

European Living Lakes Association (ELLA)

The European Living Lakes Association (ELLA) is a non-profit association dedicated to the protection and sustainable management of lakes and wetlands in Europe. ELLA is part of the international Living Lakes Network, which includes more than 115 lakes in 2023 from all over the world and is represented by 135 organizations. The member organizations of ELLA have long-term experience in the protection, restoration and management of lakes and wetlands. Our work is based on technical knowledge, ethical commitment, and innovation. Our activities include restoration projects, awareness raising, training and involvement of stakeholders like companies and local authorities as well as the exchange of experiences and best practices on sustainable lake management. Also lobbying for an improved political framework to enhance the protection and restoration of lakes and wetlands is an important activity of ELLA.

Transboundary water cooperation in Europe

In Europe, twenty countries rely on neighboring territories for more than 10% of their water resources and five countries draw 75% of their water resources from upstream countries¹. There is a strong interdependence concerning water allocation, but also a shared responsibility for maintaining a good ecological status of water bodies and protecting their biological diversity, natural resources and ecosystem services. The majority of water management challenges and environmental problems in shared river basins and lakes crosses national borders, thus international measures should aim to tackle them on a regional or global level. The protection and adequate management of water bodies requires well-coordinated actions to foster sustainable development, ensure resilience to climate change, reduce disaster risk, prevent the loss of biodiversity and guarantee the supply of water.

The European Union has a range of supranational laws in place for its member states and candidate countries, as well as a number of multilateral treaties between member states and non-members or candidates that regulate water-related issues. Some of the strongest legislative instruments of the EU are the Water Framework Directive, adopted in 2000, and the UNECE Water Convention on Transboundary Watercourses and International Lakes, which entered into force in 1996. These regulations have contributed to a fruitful collaboration and shared governance of different water bodies in Europe, and they are strengthened by other regional and multinational agreements. In the following, the management of three transboundary lakes and wetlands will be introduced.

Lake Constance:

Four countries, Austria, Germany, Switzerland and Liechtenstein, are neighboring the lake. Hereby the International Water Protection Commission for Lake Constance (IGKB) drives the integrated transboundary management of the Lake. The IGKB is a good example of a successful international commission that acts on a broad consensus amongst the many interests and users around Lake Constance. For example the reduction of excess nutrient input through agriculture and untreated sewage discharges has almost been fully restored until 2019² and is a success of the international cooperation. The Convention on the Protection of Lake Constance against Pollution (27.10.1960)

¹ Black, J. and C. Kauffmann (2013), "Transboundary water management", in *International Regulatory Co-operation: Case Studies, Vol. 3: Transnational Private Regulation and Water Management*, OECD Publishing, Paris, <https://doi.org/10.1787/9789264200524-4-en>.

² European Commission (12.06.19). Lake Constance ecosystem threats and resource use investigated.

https://ec.europa.eu/regional_policy/en/projects/Austria/lake-constance-ecosystem-threats-and-resource-use-investigated

commits countries to carefully consider the implementation of the suggested ecosystem protection measures by the IGKB. After the reduction of eutrophication in the past, now the precautionary principle is key to the activities of the IGKB. Therefore, monitoring and preventive measures like the limitation of boat moorings or the technical upgrading of wastewater treatment plants are in the focus. As agreed on in Article 6 of the Convention on the Protection of Lake Constance against Pollution, countries are only allowed to implement new water uses after the other countries give their consent to the project. The IGKB plays an important role within the coordination of the dialogue. Recent examples therefore are a new ferry and the construction of hydroelectric power plants on the lake³. Overall, integral water protection, including qualitative, quantitative and morphological aspects, is performed by the IGKB⁴.

Interestingly the ESPON report (2021) showed that the main part of Lake Constance, the Upper Lake, is not a protected area⁵.

As Lake Constance is the drinking water source for about 4,5 million inhabitants in Germany and Switzerland, the protection of the water quality remains an important measure to preserve the inhabitants livelihoods⁶.

