- the hydrologic basin of the Mediterranean Sea Area;
- waters on the landward side of the baselines from which the breadth of the territorial sea is measured and extending, in the case of watercourses, up to the freshwater limit; and
- brackish waters, coastal salt waters including marshes and coastal lagoons, and ground waters communicating with the Mediterranean Sea.

The Parties shall take all appropriate measures to prevent, abate, combat and eliminate to the fullest possible extent pollution of the Mediterranean Sea Area caused by discharges from rivers, coastal establishments or outfalls, or emanating from any other land-based sources and activities within their territories. Pollution deriving from land-based sources and activities shall be eliminated and inputs of substances that are toxic, persistent and liable to bioaccumulate shall be phased out. To this end, Parties shall elaborate and implement national and regional action plans and programmes, containing measures and timetables for their implementation.

Institutional framework

The meetings of the Parties shall take place in conjunction with the meetings held pursuant to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean. The functions of the meetings of the Parties shall be to keep under review the implementation of the Protocol and to consider the efficacy of the action plans, programmes and measures adopted.

Source

1328 UNTS 119

Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean

Place and date

Geneva, 3 April 1982, revised in Barcelona, 9–10 June 1995

Geographical area covered

Mediterranean Sea

Primary focus area

Specially protected areas and biological diversity

Provisions most relevant to ecosystems conservation

The Protocol applies to the Mediterranean Sea but also includes:

- the waters, the sea-bed and its subsoil on the landward side of the baseline from which the breadth of the territorial sea is measured and extending, in the case of watercourses, up to the freshwater limit; and
- the terrestrial coastal areas designated by each of the Parties, including wetlands.

The Parties agree to take the necessary measures to:

- protect, preserve and manage in a sustainable and environmentally sound way areas of particular natural or cultural value, notably by the establishment of specially protected areas; and
- protect, preserve and manage threaten or endangered species of flora and fauna.

To this end, Parties may establish specially protected areas in the marine and coastal zones subject to its sovereignty or jurisdiction and shall draw up a “List of Specially Protected Areas of Mediterranean Importance”. The objective of specially protected areas is to safeguard:

- representative types of coastal and marine ecosystems of adequate size to ensure their long-term viability and to maintain their biological diversity;
- habitats which are in danger of disappearing in their natural area of distribution in the Mediterranean or which have a reduced natural area of distribution as a consequence of their regression or on account of their intrinsically restricted area,
- habitats critical to the survival, reproduction and recovery of endangered, threatened or endemic species of flora or fauna; and
- sites of particular importance because of their scientific aesthetic, cultural or educational interest.

In particular, the protection measures shall consist of:

- the prohibition of the dumping or discharge of wastes and other substances likely to impair directly or indirectly the integrity of the specially protected area;
- the regulation of the introduction of any species not indigenous to the specially protected area in question, or of genetically modified species, as well as the introduction or reintroduction of species which are or have been present in the specially protected area;
- the regulation or prohibition of fishing, hunting, taking of animals and harvesting of plants or their destruction, as well as trade in animals, parts of animals, plants, parts of plants, which originate in specially protected areas;
- the regulation, and if necessary the prohibition, of any other activity or act likely to harm or disturb the species or that might endanger the state of conservation of the ecosystems or species or might impair the natural or cultural characteristics of specially protected areas; and

- any other measure aimed at safeguarding ecological and biological processes and the landscape.

The drawn-up list shall include sites which:

- are of importance for conserving the components of biological diversity in the Mediterranean; and
- contain ecosystems specific to the Mediterranean area or the habitats of endangered species.

With regard to measures for the protection and conservation of species, the Parties shall manage species of flora and fauna with the aim of maintaining them in a favourable state of conservation.

Furthermore, an environmental impact assessment shall be carried out in the planning on industrial and other projects and activities that could significantly affect protected areas and species and their habitats.

Institutional framework

The Parties shall regularly hold meetings in conjunction with the ordinary meetings to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean. The meetings of the Parties are particularly aimed at keeping under review the implementation of the Protocol and at making recommendations to the Parties on the measures to be adopted for the implementation.

Source

1425 UNTS 160

Convention for Co-operation in the Protection and Sustainable Development of the Marine and Coastal Environment of the Northeast Pacific

Place and date

Antigua, 18 February 2002

Geographical area covered

Northeast Pacific

Primary focus area

Protection and sustainable development of the marine and coastal environment

Provisions most relevant to ecosystems conservation

The principal purpose of the Convention is to establish a regional co-operation framework to encourage and facilitate the sustainable development of marine and coastal resources of the countries of the Northeast Pacific.

The Convention defines “Pollution of the marine environment” as the introduction by man, directly or indirectly, of substances or of energy into the marine environment (including estuaries and wetlands) which cause or may give rise to harmful effects such as damage to living resources or marine life, risks to human health, obstacles to maritime activities including fisheries and other legitimate uses of sea, deterioration of sea water quality for their use, and impairment of leisure and aquaculture areas.

