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**ECONOMIC COMMISSION FOR EUROPE**

**MEETING OF THE PARTIES TO THE CONVENTION  
ON THE PROTECTION AND USE OF TRANSBOUNDARY  
WATERCOURSES AND INTERNATIONAL LAKES**

**REPORT OF THE THIRD MEETING OF THE PARTIES**

**Addendum**

**DECISIONS TAKEN AT THE THIRD MEETING OF THE PARTIES ON  
THE IMPLEMENTATION OF THE CONVENTION  
IN THE PERIOD 2004-2006 AND BEYOND**

1. This document contains the Declaration of Madrid, decisions on the establishment of a trust fund as well as decisions on the work under the Convention in the period 2004-2006 and beyond. The report on the third meeting of the Parties was issued under symbol ECE/MP.WAT/15. The work plan was issued under symbol ECE/MP.WAT/15/Add.2.
2. The decision on the amendment of articles 25 and 26 of the Convention (decision III/1) was issued as document ECE/MP.WAT/14.

Annex I

**DECLARATION OF MADRID**

1. WE, THE PARTIES TO THE CONVENTION, gathered at Madrid, from 26 to 28 November 2003 for our third meeting, reaffirm the commitments that we made at our first and second meetings (Helsinki, 2-4 July 1997, and The Hague, Netherlands, 23-25 March 2000).
2. We stress the importance of bilateral and multilateral cooperation on transboundary watercourses and international lakes, and the primary role of the Convention, which provides an essential and guiding framework for this cooperation, contributes to peace and security and to sustainable water management, and is to the benefit of us all. We welcome those Parties that have ratified the Convention since our second meeting. We are committed to action so that countries that are not yet Parties, particularly countries in Eastern Europe, the Caucasus and Central Asia, and the Balkan States, ratify the Convention.
3. We welcome the outcome of the Second International Conference on Sustainable Management of Transboundary Waters in Europe (Miedzyzdroje, Poland, 21-24 April 2002), held on the occasion of the 10<sup>th</sup> anniversary of the Convention. Its conclusions and recommendations have significantly contributed to the development of new initiatives under the Convention. We commend the Government of Poland for having taken this initiative and for its major contribution to the Conference's success.
4. We acknowledge the added value that participation of countries outside the UNECE region, in particular those sharing waters with UNECE countries, can bring to the cooperation activities related to the Convention. We have therefore decided to amend articles 25 and 26 of the Convention, allowing accession of these countries.
5. We acknowledge the work done for the interim implementation of the Protocol on Water and Health and, taking note of the outcome of the Signatories' meetings, we offer our contribution to addressing issues of sanitation and water management with relevance to human health. We welcome the ratification by ten countries of the Protocol and encourage other Parties and non-Parties to the Convention to ratify this important instrument so that it can enter into force in 2004. With a focus on ensuring a healthy environment for future generations, we will strengthen our efforts to achieve the purposes of this Protocol and we will report to the Fourth Ministerial Conference on Environment and Health (Budapest, June 2004) on the implementation of the relevant decisions of the Third Ministerial Conference.
6. We most heartily welcome the adoption in Kiev, on 21 May 2003, of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters, drawn up jointly with the governing body of the Convention on the Transboundary Effects of Industrial Accidents and reaffirm the decision that we made on that occasion. We welcome the signature of this Protocol by 23 countries and invite all States to consider taking the necessary steps to become Parties to the Protocol. We are committed to providing Parties with further information on the Protocol's implementation. We are also committed to further joint work with the governing body of the above-mentioned Convention to provide guidance to prevent, prepare for, and respond to, industrial accidents capable of causing transboundary effects.

7. We welcome other frameworks of cooperation, such as the Third World Water Forum and the Ministerial Conference (Kyoto, Japan, March 2003), and the commitment contained in the G8 Action Plan (Evian, France, June 2003) to support better management and development of shared river basins and to promote river basin cooperation throughout the world.

