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IMPLEMENTATION OF MULTILATERAL ENVIRONMENTAL AGREEMENTS AND INTEGRATED WATER RESOURCE MANAGEMENT : WHAT DOES NATIONAL COORDINATION ACHIEVE?

Abstract

At the World Summit on Sustainable Development in Johannesburg in 2002, the international community agreed to develop integrated water resource management and water efficiency plans by 2005. Despite the slow progress in implementing these targets, the 13th Meeting of the UN Commission on Sustainable Development (2005) has observed that co-ordinated efforts among various stakeholders could speed up the process at the national level. In preparing water policies, countries can gain valuable insights from the national implementation plans they prepare under multilateral environmental agreements (MEAs). Many MEAs – including the Wetlands (Ramsar) Convention, the World Heritage Convention, the Hazardous Waste (Basel) Convention, the Biodiversity Convention and the Persistent Organic Pollutants (Stockholm)

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Convention – propose national level planning. Some of these national plans include projects related to wetlands, water ecosystems, inland waters, and toxic chemicals in water. These plans could offer useful guidance in designing and applying national water policies. Partnerships between water-related agencies and the national focal points of MEAs could ensure sustainability in water resource management.

Introduction

Water is an integral part of the world's ecosystems, a natural resource, and a social and economic good.¹ Water consumption has doubled over the last 50 years. If current water consumption patterns continue, half of the world's population, along with freshwater ecosystems, will suffer from an acute shortage of freshwater by 2025.² This increasingly critical situation was recognised in the UN Millennium Development Goals' target to reduce by half the proportion of people without access to safe drinking water and basic sanitation by 2015 (Goal 7, 2000). This was also recognised at the World Summit for Sustainable Development (WSSD, 2002) where the international community agreed to develop integrated water resources management and water efficiency plans by 2005.³

¹ Committee of Economic, Social and Cultural Rights, "Substantive issues arising in the implementation of the international covenant on economic, social and cultural rights", General Comment 15 (2002), E/C.12/2002/11 (20 January 2003).

² UN (2002), "Global Challenge Global Opportunity: Trends in Sustainable Development". Available online: http://www.johannesburgsummit.org/html/media_info/pressreleases_factsheets/1308_critical_trends_report.pdf

³ The WSSD's 2002 Plan of Implementation emphasised the need to develop and implement national and regional strategies, plans and programmes with regard to integrated river basin, watershed and groundwater management, and introduce measures to improve the efficiency of water infrastructure to reduce losses and increase recycling of water [paras. 23-25]. It also asks countries to employ a full range of policy instruments: regulations, monitoring, voluntary measures, market and information-based tools, land-use management and cost recovery of water

Integrated water resource management (IWRM) aims to contribute to the implementation of a more comprehensive, ecosystem-based approach to the management of water and their drainage basins, as a means of achieving sustainable benefits.⁴

In preparing or updating water policies, countries like Bangladesh can gain valuable inputs from national implementation plans which they prepare under multilateral environmental agreements (MEAs). Many MEAs – including the Wetlands (Ramsar) Convention, the World Heritage Convention, the Hazardous Waste (Basel) Convention, the Biodiversity Convention, the Climate Change Convention and the Persistent Organic Pollutants (Stockholm) Convention – propose national-level planning. Some of these national plans include projects related to wetlands, water ecosystems, inland waters, and toxic chemicals in water. Thus, partnerships between water-related agencies and national focal points of MEAs could ensure sustainability in water resource management.

The success of a national IWRM depends, in large part, on the level of co-ordination of various programmes undertaken to implement MEAs at the national level. A co-ordinated approach to the implementation of water-related aspects of MEA obligations can promote the efficient use of national resources and can ensure that internationally agreed environmental laws and national policies are mutually supportive. This highlights a need for national MEA focal points to work together to identify and prioritise water-related activities under national implementation plans of MEAs.

This paper acknowledges that there are other issues that are important under the IWRM including disaster management, water supply and pricing, transboundary water basin management,

services, without cost recovery objectives becoming a barrier to access to safe water by poor people [para 25].

⁴ UN-HABITAT (2003), *Water and Sanitation in the World's Cities: Local Action for Global Goals*. (Earthscan), at 193.

investment in water sector, and arsenic contamination.⁵ However, this paper aims to discuss the national implementation plans of MEAs and what role these plans could play towards an efficient water management policy. The paper is divided in four sections: section 2 provides an overview of various MEAs and how they link with water resource (e.g. wetlands, inland water, river basin, groundwater); section 3 identifies mechanisms related to national plans, programmes and strategies at the national level to implement MEA obligations; section 4 examine overlaps and potential gaps in the implementation of MEAs at the national level; section 5 briefly outlines various national implementation plans of MEAs and water policies in Bangladesh. In conclusion, this paper explores why a co-ordinated approach is essential for a successful IWRM in Bangladesh.

2. How MEAs are Linked to Water Resource Management?

Many MEAs address water resource management and do so in ways that are sometimes overlapping, sometimes complementary, and sometimes in apparent conflict. Although each MEA addresses a specific global or regional challenge – using distinct approaches and mechanisms – there is considerable ecological interdependence between the goals and strategies of each agreement. For example, both the 1992 Biodiversity Convention and the 1992 Climate Change Convention relate to floods, droughts, and aquatic ecosystems. Similarly, the 1994 Desertification Convention aims to mitigate the effects of drought and desertification. Making matters still more challenging, different government departments and agencies at the national level have responsibility for the implementation of MEAs.

