



**Economic and Social  
Council**

Distr.  
GENERAL

MP.WAT/2003/6  
5 September 2003

ORIGINAL: ENGLISH

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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  
Items 2 to 11 of the provisional agenda

**DRAFT WORK PLAN FOR THE PERIOD 2004-2006**

Prepared by the secretariat on the basis of proposals  
submitted by the Chairpersons of the Working Groups and  
contributions by Parties to the Convention

1. This document is intended to facilitate the discussions and decisions of the Parties to the Convention related to the 2004-2006 work plan. Annex I has been drawn up by the secretariat in consultation with the Chairpersons of the Working Group on Legal and Administrative Aspects (Mrs. Phani Livada, Greece, and Prof. Attila Tanzi, Italy) and the “friends of the chair”. Annex II has been drawn by the Chairman of the Working Group on Water Management (Mr. Milan Matushka, Slovakia) with the “friends of the chair” and with the assistance of the secretariat; and was revised by the secretariat on the basis of the outcome of the fourth meeting of the Working Group on Water Management (MP.WAT/WG.1/2003/2) as well as proposals by countries made after this meeting

2. In an addendum to this document, the draft work plan on programme area III: Monitoring and Assessment will be presented as this working group will have its fourth meeting on 12-13 September 2003 after the deadline for submission of the present document. The draft work plan on programme area IV: Water and Health will be issued as part of the report of the second meeting of the Signatories to the Protocol on Water and Health (MP.WAT/AC.2/2003/2-EUR/03/5041120/2).

3. Given the ratification status of the Convention and the Protocol on Water and Health (see the analysis in document MP.WAT/2003/5 on achievements under the Convention), the Second International Conference on Sustainable Management of Transboundary Waters in Europe recommended that "More should be done so that countries that are not yet Parties to the Convention and its Protocol, particularly newly independent States and Balkan States, ratify these legal instruments. They face serious problems with the management of their transboundary waters and need to be able to take advantage of achievements of this cooperative work (ECE/MP.WAT/8, para.33 (a)). This statement applies, *mutatis mutandis*, also to the status of signature of the Protocol on Civil Liability. The Meeting of the Parties addressing the ratification status under items 2, 4 and 5 of the provisional agenda is therefore invited to draw up a new work plan element to implement this recommendation.

#### Draft decisions

4. The Meeting of the Parties may wish to:

(a) Express its appreciation to the Parties that have already expressed their readiness to take a lead in programme implementation;

(b) Welcome the activities undertaken by the Chairpersons and the various working groups, such as the drawing up of working papers on a long-term strategy under the Conventions, that provided the basis for the current draft work;

(c) Invite the Parties to update, as appropriate, the draft work plan proposals (annexes I and II) including the programme elements' lead Parties and participating Parties, taking into account the outcome of the discussions on items 2 to 10 of the provisional agenda. In doing so, particular attention should be given to the recommendations of the Second International Conference on Sustainable Management of Transboundary Waters in Europe (ECE/MP.WAT/8, para.33 (a)-(e)).

Annex I**DRAFT WORK PLAN FOR PROGRAMME AREA I:  
IMPLEMENTATION AND COMPLIANCE**

Responsible body: Working Group on Legal and Administrative Aspects, with [contry name] as lead Party.

Rationale: Many countries need methodologies and/or practical advice on how to comply with the provisions of the Convention, its Protocol on Water and Health and its Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters (Civil Liability Protocol). Such assistance is an integral component of all programme areas. In particular, programme area I will provide assistance for the drawing-up, revision, adaptation and implementation of bilateral and multilateral agreements on transboundary waters and provide advice so as to avoid inconsistencies with the Convention and its Protocols and other UNECE multilateral environmental agreements. The establishment of compliance review systems will be facilitated and the conformity of bilateral and multilateral agreements and other arrangements with the basic principles of the Convention will be reviewed.

Work accomplished: See document MP.WAT/2003/5, annex, programme area I.

**1.1 Review of achievements, policies and strategies regarding the protection and use of transboundary waters**

Objectives: The Meeting of the Parties will regularly review policies for, and methodological approaches to, the protection and use of transboundary waters, and exchange information on steps taken by the Parties for the implementation of the Convention. This will be part of its efforts to follow closely recent developments in the protection and rational use of inland waters, at both the national and international levels in the ECE region, and facilitate the convergence of policies and strategies. This review will also facilitate the selection of priorities for policy discussion at its meetings and form a basis for identifying areas of specific cooperation.