8. We welcome in particular the entry into force in December 2000 of the European Union's Water Framework Directive, an ambitious instrument that shares the principles of the Convention and contributes to achieving its objectives in a large part of the UNECE region, in particular after the enlargement of the European Union in May 2004.

9. We recall our earlier work on the ecosystem approach, which has guided UNECE countries to develop a new understanding of water as the key to sustainable development and food security, as well as of the fundamental role of water supplies of good quality to the eradication of water-related diseases and poverty. In this context, we welcome the outcome of the Dushanbe International Water Forum in August-September 2003, which stressed the importance of implementing integrated water resources management based on the ecosystem approach, particularly through the sustainable use and restoration of water-related ecosystems, such as forests and wetlands, in addition to the aquatic ecosystems. We will provide further guidance on the role of ecosystems as water suppliers as well as environmental services and financing for sustainable ecosystems.

10. We underline the importance of the decision of the United Nations Commission on Sustainable Development to establish water, sanitation and human settlements issues as the thematic cluster for the first phase of its multi-year programme of work. We acknowledge the secretariat's contribution on these issues to the UNECE Regional Implementation Forum on Sustainable Development to be held in January 2004 and to the 12<sup>th</sup> session of the Commission on Sustainable Development in April 2004. We are ready to implement the relevant decisions taken at these meetings and we are committed to preparing a regional policy review on this thematic cluster in 2005.

11. We will actively participate in the further development of the environmental strategy for the countries in Eastern Europe, the Caucasus and Central Asia as well as in the implementation and further development of the "Strategic Partnership on Water for Sustainable Development", the regional component of the European Union's Water Initiative "Water for Life – Health, Livelihoods, Economic Development and Security", launched at the United Nations World Summit on Sustainable Development in Johannesburg in August-September 2002. In this regard we note with appreciation the secretariat's role in, and contribution to, the ongoing work on the Strategic Partnership, specifically in integrated water resources management, including transboundary river basin issues among the countries in Eastern Europe, the Caucasus and Central Asia. We will also contribute to the Partnership activities on urban water supply and sanitation in the framework of the Protocol on Water and Health. We will also be engaged in the Mediterranean component of the European Union's Water Initiative with the focus on South-Eastern Europe, including the Balkan countries.

12. We acknowledge the important role that the International Water Assessment Centre (IWAC) has played for the Convention, and we express our gratitude to the Government of the Netherlands and to all other members participating in the IWAC network. We are further committed to supporting IWAC so that it can continue its tasks as a collaborating centre under the Convention and make a substantive contribution to the water-related activities of the United Nations family.

13. We note with appreciation the progress made in the pilot projects for transboundary rivers and groundwaters. In particular, the evaluation of the completed pilot projects for transboundary rivers has provided valuable guidance for our future work, which Slovakia has offered to lead.

14. We appreciate the offer of Parties to take a lead in the implementation of the various elements of the new work plan and we welcome the pledges made by Parties and non-Parties to contribute to a Convention's trust fund, which will be managed in accordance with the United Nations Financial Rules and Regulations. We invite other donor countries, financial institutions and funding mechanisms that carry out assistance projects to contribute to the achievement of the purposes of the Convention.

15. We are committed to assessing transboundary waters in the region in order to show the progress made in reducing the transboundary impact on the environment, which includes human health and safety. We offer our assistance in the preparation of the fourth assessment of the state of the European environment as the Convention's contribution to the sixth "Environment for Europe" Conference and regional assessments under the United Nations World Water Assessment Programme.