The following discussion gives an overview of the relevance of various MEAs to water resource management. International treaties

⁵ See, for example, the summary of the National Water Management Plan of Bangladesh. Available online:

http://www.sdnpsbd.org/sdi/international_days/water_day/2005/documents/national_plan_voll.pdf

discussed in the paper include biodiversity related conventions (Ramsar Convention, World Heritage Convention, Biodiversity Convention and Desertification Convention), atmospheric convention (Climate Change Convention), and chemical conventions (Basel Convention, Stockholm Convention). Although these MEAs appear to have some common elements, they generally follow an individual sectoral approach. In most cases, specific national priorities and objectives in relation to the MEAs are likely to arise through relevant national planning and strategy processes. Co-ordination is, therefore, necessary for efficient and effective implementation of MEAs and must occur at all levels: from international to national to local.

2.1 Ramsar Convention

Wetlands have important hydrological functions, such as recharge of groundwater, filtration and flood control, and they support a rich biodiversity. There is a vital link between water resources, wetlands, and the health and livelihood of human communities. With the growing freshwater crisis, effective wetland conservation depends increasingly on sustainable and integrated water resource management. Similarly, due to the important functions of wetlands in sustaining the hydrological cycle, effective water resource management increasingly depends on wetland management.

The wetlands under the Ramsar Convention are defined as "areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres" [Article 1.1]. The Convention seeks to ensure the wise use⁶ of all wetlands and

⁶ 'The wise use of wetlands is their sustainable utilisation for the benefit of humankind in a way compatible with the maintenance of the natural properties of the ecosystem'. Adopted by COP-3 (1987). See: Handbook 1 on "Wise use of wetlands: Guidelines for implementation of the wise use

provides for more stringent conservation of those wetlands listed in the List of Wetlands of International Importance [Article 2 and 3]. The Ramsar Convention has adopted a series of recommendations and guidelines on important water-related issues, such as: the integration of wetlands conservation and wise use of river basin management; strengthening local communities and indigenous peoples' participation in the management of wetlands; allocation and management of water for maintaining the ecological functions of wetlands; use of groundwater; and wetlands restoration.⁷

One of the challenges that confronts the effective implementation of the Ramsar Convention at the national level is to ensure that Parties consider wetlands within the broader context of IWRM and develop effective legislative and institutional frameworks. With this view, the COP-8 (2002) of the Ramsar Convention adopted guidelines for rendering the use of groundwater compatible with the conservation of wetlands (Resolution VIII.40, 2002). These guidelines recognised the importance of the entire water cycle and the link existing between ground and surface water for their use and management. These guidelines urge the promotion of initiatives, supported by both the public and private sectors, for the participation of civil society in the management of groundwater within the framework of IWRM. Moreover, Resolution VIII.1 (2002) provides guidelines for water allocation and management for wetlands, and recognises the need to allocate water for the maintenance of the natural ecological character of wetlands.

concept" (2004). Available online:
http://www.ramsar.org/lib_handbooks_e01pre.doc

⁷ See, Resolution VI.23 (1996): Ramsar and Water; Resolution VII.18 (1999): Guidelines for integrating wetland conservation and wise use into river basin management; Resolution VIII.1 (2002): Guidelines for the allocation and management of water for maintaining the ecological functions of wetlands; Resolution VIII.40 (2002): Guidelines for rendering the use of groundwater compatible with the conservation of wetlands.

2.2 *World Heritage Convention*

The World Heritage Convention operates on the basis of specific site-listings which include a lake, a river, wetlands or the upper catchment of a watercourse. For example, the Sundarbans Reserve Forest – which is the world's largest contiguous mangrove forest – is covered by the Ramsar Convention and is also a World Heritage site.⁸ Of the 345 natural and mixed World Heritage sites, around 60 of them are terrestrial wetlands.⁹ The World Heritage Committee produces a 'World Heritage List' and a list of 'World Heritage in Danger'. That list may include only such property forming a part of the cultural and natural heritage as is threatened by serious and specific dangers, such as changes in water level, floods and tidal waves [Article 11]. Once a site is listed, a country is obliged to ensure conservation of the values for which the site was included on the List.

2.3 *Biodiversity Convention*

The Biodiversity Convention is a framework treaty which establishes a comprehensive regime for the conservation of ecosystems and biological resources [Article 1]. The Biodiversity Convention applies to biological diversity of all sources (terrestrial, marine and other aquatic sources) and is, therefore, linked to water resources management. 'Inland waters' was adopted as a Biodiversity Convention thematic area at COP-4 (1998) and the work programme promotes the ecosystem approach, including

⁸ Other examples where inland waters are part of the heritage list: Los Glaciers and Iguazu (Argentina), Wilandra Lakes Region (Australia), Fertő/Neusiedlersee (Austria/Hungary), Pantanal Conservation Area (Brazil), Upper River Rhine Valley (Germany), Lake Malawi (Malawi), Danube Delta (Romania), Lake Baikal (Russian Federation), Everglades (USA), Mosi-oa Tunya/ Victoria Falls (Zambia and Zimbabwe).

