



**THE IBERIAN (Portugal and Spain)  
TRANSBOUNDARY WATERS  
A CENTENNIAL HISTORY OF COOPERATION**

*André Matoso*

*23<sup>rd</sup> OSCE Economic and Environmental Forum, "Water governance in the OSCE area – increasing security and stability through co-operation", FIRST PREPARATORY MEETING, Vienna, 26 - 27 January 2015*

OSCE Organization for Security and Co-operation in Europe

GOVERNO DE PORTUGAL  
Portuguese Ministry of the Environment, Territory Management and Energy



AGÊNCIA PORTUGUESA DO AMBIENTE

MINISTÉRIO DA AGRICULTURA, DOS RECURSOS HÍDRICOS, DO AMBIENTE E DO ORDENAMENTO DO TERRITÓRIO

OSCE Organization for Security and Co-operation in Europe

*23<sup>rd</sup> OSCE Economic and Environmental Forum, "Water governance in the OSCE area – increasing security and stability through co-operation", FIRST PREPARATORY MEETING, Vienna, 26 - 27 January 2015*

Political frontier between Portugal and Spain dates from the end of the 13th century and rivers, as natural barriers, were important for this purpose. The same rivers created links between the populations, sharing them for navigation and transportation of goods.



**1912** - Portugal and Spain adopted a convention for industrial usage of transboundary watercourses.

**1927** - first treaty for hydropower development of the Douro river boundary section.

Basis of this treaty: 1923 *Geneva Convention Relating to the Development of Hydraulic Power Affecting more than one State*, approved under the umbrella of the League of Nations.



**1968** - New treaty signed: Only mainstream border portions of the rivers were concerned and the protection of the water bodies was not considered.

Words *sustainability, sustainable uses, environment protection, or environmental impacts* were never used in these conventions.

**1998** - Convention on the Co-operation for the Protection and the Sustainable Use of Waters of the Spanish-Portuguese River Basins.

In 1994 both Governments decided to negotiate for a new Water Convention based on the concepts of environment protection and sustainable use, encompassing all the transboundary watercourses, the whole river basins and all water uses. Those negotiations took 4 years to be concluded.


Albufeira Convention: Signed in the Portuguese city of Albufeira on 30th November 1998.

Coordination Structure: *Commission for Implementation and Development of the Convention (CADC)*

Main tasks:

- Definition of common activities ruled by this Convention and WFD
- Definition of priority areas for coordination
- Identification of all boundary and transboundary water bodies
- Harmonization of methodologies and approaches
- Definition of environmental objectives
- Coordination of the programme of measures

Guadiana estuary



Guadiana basin area = 66 800 km<sup>2</sup>  
(Portugal – 11 500 km<sup>2</sup> ; Spain – 55 300 km<sup>2</sup>)



## LESSONS LEARNED

- 1 Engage diplomats as soon as possible in the process
- 2 Engage experts on International Public Law in the negotiations
- 3 Engage skilled multidisciplinary team of experts for the preparation of technical documents
- 4 Try hard to accommodate all relevant issues raised by the other party
- 5 Do not try to evade difficult issues by postponing them to the future, unless this is unavoidable
- 6 Take the chance, be opportunistic
- 7 Be rigorous in drafting, avoid ambiguous formulations as much as possible