16. In view of the recent disastrous floods in various parts of the UNECE region, we call upon UNECE countries to further develop and strengthen transboundary cooperation, including joint strategies and actions in flood protection, prevention and mitigation. We recall the decision that we took at our second meeting to endorse the Guidelines on Sustainable Flood Prevention and note with satisfaction that these guidelines have been the basis for the recently launched best practice document on flood prevention, protection and mitigation drawn up under the auspices of the Water Directors of the European Union. We commit ourselves to sharing the experience in the application of the Guidelines and reviewing them, as appropriate, and welcome the offer by Germany to host an international conference in June 2004 to that effect. We will explore options, including the possibility of drawing up a legal instrument under the Convention, for further developing and strengthening a common framework for flood protection, prevention and mitigation at UNECE level.

17. We acknowledge the important role of the secretariat services for the Convention and its Protocols in order to intensify our efforts to provide and disseminate information and know-how, share experience with stakeholders, contribute to existing training and capacity-building networks, and create new partnerships and mechanisms for capacity-building. We will therefore continue to support the secretariat services.

18. We encourage UNECE countries that are riparian to the same transboundary waters to prepare and carry out joint projects on human resources development and institutional capacity-building to resolve existing water-management problems and prevent future disputes over water resources. We will support the UNECE Regional Advisory Service Programme to design specific implementation projects to address the major difficulties that countries face with the implementation of the Convention and its Protocols, provide guidance on normative approaches, support capacity-building, strengthen institutional frameworks, facilitate access to sources of finance, and assist in planning and implementing concerted action plans.

19. We encourage UNECE countries to update, where necessary, their agreements and arrangements and to conclude and ratify new ones in accordance with the provisions of the Convention and its Protocols, and we offer them assistance through the Convention's Advisory

Service. We invite all other regions outside the UNECE to draw on the Convention's experience when formulating and implementing their water policies.

20. We will continue our joint work with the bodies established under the other UNECE environmental conventions as well as other United Nations bodies and governmental and non-governmental organizations and institutions active in integrated water management. We invite them to cooperate actively in our work so that we all can benefit from each other's experience. We will also seek new partners, including NGOs and the private sector.

21. We, the Parties, note with appreciation that at this meeting UNECE countries that have not yet become Parties to the Convention have associated themselves with this declaration.

22. We express our gratitude to the Government of Spain for hosting our meeting and for its generous hospitality.

23. We welcome the offer of the Government of Germany to host our fourth meeting in the year 2006.

Annex II

**DECISION III/2  
ESTABLISHMENT OF A TRUST FUND UNDER THE CONVENTION**

The Meeting of the Parties,

1. Agrees to support the implementation of the Convention by providing it with a tool to meet demands in a flexible way and to allow for a transparent management of financial resources;
2. Decides to establish a trust fund for voluntary contributions to support the promotion and effective implementation of the Convention and its Protocols. The trust fund will be managed by the UNECE secretariat in accordance with the established United Nations Financial Rules and Regulations;
3. Also decides that the trust fund can be used, for instance, for:
  - Technical support to Parties, particularly to countries in transition, to promote and implement the Convention through the organization of seminars and workshops and other training activities;
  - Support to the participation of experts from countries in transition, especially the countries in South-Eastern Europe and in Eastern Europe, the Caucasus and Central Asia in workshops, seminars, symposia and other informal forums organized within the framework of the Convention (travel and/or daily subsistence allowance, as applicable);
  - Support to the participation of the secretariat in workshops, seminars, symposia and other formal and informal forums related to the Convention's activities;
  - Specific consultants' fees and travel;
  - The organization of activities aimed at promoting the Convention in other regions;
  - The preparation of publications, including translation and printing costs;
4. Entrusts the secretariat to match the requests for the use of the funds with the contributions, taking into account the conditions set by donors, if any; to arrange for the issuance of travel authorizations, tickets and vouchers, as appropriate; to provide statements of account to donors, as appropriate; as well as to report to the Convention's Parties on contributions to the trust fund and their use;
5. Entrusts the Bureau to overview the management of the trust fund and to take appropriate action to raise funds;
6. Invites Parties to the Convention to make voluntary contributions to the trust fund and thanks those Parties that have already promised to do so.