⁹ IUCN, The World Heritage List: Future priorities for a credible and complete list of natural and mixed sites (April, 2004). Online: http://www.iucn.org/themes/wcpa/wheritage/WHList_FuturePriorities.pdf

integrated watershed management, as the best way to reconcile competing demands for dwindling supplies of inland waters [Decision IV/4, 1998]. Parties are required to provide institutional and legal arrangements for the management of inland water ecosystems, and integrate biological diversity into sectoral or cross-sectoral plans, programmes and policies [Decision IV/4, 1998]. COP-6 (2002) of the Biodiversity Convention acknowledged the importance of the River Basin Initiative¹⁰ for implementation of the ecosystem approach and requested the Executive Secretary to strengthen collaboration with the Ramsar Convention on the implementation of the Initiative [Decision VI/2, 2002]. While reiterating the importance of the inter-relation between the Biodiversity Convention and the Ramsar Convention in implementing the programme of work on inland water, COP-7 (2004) also encouraged further activities aiming at avoiding overlaps in the work of both conventions [Decision VII/4, 2004].

2.4 Desertification Convention

Desertification affects environmental concerns such as biological diversity and climate change. Therefore, countries should prioritise integrated planning and any effort to combat desertification needs to be fully integrated with other development sectors such as agriculture, forestry and water management. This issue was emphasised in Article 2 (objective) of the Desertification Convention which state that long-term integrated strategies are required for areas affected by desertification.¹¹ Integrated strategies will improve

¹⁰ This Initiative was endorsed by the COP-5 of the Biodiversity Convention [Decision V/2, 2000]. It operates under the framework of the Joint Work Plan between the Biodiversity Convention and the Ramsar Convention. The Initiative aims to establish a global network to share information and link and support activities where the principles of integrated management of biodiversity, wetlands and river basins are demonstrated.

¹¹ Article 2(2) states that to combat desertification and mitigate the effects of drought in countries experiencing serious drought and/or desertification

productivity of land, and the rehabilitation, conservation and sustainable management of land and water resources, leading to improved living conditions particularly at the community level. In order to achieve the objectives of the Desertification Convention, government, communities, non-governmental organisations and landholders need to work in partnership, and establish a better understanding of the nature and value of land and scarce water resources in affected areas [Article 3(c)]. Parties should also promote co-operation among affected Parties in the fields of environmental protection and the conservation of land and water resources, as they relate to desertification and drought [Article 4(2)(d)]. Moreover, Regional Action Plans should promote exchange of information and appropriate techniques, technical know-how in the field of water resources development [Article 13].

2.5 Climate Change Convention

There is increasing evidence that global climate change and climate variability affect the quality and availability of water supplies.¹² The Third Assessment Report of the Intergovernmental Panel on Climate Change (TAR, 2001) acknowledged the scientific consensus that the gradual elevation in mean temperatures, associated changes in hydrological variability, and longer-term sea level rise is a reality. The TAR states that: "Climate change will lead to an intensification of the global hydrological cycle and can have major impacts on regional water resources, affecting both ground and surface water supply for domestic and industrial uses, irrigation, hydropower generation, navigation, in-stream ecosystems and water-

'will involve long-term integrated strategies that focus simultaneously, in affected areas, on improved productivity of land, and the rehabilitation, conservation and sustainable management of land and water resources, leading to improved living conditions, in particular at the community level'.

¹² P. Kabat, R.E. Schulze, M.E. Hellmuth and J.A. Veraart (eds), "Coping with Impacts of Climate Variability and Climate Change in Water Management: A Scoping Paper, Dialogue on water and climate", Wageningen, November 2002.

based recreation. Changes in the total amount of precipitation and in its frequency and intensity directly affect the magnitude and timing of runoff and the intensity of floods and droughts; however, at present, specific regional effects are uncertain”.

Parties under the Climate Change Convention¹³ were asked to develop ‘appropriate and integrated plans for coastal zone management, water resources and agriculture, and for the protection and rehabilitation of areas, particularly in Africa, affected by drought and desertification as well as floods’ [Article 4(1)(e)]. Parties are required to take climate change into consideration while formulating social, economic and environmental policies and actions [Article 4(1)(f)]. It is, therefore, essential for vulnerable countries to identify strategies and integrate responses to climate change in their current water resources management policies and activities.

2.6 *Basel Convention*

The fundamental goals of the Basel Convention are: the reduction of transboundary movements of hazardous and other wastes; the prevention and minimisation of hazardous and other waste generation; the environmentally sound management of such wastes; and the active promotion of the transfer and use of cleaner technologies [Article 4]. Environmentally sound management follows an ‘integrated lifecycle approach’ which involves control during the production, use and trade of chemicals, including the disposal of hazardous waste. Disposal of waste includes final disposal in the landfill, incineration or release into a water body [Annex IV]. The Convention contains two separate lists of waste: hazardous (Annex I) and other waste including household waste (Annex II). Parties should incorporate into their national legislation comprehensive lists of wastes defined as hazardous in addition to the wastes contained in the Annexes of the Basel Convention.

¹³ The Objective (Article 2) of the Convention is to stabilise “greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system”.