Work to be undertaken: The secretariat will prepare a draft report on achievements under Agenda 21, Rio+5 and the Johannesburg Plan of Implementation in the two thematic areas of water and sanitation (and contribute to the relevant sections in the report on the thematic area of human settlements) as input to the UNECE Regional Implementation Forum in January 2004, the 12<sup>th</sup> session of the Commission on Sustainable Development, meetings under the Environmental Strategy for countries in Eastern Europe, Caucasus and Central Asia as well as relevant meetings under the EU Water Initiative. The secretariat will also update the compilation of agreements on transboundary waters in the UNECE region as well as the review of the activities of joint bodies on the basis of country reports, workshop contributions and other communications by countries.

Lead Party: none, to be implemented by the secretariat with inputs by Parties and non-Parties.

Participating Parties: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Main partners: Cooperation will be sought with the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context (EIA Convention), the Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention), the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), the UNECE Committee on Environmental Policy (UNECE/CEP), the UNECE Committee on Human Settlements, the United Nations Environment Programme (UNEP), the Food and Agriculture Organization of the United Nations (FAO), the Regional Office for Europe of the World Health Organization (WHO/EURO), the Organization for Economic Co-operation and Development (OECD) as well as relevant NGOs.

## **1.2 Strategy and framework for compliance with the Protocol on Water and Health**

Objectives: Guidance will be provided to the Meeting of the Signatories to the Protocol on Water and Health to draw up multilateral arrangements of a non-confrontational, non-judicial and consultative nature for reviewing compliance, which should allow for appropriate public involvement.

Work to be undertaken: The Working Group will prepare with the assistance of experts, designated by the Working Group on Water and Health, a draft Compliance Review Mechanism under the Protocol for examination by the Working Group on Water and Health and consideration at a possible consultation meeting among the Parties to the Protocol on Water and Health, scheduled to take place once the Protocol has entered into force. It will assist representatives of the Protocol Parties to finalize the Compliance Review Mechanism for submission to the first meeting of the Parties to the Protocol on Water and Health for adoption.

Lead Party: [Italy]<sup>1/</sup>.

Participating Parties: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Main partners: Cooperation will be sought with UNECE/CEP, UNEP, WHO/EURO as well as relevant NGOs.

## **1.3 Advisory service on legal instruments**

Objectives: The Meeting of the Parties will assist Parties to the Convention, as well as non-Parties, at their request, to draw up new or adapt existing agreements on transboundary waters in line with the provisions of article 9 as well as other relevant articles. It will also examine whether existing agreements are in line with the provisions of the Convention and advise on

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<sup>1/</sup> Country names inserted in square brackets indicate that the respective country/countries are in the process of considering acting as lead or participating Party/Parties.

steps to be taken to avoid contradictions. Assistance will also be provided to draw up, revise and/or adapt national laws/regulations on water management.

Work to be undertaken: The Working Group will, as input into the Partnership on Water for Sustainable Development for the 12 countries in Eastern Europe, the Caucasus and Central Asia (see programme element 2.7) and other partnerships, make hoc arrangements - at the request of the Meeting of the Parties, its Bureau, its Working Groups and/or UNECE countries - following the terms of reference of the Advisory Network on Legal Instruments under the Convention (ECE/MP.WAT/5, annex IV).

Lead Parties: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Participating Parties: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Main partners: Cooperation will be sought with the UNECE Regional Advisory Service and UNEP.

#### **1.4 Interim implementation of the Civil Liability Protocol**

Objective: The Meeting of the Parties, together with the Conference of the Parties to the Industrial Accidents Convention, will exchange information on the steps taken by the Signatories to the Civil Liability Protocol for the implementation of pertinent provisions of the Protocol, pending its entry into force, and will assist the Signatories – at their request – in the ratification process.

Work to be undertaken: At the request of the Signatories, the Working Group will, with the assistance of experts designated by the governing body of the Industrial Accidents Convention: (a) provide explanations to the existing provisions of the Civil Liability Protocol; (b) prepare and hold training events of country representatives; (c) draw up a draft report on the steps taken to ratify the Civil Liability Protocol to be submitted to a joint special session of the governing bodies of the Water and Industrial Accidents Conventions, to take place preferably in 2006.

Lead Parties: Greece.

Participating Parties: [Italy, Switzerland, to be completed at the 3<sup>rd</sup> meeting of the Parties].

Main partners: Cooperation will be sought with the Conference of the Parties to the Industrial Accidents Convention, UNEP, the governing body of the Convention on the control of transboundary movements of hazardous wastes and their disposal (Basel Convention), the Regional Environmental Center for Central and Eastern Europe (REC) and relevant NGOs

## Annex II

### **DRAFT WORK PLAN FOR PROGRAMME AREA II: INTEGRATED MANAGEMENT OF WATER AND RELATED ECOSYSTEMS**

Responsible body: Working Group on Water Management, with [country name] as lead Party, assisted by the Joint Ad Hoc Expert Group on Water and Industrial Accidents established under the Water and Industrial Accidents Conventions, with Hungary and Switzerland as lead countries.