Annex III

**DECISION III/3  
WORK UNDER THE CONVENTION IN THE PERIOD 2004-2006**

The Meeting of the Parties,

1. Adopts the work plan for the period 2004-2006 as set out in document ECE/MP.WAT/15/Add.2;
2. Decides to entrust the following bodies to implement the 2004-2006 work plan: the Working Group on Integrated Water Resources Management; the Working Group on Monitoring and Assessment; the Working Group on Water and Health; the International Water Assessment Centre (IWAC); the task force on flood protection, prevention and mitigation; and the joint expert group on water and industrial accidents, which acts under the joint auspices of the governing bodies of the Water Convention and the Industrial Accidents Convention;
3. Also decides to establish an open-ended Legal Board to deal with any legal question of interest to the Bureau or the Working Groups. Meetings of the Legal Board shall be convened by the Bureau at its own initiative or at the request of any Working Group. The Legal Board shall elect its own Chairperson and Vice-Chairperson at each meeting;
4. Agrees that members of the Bureau will chair the three Working Groups until the Working Groups elect their own officers (see para. 7 below);
5. Assigns to its Bureau the responsibility of taking initiatives to strengthen the application of the Convention, providing overall guidance to the Convention's work until 2006 and implementing the tasks set out in programme area I of the 2004-2006 work plan;
6. Agrees that the Bureau members should adequately represent: (a) the European Community and EU countries, including the States due to accede in 2004; (b) other West European countries; and (c) the Balkan and East European, Caucasian and Central Asian countries;
7. Decides that its Bureau will be composed of nine members, including a Chairperson and two Vice-Chairpersons. The three members who are in charge of the three Working Groups will remain in office until the Working Groups elect their own officers. The Head of the International Water Assessment Centre, the Chairperson of the Legal Board and, until the first meeting of the Parties to the Protocol on Water and Health, the Chairperson of the Meeting of the Signatories to this Protocol are non-voting participants at the Bureau's meetings;
8. Elects its Bureau as follows:
  - Mr. Manuel Varela (Spain), Chairperson;
  - Mr. Thomas Stratenwerth (Germany), Vice-Chairperson;
  - Mrs. Bernadetta Czerska (Poland), Vice-Chairperson;
  
  - Mrs. Elena Sidash (Belarus), member;
  - Mr. Massimo Cozzone (Italy), member;
  - Mr. Sergey Koskin (Russian Federation), member;

- Mrs. Sibylle Vermont (Switzerland), Chairperson of the Working Group on Integrated Water Resources Management;
- Mrs. Lea Kauppi (Finland), Chairperson of the Working Group on Monitoring and Assessment;
- Mr. Mihaly Kádar (Hungary), Chairperson of the Working Group on Water and Health.

9. On the basis of reciprocity, invites the Meeting of Parties to the Protocol on Water and Health and the Meeting of the Parties to the Protocol on Civil Liability, once they have been established, to designate a member of their Bureau to attend the Convention's Bureau meetings in an advisory capacity;

10. Requests its Bureau to: (a) devote one special meeting in the period 2004-2006 to a mid-term review of the achievements under the Convention, open for participation to the national focal points for the Convention; and (b) consider at this meeting the need for proposing adaptations to the Convention's rules of procedure in view of the Bureau's composition and functioning, for adoption at the fourth meeting of the Parties;

11. Request the secretariat to update the terms of reference of the Working Groups, the Bureau and the Advisory Service in accordance with the above decisions.<sup>1</sup>

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<sup>1</sup> The new terms of reference appear as annexes IV, V and VI to the present document.



