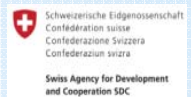


# ***Benefits and challenges for the Lower Mekong countries deriving from the 1997 UN Watercourses Convention***

*Dr. Alejandro Iza  
Director, Environmental Law Centre  
Head, Environmental Law Programme*





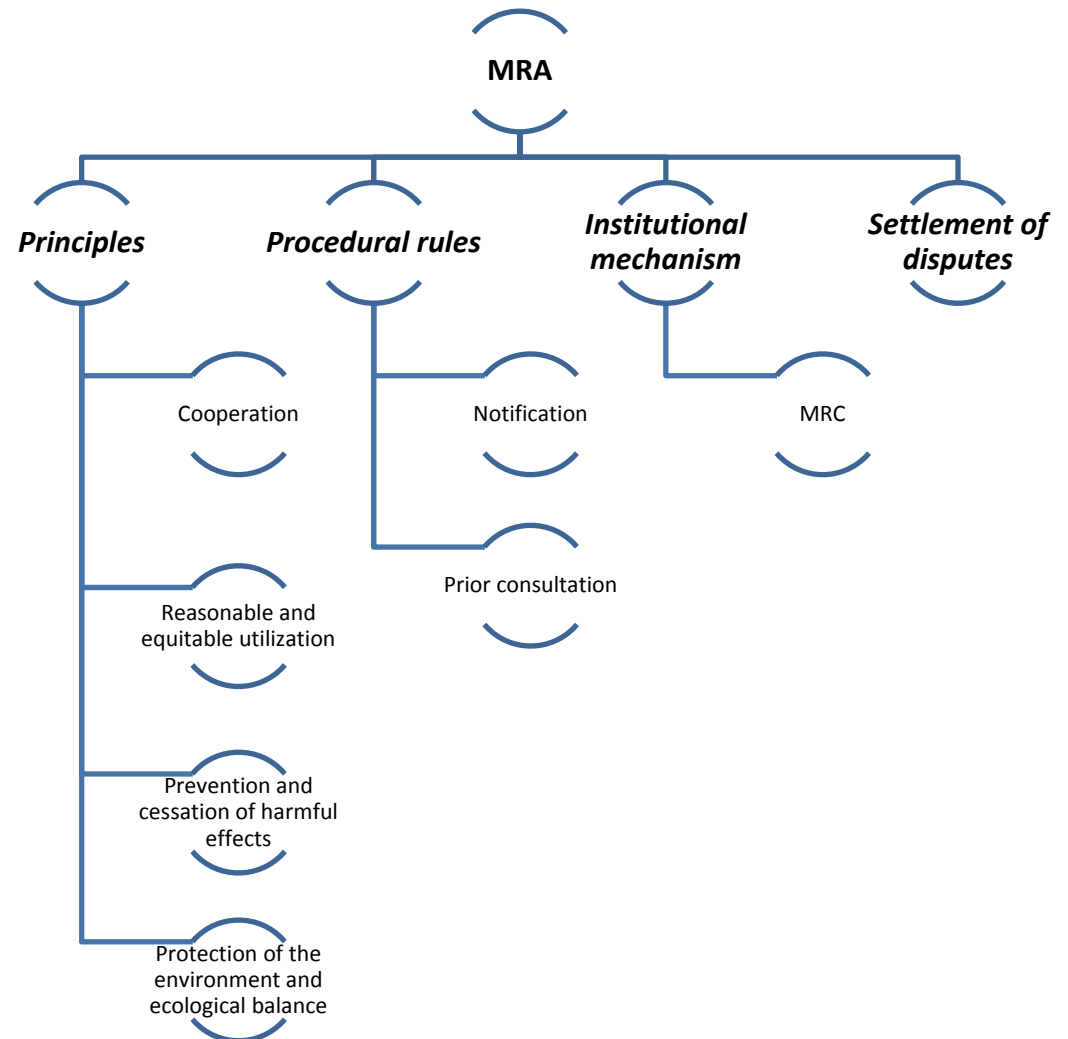
# *Overview*

- 1995 Mekong River Agreement
- 1997 UN Watercourses Convention
- A path to strengthen cooperation in the Mekong River Agreement
- The role of the Mekong River Commission