Lake Neusiedl/Fertő:

Austria and Hungary have a long history of bilateral cooperation between governments, NGOs and scientists, which led to the establishment of a transboundary National Park. Despite the differences in the constitutional framework for nature conservation between Austria and Hungary, years of joint planning enabled the new spirit in transboundary cooperation.

The cooperation between Austria and Hungary already started in 1956 with a bilateral commission for the regulation of the water level of Lake Neusiedl and was then followed by scientific work of both countries. After a well-functioning cooperation and NGO proposals the transboundary National Park was established. This was later awarded as an UNESCO World Heritage Site in 2001. The joint planning commission in 1988 also enabled projects in the fields of ecotourism, monitoring and habitat management.

In 2003 Neusiedler See – Seewinkel and Fertő-Hanság has been the first National Park that was awarded with by EUROPARC within the program „Transboundary Parks – Following Nature’s Design“. For the future even a joint National Park Authority is aimed for⁷. Mutual transparent communication about management plans made this constructive bilateral cooperation possible. Also the close cooperation before Hungary’s entry into the EU in 2004 within EU financed projects of the INTERREG program⁸ shows the bridging role of nature conservation projects for political partnerships.

Danube Delta:

The Danube Delta is the second largest river delta in Europe and is shared between Romania and Ukraine. Instruments such as the International Commission for the Protection of the Danube River (ICPDR) and the EU Strategy for the Danube Region (EUSDR) have contributed to the sustainable and equitable use of water in the Danube River Basin. It also enabled synergies and coordination between policies and initiatives to jointly address common challenges.

³ IGKB (2023). Ziel und Aufgaben. <https://www.igkb.org/die-igkb/ziele-und-aufgaben>

⁴ Bloesch, J., Schröder, H.G. (2008). Integrated Transboundary Management of Lake Constance Driven by the International Commission for the Protection of Lake Constance (IGKB). In: Meire, P., Coenen, M., Lombardo, C., Robba, M., Sacile, R. (eds) Integrated Water Management. NATO Science Series, vol 80. Springer, Dordrecht. https://doi.org/10.1007/978-1-4020-6552-1_9

⁵ ESPON (2021). REGIONAL REPORT // Lake Constance Cross-border Lake Region

⁶ European Commission (20231). Sustainable Bodensee - Protection of water with nautic environmental techniques. <https://webgate.ec.europa.eu/life/publicWebsite/project/details/1213>

⁷ Europarc Federation (n.d.). Neusiedlersee-Seewinkel & Fertő-Hanság. <https://www.europarc.org/transboundary-cooperation/discover-our-transboundary-areas/neusiedlersee-seewinkel-ferto-hansag/>

⁸ Nationalpark Neusiedler See - Seewinkel (2023). EIN PLAN DER VERBINDET Managementplan Nationalpark Neusiedler See – Seewinkel 2021 – 2031

The EUSDR is a macro-regional strategy of 14 countries in the Danube region with 12 priority areas that are each managed by two participating countries. These priority areas range from the management of tourism to environmental risks and security issues⁹.

The ICPDR was established in 1998 and now has 14 signatory countries next to the European Union. This commission is based on the Danube River Protection Convention that entered into force in 1998. This legal framework commits the countries to jointly work on the conservation of surface and groundwater, pollution reduction, and the prevention and control of floods, accidents and hazards. These measures contribute to the preservation of important ecosystem services by the Danube river. Next to this, it also unifies countries for the aims of the European Water Framework Directive. To achieve the set aims, the ICPDR also monitors the status of the river and supports countries to implement conservation activities. Signing the Convention further commits the parties to specific activities and in the past also helped to settle disputes¹⁰.

Nevertheless, the Danube River basin is with 19 countries the most international and therefore has ecological challenges like various pollutions. Of the whole Danube River, only 24 % are currently considered to have a good ecological status¹¹.