Rationale: The focus of programme area II is on inter-sectoral issues of water management related to the prevention, control and reduction of transboundary impact. It aims at providing assistance to the Parties in their endeavour to prevent damage to the environment; ensure the conservation and, where necessary, the restoration of water-related ecosystems; prevent damage by waters, including river regulation, drainage, floods, droughts and erosion; promote the ecosystem approach in water management; and foster water-demand management measures, including water supply services and the rational use of water. The programme area also facilitates the work of joint bodies. It also provides advice on public information and public participation in water management.

Work accomplished: See document MP.WAT/2003/5, annex, programme area II.

#### **2.1 Flood prevention and protection**

Objectives: The Meeting of the Parties will review the experience in the application of the 2000 Guidelines on sustainable flood prevention with a view to update them in the light of the practice and lessons learned during the most recent flood events in Central Europe.

Work to be undertaken: An open-ended task force, with Germany as lead country, will prepare an International Conference on Flood Prevention and Flood Protection hosted by Germany in 2004. Cooperation with the European Commission will be sought to ensure harmonization with the planned EU integrated strategy on flood prevention and protection and the Sixth Framework Programme. The opportunity for launching an intergovernmental negotiation process to develop a legal instrument on the subject 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.

Lead Party: Germany.

Participating Parties: Hungary, Netherlands, [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Main partners: Cooperation will be sought with joint bodies, such as the International Commissions for the Protection of the Rhine, Elbe, Oder, Danube, Meuse and Scheldt, as well as joint bodies established in Eastern Europe, the Caucasus and Central

Asia. Cooperation will also be sought with the International Strategy for Disaster Reduction (ISDR), the World Meteorological Organization (WMO) and WHO/EURO.

## **2.2 Strengthening the capability of joint bodies**

Objectives: The Meeting of the Parties will provide guidance to joint bodies in the region to strengthen their ability in integrated river basin management and water protection. Difficulties encountered in implementing the Convention arising from differences in administrative practice, in management and protection responsibilities or in water use rights in riparian countries will be also examined, weak points of management discovered, and guidance for jointly developing water resources management and setting priorities provided. The results of the activity will be widely disseminated to facilitate cooperation.

Work to be undertaken: [Slovakia will make a detailed proposal to the 3<sup>rd</sup> meeting of the Parties, including the creation of a network of experts providing assistance on request to countries and joint bodies].

Lead Party: Slovakia.

Participating Parties: [to be completed at the 3<sup>rd</sup> meeting of the Parties]

Main partners: Cooperation will be sought with UNEP and representatives of secretariats of joint bodies.

## **2.3 Public participation in water management**

Objectives: The Meeting of the Parties will assist countries to comply with provisions of relevant conventions, protocols and other binding and non-binding instruments to make policy- and decision-making on integrated water resources management a matter of concern to both public authorities and the public. Guidance will be given to countries and joint bodies so that public participation can lead to an improvement in the quality and implementation of, and commitment to, decisions, increased accountability, increased transparency and increased public awareness of water management issues. Use will be made of the EU guidance on public participation from the Common Implementation Strategy of Water Framework Directive, as well as the results of testing this EU guidance in the EU Pilot River Basins and any other relevant experience in this field.

Work to be undertaken: [The Netherlands will make a detailed proposal to the 3<sup>rd</sup> meeting of the Parties].

Lead Party: Netherlands.

Participating Parties: Belgium, France, Germany, Greece, [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Main partners: Cooperation will be sought with the governing bodies of the Aarhus Convention, the EIA Convention, UNECE/CEP and the European Commission. The Regional Environmental Centre for Central and Eastern Europe (REC), the Peipsi Centre for Transboundary Cooperation and the NGO MAMA-86 expressed their readiness to cooperate.

## **2.4 Water management and protection of the marine environment**

Objectives: The Meeting of the Parties will contribute to the implementation of the FreshCo partnership, launched at the World Summit for Sustainable Development, on linking integrated water resources management and integrated coastal zone management in order to promote more efficient methods for management of fresh, coastal and marine water resources, including protection of the productivity and biodiversity of aquatic ecosystems.