Annex IV

**TERMS OF REFERENCE OF THE WORKING GROUPS**

1. The Working Groups shall be responsible for the implementation of the relevant programme areas of the work plan. They shall examine experience and draw up draft recommendations, codes of practice and other soft-law instruments. They shall review policies, strategies and methodologies of relevance to human health and safety as well as the protection and use of waters; examine the implications of such policies, strategies and methodologies; assist the Meeting of the Parties to the Convention and the Meeting of the Signatories/Parties to the Protocols to the Convention, if applicable, in developing response measures; and promote the harmonization of rules and regulations on specific areas.
2. The Working Groups shall provide guidance - in between the meetings of the Parties - in the implementation of the work plan. The Working Groups may advise the Bureau to make arrangements to further develop the work plan, adapt it to changing circumstances and avoid, to the extent possible, duplication of efforts with water-related activities of other United Nations bodies and other international organizations.
3. The Working Groups shall take initiatives to strengthen the application of the Convention, including the preparation of draft decisions, proposals and recommendations, and a draft work plan for consideration by the Meeting of the Parties to the Convention, and mobilize resources.
4. Each Working Group may formulate recommendations related to the work of the other Working Groups.
5. The Working Groups shall seek, where appropriate, the services of relevant UNECE bodies as well as other competent international bodies and specific committees to implement the Convention and its Protocols.
6. In the interest of consistency, the Working Groups shall review relevant activities of the UNECE programme of work that have a bearing on water as well as human health and safety; keep themselves informed of the relevant work done and planned under other international conventions, particularly the UNECE environmental conventions; and keep themselves abreast of water-related activities of other United Nations bodies and other international organizations. If need be, the Working Groups shall also assist Parties in the implementation of the water-related parts of Agenda 21, the Johannesburg Plan of Implementation and other relevant international action plans and programmes.
7. Except as provided for in the terms of reference of the Bureau of the Meeting of the Parties, a Working Group shall hold no more than one ordinary meeting per year. Working Groups may hold joint meetings.
8. The Working Groups shall elect their own officers. The Chairpersons of the Working Groups shall be members of the Bureau. The Chairpersons shall report to the Meeting of the Parties about the achievements of their Working Groups.

Annex V

**TERMS OF REFERENCE OF THE BUREAU**

1. The Bureau with the assistance of the secretariat shall:
  - (a) Carry out the tasks entrusted to it by the Meeting of the Parties;
  - (b) Make arrangements to further develop the work plan, adapt it to changing circumstances and avoid, to the extent possible, duplication of efforts with water-related activities of other United Nations bodies and other international organizations;
  - (c) Take initiatives to strengthen the application of the Convention; maintain liaison with the bureaux of governing bodies of other environmental conventions, the Bureau of the UNECE Committee on Environmental Policy, international organizations, financial institutions, environmental policy-making bodies and non-governmental organizations to improve the implementation of the Convention; and take other appropriate measures to facilitate the implementation of the work plan.
2. The Bureau may decide on the convening of meetings of the Working Groups or any other body which has been established or needs to be established to implement the work plan.

Annex VI

**TERMS OF REFERENCE  
OF THE ADVISORY SERVICE UNDER THE CONVENTION**

1. The Advisory Service shall facilitate the implementation of legal, institutional, economic, financial and technical provisions of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes and its Protocols on Water and Health and on Civil Liability.
2. The Advisory Service shall handle requests for clarification or regarding the practical implementation of legal, institutional, economic, financial and technical issues related to the Convention and its Protocols. It shall take into consideration only written requests addressed to the Chairperson of the Bureau or the Convention's secretariat. The UNECE secretariat shall transmit the requests to the appropriate experts and institutions of the Advisory Service.
3. The Advisory Service shall be open-ended: its experts and institutions will be nominated by the national focal points and confirmed by the Bureau on the grounds of professional excellence. It may include governmental and non-governmental experts, private sector practitioners as well as experts from international organizations.
4. The progress of, and experience gained with, setting up the Advisory Service's network of experts shall be regularly evaluated by the Bureau, which shall inform the Parties as well as the Working Groups and other bodies established under the Convention about the achievements.