

Stakeholders support Ghana's accession to two international Water Conventions

Participants at the 70th edition of the National Level Learning Alliance Platform (NLLAP) in Accra have expressed the need for Ghana to ratify and accede to two global transboundary water conventions in order to build a shared understanding and cooperation in the quest for peace and security. Since 30% of Ghana's total renewable water resources originates from outside the country's borders, participants at the forum were convinced that the **1992 Water Convention and the 1997 Watercourses Convention** would provide several benefits to the country in relating with riparian countries on transboundary water resources management issues.

The focus of NLLAP 70, held in Accra on 25th January 2018, discussed the importance for Ghana to ratify and accede to two global transboundary water conventions: The 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes, serviced by UNECE (1992 Water Convention); and the 1997 UN Convention on the Law of the Non-Navigational Uses of International Watercourses (1997 Watercourses Convention). Professor Alistair Rieu-Clarke from the Water Convention Secretariat of the United Nations Economic Commission for Europe (UNECE) gave an overview of the conventions. He also spoke about the institutional frameworks supporting the 1992 Water Convention. Bernadette Araba Adjei and Belemiga Eleonore, both Legal Officers from the Water Resources Commission and the Volta Basin Authority respectively, shared information about national and regional contexts, while Péter Kovács from the Hungarian Ministry of Interior spoke about the benefits of international cooperation in transboundary water resources management. The session was chaired by the Executive Secretary of the Water Resources Commission, Mr. Ben Ampomah under the theme, Towards the Ratification of the UNECE/the UN Watercourses Conventions.

Overview of the conventions

Professor Alistair Rieu-Clarke from the Water Convention Secretariat of the United Nations Economic Commission for Europe (UNECE) gave an overview of the conventions. He traced the history of the conventions to the late 1940s where efforts to promote cooperation in management and use of international freshwater resources by the United Nations began, evidenced in various UN Resolutions, until the 1992 Water Convention and the 1997 Watercourses Conventions were developed. He said though the 1992 Water Convention was initially meant for countries within the European region, there was an amendment in 2003 to allow countries outside the region to join and the amendment became operational in March 2016. He said now the Convention provides a sound legal framework and a catalyst for cooperation and a balanced approach for both upstream and downstream countries. He said some African countries had shown a high interest in the Convention. These include Chad, Senegal, Togo, Côte d'Ivoire, Tunisia etc. He said the Convention also cooperates with partners such as AMCOW and ECA and that countries can use the various guidance documents linked to the convention to their benefit and were also free to participate in various up-coming meetings.

He said since they are two different conventions there exists a couple of similarities and differences between them but,



summarizing the synergies, he said they are both from different evolutionary paths but beginning to converge; both are framework instruments that can be tailored to diverse basin contexts; there are significant similarities and differences between the instruments but there are international laws that exist to address the differences, while several soft laws had been developed to support the implementation of the convention. These include laws on water pollution, licensing, monitoring of ground water, transboundary flood prevention and management, climate change among others. The frameworks, he said, also included several templates, including reporting on the SDGs, that can be adapted by countries for use.

Benefits from joining the conventions

Mr. Péter Kovács from the Hungarian Ministry of Interior said the 1992 Water Convention had supported the development of transboundary agreements, the establishment of joint institutions and the strengthening of cooperation at both political and technical levels. He said parties had to co-operate by entering into specific agreements and establishing joint bodies. As a framework agreement, he said, the Convention does not replace bilateral and multilateral agreements for specific basins or aquifers; instead, it fosters their establishment and implementation, as well as further development.

Professor Alistair again shared a few reasons why several countries were joining the Conventions. He said they:

- Foster a common language and shared understanding;
- Make for a complete set of laws at various levels on protection and enhancement of water quality, water quantity and the infrastructure for international watercourses;
- Facilitate harmonization even within countries / between basins with same riparian countries;
- Can help to implement multiple agreements in a coordinated fashion;

- Can assist in improving existing basin or bi-lateral agreements (or set the stage for revisions);
- Can facilitate negotiations (agenda, tools and procedures available);
- Can fix gaps in existing agreements e.g. notification and conflict resolution;
- Stimulate cooperation among countries and involvement of stakeholders at large
- Provide a platform by which to promote and strengthen transboundary water cooperation at a global level and exchange experiences across basins and regions;
- Promote transboundary Water Cooperation as a Global Agenda;
- Link appropriately with the SDG 6.5.