Work to be undertaken: An open-ended task force, with [country name] as lead Party, will organize a workshop on the integration of freshwater and coastal area management. Preferably, the workshop should focus on a region with significant experience and ongoing or undergone implementation projects, such as the Baltic region. The outcome of the workshop will particularly facilitate the implementation of the East European, Caucasian and Central Asian component of the Partnership on water for sustainable development (see programme element 2.7).

Lead Party: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Participating Parties: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Main partners: UNEP's Global Programme on Action (UNEP/GPA) and the Helsinki Commission have expressed their readiness to organize an Integrated Coastal Area and River Basin Management (ICARM)-workshop in the Baltic region to exchange practical experiences related to the management link of Baltic rivers and coastal zones, based on the recent experience with the Oder pilot project developed by UNEP/GPA under ICARM. Cooperation will also be sought with the responsible authorities in Germany and Poland involved in the Oder project as well as the other main partners of the FreshCo partnership, such as the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention), the International Union for Conservation of Nature (IUCN), the World Wildlife Fund (WWF) and the Global Water Partnership (GWP).

## **2.5 Ecosystem approach in water management**

### **2.5.1 Role of ecosystems as water suppliers**

Objectives: For the first time, the Ministerial Declaration of the third World Water Forum officially recognized the essential role of ecosystems as water suppliers such as forests, wetlands and soils that naturally capture, filter, store and release water (para. 24 of the Declaration). The Meeting of the Parties will therefore review and disseminate experience and best practices that are already available in this field.

Work to be undertaken: An open-ended task force, with Switzerland as lead country, will prepare a workshop, hosted by Switzerland in 2004, on the role of ecosystems as water suppliers and develop proposals for follow up activities by the Meeting of the Parties.

Lead Party: Switzerland.

Participating Parties: [to be completed at the 3rd meeting of the Parties].

Main partners: Cooperation will be sought with the governing body of the Ramsar Convention, IUCN, WWF and other relevant NGOs, and with countries outside the UNECE region, such as Japan.

### **2.5.2 Environmental services and financing of sustainable ecosystems**

Objectives: The Meeting of the Parties will review and disseminate experience on hydro-solidarity between upstream and downstream populations, specifically considering the practice of protecting and sustainably using ecosystems (forests and wetlands) by means of innovative economic tools such as payments for environmental services through examples of successful public-private partnerships and public-public partnerships.

Work to be undertaken: An open-ended task force, with Switzerland as lead country will prepare a workshop, hosted by Switzerland in 2004, on financing the protection and sustainable use of ecosystems by environmental services and develop proposals for follow up activities by the Meeting of the Parties.

Lead Party: Switzerland.

Participating Parties: [to be completed at the 3rd meeting of the Parties]

Main partners: Cooperation will be sought with UNEP, the World Economic Forum, the governing body of the Ramsar Convention, WWF, IUCN and others.

### **2.6 Implementation of the Water Framework Directive**

Objectives: The Meeting of the Parties will serve as a platform for disseminating the work on the implementation of the EU Water Framework Directive developed by EU Working Groups and Expert Advisory Forums, in order to facilitate cooperation in basins shared with non-EU countries.

Work to be undertaken: A group of experts will develop a plan of activities to introduce concepts and principles of the EU Water Framework Directive into the water management of non-EU countries, particularly those on the fringe of the enlarged EU area. This plan of activities will particularly refer to: (a) a test and possible adaptation of the guidance document on the economic analysis developed in the framework of the EU Common Strategy in countries in transition; (b) the transfer of early experience from EU Member States to countries in transition on ways of

better integrating water management issues into other sector policies; and (c) the dissemination of results of the EU pilot projects on transboundary water basins under the Common Implementation Strategy. Moreover, workshops will be organized, as appropriate, to facilitate the implementation of the East European, Caucasian and Central Asian component of the Partnership on water for sustainable development (see programme element 2.7).

Lead Party: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Participating Parties: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Main partners: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

## **2.7 Integrated management of transboundary water in Eastern Europe, the Caucasus and Central Asia (EECCA)**

Objectives: The Meeting of the Parties will assist countries in Eastern Europe, the Caucasus and Central Asia to address the sub-region's problems and achieve the goals of sustainable use of water, demand management and sharing of water among countries, ecosystem approach in water management (including biodiversity and integration of land and water management), pollution prevention and rehabilitation of damaged ecosystems.

