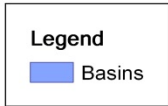
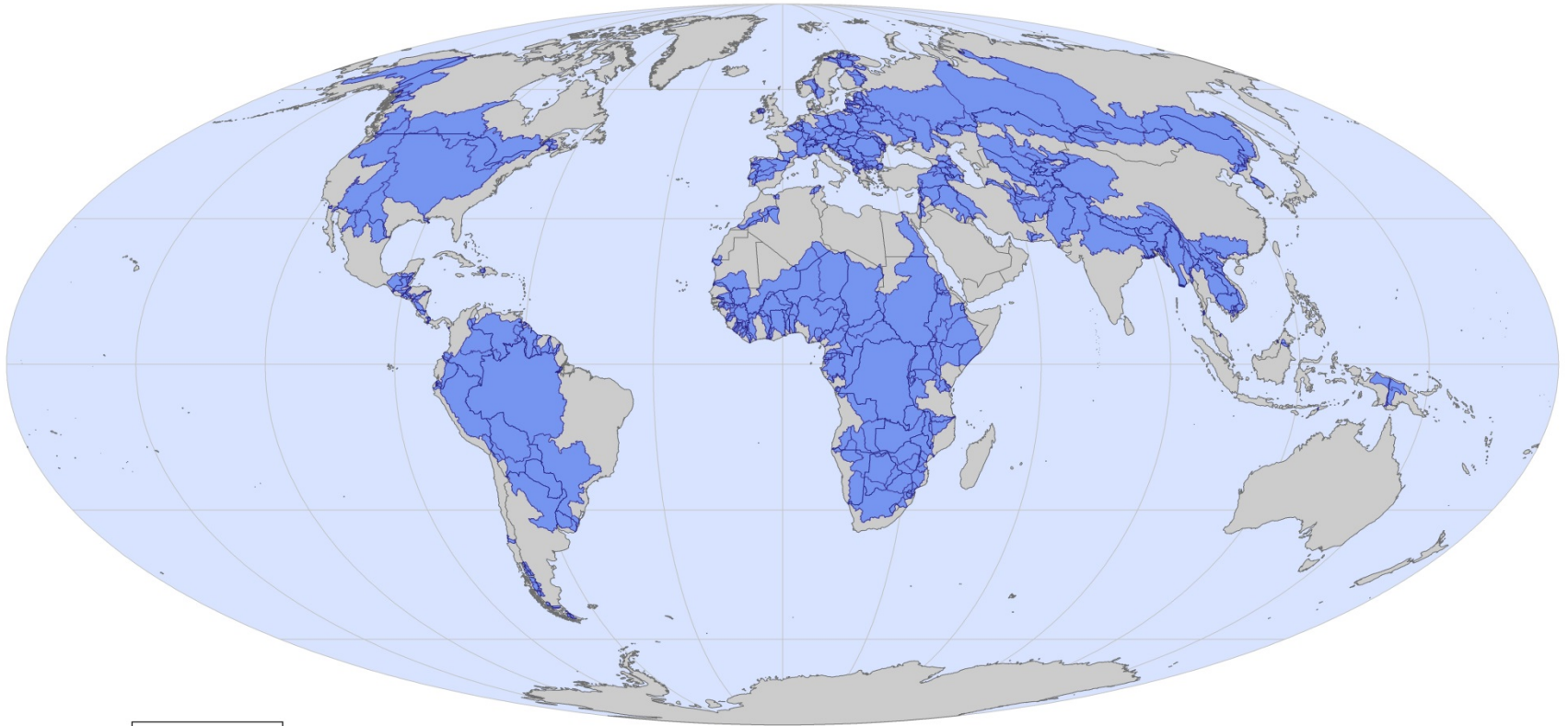