Nevertheless, these cooperations in transboundary water governance can serve as models and inspiration for future joint management and protection plans for water bodies between countries. However, it is important to notice that there is still much room for improvement and adaptation of current regulations on shared water management, especially during times of political instability and economic depression. Also upcoming challenges like climate change and the establishment of new species show the need for increased cooperation for the aim of nature conservation. Another threat to nature conservation are political conflicts, like the invasion of Ukraine by Russia.

In the Bystre Canal of the Danube delta, this conflict led to different interests by neighboring countries regarding their shared ecosystem. While Ukraine's aim is to increase its food exports on the canal, Romania expressed concerns about works on the waterway posing a threat on the wildlife of the UNESCO World Heritage Site. This deepening of the canal gained importance for Ukraine since Russia's invasion and their blocking of Black Sea ports. So far, Romania did not agree on the plan to deepen the canal further to 8.3 meters¹².

Further, the Russia's war against Ukraine has affected the collaboration efforts at several internationally shared lakes and wetlands. At Lake Peipsi on the Estonian-Russian border, environmental cooperation has scaled back to minimum. Consequently, the already pressing pollution and eutrophication challenges the lake faces will become even harder to tackle, and joint monitoring activities will be very difficult or impossible to coordinate. A similar situation occurs at the Finnish-Russian border, where 19 watersheds are shared between both countries. Although Finland and Russia managed to develop an exemplary transboundary water cooperation, even with a weak starting point, the current war will probably deteriorate relationships and collaborative work, especially after Finland's entry into NATO. Ukraine itself shares many water bodies and river basins with Russia and depends on neighboring countries for a large part of its water supply. In face of the temporary blockade of ports on the Dnieper River and the Black and Azov Seas, Ukraine has been forced to construct new river ports, which will have significant negative effects on the Danube Delta with the potential to become the most intensive impacts in the entire history of Danube shipping¹³.

⁹ EUSDR. One Strategy – 12 Priorities. <https://danube-region.eu/about/priority-areas/>

¹⁰ ICPDR (2023). 10 Frequently Asked Questions about the ICPDR. <https://www.icpdr.org/about-icpdr/framework/faqs>

¹¹ ICPDR (2023). About us. <https://www.icpdr.org/about-icpdr/framework/about-us>

¹² Reuters (2023). Exclusive: Ukraine deepens Bystre Canal on Danube, aims to boost exports - deputy minister. <https://www.reuters.com/world/europe/ukraine-deepens-bystre-canal-danube-aims-boost-exports-deputy-minister-2023-02-22/>

¹³ Kolodezhna, B. & Vasyliuk, O. (2022, September 28). *War-torn river basins?* Ukraine War Environmental Consequences Work Group (UWEC). <https://uwecworkgroup.info/war-torn-river-basins/>

Importance of sound transboundary water management

An effective transboundary management of shared water bodies is crucial not only for the protection of habitats, biodiversity and ultimately human health and well-being, but also for water security and for the prevention of natural disasters. Joint water governance and stewardship also facilitates common efforts in adapting to and mitigating the impacts of climate change, which includes addressing issues such as rising or decreasing water levels, changes in precipitation patterns, and the preservation of carbon sinks provided by wetlands. Moreover, socio-economic benefits can be more easily achieved when strategies to promote sustainable development, tourism and recreational activities are developed across borders. It is important to consider that water diplomacy and transboundary cooperation are driven both by domestic political pressures but also by external pressures and megatrends such as climate change and digitalization. Additionally, the development of transboundary water interactions is influenced by the advantages or disadvantages of the geographical location of the water bodies and also in terms of geopolitical tensions due to the proximity of strategic sites¹⁴.