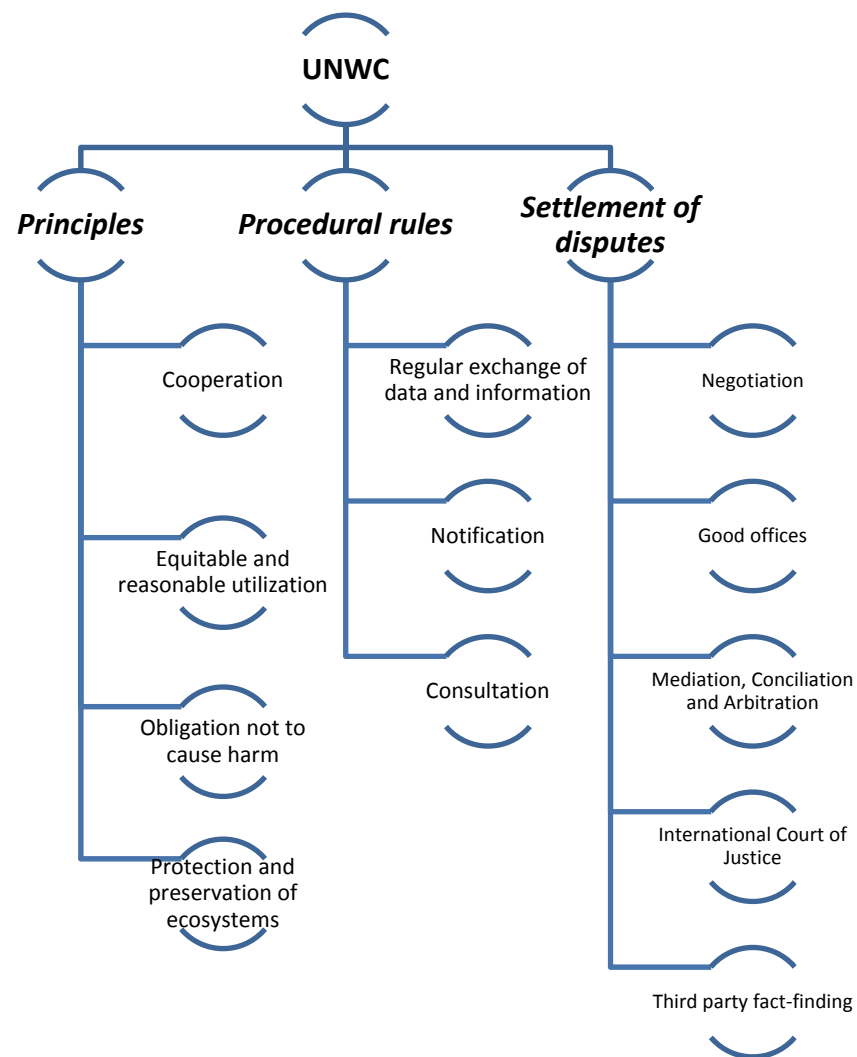
# 1995 Mekong River Agreement

- In force since 1995
- Adopted by the Lower Mekong Basin countries
- Established the Mekong River Commission (MRC)
- Regarded as one of the most progressive of institutional frameworks for governance of an international watercourse



# 1997 UN Watercourses Convention

- Adopted in 1997 and in force since 2014
- Vietnam, became the 35<sup>th</sup> required country to ratify this Convention
- The main global instrument governing transboundary waters
- The UNWC and the MRA are complementary instruments

