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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**

Third meeting

Madrid, Spain, 26-28 November 2003

PROVISIONAL AGENDA FOR THE THIRD MEETING

to be held at the Palacio de Congresos, Madrid,
starting at 10 a.m. on Wednesday, 26 November 2003

1. Adoption of the agenda.
2. Opening statements by the host authority and other delegations.
3. Constitution of the third meeting of the Parties.
4. Protocol on Civil Liability.
5. Protocol on Water and Health.
6. Amendment to the Convention.
7. Implementation and compliance.
8. Integrated management of water and related ecosystems.
9. Monitoring and assessment of transboundary waters:

- (a) Guidelines on monitoring and assessment of transboundary waters;
 - (b) Pilot programme on transboundary waters;
 - (c) International Water Assessment Centre (IWAC).
10. Partners in cooperation: links with other sectors and programmes:
 - (a) Environmental partnerships in the UNECE region;
 - (b) Regional follow-up to the World Summit on Sustainable Development and preparations for the next meeting of the Commission on Sustainable Development;
 - (c) Cooperation with the governing bodies of multilateral environmental agreements, other United Nations bodies, and other partners.
11. Work plan until the fourth meeting of the Parties (2004-2006).
12. The Madrid Declaration.
13. Election of officers for the fourth meeting of the Parties.
14. Date and venue of the fourth meeting of the Parties.
15. Other business.
16. Adoption of the report.
17. Closing of the meeting.

EXPLANATORY NOTES

The third meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) will be held in Madrid at the invitation of the Government of Spain at the following venue:
Palacio de Congresos, Sala Europa, Paseo de la Castellana 99, 28046 Madrid.

Documents and contact addresses

Documents of the third meeting of the Parties to the Water Convention, meetings of the Signatories to the Protocol on Water and Health, joint meetings under the auspices of the governing bodies of the Water Convention and the Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention), and meetings of working groups can be downloaded from the Convention's web site at

<http://www.unece.org/env/water/meetings/documents.htm>

Documents of the Kiev Ministerial Conference "Environment for Europe" are available at

http://www.unece.org/env/wgso/index_kyivconf.htm

The registration forms, which are available at

<http://www.unece.org/env/water/meetings/registrationmeeting.htm>

could be submitted no later than 20 days before the meeting, i.e.

6 November 2003, to the following address:

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The address of the focal point for the Water Convention in Spain is as follows:

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Item 1: Adoption of the agenda

The Meeting is expected to adopt its agenda as set out in the present document.

Item 2: Opening statements by the host authority and other delegations

A representative of Spain will make an opening statement on behalf of the host country. Mr. Carel de Villeneuve, Chairman of the Bureau of the Meeting of the Parties, will address the Meeting on behalf of the Bureau.

Representatives of the Parties to the Convention will report on the steps that they have taken to implement relevant provisions of the Convention and to achieve the objectives of the Declaration of the Peace Palace, which they adopted at their second meeting (ECE/MP.WAT/5, annex I).

Representative of other countries will report on the steps that they have taken to ratify the Convention. Representatives of international governmental and non-governmental organizations and institutions are invited to inform the Meeting of their relevant activities.

Item 3: Constitution of the third meeting of the Parties

The officers will inform the Meeting about the participation of Parties and observers at the third meeting, and report on the credentials ^{1/} submitted by the Parties.

Following the procedure of the first and second meetings of the Parties, the Meeting may wish to establish two ad hoc groups: one on the draft work plan and another on the draft declaration.

Item 4: Protocol on Civil Liability

Following the successful drawing-up and adoption of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters (ECE/MP.WAT/11 – ECE/CP.TEIA/9) by the governing bodies of the Water Convention and the Industrial Accidents Convention on the occasion of the fifth Ministerial Conference “Environment for Europe” (Kiev, 21 May 2003, see ECE/MP.WAT/12 - ECE/CP.TEIA/10), the Meeting of the Parties to the Water Convention will consider ways and means of assisting, jointly with the Conference of the Parties to the Industrial Accidents Convention, the Signatories in the interim implementation of the Protocol on Civil Liability.

^{1/} Credentials, which are normally signed by the Minister of Foreign Affairs, should indicate the composition of the delegation, including the head of the delegation, and state that the respective delegation is empowered to participate in the meeting and take decisions on behalf of the respective Government following the applicable rules of procedure.