# Protected Areas and the UN Watercourses Convention

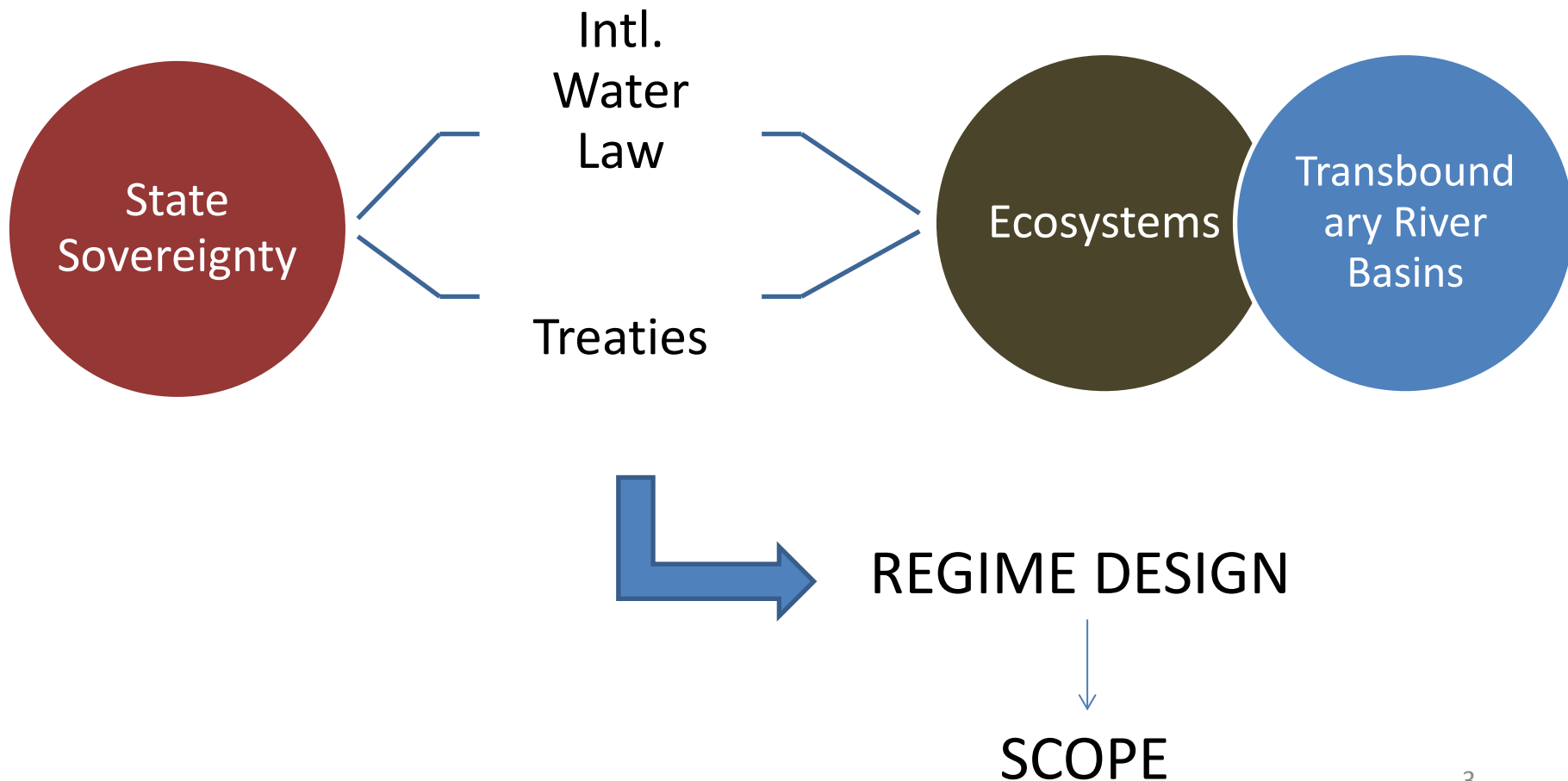
Lydia Slobodian

# International River Basins



Transboundary Freshwater Dispute Database  
Oregon State University, 2010

# Cooperation framed within legal solutions



# UN Watercourses Convention

Watercourses Convention

Watercourse  
Agreements

General principles  
and obligations

# Hydrological Scope

## UN Watercourses Convention

- **Watercourse:** „system of surface and groundwaters consisting by virtue of their physical relationship a unitary whole normally flowing into a common terminus, such as the sea, lake or aquifer“ (art. 2(a))

# Persistent water related problems go beyond hydrological system

- Mining
- Agriculture
- Overgrazing
- Deforestation
- Invasive species
- Climate Change

# Protection of ecosystems

- The UN Watercourses Convention Article 20 requires States to “individually and... jointly, protect and preserve the ecosystems of international watercourses”.
- SADC Revised Protocol: Art. 4 (2) (a)
- The ‘Ecosystems Approach’ enhances the recognition of the physical unity of drainage basins as any attempt to protect a river ecosystem cannot avoid affecting the surrounding land areas or their environment’ (McIntyre 2004)

# Protection and Preservation of Ecosystems as an Evolving Principle

Ramsar

- COP 9, Resolution IX.1 – Implementation of an EA

UNECE

- Art. 3 EA as a means to prevent, control and reduce transboundary impacts

CBD

- Decision II/8 EA as a framework for implementation of the Convention
- Decision V/6 Operational Guidance for application of the EA

UNWC

- Art. 20 protection and preservation of ecosystems



# Pollution

Watercourse states shall, individually and, where appropriate, jointly, **prevent, reduce and control the pollution** of an international watercourse that may cause significant harm to other watercourse states or to their environment...

UNWC Art. 21 (2)

# Invasive species

Watercourse states shall take all measures necessary to **prevent the introduction of species, alien or new**, into an international watercourse which may have effects **detrimental to the ecosystem** of the watercourse resulting in significant harm to other watercourse States.

UNWC art. 22

# Marine environment

Watercourse states shall, individually and, where appropriate, in cooperation with other states, take all measures with respect to an international watercourse that are necessary to protect and preserve **the marine environment, including estuaries**, taking into account generally accepted international rules and standards.

UNWC art. 23

# National Legislation Implementation

Anthropogenic Pressures	Freshwater Ecosystem component	Potential Mechanism for Regulation
Logging – mining – Urbanization – (...)	Hydro-Geomorphology	Land-use planning – EIA – Revocable Permits and Sanctions (...)
Dams- Water abstraction – Interbasin transfers – wetland and agricultural drainage (...)	Flow Regime	EIA – Revocable Permits and Sanctions – Protected Perimeters (Areas) – Land Use Planning (...)
Fishing – Hunting – Poaching – Navigation – Interbasin transfers (...)	Biotic Assemblage	Habitat Preserves (PAs) – Interdictions – Revocable Permits – Import bans – Standards of Practice – EIAs (...)
Energy Production – Industrial Releases – Mining – Discharges – Landfill disposal – Pesticide usage (...)	Water Quality	EIAs – Revocable permits – Protective Perimeters (PAs) – Habitat preserves – Standards of Practice (...)