The Contracting Parties agree to collaborate at a regional level, directly or in co-operation with competent international organisations for the effective protection and development of the marine and coastal environment of the Northeast Pacific against all types and sources of pollution, taking into account the special characteristics of the region. Discharge of toxic, injurious or harmful substances into the sea and coastal areas originating from land-based sources shall be prevented, reduced and controlled.

The Contracting Parties shall endeavour to include an environmental impact assessment when planning any activity that involves the implementation of projects inside their territory that may, especially in coastal areas, cause pollution or cause significant harm to the area or harmful environmental alterations to it.

Institutional framework

The administration and implementation of the Convention shall correspond to an organisation to be established. Until such organisation is formally established, the United Nations Environment Programme (UNEP) shall carry out its functions. The meetings of the Contracting Parties shall have the function of keeping under continuous review the implementation of the Convention and its protocols.

Source

www.ecolex.org

Regional Convention for the Conservation of the Red Sea and of the Gulf of Aden Environment

Place and date

Jeddah, 14 February 1982

Geographical area covered

Red Sea and Gulf of Aden

Primary focus area

Conservation of the marine environment

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish a regional co-operation framework for the protection of the Red Sea and the Gulf of Aden. In addition to those areas, the Convention applies to the Gulf of Aqaba, the Gulf of Suez and the Suez Canal. The internal waters of the Contracting Parties are excluded.

With regard to pollution from land-based sources, the Contracting Parties shall take all appropriate measures to prevent, abate and combat pollution caused by discharges from land reaching internal waters and the Sea Area whether waterborne, or directly from the coasts including outfalls and pipelines.

Each Contracting Party shall give due consideration to marine environmental effects when planning or executing effects, including an assessment of potential environmental effects, particularly in the coastal areas.

Institutional framework

The Contracting Parties shall establish a Regional Organization for the Conservation of the Red Sea and Gulf of Aden Environment comprising a Council, a General Secretariat and a Committee for the Settlement of Disputes. The Council shall have the function to

keep under review the implementation of the Convention and its protocols.

Source

www.ecolex.org

Convention for the Protection of the Marine Environment and Coastal Area of the South-East Pacific

Place and date

Lima, 20 November 1981

Geographical area covered

South-East Pacific

Primary focus area

Conservation of the marine environment and the coastal area

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish a regional co-operation structure for the protection of the marine environment and coastal area of the South-East Pacific. The Convention defines “Pollution of the marine environment” as the introduction by man, directly or indirectly, of substances or energy into the marine environment (including estuaries) which results or is likely to result in such deleterious effects as harm to living resources and marine life, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of sea water and reduction of amenities.

The Contracting Parties agree that the release of toxic, harmful or noxious substances, especially those which are persistent, into the marine environment originating from land-based sources shall be prevented and controlled.

Each Contracting Party shall endeavour to include in any planning activity involving the execution of projects in its territory, particularly in coastal areas, an assessment of the possible effects of such projects on the environment.

Institutional framework

The Contracting Parties shall hold regular meetings. These meetings will examine the extent to which the Convention is being implemented and the effectiveness of the measures taken and the need to develop other kinds of activities in compliance with the objectives of the Convention and its protocols. The Permanent Commission of the South Pacific shall be designated to discharge the functions of Executive Secretariat.

Source

www.ecolex.org

Protocol for the Protection of the South-East Pacific against Pollution from Land-based Sources

Place and date

Quito, 22 July 1983

Geographical area covered

South-East Pacific

Primary focus area

Land-based sources of marine pollution

Provisions most relevant to ecosystems conservation

The Contracting Parties shall endeavour to adopt appropriate measures to prevent, reduce and control pollution of the marine environment from land-based sources, which results or is likely to result in such deleterious effects as harm to living resources and marine life, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for the use of sea water and reduction of amenities. The Protocol defines “Marine pollution from land-based sources” as discharges through rivers, canals and other watercourses, including underground watercourses.

Institutional framework

The Contracting Parties shall hold sessions regularly at the same time as the sessions of the Permanent Commission of the South Pacific. During the sessions, the Contracting Parties shall examine the extent to which the Protocol is being implemented, the effectiveness of the measures taken and the need to develop other kinds of activities.

