

## Chapter 3

### Building Upon the UN Water Conference

*Dr. Flavia Rocha Loures, Senior Policy Advisor for Freshwater at the Nature Conservancy*

The UN Water Conference kickstarted a promising year by finally elevating water to the top of global legal processes, the political agenda on sustainability, and the mandate of international institutions. It also gave many of us hope that the series of events expected to keep the momentum internationally will also contribute to changes at the national level and better cooperation across political and sectoral boundaries.

In assessing the role of the Water Conference, we must keep in mind that it was never meant to be a political event – one that would lead to a new binding agreement or even a negotiated outcome with *soft law* character. The Conference was planned as an action-oriented milestone, made concrete by the Water Action Agenda, and aimed at mobilizing actors, resources, and commitments as well as mainstreaming water as a solution for several development challenges, such as biodiversity, climate, food security and energy security.

The Water Action Agenda has been criticized for not being ambitious enough, not being sufficiently government-led and not containing truly ground-breaking initiatives. Yet, the water community can now benefit from a platform to guide action and make actors accountable, even if it is true that we need more government commitments. We need existing commitments to identify the financing sources that will secure timely and effective implementation. We also need well-defined short-, medium- and long-term targets and indicators and clear monitoring and evaluation frameworks for each commitment.

In this sense, the Water Action Agenda must be seen as a starting point, not the endgame. It is also essential that the international community monitors and pushes for progress and provides the required support to countries, subnational governments, and basin organizations for follow-through.

The vision set out by the UN Water Conference extends into the long-term, building upon key international conferences in 2023 and beyond as stepping-stones to ensure water and freshwater ecosystems receive the attention they deserve. By necessity, the path towards transformational change can only be built if we secure good governance and management of water resources as well as the conservation and restoration of freshwater ecosystems. After all, water cuts across the entire 2030 Agenda, the Global Biodiversity Framework, and the Paris Agreement – a reality not yet sufficiently appreciated by actors outside the water community.

Going forward, messaging around water issues needs to be concrete and all-encompassing, recognizing water as a common thread that runs through all SDGs and underpinning all proposed solutions for the triple crisis of biodiversity, climate and pollution. This will provide policy coherence and help create transformative change.

We need to focus on integrating the objectives of *water for nature* and *nature for water* – a dimension of integration still not sufficiently prioritized yet one that is of fundamental importance. To be sure, freshwater biodiversity is the most threatened biome and is undergoing the fastest rates of decline.

As the globally agreed framework for sustainable development, does the 2030 Agenda promote integration between the availability of water for nature and water for people? Under SDG-6, the focus seems to be on water and related ecosystem services, i.e., healthy ecosystems and water availability for socioeconomic development. Under SDG-15, inland water ecosystems appear to be captured in their own right, with the implicit recognition that water availability – in the right quantity, at the right timing and of adequate quality – is necessary to sustain their health. Yet, freshwaters have received much less attention than forests or land in the implementation of SDG-15. In SDG-13 on climate, water is never mentioned, even though resilience is mostly about water. Finally, SDG-14 does not capture inland water fisheries or the source-to-sea continuum.

The siloed approach of Agenda 2030 ignores a larger virtuous cycle: water availability sustains nature, which, in turn, is needed to secure water availability and related ecosystem services for people. For example, free-flowing rivers support healthier ecosystems, including migratory fisheries on which livelihoods depend, and ensure the delivery of sediments and nutrients necessary to sustain ecosystems downstream, including mangroves, which protect against sea-level rise. Wetlands are biodiversity-rich habitats and also act as buffers against floods and replenish aquifers where water is stored without being lost to evaporation. Rivers connected to their floodplains support species abundance, underwater and on land, and better enable sediments to settle, resulting in cleaner water for human and environmental needs and fertile soils for agricultural activities. Forested watersheds support terrestrial and aquatic species and protect springs and headwaters that secure sustainable water supplies for communities and human activities downstream.

In the recent CBD Global Biodiversity Framework (GBF), inland waters are mentioned explicitly in the context of biodiversity restoration and protection. They are mainstreamed across other targets, such as those on pollution, fisheries and aquaculture, urban planning, and ecosystem services and are implicit to themes such as spatial planning, species extinction, invasive alien species, and climate change. Some progress has been achieved, but more is needed, including a stronger policy emphasis on water tenure, water security for agriculture, and sustainable wastewater management, as well as on the centrality of water and freshwater ecosystems for both climate mitigation and adaptation, the specific water pathways of invasive species, and the integration of spatial, basin and development planning.

A healthy, clean, and sustainable environment has been recognized by the UN General Assembly as a human right. Realizing this right will contribute to the timely achievement of the SDGs, the Paris Agreement and the GBF if water-nature linkages are leveraged for the benefit of all, for supporting climate adaptation and mitigation and for bending the curve on biodiversity loss.

In the context of the Water Conference, the messaging around water and nature was explicitly captured by one of the interactive dialogues and further unpacked in several events placing nature at the heart of the water challenge. This placement could further contribute to this water-nature integration, recognizing water governance as part of the mandate of regional integration organizations, many of which have been working on environmental sustainability issues, the appointment of a UN special envoy for water and a UN general assembly-mandated mainstreaming of water across all the special conferences over the year.

Participants also underscored harmony with Mother Earth, the rights of nature and river/lake rights, linkages and coherence across multilateral environmental agreements and their institutions, joint management of transboundary ecosystems in accordance with international law, ecological standards for water quality, environmental law principles, water-related ecosystems, the triple planetary crisis, nature-based solutions and the combination of grey, green and blue infrastructure and water in the planetary system and as a common good, thus viewed through the lens of the global hydrological cycle. In particular, it was suggested that a legal definition for water security should be developed. Such a definition would need to contemplate protection and restoration of water availability for not only the continued provision of ecosystem services, but also for the benefit of nature in its own right.

Linking the 2030 Agenda, the Water Action Agenda, the Paris Agreement and the GBF, legal models and scientific methods for durable freshwater protection are already being identified and tested in several places. Countries should leverage existing governance frameworks or consider adopting new laws to promote better integration of freshwater ecosystems into the delimitation, design and management of protected areas. But we need to do more to ensure inland waters, their species and habitats are proactively protected and restored, in line with Targets 2 and 3 of the GBF.

Examples of area-based conservation measures tailored to address the special attributes of inland waters, their species and habitats include protected free-flowing rivers, riparian corridors, water reserves, source water protection sites and fisheries reserves. Traditional protected areas can also contribute to freshwater conservation if dedicated targets are included in their respective management plans.

All these concepts form a toolbox of legal and technical solutions centered on water to protect nature, facilitate climate mitigation and adaptation, and support thriving societies and economies. As the water community comes together to advance sustainability in all its dimensions, it is vital that freshwater ecosystems and the legal models capable of ensuring their durable protection are elevated in the policy solutions for the challenges we face. It is time for water, and the valuable ecosystems that depend upon it, to have their place in the sun!