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ECONOMIC COMMISSION
FOR EUROPE

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Ref: ECE.MP.WH.CC.COM.1

17 February 2015

Dear Mr. Simas,

Re: Communication to the Protocol on Water and Health Compliance Committee concerning compliance by Portugal with the obligation to report on the progress achieved in the implementation of the Protocol, in accordance with its article 7 (ECE.MP.WH.CC.COM.1)

On 24 November 2014, the secretariat of the Protocol on Water and Health to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes received a communication addressed to the Compliance Committee of the Protocol.

The communication alleges that Portugal is not in compliance with its obligations under articles 6 and 7 of the Protocol by failing to submit its summary report within the second reporting exercise under the Protocol. The communication was submitted in accordance with the provisions of chapter VI of the annex to decision I/2 of the Meeting of the Parties.

Please find enclosed a copy of the communication, which is being forwarded to you at the request of the Committee in accordance with the provisions of paragraph 20 of the annex to decision I/2. You are kindly requested to acknowledge receipt of the communication.

The communication has been registered under the symbol ECE.MP.WH.CC.COM.1, which you are invited to cite in future correspondence on the matter. Documentation relating to the communication will be uploaded in due course on the Committee's website at www.unece.org/env/water/pwh_bodies/cc.html.

Mr. Luis Simas
Director, Department of Water Quality
Regulatory Authority of Water and Waste Services
Lisboa
Portugal

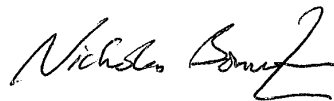
The Compliance Committee, having considered by electronic mail the admissibility of the communication, has on a preliminary basis determined it to be admissible in accordance with paragraph 18 of the annex to decision I/2. A copy of the preliminary determination on admissibility is attached. Please note, however, that the Committee has not reached any conclusions with respect to the compliance issue referred to in the communication.

Having regard to paragraph 21 of the annex to decision I/2, you are kindly invited to submit to the Committee, as soon as possible but at the latest within five months of the date of this letter (i.e. by 17 July 2015), any written explanations or statements clarifying the matter referred to in the communication and describing any response that may have been made in the meantime.

At the same time, as you may recall from my letter of 19 December 2014, the Committee also decided to initiate a case within its competence to take appropriate action in the event of possible non-compliance by a specific Party with the obligation to report. The Committee expects to deliberate that case and proceed with drafting findings, measures and recommendations, as appropriate, at its eleventh meeting (Geneva, 24–25 March 2015).

Please do not hesitate to contact the secretariat if you require any further information.

Yours sincerely,



Nicholas Bonvoisin
Co-Secretary to the Protocol on Water and Health
United Nations Economic Commission for Europe

Cc: Permanent Mission of Portugal to the United Nations Office and other international organizations in Geneva

Enc: Communication ECE.MP.WH.CC.COM.1
Preliminary determination on admissibility