Of the hazardous wastes covered by the Basel Convention, there are many which particularly threaten water quality. For example, persistent organic pollutants (POPs) are applied as pesticides, used by industry, or generated as by-products of industrial processes. Aquatic organisms are known to accumulate POPs in their fatty tissues and are highly toxic in very low doses.¹⁴ The Basel Convention has issued technical guidelines for minimising, recovering, recycling and safely disposing of many of the listed toxic substances, including household wastes, used oils, and organic solvents that threaten water quality.¹⁵ If not handled properly, these toxic substances can leak or spill and contaminate soil and groundwater. Once hazardous waste reaches bodies of water, treatment of the contaminated water becomes very expensive or sometimes impossible. Therefore, while planning national water policy, it is necessary to consider issues related to pollution of water-bodies by the use or disposal of hazardous chemicals.

2.7 *Stockholm Convention*

The preamble to the Stockholm Convention recognises that POPs¹⁶ possess toxic substances which resist degradation and can bio-accumulate. Parties are required to adopt legal or administrative measures to eliminate the production and use of listed toxic chemicals [Article 3]. They are transported through air, water and

¹⁴ Basel Secretariat, "What does the Basel Convention mean for water?" Available Online: <http://www.basel.int/pub/water%20brochure.pdf>

¹⁵ Draft Strategic Plan for the Implementation of the Basel Convention (2000-2010), COP-6 (2002), UNEP/CHW.6/3 (4 November 2002). Online: <http://www.basel.int/meetings/cop/cop6/english/3e.pdf>

¹⁶ POPs comprise a large number of chemicals that have a wide range of uses. Out of the twelve targeted POPs, nine of them are pesticides used for crops and/or public health vector control (e.g., control of malaria-carrying mosquitoes). These twelve POPs are: aldrin, chlordane, DDT, dieldrin, dioxins, endrin, furans, heptachlor, hexachlorobenzene, mirex, PCBs, and toxaphene. Scientific criteria will be developed for identifying other POPs that may be added to the list later. Website: <http://www.pops.int/>

migratory species, across international boundaries and deposited far from their place of release, where they accumulate in terrestrial and aquatic ecosystems. POPs can be deposited in marine and freshwater ecosystems through effluent releases, atmospheric deposition, runoff, and other means.

Most of the twelve POPs currently addressed in international negotiations have been banned or subjected to severe use restrictions in many countries for more than 20 years. Many of them, however, are still in use, and stockpiles of obsolete POPs can cause leaching of these chemicals into the soil, contaminating water resources. Studies have linked POPs exposures to declines, diseases, or abnormalities in a number of wildlife species, including certain kinds of fish, birds, and mammals.¹⁷

3. MEA Implementation Plans: Are They Relevant for National Water Policy?

A number of MEAs suggest mechanisms for the development of national level plans and strategies for their implementation. These plans set forth how a country could comply with its obligations under the MEA. For example, the biodiversity related conventions, the Basel Convention, and the Stockholm Convention- all propose national level planning. These plans typically provide for the establishment of a national focal point to work with the relevant MEA Secretariat to promote implementation.¹⁸ The MEA Secretariat or the Global Environment Facility (GEF) might provide guidelines

¹⁷ See further information:
<http://www.epa.gov/international/toxics/pop.htm#affect>

¹⁸ UNEP (2004), *Manual on Compliance with and Enforcement of MEAs*. Draft version available online:
<http://www.unep.org/DEPI/programmes/MEAs-Draft%20Manual-Nov%2024-part%201.pdf>

to countries for the preparation of their plans.¹⁹ These national plans can assist countries to (i) assess their legal, policy and institutional strengths and weaknesses; (ii) prioritise needs and measures; and (iii) identify and evaluate the costs of implementation.²⁰ Each of these plans or programmes forms an integral part of the implementation of the MEAs at the national level.

When formulating these plans under MEAs, national authorities need to recognise the potential for synergies with other international conventions and identify common themes. Some of these plans might identify water as a priority area and some might include projects related to water, such as wetlands, water ecosystems, inland water resources and toxic chemicals in water. These plans can offer useful guidance in developing and structuring national water policies. In what follows, the implementation mechanisms of MEAs that impact on national water policy are discussed.

3.1 Ramsar Convention

According to Article 3(1) of the Ramsar Convention, Parties are required to formulate and implement their planning so as to promote the conservation of the wetlands and 'as far as possible the wise use of wetlands in their territory'. These policies should also promote local actions to rehabilitate degraded wetlands [para 11, Resolution VII.6, 1999].²¹ Parties are urged to integrate into their National Wetland Policies the elements of the other guidance adopted under the Convention, e.g. the Guidelines for the implementation of the wise-use concept [Recommendation 4.10] and the Guidelines for

¹⁹ See: NAPA guidelines by the Climate Change Convention Secretariat for LDCs to prepare the NAPA. The GEF Operational Guidelines for the National Capacity Self Assessment (NCSA) helps countries to identify country level priorities and needs for capacity building to address global environmental issues.

²⁰ UNEP (2004), *supra*.

