



THE WORLD BANK



# Global Workshop on the Development of Transboundary Water Cooperation Agreements or other Arrangements

7-8 November 2023 | Budapest

## Agenda

<b>Day 1 - Tuesday, 7 November 2023 (9.00 – 18.00)</b>	
08.30 – 09.00	Remote connection & testing for speakers
<b>Opening session</b>	
9.00 – 9.30	<p><b>Moderator: Ms. Bernadette A. Adjei, Director, Legal and Monitoring, Water Resources Commission (Ghana), Member of the Water Convention Bureau</b></p> <p><b>Opening remarks by:</b></p> <ul style="list-style-type: none"> <li>- Mr. Peter Kovacs, Head of Department, Department of River Basin Management and Water Protection, Ministry of Interior, Hungary, Co-Lead Party (5 min)</li> <li>- Ms. Heide Jekel, Head of Division, Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection, Co-Lead Party (5 min)</li> </ul> <p><b>Introduction to the aims and the programme of the workshop (5 min)</b></p> <ul style="list-style-type: none"> <li>- Ms. Sonja Koeppel, Secretary of the Water Convention, UNECE</li> </ul> <p><b>Setting the Context, Designing a legal framework for transboundary waters: importance and the state of the art, – Mr. Alistair Rieu-Clarke, Law Professor, Northumbria University (8 min)</b></p>

	<p><b>Presentation of the “Practical Guide for the Development of Agreements or Other Arrangements for Transboundary Water Cooperation” (Practical Guide) – Mr. Komlan Sangbana, Secretariat of the Water Convention, UNECE (7 min)</b></p>
<p><b>Session 1: Getting the process of developing legal frameworks started</b></p>	
<p>9.30 – 10.45</p>	<p>The session will begin a discussion on initiating and conducting the negotiation of legal frameworks for transboundary waters. Presentations will look at factors that may trigger and/or sustain the negotiation of a legal frameworks, including recognizing the right moment and timing for getting the process started and process setting, as well as likely barriers which may be faced throughout the process. Presentations will also discuss rationale for the negotiation of an agreement or other arrangements and present negotiation techniques as well as the role of different kinds of actors.</p> <p><b>Moderator, Ms. Christina Leb, Senior Counsel, The World Bank</b></p> <ol style="list-style-type: none"> <li><b>1. Grounding and intro by the moderator</b>, with some general interactive questions (5 min)</li> <li><b>2. Content (40 min)</b> <ul style="list-style-type: none"> <li>- <b>Negotiation process of legal arrangement for transboundary cooperation: benefits, steps and prerequisite to ensuring its success</b>, Mr. Peter Kovacs, Head of Department, Department of River Basin Management and Water Protection, Ministry of Interior, Hungary</li> <li>- <b>Starting off cooperation on Jordan River Basin</b>, Mr. Mohammed Al-Duwairi, Assistant Secretary-General for Strategic Planning, Ministry of Water and Irrigation, Jordan</li> <li>- <b>Starting off cooperation between Mozambique and Zimbabwe to enhance water cooperation in the Buzi, Pungwe and Save Watercourses</b>: Mr. Norest Ndawana, Deputy Legal Advisor Ministry of Lands, Agriculture, Fisheries Water and Rural Development</li> <li>- <b>Starting Cooperation on shared aquifer: the case from the Pretashkent Transboundary Aquifer (Kazakhstan and Uzbekistan)</b>, Mr. Nurbek Pulatov, Head of Department of Hydrogeology, Engineering Geology and Geoecology, Ministry of Mining and Geology of the Republic of Uzbekistan</li> </ul> </li> <li><b>3. Responding expert – Ms. Yumiko Yasuda, Senior Network and Transboundary Water Cooperation Specialist, Global Water Partnership (5 min)</b></li> <li><b>4. Q&amp;A with the panelists (20 min)</b></li> <li><b>5. Harvesting (5 min)</b></li> </ol>
<p>10.45 – 11.00</p>	<p>Coffee break</p>

**Session 2: Designing the content of legal frameworks: general provisions and substantive norms (Module 2, 3 of the Practical Guide)**