Item 5: Protocol on Water and Health

The Meeting will consider the reports of the first and second meetings of the Signatories to the Protocol on Water and Health (MP.WAT/AC.2/2000/2-EUR/ICP/5021651/2 and MP.WAT/AC.2/2003/2-EUR/03/5041120/2). To promote harmonious cooperation with the Meeting of the Signatories to the Protocol on Water and Health, the Meeting will agree on ways and means of assisting the Signatories in the interim implementation of this Protocol and the preparation of the first meeting of the Parties to the Protocol (see also item 7 of the provisional agenda).

Item 6: Amendment to the Convention

The Meeting is expected to consider and adopt a proposal by Switzerland to amend article 25 of the Convention on ratification, acceptance, approval and accession, which was communicated by the Executive Secretary of UNECE to the Parties to the Convention on 27 August 2003. The proposed amendment, which should be inserted as paragraph 2bis, reads as follows (see also MP.WAT/2003/4):

“2bis. Any other State, not referred to in paragraph 2, that is Member of the United Nations may accede to the Convention upon approval by the Meeting of the Parties. In its instrument of accession, such a State shall make a declaration stating that approval for its accession to the Convention had been obtained from the Meeting of the Parties and shall specify the date on which approval was received.”

Item 7: Implementation and compliance

The Meeting will evaluate the effectiveness of the Working Group on Legal and Administrative Aspects, with Greece as lead country, and its achievements under the work plan, including activities under the Advisory Network on Legal Instruments, established by the Parties at their second meeting (MP.WAT/2003/5).

In deciding on its further work on compliance and implementation, the Meeting will be guided by the outcome of the Kiev Ministerial Conference “Environment for Europe” (ECE/CEP/94/Rev.1), including the “Guidelines for strengthening compliance with and enforcement of implementation of multilateral environmental agreements in the ECE region” (ECE/CEP/107), and the relevant parts of the Johannesburg Plan of Implementation in the two thematic areas of water and sanitation.

The Meeting will make arrangements to assist the Meeting of the Signatories to the Protocol on Water and Health and the Signatories to the Protocol on Civil Liability through its Working Group on Legal and Administrative Aspects. This will include the drawing-up of documents on a compliance regime, based on a working paper prepared by a consultant, and work on other legal issues (MP.WAT/2003/6).

Item 8: Integrated management of water and related ecosystems

The Meeting will evaluate the effectiveness of the Working Group on Water Management, with Slovakia as lead country, and its achievements under the work plan (MP.WAT/2003/5). The Meeting will examine the proposals by the Working Group for activities under the 2004-2006 work plan (MP.WAT/2003/6).

In particular, the Meeting is expected to:

- (a) Endorse the conclusions and recommendations of the second International Conference on Sustainable Management of Transboundary Waters in Europe (ECE/MP.WAT/8);
- (b) Endorse the recommendations of the workshop on approaches and tools for river basin managements: experience drawn from the implementation of the EU Water Framework Directive (MP.WAT/WG.1/2001/8);
- (c) Endorse the outcome of the project on bilateral and multilateral cooperation on transboundary waters in the newly independent States, carried out under programme element 2.2 (MP.WAT/2003/7) and make arrangements for follow-up activities;
- (d) Endorse the outcome of the project on interstate distribution of water resources of transboundary watercourses, carried out under programme element 2.6 (MP.WAT/2003/8);
- (e) Make arrangements to assess the experience with the application of the Guidelines on sustainable flood prevention at its fourth meeting (see ECE/MP.WAT/5, annex I, para. 12). To facilitate this assessment, Germany offered at the fourth meeting of the Working Group on Water Management to convene an international conference on floods in 2004, and to act as lead country for this activity (MP.WAT/WG.1/2003/2). The opportunity for launching an intergovernmental negotiation process to develop a legal instrument on flood prevention and protection will be studied, and ways and means examined to possibly draw up the legal instrument for adoption at the fourth meeting of the Parties in 2006;
- (f) Examine the activities of the joint ad hoc expert group on water and industrial accidents (see progress report in CP.TEIA/2002/11 2/ and the minutes of the first to fourth meetings of the expert group 3/), established under the Water Convention and the Industrial Accidents Convention, and make arrangements with the Conference of the Parties to the Industrial Accidents Convention for future joint activities.