²¹ Resolution VII.6: Guidelines for developing and implementing National Wetland Policies/strategy/Action Plan.

international co-operation under the Ramsar Convention [Resolution VII.19].²² In many cases, wetland policies or strategies are components of national sustainable development, water or other sectoral environmental policies. In some countries, such as Argentina, the Bahamas, the Czech Republic and Ecuador, national wetlands policies are being developed as part of the National Biodiversity Strategy.²³

The Ramsar Convention's Strategic Plan 2003-2008 took account of the fact that a broader approach to wetland conservation and sustainable development was needed. This was in relation to poverty eradication, food and water security, integrated approaches to water management and adverse impacts of climate change. Parties need to ensure that wetland policies are fully integrated into and harmonised with other strategic or planning processes, in particular those related to biodiversity, desertification, climate change, agriculture, water resources management, integrated coastal zone management and environmental planning [Operational Objective 2.1].

3.2 *World Heritage Convention*

Natural heritage properties nominated for inclusion in the World Heritage List should have a management plan.²⁴ The plan should identify the outstanding universal value of the site covered by the plan, and include adequate processes for public consultation on proposed elements of the plan [para 108]. The plan should make special provision for the involvement of people with a particular interest in the site, for example, indigenous groups traditionally affiliated with the site and the holders of property rights, who might

²² Handbook 2: National Wetland Policies- Developing and implementing National Wetland Policies. Available online: http://www.ramsar.org/lib_handbooks_e02pre.doc

²³ *Ibid.*

²⁴ See, Article 5 of the World Heritage Convention. Also see: Paras 108-118. Operational Guidelines (2005), Chapter 11.F (Protection and Management).

be affected by proposed elements of the plan. Specific actions and strategies under the plan will ensure the identification, protection, conservation, presentation and rehabilitation of the outstanding universal value of the site. Considering that a number of wetlands, river basins and lakes are protected as part of world heritage site, these management plans could play an important role in water resource management.

3.3 Biodiversity Convention

The Biodiversity Convention asks the Parties to develop national biodiversity strategy and action plan (NBSAP) for the conservation and sustainable use of biological diversity, or to adapt existing strategies, or plans which reflect the measures set out in the Convention [Article 6 (a)]. Parties are required to integrate, 'as far as possible and as appropriate, the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programs and policies' [Article 6(b)]. Thus, development of integrated national strategy should be cross-sectoral, include social dimensions and take account of other environmental policies. Local and indigenous people should be involved at consultations during the preparatory phase.²⁵ Parties have been encouraged to take into account guidelines, such as those provided in National Biodiversity Planning published by UNEP, the World Resources Institute and IUCN, when preparing and implementing their national strategies [Para.5, Decision II/7, 1994].

3.4 Desertification Convention

Countries affected by desertification must 'establish strategies and priorities, within the framework of sustainable development plans and/or policies, to combat desertification and mitigate the effects of drought' [Article 5(b)]. A National Action Programme

²⁵ 'Handbook of the Convention on Biological Diversity', CBD Secretariat, Earthscan, 2001. An electronic version is available at <http://www.biodiv.org/handbook/>

(NAP) is required under the Desertification Convention which aims to identify factors contributing to desertification and suggest practical measures and suggest necessary to combat it and mitigate the effects of drought. The NAP should include measures to ensure integrated and sustainable management of natural resources, including water resources [Article 8(3)(b)]. It provides a framework to incorporate long-term strategies to combat desertification and mitigate the effects of drought with national policies for sustainable development [Articles 9 and 10]. The NAP is an essential element to provide continuity for long-term programming and for enabling governments to co-ordinate and administer their resources more effectively.

3.5 *Climate Change Convention*

Under the Climate Change Convention, Parties were asked to formulate programmes containing measures to mitigate climate change by addressing all greenhouse gases emissions and removals by sinks and to facilitate adaptation to climate change [Article 4(1)(b)].²⁶ In preparing these national programmes, all Parties should promote sustainable development, and policies and measures 'should be integrated with national development programmes' [Article 3(4)]. Parties have already prepared or are in the process of undertaking a 'Vulnerability and Adaptation Assessment' which assists national policy-makers to identify vulnerability of particular communities, cities, ecosystems, or coastal zones.²⁷

²⁶ The provision asks Parties to establish domestic policy processes with sufficient institutional, legal and administrative capacity to formulate and implement their national programmes; and ensure their integration with broader range of economic and development planning. F. Yamin and J. Depledge, (2003) *The International Climate Change Regime: A Guide to Rules, Institutions and Procedures*, Chapter 8, at 12.

²⁸ S.Huq, et al(2003), *Mainstreaming Adaptation to Climate Change in Least Developed Countries*. Published by IIED.

Noting the specific needs and special situation of Least Developed Countries (LDCs) (Article 4(9)), the Work Programme for LDCs requires them to prepare National Adaptation Programmes of Action (NAPA) [Decision 5/CP.7]. The aim of NAPA is to support LDCs which do not have the capacity to prepare and submit national communications, or to convey their urgent needs in respect of their vulnerability and adaptation to the adverse effects of climate change [Decision 28/CP.7, 2001].²⁸ National NAPA teams (climate change focal point, lead agency and stakeholders) are responsible for the preparation, implementation and co-ordination of NAPAs and should "identify key climate change adaptation measures based, to the extent possible, on vulnerability and adaptation assessments." [para.8, Decision 28/CP.7].