11:00 – 12:15	<p>This session will showcase experiences with designing legal frameworks for transboundary waters from different regions, displaying the preliminary consideration and general provisions of the agreements or other arrangements, including definition of key terms and the scope; the formulation of the substantive content of the agreements or other arrangements explored; the key water management and protection issues and sectoral and intersectoral issues covered.</p> <p><b>Moderator, Mr. Diego Jara, Legal Officer, IUCN</b></p> <ol style="list-style-type: none"> <li><b>1. Grounding and intro by the moderator</b>, with some general interactive questions (5 min)</li> <li><b>2. Content</b> (40 min) <ul style="list-style-type: none"> <li>- <b>Design general provisions and substantive norm of the content of legal frameworks: general consideration</b>, Ms. Christina Leb, Senior Counsel, The World Bank</li> <li>- <b>The conclusion of an agreement on cooperation in transboundary waters between Poland and Belarus</b>, Ms. Katarzyna Agnieszka Delis-Szeląg, Expert Department of Water Management and Inland Navigation, Poland</li> <li>- <b>The conclusion of a cooperation agreement on the Sixaola River Basin (Costa Rica and Panama)</b>: Mr. Guillermo Villalobos Solé, Senior Advisor of the Foreign Affairs Minister, Ministry of Foreign Affairs, Panama</li> </ul> </li> <li><b>3. Responding expert</b>: Mr. Makane M. Mbengue, Professor of International Law at the Faculty of Law, University of Geneva; Member of the Water Convention Implementation Committee (5 min)</li> <li><b>4. Q&amp;A with the panelists</b> (20 min)</li> <li><b>5. Harvesting</b> (5 min)</li> </ol>
12.15 – 13.00	<i>Interactive exercise</i>
13.00 – 14.00	Lunch break (Help desk hosted by facilitators)
14.00 – 15.15	<i>Interactive exercise</i>
<p><b>Session 3: Designing the content of legal frameworks: procedural norms, implementation, institutional framework (Module 4, 5 of the Practical Guide)</b></p>	
15.15 – 16.30	<p>This session will address the procedural and implementation features of agreements or other arrangements for transboundary waters (modules 4 and 5 of the Practical Guide). Presentations will look at the type of legal provisions which contribute to the establishment of an effective institutional framework, financing structure in the</p>

	<p>agreement for effective implementation of the agreement and dispute settlement mechanism.</p> <p><b>Moderator: Mr. Ivan Zavadsky, International Expert, Member of the Water Convention Implementation Committee</b></p> <ol style="list-style-type: none"> <li>1. <b>Grounding and intro by the moderator</b>, with some general interactive questions (5 min)</li> <li>2. <b>Content</b> (30 min) <ul style="list-style-type: none"> <li>- <b>Design the procedural features and securing the financing base for legal frameworks:</b> the case of Mekong regime, Ms. Thu Phuong Nguyen, Senior Officer, Ministry of Natural Resources and Environment, Vietnam</li> <li>- <b>What type of legal provisions contribute to the establishment of an effective institutional framework</b>, the case of the Senegal river regime, Mr Fawzi Bedredine, Regional programme coordinator, Senegal River Development Organisation</li> <li>- <b>What type of legal provisions contribute to the establishment of an effective institutional framework – the case of the binational commission between Ecuador and Peru</b>, Mr. Diego Jara, Legal Officer, IUCN</li> </ul> </li> <li>3. <b>Responding expert:</b> Ms. Susanne Schmeier, Associate Professor of Water Law and Diplomacy, IHE Delft Institute for Water Education (5 min)</li> <li>4. <b>Q&amp;A with the panelists</b> (20 min)</li> <li>5. <b>Harvesting</b> (5 min)</li> </ol>
16.30 – 16.45	Coffee break
16.45 – 18.00	<i>Interactive exercise</i>
<b>19.00</b>	<b>Dinner Reception</b>