Regional and Country contexts

Belemliga Eleonore from the Volta Basin Authority shared information about the Convention of the Status of the Volta River and the establishment of the Volta Basin Authority (The Volta basin Convention) by six riparian countries – Burkina Faso, Benin, Côte d'Ivoire, Ghana, Mali and Togo. She established several similarities between the principles contained in the two global conventions and that on the Volta Basin Convention. She also mentioned that three states from the Volta Basin – Benin, Burkina Faso, and Côte d'Ivoire were already parties to the Watercourse Convention. She said the VBA was already in a process of developing a legal framework (the VBA Water Charter) and was taking advantage of the existence of international legal texts such as the two water conventions and some water charters already developed in west Africa (Niger, Senegal and lake Chad Basins).

On her part, Bernadette Araba Adjei from Ghana's Water Resources Commission said the two global water conventions were in line with the National Water Policy. She outlined a number of benefits that Ghana could derive from acceding to these conventions as follows:

- Ghana has the opportunity to lead the process for advancing international water law and policy in West Africa by acceding to the Water Conventions.
- As the influence of the Conventions spreads across the region, Ghana will benefit directly from the existence of a stronger legal framework governing its own transboundary river basins.
- The Water Conventions will also serve Ghana's foreign policy interests by supporting international peace and security in West Africa.

Ms Audrey Naana Abayena from the Ministry of Foreign Affairs provided some guidelines on how to go about the ratification and accession process in Ghana. She therefore asked the Water Resources Commission to provide very clear justification as to why Ghana should accede to the conventions and also provide clear explanations of the various technical terminologies and jargons to facilitate the process.

Comments and Suggestions

The Executive Secretary of the Water Resources Commission who chaired the forum, Mr. Ben Ampomah, re-echoed a famous quote from the former UN Secretary General, Kofi Annan: "Fierce competition for fresh water may well become a source of conflict and wars in the future. But our water problems need not be only a cause of tension; they can also be a catalyst for cooperation. If we work together, a secure and sustainable water future can be ours." He said 30% of Ghana's renewable water resources originate from Burkina Faso, Cote d'Ivoire and Togo, and that these shared rivers and aquifers also link the populations of the various countries and create social and economic interdependencies between them. He said this situation has influenced Ghana's strategic position of cooperating fully with her riparian neighbours and other global riparian watercourse countries. He therefore underscored the need for legal agreements, which, he said, are vital tools to guide and secure the required transboundary cooperation. He said it was therefore heart-warming that Ghana was seeking to be a party to these two global conventions and begin the ratification process.

The French Ambassador to Ghana, Francois Pujolas, in a short remark, said the two conventions were perfect tools for the international community to promote peace and cooperation and that his country would continue to collaborate with the Ghana government and improve collaboration with the Water Resources Commission.

Participants provided the following suggestions for a way forward:

- Adequately brief the political leadership on the need to accede to these conventions and get their commitment;
- In seeking political commitment, take advantage of the linkages with the SDGs and also to Ghana's National Water policy and use them as selling points;
- Package the benefits of the conventions to Ghana in a simple document for dissemination highlighting the relevance to peace and security, pollution and livelihoods;
- Mobilize stakeholders around the processes and sustain the education and dissemination process.

The NLLAP is a WASH sector multi stakeholder platform with the overall goal of improving sector learning and dialogue. It is hosted by the Ghana WASH Resource Centre Network (RCN). The platform offers learning and sharing opportunity for sector players as one of the practical approaches to improving sector engagements/sharing with the long term aim of achieving a knowledge driven WASH sector that delivers quality and sustainable services in Ghana. NLLAP meetings take place on the last Thursday of every month and opened to all interested parties. The discussions of each NLLAP meetings are summarised and shared with wider WASH community. The topics of upcoming meetings are decided on by the RCN secretariat and a list of upcoming meetings can be found on the RCN website www.washghana.net.

If you are interested to propose a topic for a meeting please contact us on,
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