Source

1648 UNTS 89

Protocol for the Conservation and Management of Protected Marine and Coastal Areas of the South-East Pacific

Place and date

Paipa, 21 September 1989

Geographical area covered

South-East Pacific

Primary focus area

Conservation and management of protected marine and coastal areas

Provisions most relevant to ecosystems conservation

The Contracting Parties undertake to adopt appropriate measures in order to protect and preserve those ecosystems which are fragile, vulnerable or of unique natural or cultural value, with particular emphasis on flora and fauna threatened by depletion or extinction, and shall conduct studies for the purpose of restoring the environment or restocking flora and fauna. To this end, they shall establish areas under their protection in the form of parks, reserves, flora and fauna sanctuaries and other similar areas. In these areas integration management shall be established on the basis of studies and inventories of their resources, with a view to ensuring their sustainable development. Any activity likely to have adverse effects on the ecosystem, flora and fauna or their habitat, shall be prohibited.

An environmental impact assessment shall be conducted for any activity liable to produce adverse effects on protected areas.

Institutional framework

The Contracting Parties shall hold meetings regularly. During the meetings, the Contracting Parties shall examine the extent to which the Protocol is being implemented and the effectiveness of the measures taken and the need to develop other kinds of activities. For the purposes of administering and implementing the Protocol, the General Secretariat of the Permanent Commission for the South Pacific shall serve as Executive Secretariat.

Source

www.ecolex.org

Convention for the Protection of Natural Resources and Environment of the South Pacific Region**Place and date**

Noumea, 24 November 1986

Geographical area covered

South Pacific

Primary focus area

Conservation of the marine environment

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish a regional co-operation system for the protection of the marine environment of the South Pacific Region. The Convention excludes internal waters or archipelagic waters. "Pollution" means the introduction by man, directly or indirectly, of substances or energy into the marine environment (including estuaries) which results or is likely to result in such deleterious effects as harm to living resources and marine life, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of sea water and reduction of amenities.

With regard to pollution from land-based sources, the Parties shall take all appropriate measures to prevent, reduce and control pollution caused by coastal disposal or by discharges emanating from rivers, estuaries, coastal establishments, outfall structures, or any other sources in their territory.

The Parties shall take all appropriate measures to protect and preserve rare or fragile ecosystems and depleted, threatened or endangered flora and fauna as well as their habitat. To this end, Parties shall establish protected areas, such as parks and reserves, and prohibit or regulate any activity likely to have adverse effects on the species, ecosystems or biological processes that such areas are designed to protect.

Furthermore, each Party shall assess the potential effects of such projects on the marine environment, so that appropriate measures can be taken to prevent any substantial pollution of, or significant and harmful changes.

Institutional framework

The Parties shall hold meetings regularly to review the implementation of the Convention and its protocols. The South Pacific Commission shall be responsible for carrying out the secretariat functions and shall co-ordinate the implementation of co-operative activities

agreed upon by the Parties.

Source

www.ecolex.org

Convention for Co-operation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region

Place and date

Abidjan, 23 March 1981

Geographical area covered

West and Central Africa

Primary focus area

Conservation of the marine and coastal environment

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish a regional co-operation system for the protection of the marine environment of the South Pacific Region. It applies to the marine environment, coastal zones and related inland waters falling within the jurisdiction of the Contracting Parties. "Pollution" is defined as the introduction by man, directly or indirectly, of substances or energy into the marine environment, coastal zones, and related inland waters resulting in such deleterious effects as harm to living resources, hazards to human health, hindrance to marine activities, including fishing, impairment of quality for use of sea water and reduction of amenities. All appropriate measures shall be taken to prevent, reduce, combat and control pollution and to ensure sound environmental management of natural resources.

With regard to pollution from land-based sources, the Contracting Parties agree to take all appropriate measures to prevent, reduce, combat and control pollution of the Convention area caused by discharges from rivers, estuaries, coastal establishments and outfalls, coastal dumping or emanating from any other sources on their territories.

In order to protect and preserve rare or fragile ecosystems as well as the habitat of depleted, threatened or endangered species and other marine life, the Contracting Parties shall endeavour to establish protected areas such as parks and reserves, and to prohibit or control any activity likely to have adverse effects on the species, ecosystems or biological processes in such areas.

The Contracting Parties agree to endeavour to include an environmental impact assessment of the potential environmental effects in any planning activity entailing projects within its territory, particularly in the coastal areas, that may cause substantial pollution of, or significant and harmful changes to, the Convention area.

Institutional framework

The Contracting Parties designate the United Nations Environment Programme (UNEP) as the secretariat of the convention to carry out the following functions:

- to prepare and convene regularly meetings of the Contracting Parties; and
- to co-ordinate the implementation of co-operative activities agreed upon by the meetings of Contracting Parties.

It shall be the function of the meetings of the Contracting Parties to keep under review the implementation of the Convention and its related protocols.

Source

www.ecolex.org

Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region

Place and date

Cartagena de Indias, 24 March 1983

Geographical area covered

Caribbean Sea

Primary focus area

Conservation of the marine environment

Provisions most relevant to ecosystems conservation

The purpose of the Convention is to establish a regional co-operation framework for the protection of the marine environment of the Wider Caribbean. Internal waters of the Contracting Parties are excluded unless otherwise agreed. All appropriate measures shall be taken to prevent, reduce and control pollution and to ensure sound environmental management.