Work to be undertaken: Assistance will be provided to the 12 countries in the EECCA region: (a) to implement the Strategic Partnership on Water for Sustainable Development, related to transboundary waters, following as appropriate the secretariat's action programme (see document MP.WAT/2003/13) and the Partnership's programme document; and (b) to link work with other partnership arrangements, such as the Partnership on Water, Environment and Security in Central Asia. This will mainly be achieved through a series of workshops, each focusing on specific aspects of cooperation (e.g. legal, regulatory and institutional framework; joint monitoring and assessment, including exchange of information, information systems, early warning and alarm systems; pollution prevention, control and reduction; allocation of water resources and sustainable use of water; river basin management plans and relation with the EU Water Framework Directive - integrated water resources management including the ecosystem approach, environmental objectives and public participation; relation and policy integration with regional seas; flood prevention and flood protection).

Lead Parties: Denmark and Russian Federation (for overall coordination of the Partnership's component on Integrated Water Resources Management in the period 2003-2004).

Participating Parties: All 12 East European, Caucasian and Central Asian countries, [Finland, Norway, Sweden, United Kingdom]<sup>2/</sup>, [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Main partners: Cooperation with the following partners has been agreed upon: European Commission, OECD, UNEP, United Nations Development Programme (UNDP), WHO/EURO,

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<sup>2/</sup> These countries are already involved in UNECE activities in the EECCA region.

Organization for Security and Cooperation in Europe (OSCE), GWP and the Regional Environmental Centers. Cooperation will also be sought with the Economic and Social Commission for Asia and the Pacific (ESCAP).

## **2.8 Water and industrial accidents**

Objectives: The governing bodies of the Water and Industrial Accidents Convention will implement their joint programme on water and industrial accidents, further develop the recommendations contained therein, and provide advice to joint bodies and other relevant authorities, organizations and institutions to improve the safety and management of industrial installations so as to prevent transboundary accidental water pollution, taking into account the achievements of the joint bodies on the rivers Elbe, Danube and Rhine.

Main partners: Cooperation will be sought with ISDR, UNEP, WHO/EURO and the European Commission.

### **2.8.1 Water and industrial accidents: joint measures**

Work to be undertaken: Through the joint ad hoc expert group on water and industrial accidents, assistance will be provided to implement the short-term activities set out in the joint programme (MP.WAT/SEM.1/1999/3, annex I) to promote cooperation and prompt communication in the event of an industrial accident, further develop the joint programme and adapt it to changing circumstances. Joint activities include the identification of hazardous activities for the purposes of both Conventions, safety guidelines/best practices for the prevention of accidental water pollution, notification and alarm systems, cross-border contingency plans and the organization of joint response exercises, such as the response exercise tentatively scheduled for 2004 within the framework of the International Commission for the Protection of the Elbe. These joint activities also include the drawing up of safety guidelines for pipelines and tailing dams, and possible adaptation of existing guidelines to the specific needs and circumstances of river basins. Joint activities also include the evaluation of the country responses (see programme element 8.2) and the compilation of an assessment report for submission to the fourth Meeting of the Parties in 2006. Upon request, assistance will be provided for the interim implementation of the Protocol on civil liability and compensation for damage caused by the transboundary effects of industrial accidents on transboundary waters.

Lead Parties: Hungary (for water issues) and Switzerland (for industrial safety issues).

Participating Parties: Armenia, Croatia, Czech Republic, Germany, Hungary, Poland, Romania, Russian Federation, Slovakia, Switzerland, Ukraine.

### **2.8.2 Water and industrial accidents: measures to be undertaken by each Party**

Work to be undertaken: The long-term activities set out in the joint programme (MP.WAT/SEM.1/1999/3, annex I) will be carried out by each of the Parties (by countries with market economies within a period of five years, and by countries with economies in transition

within a period of ten years). These activities include the adaptation of national legal systems, the setting-up of administrative procedures and the implementation of technical measures at the level of industrial installations and within production practices. Each Party will report to the respective Meetings of the Parties about achievements (reporting by countries with market economies in 2005 and by countries with economies in transition in 2010). The format of the reporting scheme and criteria for compliance will be established by the joint ad hoc expert group on water and industrial accidents (see programme element 8.1) and sent to countries with market economy in 2005 for the 2006 assessment of achievements.

Lead Party: none, to be implemented by each Party.

Participating Parties: all Parties from countries with market economies for the review to be submitted to the Meeting of the Parties in 2006.

## **2.9 Dissemination of information related to the Water Convention<sup>3/</sup>**

Objectives: The Meeting of the Parties will disseminate information on activities carried out under the Convention or related to the Convention, enhance visibility of the Convention and its Protocols, and provide Parties and non-Parties with information, which could assist in the implementation of the Convention.

Work to be undertaken: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Lead Party: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Participating Parties: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

Main partners: [to be completed at the 3<sup>rd</sup> meeting of the Parties].

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<sup>3/</sup> This programme element has been proposed by the Working Group on Water Management at its fourth meeting.