Though the NAPAs are meant to identify immediate and urgent needs, they should be considered as a first step in a long-term adaptation process and be fully integrated as part of any national development strategy.²⁹ NAPAs provide an avenue for linking issues associated with implementing the Biodiversity Convention, the Desertification Convention, and the Climate Change Convention.³⁰ LDCs may undertake a variety of climate change adaptation efforts that link immediate concerns to long-term development goals. For example: improving water management and water use efficiency to reduce vulnerability to water shortages, and encouraging agricultural and land management practices that improve productivity and protect soil and water resources.³¹

²⁸ Decision 29/CP.7 sets up an LDC Expert Group (LEG) to provide guidance and advice on the preparation and implementation strategy for NAPAs.

²⁹ S. Huq(2003), *op. cit.*

³⁰ See, Decision 28/CP.7 (2001) (Guidelines for the preparation of national adaptation programmes of action). For more information, see [http://www.gefweb.org/NAPA_guidelines_revised_April_2002 .pdf](http://www.gefweb.org/NAPA_guidelines_revised_April_2002.pdf)

³¹ Input of the Least Developed Countries Expert Group on the improvement of the Guidelines for the preparation of National Adaptation Programmes of Action. Implementation of Article 4.8 and 4.9 of the

3.6 *Basel Convention*

The Basel Convention requires Parties to have a regulatory infrastructure ensuring compliance with the Convention. Measures should also be in place at the national level to deal with, e.g., accidental chemical spillage in water body or transboundary movement of hazardous chemicals using watercourses, and to manage waste in an environmentally sound manner. The Strategic Plan 2005-10³² asks Parties to implement national legislation and policies, use technical guidelines, and conduct detailed inventories for the environmentally sound management of priority waste. It also asks Parties to develop and implement a national waste management plan incorporating elements concerning the review of existing infrastructure. Technical, legal and institutional measures should be developed and in place to implement and monitor the national waste management plan. A national focal point receives and transmits information to and from the COP [Articles 5 and 13] and Parties designate a competent authority responsible for receiving the notification of transboundary movement of hazardous waste [Article 5 and 6].

3.7 *Stockholm Convention*

Under the Stockholm Convention, a national implementation plan has to be tailored to the needs of the Party using existing national structures, integrating national sustainable development strategies, and retaining flexibility to respond to the listing of new chemicals [Article 7]. There is a five-step process for developing a national implementation plan under the Stockholm Convention: (i) determine co-ordinating mechanisms and organisations; (ii) establish

Convention: Matters Related to the Least Developed Countries. Subsidiary Body for Implementation, 23-20 October 2002. FCCC/SBI/2002/INF.14 (26 August 2002).

³² The Strategic Plan builds on and uses the framework of the 1999 Ministerial Basel Declaration on Environmentally Sound Management. See: <http://www.basel.int/meetings/cop/cop6/StPlan.doc>

a POPs inventory and prepare a national profile assessing national infrastructure and capacity (regulatory controls, needs and options for strengthening them); (iii) set priorities and determining objectives; (iv) formulate a prioritised national implementation plan and Specific Action Plans on POPs; and (v) endorse the national implementation plan by stakeholders [Article 5-7]. This national plan may also identify POPs affecting water resources and aquatic organisms, and prioritise the need for technical guidance on assessing level of water pollution. The national implementation plan can include various activities to implement the Convention, for example, drafting of new legislation or regulations and capacity building activities [Article 3, 12].

4. Why Do We Need a Co-ordinated Approach at the National Level?

The overlapping objectives and requirements of various MEAs could lead to a duplication of efforts or might undermine MEA implementation at the national level.³³ For example, a number of biodiversity-related conventions deal with similar habitats, species and ecosystems: issues related to wetlands are covered by the Biodiversity Convention, the Ramsar Convention and the World Heritage Convention.³⁴ In addition, some conventions deal with cross-cutting issues, such as sustainable use and restoration of habitats (Ramsar Convention, Biodiversity Convention).³⁵ A co-ordinated approach to these overlapping issues would accelerate the national implementation of MEAs. For example: the chemical

³³ UNU (2003), Work in Progress Volume 17, Number 1, Spring 2003. Available online: <http://www.unu.edu/hq/ginfo/wip/wip17-1-spr03.pdf>

³⁴ For other examples of overlaps and inconsistencies in the decisions of MEAs, see: UNEP (2001), "The Decision-Making Process of Multilateral Environmental Agreements: A Case for Enhanced Co-ordination". Report of the Fourth Consultative Meeting of MEA Secretariats on International Environmental Governance (8 November 2001). Available online: <http://www1.unep.org/meas/4thconsuloniegd5.doc>

³⁵ *Ibid.*

conventions – the Basel Convention and the Stockholm Convention – provide a framework for improved waste management and their co-ordinated implementation could contribute to the 'life cycle management' of toxic chemicals.

At the national level, the sectoral division of responsibility for implementation of environmental and sustainable development programmes is often a hindrance to the effective and integrated implementation of MEAs. In some cases, there are real disincentives to effective co-ordination, including institutional rivalries and tension over resource control.³⁶ The institutions with responsibilities for implementation under particular MEAs vary greatly in their authority and resources. In some ESCAP (Economic and Social Commission for Asia and the Pacific) countries, implementation of a single MEA can be the responsibility of different national agencies.³⁷ Moreover, the agency responsible for negotiating MEAs may sometimes differ from agencies in charge of implementation.³⁸ This institutional fragmentation, enhanced by the lack of information sharing and communication processes could lead to incoherent national implementation plans of MEAs and disjointed sectoral laws and policies. In recipient countries, this might be aggravated by donors developing stand-alone projects under separate MEAs.