To promote good practice in transboundary water management and governance, the European Parliament and other relevant national and transnational authorities should respect the following principles¹⁵, which can be used as catalysts to create opportunities for more effective cooperation:

- Data collection and information sharing: meteorological, hydrological and climate data as well as socio-economic information related to the shared lake or wetland should be collected and exchanged between countries on a regular basis. For this purpose, a reliable information and data exchange system as well as robust protocols are needed. The system should be accompanied by a disaster preparedness and response system to offer guidance in response to extreme events. Furthermore, a joint monitoring system should be in place to coordinate data collection activities between territories. Worth mentioning here are the Aarhus Convention and the Espoo Convention. The Aarhus Convention acknowledges the right to information and a functioning environment for a healthy living whereas the Espoo Convention commits countries to assess the environmental impacts of certain activities and inform other impacted states.
- Integrated approach for water management: countries sharing water bodies should jointly implement an integrated approach to manage water resources, defining common problems and interests for a better and more equitable use of water, land and biodiversity. Pilot projects and workshops on transboundary water management, as well as capacity-building and training should be part of this approach.
- Joint body management: joint bodies help promote international cooperation and the elaboration of common water management plans. Commissions should be established on all transboundary lakes and wetlands, ideally with political support, to ensure sufficient funding for all joint activities. Joint bodies can also foster a more efficient communication between parties and thereby help solve possible water conflicts and water allocation negotiations.
- Financing mechanism for transboundary water management: strategies for a successful transboundary cooperation require sustainable funding for the development and implementation of legal frameworks, capacity-building, establishment of institutional arrangements, development of water infrastructure and more. Financing mechanisms can be achieved by public means, public-private partnerships, private investors, trust funds, etc. The establishment of a transboundary lake or wetland organization/joint body also increases the chances of receiving donor support.

¹⁴ Haapala, Juho & Keskinen, Marko. (2022). Exploring 100 Years of Finnish Transboundary Water Interactions With Russia: An Historical Analysis of Diplomacy and Cooperation. 10.13140/RG.2.2.23090.89285.

¹⁵ Based on "Good Practices on Transboundary Water Resources Management and Cooperation" (2020), CAPRI Partnership.

- Capacity building for key actors: water practitioners, managers and policy makers working at transboundary water bodies should develop capacities and techniques to support cross-sectoral participatory activities. These should cover key areas such as legal frameworks (to improve the design and implementation of water related policies and their monitoring and evaluation, information sharing with the public), coordination mechanisms (to provide regular information and communication exchange between technical and policy experts) and the implementation of capacities (to support the successful implementation of transboundary water projects and the development financial management skills).
- Continued regional dialogue: lakes and wetlands shared between territories should have a platform for continued intersectoral dialogue and systematic multi-stakeholder consultation processes at regional level. This facilitates a trust building process and strengthens cooperation and exchange of experience and knowledge between lake regions and countries.
- Multi-level stakeholder involvement: transboundary cooperation has to involve different disciplines, institutions and stakeholders at several scales: ministries/authorities, municipalities, local communities, civil society organizations etc. A comprehensive mapping of key actors should be in place, and all involved parts should agree on their roles and responsibilities for joint water management plans and measures. Ideally, all stakeholders should have access to decision-making processes at all stages to achieve full engagement.

We request the EU and other national authorities in Europe to promote these principles and ensure that they are being followed in lake and wetland regions shared by different states. We also request the support of new legislations and joint bodies for a more efficient transboundary management of water bodies with the engagement of different institutions, actors and local communities. Strong synergies are needed between community-based governance arrangements and decision-making at a national or international level to nurture cooperative actions and initiatives. Water diplomacy is needed to create formal institutions for transboundary water cooperation that can properly function even under political and socio-economic instability. An integrative, ecosystem-based approach to water management will contribute to a sound governance of shared water resources, the protection of freshwater ecosystems and their biodiversity, adaptation to climate change, sustainable energy and food supply, and ultimately health and economic security.



Co-funded by
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Co-funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or CINEA. Neither the European Union nor the granting authority can be held responsible for them.