With regard to pollution from land-based sources, the Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution of the Convention area caused by coastal disposal or by discharges emanating from rivers, estuaries, coastal establishments, outfall structures, or any other sources on their territories.

Rare or fragile ecosystems shall be protected and preserved, as well as the habitat of depleted, threatened or endangered species. To this end, the Contracting Parties shall endeavour to establish protected areas.

Furthermore, each Contracting Party shall assess the potential effects of such projects on the marine environment, particularly in coastal areas, so that appropriate measures may be taken to prevent any substantial pollution, or significant and harmful changes.

Institutional framework

The Contracting Parties designate the United Nations Environment Programme (UNEP) to carry out secretariat functions. UNEP shall co-ordinate the implementation of co-operative activities agreed upon by the meetings of the Contracting Parties. The function of the meetings of the Contracting Parties shall be to keep under review the implementation of the Convention and its protocols.

Source

1506 UNTS 157

Protocol concerning Pollution from Land-based Sources and Activities to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region

Place and date

Aruba, 6 October 1999

Geographical area covered

Caribbean Sea

Primary focus area

Land-based sources of marine pollution

Provisions most relevant to ecosystems conservation

The Contracting Parties agree to take appropriate measures to prevent, reduce and control pollution from land-based resources and activities. The Protocol defines “Land-based sources and activities” as those sources and activities causing pollution from coastal disposal or from discharges that emanate from rivers, estuaries, coastal establishments, outfalls structures, or other sources on the territory of a Contracting Party. Appropriate plans, programmes and measures shall be developed in order to prevent, reduce and control pollution of the Convention area from land-based sources and activities.

When a Contracting Party has reasonable grounds to believe that a planned land-based activity on its territory is likely to cause substantial pollution of, or significant and harmful changes to, the Convention area, the Contracting Party shall review the potential effects of such activity through an environmental impact assessment.

Institutional framework

The Contracting Parties shall hold meetings regularly in conjunction with the meetings of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region. It shall be the function of the meetings of the Contracting Parties to keep under review the implementation of the Protocol and its effectiveness of actions taken pursuant to it.

Source

www.ecolex.org

Protocol Concerning Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the wider Caribbean region

Place and date

Kingston, 18 January 1990

Geographical area covered

Caribbean Sea

Primary focus area

Specially protected areas and protection of wildlife

Provisions most relevant to ecosystems conservation

The Parties to the Protocol agree to take the necessary measures to protect, preserve, and manage in a sustainable way areas that require protection to safeguard their special value

and threatened or endangered species of flora and fauna. Each Party shall regulate and prohibit activities having adverse effects on these areas and species.

The areas to be established as protected areas shall be in particular:

- representative types of coastal and marine ecosystems of adequate size to ensure their long term viability and to maintain biological and genetic diversity;
- habitats and their associated ecosystems critical to the survival and recovery of endangered, threatened or endemic species of flora or fauna; and
- areas of special biological, ecological, educational, scientific, historic, cultural, recreational, archaeological, aesthetic, or economic value, including in areas whose ecological and biological processes are essential to the functioning of the Wider Caribbean ecosystems.

Among the measures to protect such areas is the regulation or prohibition of any activity involving a modification of the profile of the soil that could affect watersheds, denudation and other forms of degradation of watersheds, or the exploration or exploitation of the subsoil of the land part of a marine protected area.

An environmental impact assessment shall be undertaken by each Party in the planning process leading to decisions about industrial and other projects and activities that would have a negative environmental impact and significantly affect areas or species.

Institutional framework

The Meetings of the Parties shall be held in conjunction with meetings of the Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region. The Meetings of the Parties shall keep under review and direct the implementation of the Protocol.

Source

www.ecolex.org



IUCN – The World Conservation Union

Founded in 1948, The World Conservation Union brings together States, government agencies and a diverse range of non-governmental organizations in a unique world partnership: over 1000 members in all, spread across some 140 countries.

As a Union, IUCN seeks to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable. A central secretariat coordinates the IUCN Programme and serves the Union membership, representing their views on the world stage and providing them with the strategies, services, scientific knowledge and technical support they need to achieve their goals. Through its six Commissions, IUCN draws together over 10,000 expert volunteers in project teams and action groups, focusing in particular on species and biodiversity conservation and the management of habitats and natural resources. The Union has helped many countries to prepare National Conservation Strategies, and demonstrates the application of its knowledge through the field projects it supervises. Operations are increasingly decentralized and are carried forward by an expanding network of regional and country offices, located principally in developing countries.

The World Conservation Union builds on the strengths of its members, networks and partners to enhance their capacity and to support global alliances to safeguard natural resources at local, regional and global levels.

IUCN Environmental Law Programme

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