A lack of co-ordinated effort may mean that decisions adopted to implement the water component of one MEA could pose a threat to the objective of another MEA with a negative impact on water management. For example, mitigation activities, such as

³⁶ UNDP (1999). "Synergies in National Implementation: The Rio Agreements". Presented at the International Conference on Synergies and Co-ordination between Multilateral Environmental Agreements (UNU, 14-16 July 1999).

³⁷ C. Toen, (2001), "Delegates Perceptions on Synergies and the Implementation of MEAs: Views from the ESCAP Region", United Nations University, Paper prepared for the Informal Regional Consultation on Inter-linkages, Kuala Lumpur 2001. Available online: http://www.unu.edu/inter-linkages/docs/DiscussionP/2001_02Carlene.pdf

³⁸ Toen, C. (2001), *ibid.*

afforestation, under the Climate Change Convention might pose risks of negative impacts on wetland ecosystems if tree species with a high water demand are planted in locations where this may lead to increased water stress and the reduction of water availability to wetlands.³⁹

Successful co-ordination of the implementation of water components of MEAs at the national level largely depends on internal co-ordination and information exchange among various government agencies. The political and administrative structure of the country, and the internal division of responsibilities at the sub-national or local level, are also crucial to achieve effective implementation of MEAs at the national level. There are some potential obstacles to the efficient national implementation of MEAs: limited information on and limited understanding of the relevant MEAs, limited understanding among national focal points responsible for individual MEAs of the links between MEAs; jurisdictional conflicts between focal points; inconsistent national-level reporting formats; insufficient involvement of local community and limited financial and human resources.⁴⁰

5. Is the Progress on National Plans in Bangladesh Sustainable?

As a Party to a large number of MEAs [Box 1 below], Bangladesh has prepared (or is preparing) national plans to implement these MEAs at the national level. For example, the draft National Biodiversity Strategy and Action Plan (NBSAP) under the Biodiversity Convention has been completed⁴¹ and a national consultation process is finalising the National Adaptation

³⁹ "Wetlands: water, life, and culture". COP-8 to the Ramsar Convention (2002), Draft Resolution on Climate change and wetlands: impacts, adaptation, and mitigation. Available online: http://www.gbif.ch/SessionAdministration/upload/cop8_climate_change_guidance.pdf.

⁴⁰ UNU (2003), *supra*.

⁴¹ The draft NBSAP (2004) is available from <http://www.iucnbd.org/>

Programme of Action (NAPA) as part of the commitments under the Climate Change Convention.⁴² Various government agencies working with water sector were involved during the consultation process of these national plans. In the national communication to the Climate Change secretariat, Bangladesh asserted the need to introduce climate change concerns to all areas of national planning and identified adaptation options that might reduce the vulnerability of water resources to climate change.⁴³

Box 1: Examples of MEAs where Bangladesh is a party

Conventions	Ratification /Signature (s)/Accession (Ac)
1971 Ramsar Convention	1992
1972 World Heritage Convention	1983 (Ac)
1989 Basel Convention	1993 (Ac)
1992 Climate Change Convention	1994
1992 Biodiversity Convention	1994
1994 Desertification Convention	1996
2001 Stockholm Convention	2001 (s)

These national processes under the MEAs also took account of other national policies including the environment policy and poverty reduction strategy paper. For example, the draft national wetlands policy took account of National Biodiversity Strategy, National

⁴² There are six working groups under the NAPA process in Bangladesh: water; agriculture and forestry; forestry and biodiversity; industry; livelihoods and food security; and policies and institutions. See Workshop Report, "Strengthening the capacity of Least Developed Countries to negotiate and implement the UNFCCC and the Kyoto Protocol", (3-4 December, 2004, Buenos Aires, Argentina). Website: www.field.org.uk

⁴³ UNFCCC, Fifth compilation and synthesis of initial national communications. FCCC/SBI/2003/13, 19 Sept. 2003.

Environmental Action Plans, and Water Policy.⁴⁴ Although Bangladesh has not designed a separate National Action Programme (NAP) to combat desertification, the 2002 country report to the Desertification secretariat emphasised that other national policies and measures have indirect positive impacts on combating land degradation. For example: National Environment Policy, National Environment Conservation Law, National Forest Policy, National Conservation Strategies, and the Strategic Plan for National Agricultural Research.⁴⁵

In the water policy sector, there have been two major developments over the last six years. First: the 1999 National Water Policy which aims to provide direction to all agencies and institutions working with water sectors. It also deals with issues related to the harnessing and development of all forms of surface water and groundwater, and management of these resources in an efficient and equitable manner. Second: the National Water Management Plan (NWMP) was prepared in 2001 as a framework plan within which relevant agencies and other organisations would plan and implement their own activities in a co-ordinated manner.⁴⁶ At present, over 40 different agencies and organisations are involved

⁴⁴ National planning tool for the implementation of the Ramsar Convention on Wetlands (And the approved format for National Reports to be submitted for the 8th Meeting of the Conference of the Contracting Parties, Spain, 2002). Available online: http://www.ramsar.org/cop8_nrs_bangladesh1.pdf