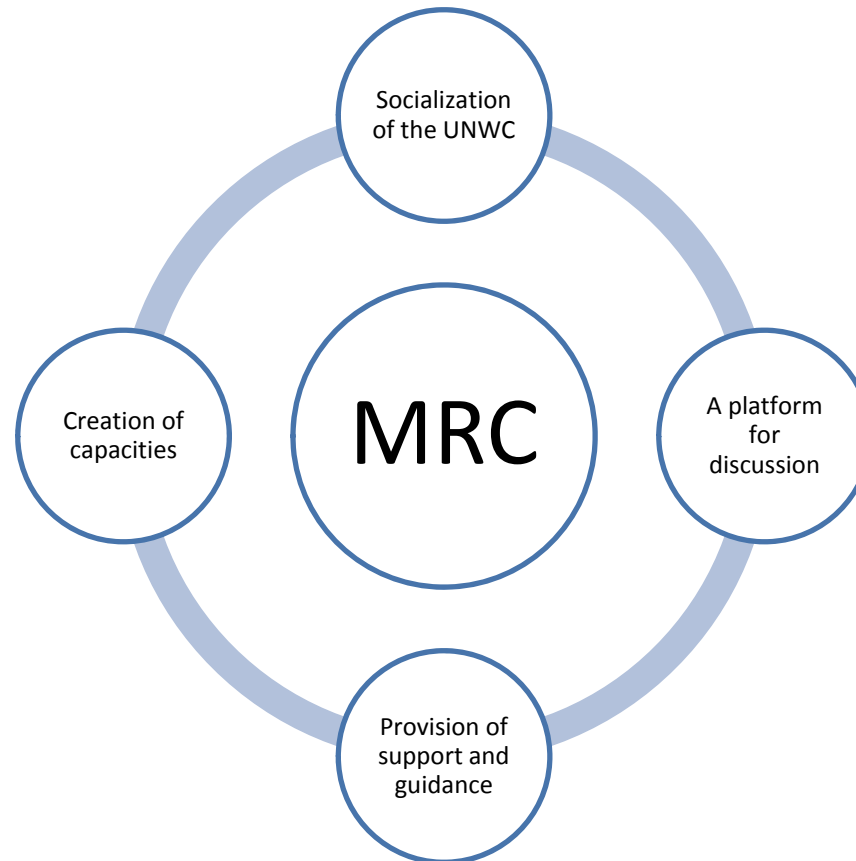




## *A path to strengthen cooperation*

- Increasing demand for water, food and energy on the face of climate change are challenges for the effective governance of transboundary waters.
- Twenty years after the adoption of the MRA, there is an increasing interest in its strengthening to address these challenges.
- The entry into force of the UNWC and the accession of Vietnam provide a new platform for increased and more effective cooperation on transboundary waters worldwide, as well as in the Mekong region.
- The UNWC codifies the State of the Art of the law relating to transboundary waters and provides the basic framework to prevent and facilitate the resolution of conflicts.
- The UNWC is compatible with existing agreements (such as the MRA) and does not supersede but complement them.

# *The role of the Mekong River Commission*



The MRC could serve as a platform to discuss the content and added value of the UNWC and its practical implementation



## *Key messages*

- The UNWC aligns the Mekong Agreement with the principles of customary international law and the State of the Art of shared water governance parameters.
- In case of accession to the UNWC by all MRA parties, the UNWC will not replace the MRA but reinforce it.
- The UNWC would strengthen the mandate of the MRC to govern the use and protection of the Mekong.
- In clarifying its rules and procedures, the UNWC would supplement cooperation in the Mekong within and through the MRC.
- The UNWC would reinvigorate the “*Mekong Spirit*”



# For further analysis



## A window of opportunity for the Mekong Basin: The UN Watercourses Convention as a basis for cooperation

*A legal analysis of how the UN Watercourses Convention complements the Mekong Agreement*



BRIDGE: Building River Dialogue and Governance







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