## Day 2 - Wednesday, 8 November 2023 (9.00 – 18.00)

### **Special session: Evolution of existing agreements and other arrangements**

09.00 – 10.15	<p>The aim of this special session is to discuss how existing transboundary water legal frameworks can evolve over time to address new challenges such as climate change. They should thus allow for flexibility to respond to changing needs and circumstances. These may include progressive furthering of cooperation between Riparian countries, changes in scientific knowledge, emerging issues. The session will look at different options for the evolution transboundary water legal frameworks, including formal amendment but also other alternatives such as the development of protocols, annexes and other legal and technical procedures.</p>
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	<p><b>Moderators: Ms Konstantina Toli, IW: LEARN Project Coordinator, UNESCO IOC and Mr. Edouard Boinet, Project Manager – International Cooperation, International Network of Basin Organizations</b></p> <ol style="list-style-type: none"> <li>1. <b>Grounding and intro by the moderators</b> (10 min)</li> <li>2. <b>Panel discussion with:</b> (40 min) <ul style="list-style-type: none"> <li>- <b>Evolution from an MOU to a full agreement: Example of the Drin River Basin</b>, Mr. Ylber Mirta, Head of Department for Waters, Ministry of Environment and Physical Planning, North Macedonia</li> <li>- <b>Broadening of cooperation: Example of Chu Talas Basin</b>, Mr. Aidar Abishev, Attache-at-Large, Ministry of Foreign Affairs, Kazakhstan</li> <li>- <b>The development of additional legal instrument: Example of the Gambia Legal Regime</b>, Mr. Daouda Samba Sow, General Secretary, Gambia River Development Organisation</li> <li>- <b>Jointly agreed revision of a transboundary agreement: Example of the Okavango River Basin Water</b>, Mr Phera Ramoeli, Executive Secretary, OKAKOM Secretariat</li> <li>- <b>Mekong Agreement now and then: how the 1995 Agreement was developed, what its provisions have covered well since then, and where the gaps exists / clarifications needed which global Conventions can fill"</b>, Mr Sokhem Pech, Senior International Water Law and Governance Consultant</li> </ul> </li> <li>3. <b>Q&amp;A with the panelists</b> (15 minutes)</li> </ol>
10.15 – 11.00	<i>Interactive exercise</i>
11.00 – 11.15	Coffee break
<b>Session 4: Designing the content of legal frameworks: conflict prevention and dispute settlement over shared water resources (Module 5 of the Practical Guide)</b>	
11.15 – 12.30	<p>This session will focus on module 5, notably aspects related to the dispute settlement mechanisms. Participants will hear about and discuss the legal provisions on how to settle disputes within a cooperative framework, including the role of Third Parties.</p> <p><b>Moderator: Ms. Mara Tignino, Lead Legal Specialist, Platform for International Water Law, Geneva Water Hub</b></p> <ol style="list-style-type: none"> <li>1. <b>Grounding and intro by the moderator</b>, with some general interactive questions (5 min)</li> <li>2. <b>Content</b> (40 min) <ul style="list-style-type: none"> <li>- <b>Dispute prevention mechanism: the Dniester River Basin Commission case:</b> Ms Daria Nesterenko, Head of the international cooperation</li> </ul> </li> </ol>

	<p>department, State Agency of Water Resources, Ukraine and Mr Radu Cazacu, Deputy Director, “Apele Moldovei” Agency, Moldova</p> <ul style="list-style-type: none"> <li>- <b>Addressing dispute settlement within legal frameworks for transboundary waters: insights from Africa cases</b>, Mr. Mutoy Mubiala, Professor of International Law Water High School of University of Kinshasa; Former Legal Expert of the AU Facilitation team</li> <li>- <b>Addressing dispute settlement within legal frameworks for transboundary waters: insights from LAC region</b>, Mr. Alexander López, Professor at the National University of Costa Rica, Regional Advisor of the Water Convention Secretariat for the LAC region</li> <li>- <b>Dispute settlement and the role of third Parties in supporting implementation</b>, Mr. Makane M. Mbengue, Professor of International Law at the Faculty of Law, University of Geneva; Member of the Water Convention Implementation Committee</li> </ul> <p><b>3. Responding expert</b> : Dr. Anmar Al Saadi, Head of International Water Studies Department, Ministry of Water Resources, Iraq (5 min)</p> <p><b>4. Q&amp;A with the panelists</b> (20 min)</p> <p><b>5. Harvesting</b> (5 min)</p>
12.30 – 13.00	<i>Interactive exercise</i>
13.00 – 14.00	Lunch break (Help desk hosted by facilitators)
14.00 – 15.30	<i>Interactive exercise</i>
<b>Results of interactive exercise:</b>	
15.30 – 16.45	<p><b>Moderators:</b> Mr. Alistair Rieu-Clarke, Law Professor, Northumbria University and Ms. Mara Tignino, Lead Legal Specialist, Platform for International Water Law, Geneva Water Hub</p> <p><i>Presentation of results (agreement developed) by groups (at least 6-7 groups*10 min)</i></p>
16.45 – 17.00	Coffee break
<b>Concluding session:</b>	
17.00 – 17.40	Future work in this programme area – Mr. Peter Kovacs, Hungary, Co-Lead Party
17.40 – 18.00	<p><b>Recap of the workshop.</b> Ms. Sonja Koeppel, Secretary of the Water Convention, UNECE</p> <p><b>Closing remark by:</b></p> <ul style="list-style-type: none"> <li>- Mr. Peter Kovacs, Head of Department, Department of River Basin Management and Water Protection, Ministry of Interior, Hungary, Co-Lead Party</li> </ul>