Item 9: Monitoring and assessment of transboundary waters

The Meeting will evaluate the effectiveness of the Working Group on Monitoring and Assessment, with Finland and the Netherlands as lead countries, and its achievements under the work plan (MP.WAT/2003/5). The Meeting will examine the proposals by the Working

2/ See <http://www.unece.org/env/documents/2002/teia/cp.teia.2002.11.e.pdf>

3/ See <http://www.unece.org/env/teia/water.htm>

Group for activities under the 2004-2006 work plan, drawn up at its fourth meeting (MP.WAT/2003/6/Add.1).

(a) Guidelines on monitoring and assessment of transboundary waters

The Meeting is expected to endorse the guidelines on monitoring and assessment of transboundary and international lakes.^{4/}

The Meeting will also: (i) evaluate the replies by the riparian Parties on their experience with the implementation of the guidelines on monitoring and assessment of transboundary rivers and groundwaters (MP.WAT/2003/9); (ii) approve the proposals by the Working Group to revise the existing, and draw up new, guidelines on monitoring and assessment (MP.WAT/2003/10); and (iii) consider other relevant issues arising from the report of the fourth meeting of the Working Group on Monitoring and Assessment (MP.WAT/WG.2/2003/2).

(b) Pilot programme on transboundary waters

The Meeting will: (i) examine the “lessons learned” with the pilot projects on the rivers Bug, Ipoly, Latorica/Uzh, Morava and Mures (MP.WAT/2003/11); (ii) evaluate ongoing work on the new Tacis projects on the rivers Kura, Pripyat, Severski Donets and Tobol; (iii) examine ongoing work on the pilot projects on transboundary groundwaters; (iv) examine ongoing work on pilot projects on transboundary lakes; and (v) make the necessary arrangements for project implementation.

(c) International Water Assessment Centre (IWAC)

At their second meeting, the Parties decided to review the activities of IWAC at their third meeting (see ECE/MP.WAT/5, para. 40). This review, prepared by the Director of the Centre (MP.WAT/2003/12), will also contain a new mission statement and priorities for future work, including the development of indicators for the water sector as a contribution from UNECE to the second edition of the World Water Development Report in 2006.

The Meeting may also wish to invite the Government of the Netherlands as well as the cooperating organizations and institutions to consider providing the necessary human and financial resources to operate the Centre.

Item 10: Partners in cooperation: links with other sectors and programmes

(a) Environmental partnerships in the UNECE region

(i) Partnership on water for sustainable development

Following the invitation of the Kiev Ministerial Conference “Environment for Europe” to countries in the region and other interested parties to consider joining the “Strategic Partnership on Water for Sustainable Development” (see ECE/CEP/94/Rev.1,

⁴ See <http://www.unece.org/env/water/publications/pub74.htm>

para.51), launched at the World Summit on Sustainable Development by the EU and the 12 countries of Eastern Europe, the Caucasus and Central Asia, aiming at urban water supply and sanitation including work on innovative financing mechanisms for water infrastructure and water resources management, including transboundary river basin and regional seas issues, the Meeting will make arrangements to support activities that fall under this Partnership (MP.WAT/2003/13). This will include cooperative arrangements with the Global Water Partnership as provided for in the Declaration of the second meeting of the Parties (ECE/MP.WAT/5, annex I).

(ii) Environment strategy for countries of Eastern Europe, the Caucasus and Central Asia

Following the outcome of the Kiev Ministerial Conference “Environment for Europe”, UNECE and the United Nations Environment Programme (UNEP) have been entrusted with facilitating the development of the strategy’s component on integrated management of water resources (see documents of the Kiev Conference, particularly, ECE/CEP/94/Rev.1; ECE/CEP/105/Rev.1). Based on the outcome of the meeting in October 2003 of the Task Force for the Implementation of the Environmental Action Programme for Central and Eastern Europe (EAP Task Force, serviced by the Organisation for Economic Co-operation and Development (OECD), which oversees the preparation of the strategy, the Meeting of the Parties will agree on its inputs to further develop and implement the strategy as regards transboundary waters and regional sea activities.