⁴⁵ Second National Report on Implementation of UNCCD (2002). Available online: <http://www.unccd.int/cop/reports/asia/national/2002/bangladesh-eng.pdf>

⁴⁶ The NWMP is presented in three phases: in the short-term (2000-05) it is considered a firm plan of ongoing and new activities; in the medium-term (2006-10) it is an indicative plan, and in the long-term (2011-25) a perspective plan. Implementation of the plan is to be monitored regularly and it will be updated every five years. The online version of the NWMP is available at: http://www.sdnpsd.org/sdi/international_days/water_day/2005/content/water_manage_plan.htm

in the water sector, of which 35 are organisations related to the central government. The National Water Resources Council is responsible for coordinating all aspects of water management, and issues directives through its Executive Committee.⁴⁷ During the preparation of the NWMP, other national environment and development strategies and cross-cutting linkages were considered. According to a recent study, Bangladesh has an enabling environment which supports the country's IWRM process, and is able to reach the 2005 target with technical and financial support.⁴⁸ The 2001 NWMP has taken account of national development and environmental strategies, referred to the inter-link between environment and water-related issues, and highlighted the importance of wetlands and climate change for efficient water management.

6. How to Ensure a Meaningful Co-ordination?

At the national level, first, it is difficult to assess the level co-ordination that exists among government agencies working in the water sector with national focal points of various MEAs. While consultation processes of MEA implementation plans have involved various government agencies working with water, there is not enough evidence to show that agencies preparing national water policies took account of water related activities already prioritised under MEAs at the national level. Second: it is also hard to measure the level of understanding among national MEA focal points regarding water related components of MEAs. In order to have a sustainable water policy, it is important that MEA focal points

⁴⁷ For information on institutional arrangements in water resource management, see: 'Bangladesh: Water Resources Planning Organization (WARPO)'. Presented at the Regional Meeting of National Water Sector Apex Bodies (18-21 May 2004, Hanoi, Vietnam). Available online: http://www.adb.org/Water/NWSAB/2004/Bangladesh_Country_Paper.pdf

⁴⁸ Global Water Partnership (2004), *Current Status of National Efforts to Move Towards Sustainable Water Management Using an IWRM Approach*. Available online: <http://www.gwpforum.org/gwp/library/IWRMSurvey.pdf>

disseminate information among them to highlight overlapping areas where common activities can be undertaken.

At the institutional level, there is a possibility to adopt two measures. First: national authorities may decide to establish an informal platform for *communication between focal points and other relevant actors* (e.g. those involved in the implementation of water strategies at the national level or projects at the local level, implementing agencies, development assistance agencies). NGOs and academics should be encouraged to be involved in the discussion fora to share ideas on water-related issues. Focal points need to commit themselves to understanding the linkages among various sustainable development strategies and water policies.

Second: the government needs to facilitate *country-level interaction among MEA focal points* and encourage them to harmonise water-related activities under MEAs. Government may design a cross-sectoral national committee to bring together key participants from various government departments and ministries, including focal points for each MEA. The committee might deal with strategic planning, implementation and legislative requirements for successful implementation of the water components of MEAs and other water-related initiatives. As a focal point to a number of MEAs, the Ministry of Environment and Forests of Bangladesh could play an important role to co-ordinate efforts under various national implementation plans.

At the law and policy making level, the national authorities could consider *developing a matrix* displaying how each MEA intersects with national water policies, and comparing policies to identify possible linkages. The review should identify water related components under national implementation plans of MEAs and identify inter-linked activities.

Each MEA has separate *reporting mechanism* which provides national policy-makers with useful feedback on implementation activities and priority areas under the MEA. These reports to MEA secretariats could provide useful information on existing (or

proposed) activities related to water resources. It may include examples of inter-linked projects related to water (e.g. protection of wetlands, conservation of marine biodiversity, measures to reduce chemical pollutants in water). If these reports of MEAs highlight water-related activities undertaken at the national level, that will create a starting point for MEA focal points and other actors working on water related areas (e.g., development, disaster management, agriculture, health) to share information.

Environmental authorities can further encourage MEA focal points and water authorities to *share information and experiences* on water-related issues. Structured communication among various government authorities will avoid duplication of activities on water and help to prioritise issues at the national level. Information on MEA implementation could be made available to a wide range of actors (e.g. local authorities, private sectors, NGOs, communities). MEA focal points could play a major role in ensuring the transfer of information (including case studies, information database and analyses on inter-linked projects) to government agencies including those working with water-related issues.

Capacity building activities and *adequate funds* will be required to ensure efficient national co-ordination. Along with new initiatives, existing capacity building initiatives on MEA implementation may be developed further to include ways to identify cross-cutting water related issues. In addition, where MEAs share the same international financial mechanism (e.g. GEF), national authorities may prioritise water related projects that include components of more than one MEA. 'Good intention' at the government level along with concrete actions can advance effective and meaningful co-ordination. MEA national implementation plans could provide a good example of how national level co-ordination with participation from all stakeholders could lead to a sustainable outcome. Co-ordinated actions would avoid duplication of water related activities and ensure sustainable use and integrated management of water resources.