(b) Regional follow-up to the World Summit on Sustainable Development and preparations for the next meeting of the Commission on Sustainable Development

Following the Kiev Ministerial Conference “Environment for Europe” (see ECE/CEP/94/Rev.1, para. 70), UNECE has been requested to assist in cooperation with other relevant organizations and institutions in assessing progress in the implementation of environmental commitments of the region stemming from the Johannesburg Declaration on Sustainable Development and the Plan of Implementation as well as the UNECE Regional Preparatory Meeting for the World Summit. The results of this work should feed into regional implementation meetings organized in preparation of meetings of the Commission on Sustainable Development as it recommended at its 11th session.

Based on a working paper by the secretariat and in line with the Declaration adopted at the second meeting (ECE/MP.WAT/5, annex I, para. 5), the Meeting will agree on its input into the first regional implementation meeting, scheduled for January 2004, on the topics water, sanitation and human settlements.

(c) Cooperation with the governing bodies of multilateral environmental agreements, other United Nations bodies, and other partners

The Chairman of the Bureau will inform the Meeting about the consultations held from 2000 onwards under the auspices of the UNECE Committee on Environmental Policy with the Bureaux of the environmental conventions which are serviced by UNECE. Particular reference will be made to the link between the drawing-up of a long-term strategy for work

on environmental issues under the UNECE Committee on Environmental Policy and under the Water Convention.

The Meeting is invited to seek opportunities for cooperating with relevant UNECE bodies, and governing bodies of UNECE environmental conventions, United Nations organizations and other relevant international entities, committees and programmes. This may include cooperation with: (i) the governing body of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention) regarding the ecosystem approach in water management; (ii) the governing body of the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Basel Convention) regarding civil liability issues; (iii) the Global Water Partnership regarding integrated water resources management (see also agenda item 10 (a)); and (iv) the FreshCo partnership, launched at the World Summit on Sustainable Development, on linking integrated water resources management and integrated coastal zone management, to which UNECE has been invited to contribute.

Item 11: Work plan until the fourth meeting of the Parties (2004-2006)

The Meeting is expected to endorse the work plan, finalized by its ad hoc group on the basis of the relevant meeting documents discussed under the various items of the provisional agenda.

In doing so, the Meeting of the Parties will:

(a) Endorse the terms of reference of its Bureau and Working Groups or other bodies to implement the various programme elements as well endorse the composition of the Bureau, following the relevant decisions taken at the first and second meetings of the Parties (see in particular annexes VI and VII to the report of the second meeting of the Parties, ECE/MP.WAT/5);

(b) Agree on the lead Parties and their role in implementing the various programme elements;

(c) Examine ways and means of facilitating the attendance of representatives of countries with economies in transition at future meetings under the Convention, and to facilitate the role of these countries as lead Parties for various programme elements;

(d) Consider strengthening secretariat services, e.g. assisting in the preparation of studies, servicing meetings outside Geneva, participating in meetings organized by other organizations with which it has decided to cooperate, holding consultations with Parties on other matters linked to the implementation of the Convention, and carrying out public relations work;

(e) Evaluate the opportunity of establishing a trust fund or making other suitable arrangements to ensure the smooth management of any voluntary contributions in the light of the decision taken at the first meeting (ECE/MP.WAT/2, paras. 34 and 35).

Item 12: The Madrid Declaration

On the basis of a draft text prepared by the delegation of Spain (MP.WAT/2003/14) and finalized by the respective ad hoc group, the Meeting will adopt a policy declaration, which sets out the Convention's major medium- and long-term goals. Particular account will be taken of the outcome of the 2003 Ministerial Conference "Environment for Europe".

Item 13: Election of officers for the fourth meeting of the Parties

Following the rules of procedure, the Meeting of the Parties will elect its officers, who will remain in office until the next elections at the fourth meeting of the Parties.

Item 14: Date and venue of the fourth meeting of the Parties

The Meeting of the Parties is invited to set the indicative dates for its fourth ordinary meeting and agree on its venue. In doing so, the Meeting will recall its earlier decision to evaluate the implementation of the decisions of the Hamburg Seminar (see agenda item 8 (e)) at a joint meeting with the Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents.

Item 15: Other business

At the time of writing, the secretariat had no points to propose under this item.

Item 16: Adoption of the report

The Meeting of the Parties is expected to adopt the report of its third meeting on the basis of a draft prepared by the secretariat.

Item 17: Closing of the meeting

A representative of the host country, Spain, will close the meeting.